

# Warren County Board of Supervisors

**AGENDA  
FRIDAY APRIL 21, 2023  
BOARD MEETING**



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

**Pledge of Allegiance - Supervisor Frasier**

**Roll Call**

**Privilege of the floor and public comment**

**Motion to approve minutes of the March 17, 2023 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**

**Chair declares public hearing open on proposed Local Law No. 3 of 2023, Entitled "*A Local Law Providing That No Exemption under Real Property Tax Law Section 487 Be Applicable Within the Jurisdiction of the County of Warren with Respect to Any Solar or Wind Energy System or Farm Waste Energy System*", and requests Clerk of the Board read the Notice of Public Hearing aloud - privilege of the floor extended to anyone wishing to be heard**

**Reports by Committee Chairs**

**Report by County Administrator**

**Report by County Attorney**

**Reading of Communications**

**Reading of Resolutions**

**Discussion and Public Comment on Proposed Resolutions**

**Requests for roll call votes**

**Vote on Resolutions**

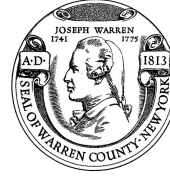
**Privilege of the Floor and Public Comment**

**Announcements**

**Motion to Adjourn**

# Warren County Board of Supervisors

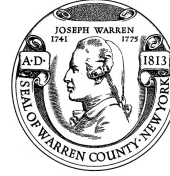
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
PROC 12		<b>PROCLAMATION - NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK</b>
PROC 13		<b>PROCLAMATION - CRIME VICTIMS' RIGHTS WEEK</b>
PROC 14		<b>PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH</b>
PROC 15		<b>PROCLAMATION - MENTAL HEALTH AWARENESS MONTH</b>
PROC 16		<b>PROCLAMATION - DONATE LIFE MONTH</b>
PROC 17		<b>PROCLAMATION - LAW DAY</b>
PROC 18		<b>PROCLAMATION - SAGA CITY DAY</b>
178	ROLL CALL	<b>FINANCE - MAKING SUPPLEMENTAL APPROPRIATIONS</b>
179	ROLL CALL	<b>FINANCE - AMENDING WARREN COUNTY BUDGET FOR 2023 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY</b>
180	ROLL CALL	<b>ARPA ADVISORY - AUTHORIZING ALLOCATION OF ARPA FUNDING TO THE WARREN COUNTY OFFICE OF COMMUNITY SERVICES FOR THE PURPOSE OF FUNDING MENTAL HEALTH AND HOMELESS SERVICES AS WELL AS ANY NON-EXPENDED FUNDING; AND AMENDING WARREN COUNTY BUDGET FOR 2023</b>
181	ROLL CALL	<b>ARPA ADVISORY - AUTHORIZING ALLOCATION OF ARPA FUNDING TO THE WARREN COUNTY OFFICE OF EMERGENCY SERVICES FOR THE PURPOSE OF FUNDING WARREN COUNTY MARINE RESCUE TEAM SUPPLIES, MATERIALS AND EQUIPMENT; AND AMENDING WARREN COUNTY BUDGET FOR 2023</b>
182	ROLL CALL	<b>ARPA ADVISORY - AUTHORIZING ALLOCATION OF ARPA FUNDING TO THE WARREN COUNTY PLANNING &amp; COMMUNITY DEVELOPMENT FOR THE PURPOSE OF FUNDING THE FEDERAL GRANT APPLICATION MATERIALS FOR INFRASTRUCTURE PROJECT WITH THE NORTHERN BORDER REGIONAL COMMISSION; AND AMENDING WARREN COUNTY BUDGET FOR 2023</b>
183	ROLL CALL	<b>ARPA ADVISORY - RESCINDING RESOLUTION NO. 503 OF 2022, WHICH AUTHORIZED ARPA FUNDS DISBURSEMENT TO CARITAS, INC. D/B/A NEARCARE; AND AMENDING WARREN COUNTY BUDGET FOR 2022</b>

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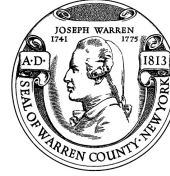
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184		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (ASSIGNED COUNSEL) - AUTHORIZING AGREEMENT WITH LEGAL AID SOCIETY OF NORTHEASTERN NEW YORK, INC. FOR FAMILY COURT CONFLICT CASES</b>
185	ROLL CALL	<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (ASSIGNED COUNSEL) - AUTHORIZING AN AGREEMENT WITH THE RURAL LAW CENTER OF NEW YORK, INC. FOR ASSIGNED COUNSEL APPELLATE CASES</b>
186		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (OFFICE OF EMERGENCY SERVICES) - APPOINTING MEMBERS OF WARREN COUNTY FIRE ADVISORY BOARD FOR THE OFFICE OF EMERGENCY SERVICES</b>
187		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (PROBATION) - RATIFYING THE ACTIONS OF THE CHAIR OF THE BOARD OF SUPERVISORS IN EXECUTING A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR 13-A CLASSIFICATION FUNDING TO SUPPORT THE PRE-TRIAL RELEASE PROGRAM</b>
188		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (PUBLIC DEFENDER) - AUTHORIZING EXTENSION OF THE PUBLIC DEFENSE CASE MANAGEMENT SYSTEM MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH NEW YORK STATE DEFENDERS ASSOCIATION, INC. FOR THE PUBLIC DEFENDER'S OFFICE</b>
189		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (SHERIFF) - AUTHORIZING LICENSE/USE AGREEMENT WITH THE TOWN OF BOLTON WITH REGARD TO INSTALLATION, OPERATION AND MAINTENANCE OF A RADIO TOWER AND ACCESSORY BUILDING LOCATED AT THE TOWN HALL IN THE TOWN OF BOLTON</b>
190		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (SHERIFF) - AUTHORIZING LICENSE/USE AGREEMENT WITH THE TOWN OF CHESTER FIRE DISTRICT WITH REGARD TO INSTALLATION, OPERATION AND MAINTENANCE OF A RADIO TOWER AND ACCESSORY BUILDING LOCATED IN THE TOWN OF CHESTER</b>

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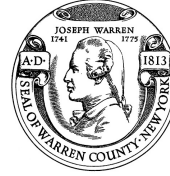
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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
191		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AUTHORIZING AGREEMENT WITH TVC ALBANY, INC. D/B/A FIRST LIGHT FIBER TO INSTALL AND PROVIDE ETHERNET E-LINE FIBER OPTIC COMMUNICATIONS SERVICE AT THE WARREN COUNTY SHERIFF'S OFFICE FACILITIES TO IMPROVE RADIO COMMUNICATIONS
192		<b>CRIMINAL JUSTICE &amp; PUBLIC SAFETY (<i>SHERIFF</i>)</b> - AMENDING AGREEMENT WITH LEXIPOL FOR A SUBSCRIPTION FOR ONLINE POLICE AND CORRECTIONS TRAINING FOR THE WARREN COUNTY SHERIFF'S OFFICE, TO INCREASE THE MONTHLY SUBSCRIPTION AMOUNT
193		<b>ECONOMIC GROWTH &amp; DEVELOPMENT (<i>PLANNING &amp; COMMUNITY DEVELOPMENT</i>)</b> - AUTHORIZING AGREEMENT WITH CD3 GENERAL BENEFIT CORPORATION TO PROVIDE SOFTWARE FOR CLOUD BASED CD3 PLATFORM AND TELECOM DATA AND SERVICE FOR MOBILE DECONTAMINATION UNITS ASSOCIATED WITH THE SCHROON LAKE AQUATIC INVASIVE SPECIES INITIATIVE FOR THE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
194	ROLL CALL	<b>JOINT ECONOMIC GROWTH &amp; DEVELOPMENT AND ENVIRONMENTAL CONCERNS &amp; REAL PROPERTY TAX SERVICES</b> - ENACTING LOCAL LAW NO. 3 OF 2023, ENTITLED "A LOCAL LAW PROVIDING THAT NO EXEMPTION UNDER REAL PROPERTY TAX LAW SECTION 487 BE APPLICABLE WITHIN THE JURISDICTION OF THE COUNTY OF WARREN WITH RESPECT TO ANY SOLAR OR WIND ENERGY SYSTEM OR FARM WASTE ENERGY SYSTEM"
195		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AUTHORIZING AGREEMENT WITH DEFOE FAMILY FARM, LLC TO PURCHASE AND DISTRIBUTE FRESH PRODUCE THROUGHOUT THE GROWING SEASON AND FROZEN ITEMS/STORAGE CROP FOR THE WINTER MONTHS TO WIC (WOMEN, INFANT, CHILDREN) PROGRAM PARTICIPANTS AND THEIR FAMILIES FOR WARREN COUNTY PUBLIC HEALTH
196		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AUTHORIZING AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH INSTITUTE FOR GRANT FUNDING AWARDED UNDER THE STRENGTHENING U.S. PUBLIC HEALTH INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS PROGRAM

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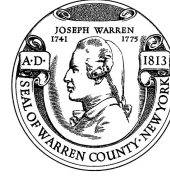
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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
197		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN
198		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AMENDING AGREEMENT WITH ALAYACARE USA, INC. FOR ELECTRONIC VISIT VALIDATION (EVV) SERVICES, TO INCLUDE INTERFACES WITH VARIOUS MEDICAID INSURERS AS NEEDED
199		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AMENDING AGREEMENT WITH HOMECARE HOMEBASE, LLC FOR POINT OF CARE SOFTWARE SYSTEM FOR THE WARREN COUNTY HEALTH SERVICES DEPARTMENT (WC 54-22), TO INCLUDE INTERFACES WITH VARIOUS MEDICAID INSURERS AS NEEDED
200		<b>HEALTH SERVICES (<i>PUBLIC HEALTH</i>)</b> - AUTHORIZING AGREEMENT WITH VARIOUS THERAPISTS AND SERVICE PROVIDERS LICENSED BY NEW YORK STATE TO PROVIDE PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT
201		<b>HUMAN SERVICES (<i>COUNTRYSIDE ADULT HOME</i>)</b> - AMENDING AGREEMENT WITH PHARMACY ASSOCIATES OF GLENS FALLS, LLC D/B/A OMNICARE OF BALLSTON SPA TO PROVIDE STOCK MEDICATIONS AND SUPPLIES THAT ARE THE RESPONSIBILITY OF THE FACILITY AT A DISCOUNTED PRICE FOR COUNTRYSIDE ADULT HOME, TO INCREASE THE NOT TO EXCEED AMOUNT
202		<b>HUMAN SERVICES (<i>COUNTRYSIDE ADULT HOME</i>)</b> - AMENDING AGREEMENT WITH JENNIFER LINEHAN, REGISTERED DIETICIAN, FOR DIETARY CONSULTANT SERVICES AT COUNTRYSIDE ADULT HOME, TO INCREASE THE NOT TO EXCEED AMOUNT
203		<b>LEGISLATIVE, RULES &amp; GOVERNMENTAL OPERATIONS (<i>LEGISLATIVE</i>)</b> - APPROVING THE WARREN COUNTY POLICY AGAINST DISCRIMINATION AND HARASSMENT WHICH REPLACES THE WARREN COUNTY PLAN AND PROGRAM ON WORKPLACE HARASSMENT

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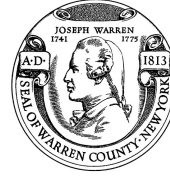
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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
204	ROLL CALL	<b>LEGISLATIVE, RULES &amp; GOVERNMENTAL OPERATIONS (LEGISLATIVE)</b> - RESOLUTION ALTERING THE STANDING RULES OF THE BOARD OF SUPERVISORS, AS ADOPTED BY RESOLUTION NO. 1 OF 2023 AND SUBSEQUENTLY AMENDED BY RESOLUTION NO. 119 OF 2023, TO DELETE SECTION E(7) RELATING TO THE FILLING OF VACANCIES AND THE CREATION OF NEW POSITIONS AND TO RE-NUMBER FORMER SECTION E(8) AS NEW SECTION E(7)
205		<b>LEGISLATIVE, RULES &amp; GOVERNMENTAL OPERATIONS (SELF-INSURANCE)</b> - AUTHORIZING AN AGREEMENT WITH BILL LINDLOFF OF PRO CUTS TO PROVIDE CHAINSAW SAFETY TRAINING COURSE
206		<b>LEGISLATIVE, RULES &amp; GOVERNMENTAL OPERATIONS (SELF-INSURANCE)</b> - ADOPTING AMENDED WARREN COUNTY HUMAN SERVICES BUILDING EMERGENCY ACTION AND RESPONSE PLAN AND THE WARREN COUNTY MUNICIPAL CENTER EMERGENCY ACTION AND RESPONSE PLAN
207		<b>OCCUPANCY TAX COORDINATION</b> - AMENDING RESOLUTION NO. 37 OF 2023, WHICH AUTHORIZED AGREEMENTS WITH CERTAIN APPLICANTS FOR THE DISBURSEMENT OF 2023 OCCUPANCY TAX REVENUES, TO REMOVE ADIRONDACK CYCLING ADVOCATES, INC.
208		<b>OCCUPANCY TAX COORDINATION</b> - AMENDING RESOLUTION NO 570 OF 2021 AND AGREEMENT WITH ADIRONDACK CYCLING ADVOCATES, INC. TO INCLUDE THE CONTINUATION OF THE PLANNING AND DESIGN WORK ON THE RABBIT POND TRAIL IN SKI BOWL PARK IN NORTH CREEK
209	ROLL CALL	<b>OCCUPANCY TAX COORDINATION</b> - AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF LAKE GEORGE AND THE TOWN OF LAKE GEORGE TO PROVIDE FUNDING FOR THE LAKE GEORGE EVENT MANAGER POSITION
210		<b>PUBLIC WORKS (DPW)</b> - AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2 WITH BARTON & LOGUIDICE TO PROVIDE ADDITIONAL CONSTRUCTION INSPECTION SERVICES FOR THE CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT PROJECT

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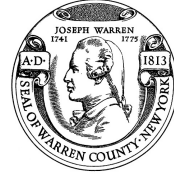
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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
211		<b>PUBLIC WORKS (DPW)</b> - AWARDING BID AND AUTHORIZING AGREEMENT WITH K5 CORPORATION FOR APPLICATION OF PAVEMENT MARKINGS (WC 18-23)
212		<b>PUBLIC WORKS (DPW)</b> - ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH VARIOUS CONTRACTORS FOR PERIODIC PROFESSIONAL MULTIDISCIPLINE ENGINEERING SERVICES (WC 19-23)
213		<b>PUBLIC WORKS (PARKS, RECREATION &amp; RAILROAD)</b> - AUTHORIZING SUBMISSION OF AN APPLICATION TO THE FOREST FIRE LOOKOUT ASSOCIATION (FFLA) RESTORATION GRANT PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS
214		<b>PUBLIC WORKS (PARKS, RECREATION &amp; RAILROAD)</b> - AUTHORIZING SUBMISSION OF AN APPLICATION TO THE WARREN COUNTY SOIL & WATER CONSERVATION DISTRICT FOR THE COMMUNITY CONSERVATION GRANT PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS
215	ROLL CALL	<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION</b> - AMENDING TABLE OF ORGANIZATION AND WARREN COUNTY SALARY AND COMPENSATION PLAN FOR 2023 TO CREATE POSITION WITHIN THE OFFICE OF EMERGENCY SERVICES; AND ADJUST THE SALARY OF POSITION WITHIN THE BOARD OF ELECTIONS
216		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (CLERK OF THE BOARD)</b> - FURTHER AMENDING RESOLUTION NO. 374 OF 2017, APPROVING THE PAYMENT FOR SERVICES PROPOSAL SUBMITTED BY THE WARREN COUNTY CORONER, TO UPDATE FORENSIC MEDICAL SERVICES FEES
217		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (COUNTY ATTORNEY)</b> - RESCINDING RESOLUTION NO. 45 OF 2023, WHICH AUTHORIZED THE HOME RULE REQUEST BY WARREN COUNTY FOR AN EXTENSION TO THE LAW AUTHORIZING AND EMPOWERING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX

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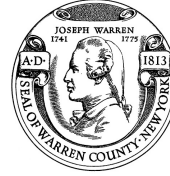
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<u>RES. NO.</u>	<u>VOTE</u>	<u>DESCRIPTION</u>
218		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (COUNTY ATTORNEY)</b> - RESCINDING RESOLUTION NO. 160 OF 2023, WHICH AUTHORIZED THE HOME RULE REQUEST BY WARREN COUNTY FOR THE ENACTMENT OF SENATE BILL NO. S2781 AND ASSEMBLY BILL NO. A4881 ENTITLED "AN ACT TO AMEND CHAPTER 368 OF THE LAWS OF 2008 AMENDING THE TAX LAW RELATING TO AUTHORIZING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX, IN RELATION TO EXTENDING THE EFFECTIVENESS THEREOF"
219		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (COUNTY ATTORNEY)</b> - HOME RULE REQUEST BY WARREN COUNTY FOR AN EXTENSION TO THE LAW AUTHORIZING AND EMPOWERING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX
220		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (COUNTY ATTORNEY)</b> - HOME RULE REQUEST BY WARREN COUNTY FOR THE ENACTMENT OF SENATE BILL NO. S2781A AND ASSEMBLY BILL NO. A4881A ENTITLED "AN ACT TO AMEND CHAPTER 368 OF THE LAWS OF 2008 AMENDING THE TAX LAW RELATING TO AUTHORIZING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX, IN RELATION TO EXTENDING THE EFFECTIVENESS THEREOF"
221		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (COUNTY ATTORNEY)</b> - RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE WARREN COUNTY POLICE BENEVOLENT ASSOCIATION ("PBA"), AND AUTHORIZING A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN WARREN COUNTY AND WARREN COUNTY POLICE BENEVOLENT ASSOCIATION FOR A TERM COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2025

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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
222		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (COUNTY ATTORNEY)</b> - RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE WARREN COUNTY POLICE SUPERVISORS BENEVOLENT ASSOCIATION AND AUTHORIZING A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN WARREN COUNTY AND THE WARREN COUNTY POLICE SUPERVISORS BENEVOLENT ASSOCIATION FOR A TERM COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2025
223		<b>PERSONNEL, ADMINISTRATION &amp; HIGHER EDUCATION (WORKFORCE DEVELOPMENT)</b> - AUTHORIZING TEMPORARY POSITIONS WITHIN THE WARREN COUNTY DEPARTMENT OF WORKFORCE DEVELOPMENT
224	ROLL CALL	<b>FINANCE (DPW)</b> - ESTABLISHING 2023 ROAD FUND PROJECTS AND AMENDING WARREN COUNTY BUDGET FOR 2023
225	ROLL CALL	<b>FINANCE (OCCUPANCY TAX COORDINATION)</b> - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE OCCUPANCY TAX RESERVE TO THE TOURISM BUDGET; AND AMENDING 2023 WARREN COUNTY BUDGET
226	ROLL CALL	<b>FINANCE (OFFICE OF COMMUNITY SERVICES)</b> - AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE OFFICE OF COMMUNITY SERVICES BUDGET TO COVER THE COST OF COURT-ORDERED NEW YORK STATE CRIMINAL PROCEDURE LAW 730 COMPETENCY EXAMINATION AND RESTORATION EXPENSES; AMENDING 2023 WARREN COUNTY BUDGET
227	ROLL CALL	<b>FINANCE (PLANNING &amp; COMMUNITY DEVELOPMENT)</b> - AUTHORIZING THE RE-APPROPRIATION OF FUNDS TO THE PLANNING & COMMUNITY DEVELOPMENT BUDGET; AND AMENDING 2023 WARREN COUNTY BUDGET
228		<b>SUPERVISORS DRISCOLL AND SMITH</b> - 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 HEATHER D. BAGSHAW AS DIRECTOR OF TOURISM

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<b><u>RES. NO.</u></b>	<b><u>VOTE</u></b>	<b><u>DESCRIPTION</u></b>
229		<b>SUPERVISORS WILD AND RUNYON - APPOINTING HEATHER D. BAGSHAW AS DIRECTOR OF TOURISM</b>
230		<b>SUPERVISORS BRAYMER AND BRUNO - 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 REQUIRING AC POWER, LLC TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF TAXES UPON CERTAIN PROPERTY LOCATED OFF OF RIVER STREET, TOWN OF QUEENSBURY</b>
231		<b>SUPERVISORS BRUNO AND SMITH - RESOLUTION REQUIRING AC POWER, LLC TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF TAXES UPON CERTAIN PROPERTY LOCATED OFF OF RIVER STREET, TOWN OF QUEENSBURY</b>

*PROCLAMATION NOS. 12-18; RESOLUTION NOS. 178-227; AND FLOOR RESOLUTION NOS. 1-4 (LATER RESOLUTION NOS. 228-231) WERE DISTRIBUTED TO THE MEMBERS OF THE BOARD OF SUPERVISORS AND POSTED TO THE WARREN COUNTY WEBSITE ON TUESDAY APRIL 18, 2023, MEETING THE REQUIREMENTS LISTED IN THE RULES OF THE BOARD*

# Warren County Board of Supervisors

BOARD MEETING  
FRIDAY, APRIL 21, 2023



**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 10:00 a.m.

Mr. Kevin B. Geraghty presiding.

Salute to the flag was led by Supervisor Frasier.

Roll called, the following members present:

Supervisors Conover, Leggett, Diamond, McDevitt, Bruno, Driscoll, Frasier, Geraci, Smith, Dickinson, Merlino, Strough, Wild, Magowan, Beaty, Stec, Thomas, Runyon and Geraghty 19; Absent 1- Supervisor Braymer.

Chairman Geraghty called for privilege of the floor/public comment, but there was no one wishing to speak.

Motion was made by Supervisor Bruno, seconded by Supervisor Frasier and carried by a unanimous vote of those present (*Supervisor Braymer absent*) to approve the minutes of the March 17, 2023 Board Meeting, subject to correction by the Clerk of the Board.

Presentation of the Employee of the Month Award was made to Amy Turcotte, *Legal Office Coordinator*, County Attorney's Office.

Continuing with the Agenda review, Chair declared the Public Hearing open on proposed Local Law No. 3 of 2023, Entitled "*A Local Law Providing that no Exemption under Real Property Tax Law Section 487 be Applicable within the Jurisdiction of the County of Warren with Respect to any Solar or Wind Energy System or Farm Waste Energy System*", at 10:08 a.m. and requested the Clerk of the Board read Notice of Public Hearing aloud. Chair called for public comment.

A discussion ensued regarding proposed Local Law No. 3 during which Supervisors Leggett, Magowan, Beaty, Strough, McDevitt commented.

Nicholas Collins, *City of Glens Falls Resident*, voiced his concerns regarding the impact this Local Law would have on the exemptions provided to residential solar customers following which Larry Elmen, *County Attorney*, noted the proposed Local Law would have no impact on the benefits allotted to residential solar customers.

A lengthy discussion ensued with regard the proposed Local Law and the confusion associated with whether it was permissible to proceed with negotiations with solar companies if the proposed Local Law was adopted during which Mr. Elmen affirmed if the Local Law moved forward the impacted property would be taxed for the County at the full assessed value, noting negotiations were not permissible.

**WARREN COUNTY BOARD OF SUPERVISORS**

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During the discussion, Supervisor Braymer entered the meeting at 10:38 a.m.

Chairman Geraghty once again called for public comments on proposed Local Law No. 3 of 2023, Entitled “*A Local Law Providing that no Exemption under Real Property Tax Law Section 487 be Applicable within the Jurisdiction of the County of Warren with Respect to any Solar or Wind Energy System or Farm Waste Energy System*”; there being no one else wishing to speak, Chairman Geraghty closed the Public Hearing at 10:43 a.m.

Report by the Chairman of the Board was given.

Report by Committee Chairs were given.

Report by the County Administrator was given. *Provided by the Assistant to the County Administrator in the County Administrator’s absence.*

Supervisor Strough exited the meeting at 11:10 a.m.

The Report by the County Attorney was deferred until the end of the meeting.

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

Reports from:

1. Warren County Commissioner of Jurors - Annual Report for 2022.

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

Resolution Nos. 178-227, as well as seven Proclamations were distributed to the members of the Board of Supervisors on Tuesday April 18, 2023, which met the distribution deadline specified in the Rules of the Board. The seven Proclamations were:

No. 12 - National Public Safety Telecommunicators Week;

No. 13 - Crime Victims’ Rights Week;

No. 14 - Sexual Assault Awareness Month;

No. 15 - Mental Health Awareness Month;

No. 16 - Donate Life Month;

No. 17 - Law Day; and

No. 18 - Saga City Day

Floor Resolution Nos. 1-4, included in the Board packet, were outlined individually and motions were requested to bring each to the floor.

Motion was made by Supervisor Driscoll, seconded by Supervisor Smith and carried by a unanimous vote of those present (*Supervisors Strough absent*) to bring proposed Floor Resolution No. 1, *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 Heather D. Bagshaw as Director of Tourism*, to the floor.

Amanda Allen, *Clerk of the Board*, announced Floor Resolution No. 1 would now be proposed Resolution No. 228.

Motion was made by Supervisor Wild, seconded by Supervisor Runyon and carried by a unanimous vote of those present (*Supervisors Strough absent*) to bring proposed Floor Resolution No. 2, *Appointing Heather D. Bagshaw as Director of Tourism*, to the floor.

**WARREN COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING**

**FRIDAY APRIL 21, 2023**

---

Mrs. Allen advised Floor Resolution No. 2 would now be referred to as proposed Resolution No. 229.

Supervisor Strough re-entered the meeting at 11:13 a.m.

Motion was made by Supervisor Braymer, seconded by Supervisor Bruno and carried unanimously to bring proposed Floor Resolution No. 3, *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 Requiring AC Power, LLC to Enter into an Agreement for Payments in Lieu of Taxes upon Certain Property Located off of River Street, Town of Queensbury*, to the floor.

Mrs. Allen stated Floor Resolution No. 3 would now be proposed Resolution No. 230.

Motion was made by Supervisor Bruno, seconded by Supervisor Smith and carried unanimously to bring proposed Floor Resolution No. 4, *Resolution Requiring AC Power, LLC to Enter into an Agreement for Payments in Lieu of Taxes upon Certain Property Located off of River Street, Town of Queensbury*, to the floor.

Mrs. Allen informed Floor Resolution No. 4 would now be known as proposed Resolution No. 231.

Mrs. Allen noted proposed Resolution No. 185 was inadvertently labeled incorrectly on the Resolution Index as a roll call vote which was not required unless otherwise requested by someone.

Discussion and public comment on proposed resolutions was called for.

Supervisor Beaty requested a roll call vote on proposed Resolution No. 204, *Resolution Altering the Standing Rules of the Board of Supervisors, as Adopted by Resolution No. 1 of 2023 and Subsequently Amended by Resolution No. 119 of 2023, to Delete Section E(7) Relating to the Filling of Vacancies and the Creation of New Positions and to Re-number Former Section E(8) as New Section E(7)*, and outlined the reasons he would be voting in opposition of the proposed Resolution.

A discussion ensued regarding proposed Resolution No. 204 during which Mr. Elmen advised the requirement for a two-thirds majority vote had been removed because it was determined the State did not permit a governing body to increase the vote to a two thirds majority by resolution which is in essence what the Rules of the Board were. He further explained the only legal manner in which a two-thirds majority vote could be required was to adopt a Local Law by referendum in the County, adding this process was not followed when the two thirds majority vote requirement was enacted several years ago for instances when new positions were being created.

A discussion ensued regarding proposed Resolution No. 194, *Enacting Local Law No. 3 of 2023, Entitled "A Local Law Providing that no Exemption under Real Property Tax Law Section 487 be Applicable within the Jurisdiction of the County of Warren with Respect to any Solar or Wind Energy System or Farm Waste Energy System"*, following which motion was made by Supervisor Wild, and seconded by Supervisor Strough to table proposed Resolution No. 194 and send it back to Committee. Chairman Geraghty called for a roll call vote; he called the question and the motion to table proposed Resolution No. 194 as outlined above and failed to obtain the majority vote, with 359 voting in favor (*Supervisors Strough, Wild, Magowan, Leggett and McDevitt*); and 643 voting in opposition (*Supervisors Frasier, Geraci, Smith, Dickinson, Merlino, Beaty, Stec, Thomas, Runyon, Conover, Diamond, Braymer, Bruno, Driscoll and Geraghty*).

Further discussion occurred on proposed Resolution No. 194, *Enacting Local Law No. 3 of 2023, Entitled "A Local Law Providing that no Exemption under Real Property Tax Law Section 487 be*

WARREN COUNTY BOARD OF SUPERVISORS

BOARD MEETING

FRIDAY APRIL 21, 2023

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*Applicable within the Jurisdiction of the County of Warren with Respect to any Solar or Wind Energy System or Farm Waste Energy System”, during which several Supervisors spoke in favor of the proposed Resolution while others voiced their opposition.*

Supervisor Braymer requested a roll call vote on proposed Resolution No. 209, *Authorizing Intermunicipal Agreement with the Village of Lake George and the Town of Lake George to Provide Funding for the Lake George Event Manager Position*, which she would be voting in opposition of.

Voting on resolutions occurred; Resolution Nos. 178-231 were approved as presented.

Supervisor Geraci exited the meeting at 11:57 a.m.

Chairman Geraghty offered privilege of the floor and the following spoke:

Kevin Hajos, *Superintendent of Public Works*, announced a Household Hazardous Waste collection event would be held in Warrensburg tomorrow and the next event would be held in the Town of Queensbury in August.

Returning to the Report by the County Attorney, Chairman Geraghty called for a motion to enter into an executive session. The necessary motion was made by Supervisor Frasier and seconded by Supervisor Stec. Mr. Elmen noted the purpose of the executive session was to address a recommendation from the Board of Ethics regarding ethics complaint No. 2023-1 Under Section 105(1)(f) of the Public Officer’s Law pertaining to a matter that may lead to the promotion, employment, demotion, discipline, suspension, dismissal or removal of a particular person. Chairman Geraghty called the question and the motion to enter into an executive session as outlined above was carried by a unanimous vote of those present (*Supervisor Geraci absent*).

Executive session was held from 11:58 a.m. until 12:31 p.m.; Supervisors Diamond and McDevitt exited the meeting during the executive session.

Upon reconvening, Chairman Geraghty announced no action was taken during the executive session.

Announcements were called for.

Chairman Geraghty reminded the Board members the Crime Victims’ Ceremony would be held this coming Monday morning at 9:30 a.m.

Supervisor Braymer announced the City of Glens Falls would be holding an Earth Day event tomorrow from 11:00 a.m. until 2:00 p.m. in the City Park.

Supervisor Driscoll advised the there were hockey playoff games scheduled for this evening and again tomorrow at 5:00 p.m. at the Cool Insuring Arena and he encouraged all to attend to support the Adirondack Thunder.

There being no further business to come before the Board of Supervisors, on motion made by Supervisor Driscoll and carried by a unanimous vote of those present (*Supervisors Diamond, McDevitt and Geraci absent*), Chairman Geraghty adjourned the Board Meeting at 12:32 p.m.

# Warren County Board of Supervisors

## Proclamation

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

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

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

**WHEREAS**, the staff at the Warren County Communications Center are on duty 24-hours a day, 7 days a week, and

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

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

**WHEREAS**, Public Safety Telecommunicators of the Warren County Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of those who have been injured or are ill, and

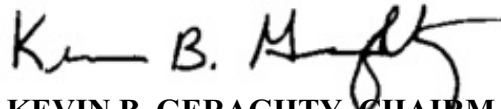
**WHEREAS**, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year, now, therefore, be it

**RESOLVED**, that 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 week of April 9-15, 2023, to be

### ***NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK***

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

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## Proclamation

**WHEREAS**, the term “victim” is more than just a label and has legal standing and protections that go along with it, and

**WHEREAS**, crime victims’ rights acts passed here in New York State and at the Federal level guarantee victims the right to meaningfully participate in the criminal justice process, and

**WHEREAS**, victim service providers, advocates, law enforcement officers, attorneys and other allied professionals can help survivors find their justice by enforcing these rights, and

**WHEREAS**, the right to provide an impact statement ensures that victims’ voices are considered in court during the sentencing and, when applicable, restitution processes, and

**WHEREAS**, including and elevating the voices of survivors makes certain they are heard and seen and creates a path to forging and sustaining community trust, and

**WHEREAS**, engaging survivors creates responses and services that are credible, meaningful, and centered on individual needs, and

**WHEREAS**, survivors’ lived experience can serve as a catalyst for implementing innovative programs, shifting existing programs in new directions, and changing policies or practices that prevent survivors from accessing services or pursuing justice, and

**WHEREAS**, National Crime Victims’ Rights Week provides an opportunity to recommit to listening to crime survivors in every space where decisions are made that could impact them, and

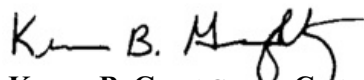
**WHEREAS**, Warren County is hereby dedicated to amplifying the voices of survivors and creating an environment where survivors have the confidence that they will be heard, believed, and supported, now, therefore, be it

**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 week of April 23-29, 2023, as

### ***CRIME VICTIMS’ RIGHTS WEEK***

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

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## Proclamation

**WHEREAS**, April is Sexual Assault Awareness Month - a time to draw attention to the prevalence of sexual assault and educate individuals and communities about how to prevent it, and

**WHEREAS**, sexual harassment, abuse and assault are widespread problems - in the United States alone, nearly one in five women and one in sixty-seven men have been raped at some time in their lives, and one in four girls and one in twenty boys is sexually abused by the age of seventeen, and

**WHEREAS**, sexual harassment, assault and abuse can happen anywhere, including in online spaces, and

**WHEREAS**, now, more than ever, screens and technology connect us with others - but for too long, harassment, cyberbullying, and sexual abuse have been seen as unavoidable behaviors online, and

**WHEREAS**, each of us has the power to change this statistic and together we can make a difference to build inclusive, safe and respectful communities that thrive both online and offline, and

**WHEREAS**, 2023 marks the twenty-second anniversary of Sexual Assault Awareness Month, and the theme of this year's campaign is "Drawing Connections: Prevention Demands Equity" and

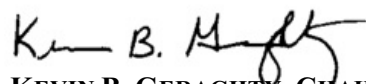
**WHEREAS**, we can build online communities free from sexual harassment, abuse, and assault by practicing digital consent, intervening when we see harmful behaviors and promoting online communities that value inclusion, safety, and respect, now, therefore, be it

**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 April 2023, to be

### ***SEXUAL ASSAULT AWARENESS MONTH***

in Warren County and call upon all Warren County citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and prevention of sexual harassment, abuse and assault, in both our online and offline communities.

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## Proclamation

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

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

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

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

**WHEREAS**, mental health conditions are real and prevalent in our nation, and

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

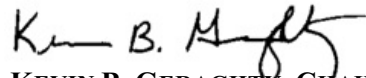
**WHEREAS**, each business, school, government agency, health care provider, organization and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention and treatment efforts, now, therefore, be it

**RESOLVED** that 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 May 2023 as

### ***MENTAL HEALTH AWARENESS MONTH***

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

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## Proclamation

**WHEREAS**, National Donate Life Month is celebrated every April, featuring local and national activities to educate and encourage Americans to register as donors and consider living donation, as well as to celebrate those who have saved and healed lives through the gift of organ donation, and

**WHEREAS**, 41,000+ organ transplants from 20,300 donors brought new life to patients and their families in 2021, and

**WHEREAS**, on average 85,600 corneal transplants help to restore sight and 2.5 million tissue transplants heal lives each year, and

**WHEREAS**, while there are more than 170 million people registered as organ, eye and tissue donors, the need remains great with upwards of 100,000 Americans waiting for lifesaving organ transplants, many of whom will receive a lifesaving transplant, but, for some, help will not come fast enough - whether they are coping with kidney failure or recovering from severe injuries, these individuals' lives depend on the compassion of a loved one or a complete stranger, and

**WHEREAS**, Warren County residents demonstrate their commitment to one another in the most difficult of circumstances through organ, tissue, stem cell, and blood donation, responding with the spirit of generosity that has always defined the character of New Yorkers to continuously answer the call for help; and

**WHEREAS**, the Warren County Clerk's Office, through the staff at the Department of Motor Vehicles office, participate each April in an effort to raise awareness to the need for organ donation, and

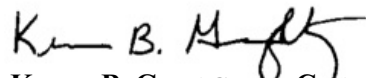
**WHEREAS**, together, we can save lives and give hope to countless American families; now, therefore, be it

**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 April, 2023 to be:

### ***DONATE LIFE MONTH***

in Warren County, and call upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to join forces to boost the number of organ, tissue, blood, and stem cell donors throughout our Nation.

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## Proclamation

**WHEREAS**, in 1958, President Eisenhower promulgated the first Law Day in the USA as “a day of national dedication to the principals of government under law” and every year since the President has officially promulgated Law Day as a celebration of our commitment to the rule of law, “an occasion for rededication to the ideals of equality and justice under the law”, a great commitment enshrined in the Declaration of Independence and the United States Constitution which has been reaffirmed by the work and deeds of great Americans throughout our Nation’s history, and

**WHEREAS**, the Law Day 2023 theme is “Cornerstones of Democracy: Civics, Civility, and Collaboration,” and

**WHEREAS**, the Constitution is a dynamic document, as it not only outlines a blueprint for government, but also delegates power, articulates rights, and offers mechanism for changes, but is neither perfect, nor exhaustive, as our nation’s history makes clear, and

**WHEREAS**, Legislation, court rulings, amendments, lawyers, and “we the people” have built upon those original words across generations to attempt to make the “more perfect Union” more real, and

**WHEREAS**, the effort continues today, as contemporary leaders and everyday citizens raise their voices as loud as ever to fulfill the promise of the Constitution, and

**WHEREAS**, the 2023 Law Day Theme - Cornerstones of Democracy: Civics, Civility, and Collaboration - reminds us all that defining and refining those words of the Constitution might be our oldest national tradition, and how each of us works together toward a more perfect Union, and

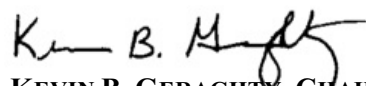
**WHEREAS**, Law Day is held on May 1<sup>st</sup> of each year to celebrate the role of law in our society and to cultivate a deeper understanding of the legal profession, now, therefore, be it

**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 May 1, 2023 as

### **LAW DAY IN WARREN COUNTY**

and urge everyone to observe this day in the spirit it was intended, by deepening the understanding of the role of law in our society and cultivating a deeper understanding of the legal profession to strengthen our democracy, defend liberty, and pursue justice.

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## Proclamation

**WHEREAS**, The City of Glens Falls and Saga City, Japan, have enjoyed a “sister city” relationship since 1988, and

**WHEREAS**, This relationship has resulted in years of beneficial cultural exchange visits and stays by citizens of both the United States and Japan and

**WHEREAS**, The Warren County Board of Supervisors has been proud to host a visit of Saga City delegates to Warren County Municipal Center most years during the delegations’ visits to the U.S. to learn about how county government works, and

**WHEREAS**, over the program’s 35 years, the Sister City program has had exchanges involving 600 junior and high school students from Glens Falls, Queensbury, Hadley-Luzerne and Saga City; 230 college students from SUNY Adirondack and Saga City; and adult delegations of more than 200 elected officials and leaders from both communities, and

**WHEREAS**, These cultural exchanges provide important glimpses to the cultures of each nation, and

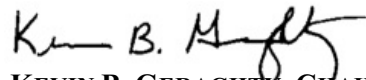
**WHEREAS**, The Warren County Board of Supervisors again welcomes representatives of Saga City to Warren County and wishes them an educational and entertaining visit, and be it

**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 April 21, 2023 as

### ***SAGA CITY DAY IN WARREN COUNTY***

and urge all in Warren County to welcome our friends from Saga City, Japan, with open arms during their stay in our wonderful county.

**DATED: APRIL 21, 2023**



**KEVIN B. GERAGHTY, CHAIRMAN  
WARREN COUNTY BOARD OF SUPERVISORS**

# Warren County Board of Supervisors

## RESOLUTION NO.178 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, RUNYON, THOMAS, FRASIER, GERACI, BRUNO AND BEATY

### MAKING SUPPLEMENTAL APPROPRIATIONS

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2023 as set forth herein, now, therefore, be it

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

FROM CODE		TO CODE		AMOUNT
<b>DEPARTMENT: HEATH SERVICES</b>				
A.4054.0060 110	Ed./Physically Hand. Children, Ed. Phys. Hndcpd/Early Intervnt., Salaries-Regular	A.4018.0020 110	Preventive Program, Family Health, Salaries-Regular	\$24,000.00
A.4054.0060 830	Social Security	A.4018.0020 830	Social Security	1,488.00
A.4054.0060 831	Medicare Contribution	A.4018.0020 831	Medicare Contribution	348.00
A.4193 110	Public Health-COVID- Comm Care, Salaries- Regular	A.4193 130	Public Health-COVID- Comm Care, Salaries-Part Time	7,000.00
<b>DEPARTMENT: PUBLIC WORKS</b>				
D.5112.8331 280	County Road, County Roads, 2022 CR#8 Friends Lake Road, Projects	D.5112.8356 280	County Road, County Roads, 2023 CR#66 Country Club Road, Projects	883.22
D.5112.8332 280	2022 CR#12 Hadley Road, Projects	D.5112.8356 280		67,610.42
D.5112.8334 280	2022 CR#41 Sawmill Road, Projects	D.5112.8356 280		12,530.18
D.5112.8334 280		D.5112.8343 280	2021 CR#22 Harrisburg Road, Projects	21,027.62
D.5112.8335 280	2022 CR#43 Church Street, Projects	D.5112.8343 280		35,797.09
D.5112.8337 280	2022 CR#50 New Hague Road, Projects	D.5112.8343 280		27,451.18
D.5112.8338 280	2022 CR#50 Summit Drive, Projects	D.5112.8343 280		45,160.07
D.5112.8339 280	2022 CR#57 South Johnsburg Road, Projects	D.5112.8343 280		69,044.94
D.5112.8340 280	2022 CR#60 Harrington Hill Road	D.5112.8343 280		14,882.22

*RESOLUTION No. 178 OF 2023*

*PAGE 2 OF 2*

<b>FROM CODE</b>		<b>TO CODE</b>		<b>AMOUNT</b>
<b><u>DEPARTMENT: SPECIAL ITEMS</u></b>				
A.1990 469	Contingent Account, Other Payments/Contributions	A1325 860	County Treasurer, Hospitalization	\$14,407.00
		A.1450 110	Board of Elections, Salaries- Regular	55,210.96
		A.1450 810	Retirement	5,189.83
		A.1450 830	Social Security	3,423.08
		A.1450 831	Medicare Contribution	800.56
		A.1450 860	Hospitalization	24,886.26
		A.1450 865	Dental Insurance	336.00
		A.3110 413	Sheriff's Law Enforcement, Repair & Maint.- Bldg/Property	30,000.00
		A.3150 260	Sheriff's Correction Division, Other Equipment	15,535.00
		A.3640 130	Civil Defense, Salaries-Part Time	17,502.00
		A.3640 810	Retirement	1,646.00
		A.3640 830	Social Security	1,086.00
		A.3640 831	Medicare Contribution	254.00

# Warren County Board of Supervisors

## RESOLUTION NO. 179 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, RUNYON, THOMAS, FRASIER, GERACI, BRUNO AND BEATY**

### **AMENDING WARREN COUNTY BUDGET FOR 2023 FOR VARIOUS DEPARTMENTS WITHIN WARREN COUNTY**

WHEREAS, the Finance Committee has recommended amending the Warren County Budget for 2023 as set forth herein, now, therefore, be it

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

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: ASSIGNED COUNSEL</b>		
<u>ESTIMATED REVENUE</u>		
A.1170.4207 3045	Legal Defense-Indigents, Quality Improve Funding - Dist.#10, Office of Indigent Legal Service Distribution	\$39,169.52
<u>APPROPRIATIONS</u>		
A.1170.4207 130	Legal Defense-Indigents, Quality Improve Funding-Dist #10, Salaries-Part Time	2,432.79
A.1170.4207 220	Office Equipment	20,440.25
A.1170.4207 423	Telephone	1,200.00
A.1170.4207 470	Contract	15,000.00
A.1170.4207 830	Social Security	77.76
A.1170.4207 831	Medicare Contribution	18.72
<b>DEPARTMENT: HEALTH SERVICES</b>		
<u>ESTIMATED REVENUE</u>		
A.4018.0030 3407	Preventive Program, Disease Control, Disease Control-Pub Hlth	525.00
A.4018.0040 1617	Health Education, Health Education Classes	3,000.00
A.4197 4416	PH Infrastructure-Workforce-Data, PH Infrastructure, Workforce and Data Systems	110,565.00
<u>APPROPRIATIONS</u>		
A.4018.0030 410	Preventive Program, Disease Control, Supplies	525.00

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: HEALTH SERVICES</b>		
<u>APPROPRIATIONS - cont.</u>		
A.4018.0040 445	Preventive Program, Health Education, Foods	\$2,900.00
A.4018.0040 410	Supplies	100.00
A.4197 110	PH Infrastructure-Workforce-Data, Salaries-Regular	30,000.00
A.4197 220	Office Equipment	35,000.00
A.4197 260	Other Equipment	30,000.00
A.4197 410	Supplies	1,270.00
A.4197 436	Advertising Fees	5,000.00
A.4197 444	Travel/Education/Conference	2,000.00
A.4197 445	Foods	2,000.00
A.4197 453	Uniforms & Clothing	3,000.00
A.4197 830	Social Security	1,860.00
A.4197 831	Medicare Contribution	435.00
 <b>DEPARTMENT: MENTAL HEALTH/OFFICE OF COMMUNITY SERVICES</b>		
<u>ESTIMATED REVENUE</u>		
A.4320.0145 3490	Mental Health Programs, Addiction Care Center, Mental Health	360,052.00
<u>APPROPRIATIONS</u>		
A.4320.0145 470	Mental Health Programs, Addiction Care Center, Contract	360,052.00
 <b>DEPARTMENT: PLANNING &amp; COMMUNITY DEVELOPMENT</b>		
<u>ESTIMATED REVENUE.</u>		
A.8020 2002	Planning, Donation-Bed Tax	3,386.54
<u>APPROPRIATIONS</u>		
A.8020 470	Planning, Contract	3,386.54

**RESOLUTION NO. 179 OF 2023**

**PAGE 3 OF 3**

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: PUBLIC WORKS</b>		
<b><u>ESTIMATED REVENUE</u></b>		
D.5010 3501	County Road, Highway Administration, Consolidated Highway Aid	\$687,598.12
<b><u>APPROPRIATIONS</u></b>		
D.5112.8334 280	County Road, County Roads, 2022 CR#41 Sawmill Road, Projects	375,280.77
D.5112.8347 280	2022 CR#38 Pilot Knob Road, Projects	124,249.00
D.5112.8340 280	2022 CR#60 Harrington Hill Road, Projects	187,807.40
D.5112.8344 280	2021 CR#11 Bolton-Riverbank Road, Projects	260.95
<b>DEPARTMENT: SHERIFF</b>		
<b><u>ESTIMATED REVENUE</u></b>		
A.3110 2680	Sheriff's Law Enforcement, Insurance Recoveries	38,261.00
A.3110 3384	Other Sheriff's State Aid	8,000.00
<b><u>APPROPRIATIONS</u></b>		
A.3110 230	Sheriff's Law Enforcement, Automotive Equipment	38,261.00
A.3110 444	Travel/Education/Conference	8,000.00

RESOLVED, that the supplemental appropriations or reductions in estimated revenues and appropriations set forth above are authorized and the County Treasurer be, and he hereby is, authorized and directed to amend the budget of Warren County for 2023 for the estimated revenues, appropriations and codes indicated, and be it further

RESOLVED, that the Warren County budget for 2023 is hereby amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 180 OF 2023

**RESOLUTION INTRODUCED BY SPECIAL COMMITTEE MEMBERS BRAYMER, DICKINSON, BEATY, THOMAS, WILD; AND COMMITTEE MEMBERS AGNEW, GADDY, GILLES, LAMOTHE, SEEBER AND TAFLAN**

**AUTHORIZING ALLOCATION OF ARPA FUNDING TO THE WARREN COUNTY OFFICE OF COMMUNITY SERVICES FOR THE PURPOSE OF FUNDING MENTAL HEALTH AND HOMELESS SERVICES AS WELL AS ANY NON-EXPENDED FUNDING; AND AMENDING WARREN COUNTY BUDGET FOR 2023**

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 has considered and approved a request to distribute funds in an amount not to exceed One Hundred Eleven Thousand Two Hundred Eighty-Six Dollars and Ninety-Seven Cents (\$111,286.97), beginning April 21, 2023 and ending December 31, 2024, to the County of Warren

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(Office of Community Services), for use of funding mental health and homeless services, and

WHEREAS, the ARPA Committee further considered and approved a motion from the committee to redistribute to the County of Warren (Office of Community Services) for use as additional funding assistance to the County’s homeless population with mental health challenges, all ARPA funds previously allocated by resolution to recipients which are either returned or forfeited to the County by the recipient, or not obligated by the recipient before December 31, 2024, as provided by 31 C.F.R. 35.6(b)(4)(D)(1), 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 One Hundred Eleven Thousand Two Hundred Eighty-Six Dollars and Ninety-Seven Cents (\$111,286.97), from April 21, 2023 through December 31, 2024, to the County of Warren (Office of Community Services) to be used as funding assistance to the County’s homeless population with mental health challenges, as provided by the filed ARPA application, and be it further

RESOLVED, that the Board of Supervisors approves the future redistribution to the County of Warren (Office of Community Services) for use as additional funding assistance to the County’s homeless population with mental health challenges, all ARPA funds previously allocated by resolution to recipients which shall either return or forfeit such ARPA funds to the County, and all ARPA funds not obligated by recipients as of 11:59 p.m., on December 31, 2024, and such reallocation to the County of Warren (Office of Community Services) shall be pursuant to 31 C.F.R. 35.6(b)(4)(D)(1), and

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2023 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: OFFICE OF COMMUNITY SERVICES</b>		
<u>ESTIMATED REVENUE</u>		
A.4310.4999 4090	Mental Health Admin., American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$111,286.97
<u>APPROPRIATIONS</u>		
A.4310.4999 470	Mental Health Admin., American Rescue Plan Act (ARPA), Contract	\$111,286.97

# Warren County Board of Supervisors

## RESOLUTION NO. 181 OF 2023

**RESOLUTION INTRODUCED BY SPECIAL COMMITTEE MEMBERS BRAYMER, DICKINSON, BEATY, THOMAS, WILD; AND COMMITTEE MEMBERS AGNEW, GADDY, GILLES, LAMOTHE, SEEBER AND TAFLAN**

**AUTHORIZING ALLOCATION OF ARPA FUNDING TO THE WARREN COUNTY OFFICE OF EMERGENCY SERVICES FOR THE PURPOSE OF FUNDING WARREN COUNTY MARINE RESCUE TEAM SUPPLIES, MATERIALS AND EQUIPMENT; AND AMENDING WARREN COUNTY BUDGET FOR 2023**

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 has considered and approved a request to distribute funds in an amount not to exceed One Hundred Fifty-Two Thousand Five Hundred Forty-Three Dollars and Seventy Cents (\$152,543.70), beginning April 21, 2023 and ending December 31, 2024, to the County of Warren

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(Office of Emergency Services), for use of funding the Warren County Marine Rescue Team supplies, materials and equipment, as provided by 31 C.F.R. 35.6(b)(4)(D)(1), 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 One Hundred Fifty-Two Thousand Five Hundred Forty-Three Dollars and Seventy Cents (\$152,543.70), from April 21, 2023 through December 31, 2024, to the County of Warren (Office of Emergency Services) for use of funding the Warren County Marine Rescue Team supplies, materials and equipment, as provided by their filed ARPA application, and that such use is an eligible use, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2023 in accordance with the aforementioned allocation of ARPA funding:

<b><u>CODE</u></b>	<b><u>TITLE</u></b>	<b><u>AMOUNT</u></b>
<b>DEPARTMENT: OFFICE OF EMERGENCY SERVICES</b>		
<b><u>ESTIMATED REVENUE</u></b>		
A.3410.4999 4090	Fire Prevention & Control, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$152,543.70
<b><u>APPROPRIATIONS</u></b>		
A.3410.4999 260	Fire Prevention & Control, American Rescue Plan Act (ARPA), Other Equipment	\$141,543.70
A.3410.4999 444	Fire Prevention & Control, American Rescue Plan Act (ARPA), Travel/Education/Conference	\$11,000.00

# Warren County Board of Supervisors

## RESOLUTION NO. 182 OF 2023

**RESOLUTION INTRODUCED BY SPECIAL COMMITTEE MEMBERS BRAYMER, DICKINSON, BEATY, THOMAS, WILD; AND COMMITTEE MEMBERS AGNEW, GADDY, GILLES, LAMOTHE, SEEBER AND TAFLAN**

**AUTHORIZING ALLOCATION OF ARPA FUNDING TO THE WARREN COUNTY PLANNING & COMMUNITY DEVELOPMENT FOR THE PURPOSE OF FUNDING THE FEDERAL GRANT APPLICATION MATERIALS FOR INFRASTRUCTURE PROJECT WITH THE NORTHERN BORDER REGIONAL COMMISSION; AND AMENDING WARREN COUNTY BUDGET FOR 2023**

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 has considered and approved a request to distribute funds in an amount not to exceed Fifteen Thousand Dollars (\$15,000), beginning April 21, 2023 and ending December 31, 2024, to the County of Warren (Planning & Community Development), for use of funding the federal

**RESOLUTION NO. 182 OF 2023**

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grant application materials for infrastructure project with the Northern Border Regional Commission, as provided by 31 C.F.R. 35.6(b)(4)(D)(1), 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 Fifteen Thousand Dollars (\$15,000), from April 21, 2023 through December 31, 2024, to the County of Warren (Planning & Community Development) for use of funding the federal grant application materials for infrastructure project with the Northern Border Regional Commission, as provided by their filed ARPA application, and that such use is an eligible use, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2023 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: PLANNING &amp; COMMUNITY DEVELOPMENT</b>		
<u>ESTIMATED REVENUE</u>		
A.8021.4999 4090	Planning (and Comm. Dev.), American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund (CLFRF)	\$15,000.00
<u>APPROPRIATIONS</u>		
A.8021.4999 470	Planning (and Comm. Dev.), American Rescue Plan Act (ARPA), Contract	\$15,000.00

# Warren County Board of Supervisors

## RESOLUTION NO. 183 OF 2023

**RESOLUTION INTRODUCED BY SPECIAL COMMITTEE MEMBERS BRAYMER, DICKINSON, BEATY, THOMAS, WILD; AND COMMITTEE MEMBERS AGNEW, GADDY, GILLES, LAMOTHE, SEEBER AND TAFLAN**

**RESCINDING RESOLUTION NO. 503 OF 2022, WHICH AUTHORIZED ARPA FUNDS DISBURSEMENT TO CARITAS, INC. D/B/A NEARCARE; AND AMENDING WARREN COUNTY BUDGET FOR 2022**

WHEREAS, pursuant to Resolution No. 503 of 2022, the Warren County Board of Supervisors authorized the allocation of ARPA funds to Caritas, Inc. d/b/a Nearcare for use of grant money to fund non-medical, non-hands-on support for seriously and terminally ill individuals, in an amount not to exceed Thirty-Two Thousand Dollars (\$32,000.00), and

WHEREAS, Caritas, Inc. d/b/a Nearcare has advised Warren County that they are going out of business and have not received any ARPA money since Resolution No. 503 of 2022 was passed, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby rescinds Resolution No. 503 of 2022.

# Warren County Board of Supervisors

## RESOLUTION NO. 184 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

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

RESOLVED, that Warren County continue the contractual relationship (the previous agreement having been authorized by Resolution No. 117 of 2021) with Legal Aid Society of Northeastern New York, Inc., 55 Colvin Avenue, Albany, New York 12206, to provide free legal services to indigents as a Conflict Defender in the Warren County Family Court, for an amount not to exceed One Hundred Forty-Five Thousand Four Hundred Dollars (\$145,400) per year, over a two (2) year term commencing May 1, 2023 and terminating April 30, 2025, 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 Legal Aid Society of Northeastern New York, Inc., in a form approved by the County Attorney, and be it further

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

# Warren County Board of Supervisors

## RESOLUTION NO. 185 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

### **AUTHORIZING AN AGREEMENT WITH THE RURAL LAW CENTER OF NEW YORK, INC. FOR ASSIGNED COUNSEL APPELLATE CASES**

WHEREAS, Warren County is charged with providing free legal services for indigents in Warren County seeking appellate review, and

WHEREAS, the Rural Law Center of New York, Inc. is a not-for-profit corporation established to represent the indigent in appellate review cases assigned through County Assigned Counsel Offices, and

WHEREAS, pursuant to Resolution No. 205 of 2016, Warren County entered into an agreement with the Rural Law Center of New York, Inc., 22 US Oval, Suite 203, Plattsburgh, New York 12903 to provide free legal services to the indigent in Warren County Assigned Counsel Appellate Cases for two (2) years commencing May 1, 2016 and terminating April 30, 2018, and

WHEREAS, pursuant to Resolution No. 106 of 2018, Warren County renewed the agreement with the Rural Law Center of New York, Inc. for an additional two (2) year period, through April 30, 2020, and

WHEREAS, pursuant to Resolution No. 95 of 2020, Warren County renewed the agreement with the Rural Law Center of New York, Inc. for an additional two (2) year period, through April 30, 2022, and

WHEREAS, pursuant to Resolution No. 278 of 2022, Warren County renewed the agreement with the Rural Law Center of New York, Inc. for an additional one (1) year period, through April 30, 2023, and

WHEREAS, the Criminal Justice & Public Safety Committee has approved the request to continue the agreement with the Rural Law Center of New York, Inc., for an amount to be determined, for an additional two (2) year period commencing on May 1, 2023 and terminating on April 30, 2025, with the first twenty-three appeals services being provided for an amount not to exceed Fifty-Seven Thousand Five Hundred Dollars (\$57,500) per year with additional appeals to be handled at a cost of Two Thousand Five Hundred Dollars (\$2,500) per appeal unless extraordinary circumstances justify additional expenses, now, therefore be it

RESOLVED, that the Chair of the Board of Supervisors, be and hereby is, authorized to execute said agreement as outlined above, 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.1170.4202 470, Legal Defense-Indigents, Hurrell-Harring, Contract.

# Warren County Board of Supervisors

## RESOLUTION NO. 186 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

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

WHEREAS, the terms of the current members of the Warren County Fire Advisory Board expire on April 30, 2023 and Ann Marie Mason, Director of the Warren County Office of Emergency Services, has made recommendations for the appointment of members to commence May 1, 2023 and expire April 30, 2024, now, therefore, be it

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

#### **NAME**

Chief John Harrington  
Chief Oliver Gourley  
Assistant Chief Jeff Dailey  
Chief Joseph Duprey  
Past Chief Scott Smith  
Chief Scott Hayes  
Assistant Chief Pat Mellon  
Chief Fred Comstock  
Chief Greg Novotarski  
Chief John Donahue  
Chief Daren Harvey  
CFC Ralph Bartlett  
DFC Theodore Little  
Chief James Schrammel  
DFC Scott Combs  
DFC Charles Mellon, Jr.  
John Tims  
Derrick Helms  
Evan Donegan  
Ann Marie Mason  
Ashley Rivers

#### **FIRE DEPARTMENT**

So. Queensbury Fire Department  
Hague Fire Department  
West Glens Falls Fire Department  
Queensbury Central Fire Department  
Lake George Fire Department  
Horicon Fire Department  
Bay Ridge Fire Company  
Garnet Lake Fire Department  
Luzerne-Hadley Fire Department  
North River Fire Company  
Chestertown Fire Department  
Fire Coordinator  
1<sup>st</sup> Deputy Coordinator  
Deputy Coordinator/HAZMAT  
2<sup>nd</sup> Deputy Coordinator  
3<sup>rd</sup> Deputy Coordinator  
1<sup>st</sup> Deputy EMS Coordinator  
WCSO Communications Supervisor  
DEC/Rangers Liason  
Director, OES  
Deputy Director, OES

# Warren County Board of Supervisors

## RESOLUTION NO. 187 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

**RATIFYING THE ACTIONS OF THE CHAIR OF THE BOARD OF SUPERVISORS IN EXECUTING A GRANT APPLICATION TO THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR 13-A CLASSIFICATION FUNDING TO SUPPORT THE PRE-TRIAL RELEASE PROGRAM**

WHEREAS, the Director of Probation requested authorization to submit a grant application to the New York State Division of Criminal Justice Services for 13-A Classification funding under the Pre-Trial Release program, in an amount not to exceed Thirteen Thousand One Hundred Forty Dollars (\$13,140), for a term commencing July 1, 2023 and terminating June 30, 2024, and

WHEREAS, the Chair of the Board of Supervisors executed the grant application prior to the April 21, 2023 Board of Supervisors Meeting in order to meet the grant submission deadline, now, therefore, be it

RESOLVED, that the actions of the Chair of the Board of Supervisors be, and hereby are, ratified with regard to executing the grant application to the New York State Division of Criminal Justice Services for 13-A Classification funding under the Pre-Trial Release program, in an amount not to exceed Thirteen Thousand One Hundred Forty Dollars (\$13,140), for a term commencing July 1, 2023 and terminating June 30, 2024, 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 State 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. 188 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

**AUTHORIZING EXTENSION OF THE PUBLIC DEFENSE CASE MANAGEMENT SYSTEM MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH NEW YORK STATE DEFENDERS ASSOCIATION, INC. FOR THE PUBLIC DEFENDER'S OFFICE**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an extension of the Public Defense Case Management System Maintenance and Software Support Agreement with the New York State Defenders Association, Inc., 194 Washington Avenue, Suite 500, Albany, New York 12210-2314 (previously authorized by Resolution No. 122 of 2021), for a term commencing April 13, 2022 and terminating April 12, 2023, in an amount not to exceed Five Thousand Five Hundred Dollars (\$5,500), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.1171 470, Public Defender, Contract, and Budget Code A.1171.4202 470, Public Defender, Hurell-Harring, Contract.

# Warren County Board of Supervisors

## RESOLUTION NO. 189 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

**AUTHORIZING LICENSE/USE AGREEMENT WITH THE TOWN OF BOLTON WITH REGARD TO INSTALLATION, OPERATION AND MAINTENANCE OF A RADIO TOWER AND ACCESSORY BUILDING LOCATED AT THE TOWN HALL IN THE TOWN OF BOLTON**

WHEREAS, the Warren County Sheriff's office is proposing to install a radio tower and accessory building on Town Highway Garage property located at 87 Finkle Road in the Town of Bolton, and

WHEREAS, the Warren County Sheriff's Office is requesting to enter into a License/Use Agreement with the Town of Bolton for the purpose of installation, operation and maintenance of a radio tower and accessory building located on the Town Highway Garage property at 87 Finkle Road in the Town of Bolton for a term commencing retroactive to January 1, 2023 and terminating December 31, 2032, with the option to renew the License/Use Agreement for successive ten (10) year terms, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute a License/Use Agreement with the Town of Bolton for installation, operation and maintenance of a radio tower and accessory building as outlined above, for a term commencing retroactive to January 1, 2023 and terminating December 31, 2032, with the option to renew the License/Use Agreement for successive ten (10) year terms, at no cost to the County, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 190 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

**AUTHORIZING LICENSE/USE AGREEMENT WITH THE TOWN OF CHESTER FIRE DISTRICT WITH REGARD TO INSTALLATION, OPERATION AND MAINTENANCE OF A RADIO TOWER AND ACCESSORY BUILDING LOCATED IN THE TOWN OF CHESTER**

WHEREAS, the Warren County Sheriff's office is proposing to install a radio tower and accessory building on the Chestertown Volunteer Fire Department property located at 5885 State Route 8 in the Town of Chester, and

WHEREAS, the Warren County Sheriff's Office is requesting to enter into a License/Use Agreement with the Town of Chester Fire District for the purpose of installation, operation and maintenance of a radio tower and accessory building located on the Chestertown Volunteer Fire Department property at 5885 State Route 8 in the Town of Chester for a term commencing retroactive to January 1, 2023 and terminating December 31, 2032, with the option to renew the License/Use Agreement for successive ten (10) year terms, at no cost to the County, now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute a License/Use Agreement with the Town of Chester Fire District for installation, operation and maintenance of a radio tower and accessory building as outlined above, for a term commencing retroactive to January 1, 2023 and terminating December 31, 2032, with the option to renew the License/Use Agreement for successive ten (10) year terms, at no cost to the County, in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 191 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

**AUTHORIZING AGREEMENT WITH TVC ALBANY, INC. D/B/A FIRST LIGHT FIBER TO INSTALL AND PROVIDE ETHERNET E-LINE FIBER OPTIC COMMUNICATIONS SERVICE AT THE WARREN COUNTY SHERIFF'S OFFICE FACILITIES TO IMPROVE RADIO COMMUNICATIONS**

RESOLVED, that Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with TVC Albany, Inc. d/b/a First Light Fiber, 41 State Street, 10<sup>th</sup> Floor, Albany, New York 12207, to install and provide ethernet e-line fiber optic communications service at the Warren County Sheriff's Office facilities to improve radio communications, for an amount not to exceed One Thousand Eight Hundred Forty Dollars (\$1,840) per month, for a total amount not to exceed Twenty-Two Thousand Eighty Dollars (\$22,080) per year, for a term commencing March 1, 2023 and terminating February 28, 2026, 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.3020 428, Sheriff's 911 Center, Data Processing & Internet Fees.

# Warren County Board of Supervisors

## RESOLUTION NO. 192 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS GERACI, MAGOWAN, SMITH, CONOVER, MCDEVITT, DRISCOLL, AND LEGGETT**

**AMENDING AGREEMENT WITH LEXIPOL FOR A SUBSCRIPTION FOR ONLINE POLICE AND CORRECTIONS TRAINING FOR THE WARREN COUNTY SHERIFF'S OFFICE, TO INCREASE THE MONTHLY SUBSCRIPTION AMOUNT**

WHEREAS, pursuant to Resolution No. 54 of 2022, the Chair of the Board of Supervisors was authorized to execute an agreement with Lexipol, 2611 Internet Boulevard, Suite 100, Frisco, Texas 75034, for a subscription for online police and corrections training for the Warren County Sheriff's Office, in an amount of Nine Thousand Five Hundred Ninety-Three Dollars (\$9,593), per year, for a term commencing April 1, 2022 and terminating March 31, 2023, with the option for two (2) additional one (1) year terms, upon mutual agreement of the parties, and

WHEREAS, the Criminal Justice & Public Safety Committee has approved a request to amend the agreement to increase the monthly subscription amount from Nine Thousand Five Hundred Ninety-Three Dollars (\$9,593) per year to Ten Thousand Seven Hundred Fifty-Nine Dollars (\$10,759) per year, for a term commencing April 1, 2023 and terminating March 31, 2025, 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 Lexipol, to increase the monthly subscription amount to Ten Thousand Seven Hundred Fifty-Nine Dollars (\$10,759) per year, for a term commencing April 1, 2023 and terminating March 31, 2025, in a form approved by the County Attorney, and be it further

RESOLVED, other than the changes outlined herein, all other terms and conditions of Resolution No. 54 of 2022 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 193 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS MCDEVITT, WILD, BRAYMER, SMITH, STROUGH, MAGOWAN AND LEGGETT**

**AUTHORIZING AGREEMENT WITH CD3 GENERAL BENEFIT CORPORATION TO PROVIDE SOFTWARE FOR CLOUD BASED CD3 PLATFORM AND TELECOM DATA AND SERVICE FOR MOBILE DECONTAMINATION UNITS ASSOCIATED WITH THE SCHROON LAKE AQUATIC INVASIVE SPECIES INITIATIVE FOR THE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with CD3 General Benefit Corporation, 1865 Ashland Avenue, Saint Paul, Minnesota 55104, for a one-time set up software fee of One Thousand Five Hundred Dollars (\$1,500) for the cloud based CD3 platform and an annual fee of One Thousand One Hundred Dollars (\$1,100) for telecom data and services fees for mobile decontamination units associated with the Schroon Lake Aquatic Invasive Species Initiative, for a total amount not to exceed Two Thousand Six Hundred Dollars (\$2,600), over a term commencing May 2023 and terminating May 2024, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for said agreement shall be expended from Capital Project No. H408, Schroon Lake Aquatic Invasive Species 2022.

# Warren County Board of Supervisors

## RESOLUTION NO. 194 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS MCDEVITT, WILD, BRAYMER, SMITH, STROUGH, MAGOWAN, LEGGETT, GERACI, DICKINSON AND SMITH (JOINT MEETING OF THE ECONOMIC GROWTH & DEVELOPMENT AND ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES COMMITTEES)**

**ENACTING LOCAL LAW NO. 3 OF 2023, ENTITLED  
“A LOCAL LAW PROVIDING THAT NO EXEMPTION UNDER REAL PROPERTY TAX  
LAW SECTION 487 BE APPLICABLE WITHIN THE JURISDICTION OF THE COUNTY OF  
WARREN WITH RESPECT TO ANY SOLAR OR WIND ENERGY SYSTEM OR FARM  
WASTE ENERGY SYSTEM”**

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 Providing That No Exemption Under Real Property Tax Law Section 487 Be Applicable Within The Jurisdiction of The County of Warren With Respect to Any Solar or Wind Energy System or Farm Waste Energy System,” and

WHEREAS, the Board of Supervisors adopted Resolution No. 139 of 2023, which authorized a public hearing to be held by the Board of Supervisors on the 21<sup>st</sup> day of April, 2023, 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 21<sup>st</sup> day of April, 2023, does hereby enact and adopt Local Law No. 3 of 2023, as annexed hereto.

**COUNTY OF WARREN  
LOCAL LAW NO. 3 OF 2023**

**A LOCAL LAW PROVIDING THAT NO EXEMPTION UNDER REAL PROPERTY TAX  
LAW SECTION 487 BE APPLICABLE WITHIN THE JURISDICTION OF THE COUNTY OF  
WARREN WITH RESPECT TO ANY SOLAR OR WIND ENERGY SYSTEM OR FARM  
WASTE ENERGY SYSTEM**

**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 Providing That No Exemption Under Real Property Tax Law Section 487 Be Applicable Within The Jurisdiction of The County of Warren With Respect to Any Solar or Wind Energy System or Farm Waste Energy System.

SECTION 2. LEGISLATIVE INTENT. It is the intent of this Local Law to provide no exemption from County taxation for solar or wind energy systems and farm waste energy systems, as those terms are defined by sections 487(1)(b) & (f) of the Real Property Tax Law, which began construction subsequent to the effective date for this Local Law.

SECTION 3. NO EXEMPTION FROM TAXATION. No exemption from County taxation shall be applicable with respect to any solar or wind energy system or farm waste energy system, as those terms are defined by sections 487(1)(b) & (f) of the Real Property Tax Law, within the jurisdiction of the County of Warren.

SECTION 4. EFFECTIVE DATE. This Local Law shall take effect immediately upon passage.

SECTION 5. 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.

# Warren County Board of Supervisors

## RESOLUTION NO. 195 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRUNO, RUNYON, GERACI, SMITH AND STEC**

**AUTHORIZING AGREEMENT WITH DEFOE FAMILY FARM, LLC TO PURCHASE AND DISTRIBUTE FRESH PRODUCE THROUGHOUT THE GROWING SEASON AND FROZEN ITEMS/STORAGE CROP FOR THE WINTER MONTHS TO WIC (WOMEN, INFANT, CHILDREN) PROGRAM PARTICIPANTS AND THEIR FAMILIES FOR WARREN COUNTY PUBLIC HEALTH**

WHEREAS, Warren County Public Health has received grant funding in the amount of Three Thousand Dollars (\$3,000) from Adirondack Health Institute (AHI) to promote, educate and encourage WIC (Women, Infant, Children) Program participants to use fresh produce, and

WHEREAS, the Director of Public Health/Patient Services has requested to enter into an agreement with Defoe Family Farm, LLC, a community supported agriculture local entity, to purchase and distribute fresh produce throughout the growing season and frozen items/storage crop for the winter months to WIC participants and their families, 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 Defoe Family Farm, LLC, 368 Mott Road, Gansevoort, New York, 12831, to purchase and distribute fresh produce throughout the growing season and frozen items/storage crop for the winter months to WIC participants and their families in an amount not to exceed Three Thousand Dollars (\$3,000) for a term commencing May 1, 2023 and terminating April 30, 2024, which agreement shall automatically renew on an annual basis unless terminated upon thirty (30) days written notice by either party and provided there is no more than a 10% annual rate increase in any of the components, in a form approved by the County Attorney, and be it further,

RESOLVED, that funds for the agreement will be expended from Budget Codes A.4018.0040 410, Preventive Program, Health Education, Supplies, and A.4018.0040.445, Preventive Program, Health Education, Foods.

# Warren County Board of Supervisors

## RESOLUTION NO. 196 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRUNO, RUNYON, GERACI, SMITH AND STEC**

**AUTHORIZING AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH INSTITUTE FOR GRANT FUNDING AWARDED UNDER THE STRENGTHENING U.S. PUBLIC HEALTH INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS PROGRAM**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with the New York State Department of Health/Health Research Institute, 150 Broadway, Suite 516, Menands, New York 12204, for grant funding awarded under the Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems Program in an amount not to exceed Five Hundred Fifty-Two Thousand Eight Hundred Twenty-Six Dollars (\$552,826), for a term commencing December 1, 2022 and terminating November 30, 2027, and be it further

RESOLVED, that if any further State 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, in a form approved by the County Attorney, and be it further

RESOLVED, that should the term of this grant be extended, the Chair of the Board of Supervisors is hereby authorized to execute any relative grant extensions in a form approved by the County Attorney without the need for further Board resolution.

# Warren County Board of Supervisors

## RESOLUTION NO. 197 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRUNO, RUNYON, GERACI, SMITH AND STEC**

### **AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN**

WHEREAS, the Director of Public Health/Patient Services has requested that the County enter into a multi-year Immunization Action Plan agreement with the New York State Department of Health, Bureau of Immunization for a five year term commencing April 1, 2023 and terminating March 31, 2028, in an amount not to exceed Thirty-Two Thousand Eight Hundred Nine Dollars (\$32,809) per year for a total amount not to exceed One Hundred Sixty-Four Thousand Forty-Five Dollars (\$164,045), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with the New York State Department of Health, Bureau of Immunization, Room 649, Corning Tower ESP, Albany, New York 12237, relating to an Immunization Action Plan agreement for a multi-year term commencing April 1, 2023 and terminating March 31, 2028 in an amount not to exceed Thirty-Two Thousand Eight Hundred Nine Dollars (\$32,809) per year for a total amount not to exceed One Hundred Sixty-Four Thousand Forty-Five Dollars (\$164,045), in a form approved by the County Attorney, and be it further

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute the annual funding renewal agreement for such additional annual terms through March 31, 2028 contingent upon funding availability and program performance, in a form approved by the County Attorney without the need for further resolution, and be it further

RESOLVED, that the Chair of the Board of Supervisors be, and hereby is, authorized to execute any and all documents necessary to accept any Cost of Living Adjustment (COLA) payments that the County may receive relating to the above-described contract term commencing April 1, 2023 and terminating March 31, 2028, 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 agreement, no further resolution to accept said monies is necessary and the Chair of the Board of Supervisors is authorized to execute any documents necessary to receive the additional funds in a form approved by the County Attorney.

# Warren County Board of Supervisors

## RESOLUTION NO. 198 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRUNO, RUNYON, GERACI, SMITH AND STEC**

**AMENDING AGREEMENT WITH ALAYACARE USA, INC. FOR ELECTRONIC VISIT VALIDATION (EVV) SERVICES, TO INCLUDE INTERFACES WITH VARIOUS MEDICAID INSURERS AS NEEDED**

WHEREAS, Resolution No. 717 of 2022 authorized an agreement with Alayacare USA, Inc., for electronic visit validation (EVV) services as required by New York State, for an amount of Three Hundred Fifty Dollars (\$350) per month, with a one-time New York State EVV Aggregator Integration fee of One Thousand Six Hundred Dollars (\$1,600), for a term commencing January 1, 2023 and terminating December 31, 2023, which agreement shall automatically renew on an annual basis unless terminated upon thirty (30) days written notice by either party, and

WHEREAS, the Health Services Committee has approved a request to include payment to related aggregators and interfaces with various Medicaid insurers as needed, for an amount to be determined, now, therefore be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute amendment agreements, as needed, with Alayacare USA, Inc., 400 Lakemont Park Boulevard, Altoona, Pennsylvania 16602, to include interfaces with various Medicaid insurers, for an amount to be determined, 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. 717 of 2022 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 199 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRUNO, RUNYON, GERACI, SMITH AND STEC**

**AMENDING AGREEMENT WITH HOMECARE HOMEBASE, LLC FOR POINT OF CARE SOFTWARE SYSTEM FOR THE WARREN COUNTY HEALTH SERVICES DEPARTMENT (WC 54-22), TO INCLUDE INTERFACES WITH VARIOUS MEDICAID INSURERS AS NEEDED**

WHEREAS, Resolution No. 628 of 2022 authorized an agreement with Homecare Homebase, LLC, for Point of Care Software System for the Warren County Health Services Department pursuant to the terms and provisions of the bid documents and proposal (WC 54-22), for a term commencing December 1, 2022 and terminating upon ninety (90) days written notice by either party, and

WHEREAS, the Health Services Committee has approved a request to include payment to related aggregators and interfaces with various Medicaid insurers as needed, for an amount to be determined, now, therefore be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute amendment agreements, as needed, with Homecare Homebase, LLC, 6688 North Central Expressway, Suite 800, Dallas, Texas 75206, to include interfaces with various Medicaid insurers, for an amount to be determined, 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. 628 of 2022 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 200 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS FRASIER, MCDEVITT, BRUNO, RUNYON, GERACI, SMITH AND STEC**

### **AUTHORIZING AGREEMENT WITH VARIOUS THERAPISTS AND SERVICE PROVIDERS LICENSED BY NEW YORK STATE TO PROVIDE PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH SERVICES DEPARTMENT**

RESOLVED, that Warren County enter into an agreement with various therapists and service providers licensed by New York State to provide physical, speech and occupational therapy services, at the rates set forth below:

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

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates -Region Two</b>
Evaluation Visit	\$70.00	\$80.00
Revisit	\$58.00	\$77.00
Meetings	\$40.00 for 1 <sup>st</sup> hour \$15.00 per each additional 30 minutes	\$40.00 for 1 <sup>st</sup> hour \$15.00 per each additional 30 minutes

#### **Physical Therapists Start of Care (SOC) Rate**

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates - Region Two</b>
SOC	\$100.00	\$100.00

\*Physical Therapists are only therapists that do SOC's which include first visit and evaluation

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

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates - Region Two</b>
Evaluation	\$50.00	\$57.00
Revisit	\$50.00	\$57.00
Extended Visit (with IFSP Approval)	\$70.00	\$70.00
Meetings	\$40.00 for 1 <sup>st</sup> hour \$15.00 per each additional 30 minutes	\$40.00 for 1 <sup>st</sup> hour \$15.00 per each additional 30 minutes
Supplemental Evaluations	\$117.00	\$117.00

**Preschool CPSE/Approved IEP**

<b>Services</b>	<b>Rates - Region One</b>	<b>Rates - Region Two</b>
Basic Visit	\$55.00	\$60.00
Group Visit (per child)	\$44.00	\$44.00
Meetings	\$40.00 for 1 <sup>st</sup> hour \$15.00 per each additional 30 minutes	\$40.00 for 1 <sup>st</sup> hour \$15.00 per each additional 30 minutes

to include provision for staff education for therapists, parents or other individuals with children involved in the Early Intervention and Preschool Special Needs Programs at a rate of Two Hundred Fifty Dollars (\$250) per session, for a term commencing April 24, 2023 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 with various therapists in a form approved by the County Attorney, and be it further

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

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.4010 470 Health Services, Contract.

# Warren County Board of Supervisors

## RESOLUTION NO. 201 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, FRASIER, BRUNO, MCDEVITT, RUNYON, GERACI AND SMITH**

**AMENDING AGREEMENT WITH PHARMACY ASSOCIATES OF GLENS FALLS, LLC  
D/B/A OMNICARE OF BALLSTON SPA TO PROVIDE STOCK MEDICATIONS AND  
SUPPLIES THAT ARE THE RESPONSIBILITY OF THE FACILITY AT A DISCOUNTED  
PRICE FOR COUNTRYSIDE ADULT HOME,  
TO INCREASE THE NOT TO EXCEED AMOUNT**

WHEREAS, pursuant to Resolution No. 544 of 2021, the Chair of the Board of Supervisors was authorized to execute an agreement with Pharmacy Associates of Glens Falls, LLC d/b/a Omnicare of Ballston Spa, 14 Commerce Drive, Ballston Spa, New York 12020, to provide stock medications and supplies that are the responsibility of the facility at a discounted price for Countryside Adult Home, in an amount not to exceed One Thousand Five Dollars (\$1,500), which includes a lump sum amount of One Thousand Dollars (\$1,000), for a term commencing November 1, 2021 and terminating October 31, 2024, and

WHEREAS, the Human Services Committee has approved a request to amend the agreement to increase the annual amount from One Thousand Dollars (\$1,000) per year to Two Thousand Dollars (\$2,000) per year, for a total amount not to exceed Six Thousand Dollars (\$6,000), 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 Pharmacy Associates of Glens Falls, LLC d/b/a Omnicare of Ballston Spa, to increase the annual amount to Two Thousand Dollars (\$2,000) per year, for total amount not to exceed Six Thousand Dollars (\$6,000), over the retroactive term commencing April 1, 2023 and terminating October 31, 2024, in a form approved by the County Attorney, and be it further

RESOLVED, other than the changes outlined herein, all other terms and conditions of Resolution No. 544 of 2021 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 202 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, FRASIER, BRUNO, MCDEVITT, RUNYON, GERACI AND SMITH**

**AMENDING AGREEMENT WITH JENNIFER LINEHAN, REGISTERED DIETICIAN, FOR DIETARY CONSULTANT SERVICES AT COUNTRYSIDE ADULT HOME, TO INCREASE THE NOT TO EXCEED AMOUNT**

WHEREAS, pursuant to Resolution No. 142 of 2023, the Chair of the Board of Supervisors was authorized to execute an agreement with Jennifer Linehan, Registered Dietician, for dietary consultant services, at an hourly rate of Forty-Four Dollars (\$44) per hour, in an annual amount not to exceed Four Thousand Two Hundred Twenty-Four Dollars (\$4,224), for a term commencing March 1, 2023 and terminating September 1, 2024, and

WHEREAS, the Human Services Committee has approved a request to amend the agreement to increase the not to exceed amount from Four Thousand Two Hundred Twenty-Four Dollars (\$4,224) to Six Thousand Three Hundred Sixty-Six Dollars (\$6,366), 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 Jennifer Linehan, Registered Dietician, to increase the not to exceed amount to Six Thousand Three Hundred Sixty-Six Dollars (\$6,366), in a form approved by the County Attorney, and be it further

RESOLVED, other than the changes outlined herein, all other terms and conditions of Resolution No. 142 of 2023 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 203 OF 2023

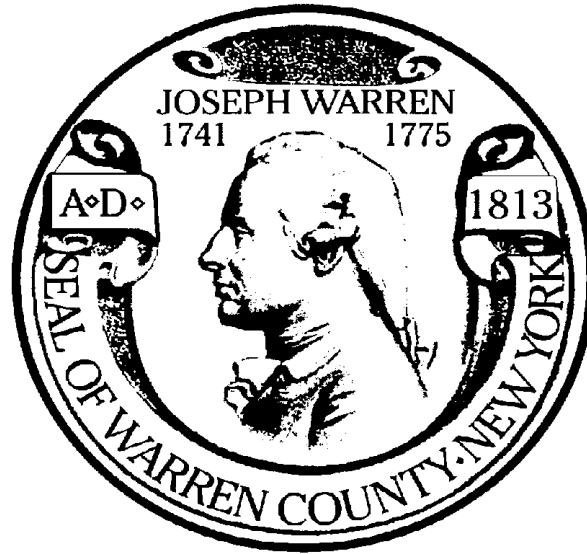
**RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, CONOVER, FRASIER, GERACI, THOMAS, DRISCOLL AND WILD**

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

WHEREAS, the Legislative, Rules and Governmental Operations Committee reviewed the Warren County Policy against Discrimination and Harassment, approved by Resolution No. 338 of 2020 and recommended modifications concerning the definition of “employees” covered by the policy to remove members of the general public; and

WHEREAS, the Legislative, Rules and Governmental Operations Committee now recommends that the attached Warren County Policy Against Discrimination and Harassment, as amended, replace the Warren County Policy against Discrimination and Harassment previously approved by Resolution No. 338 of 2020, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the Warren County Policy Against Discrimination and Harassment as attached hereto to be effective April 21, 2023, and that the Director of Human Resources disseminate the Policy as required.



**WARREN COUNTY**

**POLICY AGAINST**

**DISCRIMINATION AND HARASSMENT**

Adopted by Resolution # 203 of 2023

**WARREN COUNTY POLICY AGAINST  
DISCRIMINATION AND HARASSMENT**

**SECTION 1: PURPOSE**

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

- A. **Scope of Policy** This Policy applies to all County employees and all personnel in a contractual or other business relationship with the County including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, and volunteers. In the remainder of this Policy, the term “employees” refers to this collective group and does not cover or include members of the general public. This Policy applies with equal force on County property as well as at County-sponsored events, programs, and activities that take place off County premises.
- B. **Policy Objectives** By adopting and publishing this Policy, it is the intention of the County’s governing body to:
- (1) Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy;
  - (2) Inform employees about the complaint procedures that enable any employee who believes they are the victim of harassment or discrimination to submit a complaint which will be investigated;
  - (3) Clearly advise all supervisory staff, managers, and employees that harassment and discrimination is strictly prohibited; and
  - (4) Notify all employees that the County has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.

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

**SECTION 2: DEFINITIONS**

**“Prohibited Discrimination of Employees”**

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

**“Harassment”**

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

**“Sexual Harassment”**

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

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

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

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

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

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

or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

**Where can sexual harassment occur?**

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

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

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

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

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

Policy.

**SECTION 3: POLICY**

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

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

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

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

**SECTION 4: POLICY ENFORCEMENT**

**A. Complaint Procedure for Employees**

**1. Notification Procedure**

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

**2. Making a Complaint**

Only employees, as defined by section 1(a), shall be permitted to file Complaints. Complaints shall be accepted verbally and in writing. All employees are strongly encouraged to use the County's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy. Additional complaint forms can be obtained from a Compliance Officer, with no questions asked, or from the Human Resources section of the Warren County website. Because an accurate record is necessary to resolve a complaint, the County encourages employees to place complaints in writing, even if originally made verbally. If an employee has any questions or difficulty filling out the complaint form, she/he can obtain assistance from any of the Compliance Officers or the supervisor to which he/she complained. All complaints should include: the name of the reporting party, the name of the alleged offender(s), date(s) of the incident(s), description of the incident(s), names of witnesses to the incident(s) and the signature of the reporting party.

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

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

**3. Supervisory Responsibilities**

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

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

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

**B. Time for Reporting a Complaint**

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

**C. Confidentiality and Privacy**

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

**D. Acknowledgement of Complaint**

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

**SECTION 5: INVESTIGATION PROCEDURES**

**A. Timing of Investigations**

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

**B. Method of Investigation**

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

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

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

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

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

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

The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party. **Findings of wrongdoing resulting from such investigation will**

**be reported to the Personnel Committee in executive session within sixty (60) days, provided no delay to allow for law enforcement investigation is necessary.**

**D. Remedial Measures**

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

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

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

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

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

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

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

**SECTION 7: APPEALS**

Any complainant or accused party who wishes to appeal the conclusion which the County reached in investigating a complaint filed under this Policy, may do so within ten (10) calendar days of receipt of the notification of the investigation outcome. Untimely submissions may not receive consideration. Such appeals must be made in writing to the Chair of the Personnel Committee. The appealing party shall be entitled to present evidence in writing as to why the conclusion was flawed, improper, or otherwise not supported by the evidence. The Personnel Committee's consideration and review of any such appeal shall be conducted confidentially in executive session. Following a review of that evidence, as well as the information obtained in the investigation process and

conclusions derived therefrom, the Personnel Committee, or its designee, shall render a decision. That decision shall be final. The appealing party shall be notified of the decision in writing.

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

**SECTION 8: RECORD KEEPING**

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

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

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

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

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

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

**State Human Rights Law (HRL)**

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

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

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

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

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual or other illegal harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual or other illegal harassment is found after a hearing, DHR has the power to award

relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees (in sex discrimination and sexual harassment cases only) and civil fines.

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

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

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

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

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

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

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

### **Local Protections**

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

### **Contact the Local Police Department**

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

**SECTION 10: QUESTIONS**

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

**SECTION 11: COMPLIANCE OFFICERS**

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

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

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

The effective date of this Policy shall be April 21, 2023. The County Human Resources Director shall ensure that this Policy is adequately disseminated and made available to all employees of the Municipality, within thirty (30) days. This Policy shall be distributed each year. In addition, copies of this Policy and Complaint Form shall be maintained in the office of each Compliance Officer as well as the Municipality's Policy Book that is available at the office of the Clerk of the Board.

Upon the effective date of this Policy, the provisions of this Policy shall supersede and replace the following prior Municipality policies and regulations regarding employee discrimination and harassment: Warren County Plan and Program on Workplace Harassment adopted by Resolution 338 of 2020.

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

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

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

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

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

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department

**COMPLAINT FORM**

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

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

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

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

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

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

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

Basis of this complaint (check all that apply):

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

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

\_\_\_\_\_



Warren County Department of Human Resources

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

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

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

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

\_\_\_\_\_

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

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

**For Employer Use Only – To be Completed Upon Receipt**

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

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

\_\_\_\_\_

Notes:

\_\_\_\_\_

# Warren County Board of Supervisors

## RESOLUTION NO. 204 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, CONOVER, FRASIER, GERACI, THOMAS, DRISCOLL AND WILD**

**RESOLUTION ALTERING THE STANDING RULES OF THE BOARD OF SUPERVISORS, AS ADOPTED BY RESOLUTION NO. 1 OF 2023 AND SUBSEQUENTLY AMENDED BY RESOLUTION NO. 119 OF 2023, TO DELETE SECTION E(7) RELATING TO THE FILLING OF VACANCIES AND THE CREATION OF NEW POSITIONS AND TO RE-NUMBER FORMER SECTION E(8) AS NEW SECTION E(7)**

RESOLVED, that pursuant to a majority vote of the Warren County Board of Supervisors required to alter the standing Rules of the Board of Supervisors, the Rules are hereby amended to delete Section E(7), relating to the filling of vacancies and the creation of new positions and to re-number former Section E(8) as new Section E(7), and be it further

RESOLVED, that the aforementioned changes are reflected in the revised Rules of the Board of Supervisors, attached hereto as Schedule "A."

**SCHEDULE "A"**

**RULES OF THE BOARD OF SUPERVISORS**

**A. Organization Meeting of Board of Supervisors**

1. At the Regular Meeting of the Board of Supervisors held in December of each year the Board shall by resolution fix the date for the organizational meeting of the Board for the ensuing year, which date shall not be later than the second business day of the year, and the place and hour of such organization meeting. A total of 502 weighted votes, as allocated among the elected Supervisors pursuant to Local Law No. 2 of 2023 (enacted by Resolution No. 50 of 2023), shall constitute a quorum for the transaction of business. A quorum being present, the Clerk of the last Board shall call the meeting to order and the members present shall by roll call vote, by a majority of the total weighted voting power of the members of the Board, select one of their number Chair, who shall preside at such meeting and at all meetings during the year. As provided by Local Law No. 1 of 1968, the Chair shall appoint the Finance Chair who, in case of the absence, incapacity or inability of the Chair to act during the term, shall perform the functions, powers, and duties of the Chair, within the limits of statute.
2. In addition to the foregoing, the Board at the annual organization meeting may transact the following business: the appointment of any officers required by law or desired by the Board; adopt the Rules of Procedure by majority vote for the current year; other matters that the Chair wishes to bring before the meeting; and any such other and further business as may properly come before such meeting.

**B. Regular Meetings of the Board of Supervisors**

1. The Board shall convene in Regular Meeting at 10:00 o'clock in the forenoon on the third Friday of each month for the public meeting of the Board, except for the June Regular Meeting, which will be held on Wednesday June 14, 2023 at 6:00 p.m., unless a different time was scheduled during a previous meeting. The Regular Meetings for the year 2023 are scheduled as follows:

- i) January 20, 2023
- ii) February 17, 2023
- iii) March 17, 2023
- iv) April 21, 2023
- v) May 19, 2023
- vi) June 14, 2023 - 6:00 p.m.
- vii) July 21, 2023
- viii) August 18, 2023
- ix) September 15, 2023
- x) October 20, 2023
- xi) November 17, 2023
- xii) December 15, 2023

The Board shall also gather for bi-monthly workshop sessions to be called at the discretion

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of the Chair for the purpose of receiving presentations and/or training at which no action of the Board will be taken. Such workshop sessions will be subject to the requirements of the Open Meetings Law and shall be open to the public.

Regular Meetings shall be called to order as soon thereafter as a quorum is present. Regular Meetings of the Board may be adjourned by motion adopted by a majority vote of the membership present.

The Board shall convene in special meeting upon call of the Chair (or, if appropriate, the Finance Chair) or upon written request for a special meeting signed by a majority of the total membership of the Board. At the direction of the Chair (or Finance Chair) or upon receiving such a written request, notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail upon each member by the Clerk of the Board at least forty-eight hours before the date fixed for holding the meeting or a member may waive the service of the notice for such meeting by a writing signed by him/her.

2. Business conducted at Regular Meetings of the Board shall be transacted in the following order:

10:00 A.M.	Call to Order Salute to Flag Roll Call Motion to approve the Minutes of previous meeting, subject to correction by the Clerk of the Board Introduction and welcome to guests Privilege of the floor and public comment Report by Chair of the Board Reports by Committee Chairs Report of County Administrator Report of County Attorney Call for reading of communications Call for reading of resolutions Discussion/public comment on resolutions Requests for roll call votes Vote on resolutions  Privilege of the floor and public comment Announcements Adjournment
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3. All resolutions shall be in writing and filed with the Clerk before close of business on the Tuesday preceding the Regular Meeting on Friday of each month and at least three days prior to any adjourned or special meeting of the Board. 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 for any adjourned Regular Meeting or special meeting of the Board, 72 hours prior to the noticed time for such adjourned or special meeting when practicable, but no less than the time period proscribed by Public Officers Law Sec. 103(3).

All resolutions timely filed with the Clerk shall be considered by the Board at the next Regular Meeting, as set forth above. Any resolution timely filed with the Clerk, but not approved through the established Committee structure in advance of a Board meeting, shall require a majority vote of the Board to be considered during the Regular Meeting, aside from those resolutions which are considered to be administrative or procedural, or of an emergency nature, and are authorized by the Board Chair, Standing Committee Chair, County Administrator, County Attorney and Clerk of the Board. Any member of the Board may make a motion to Lay on the Table any resolution to enable the Board to lay the pending question aside temporarily when something else of immediate or emergency has arisen or when something else needs to be addressed before consideration of the pending question is resumed (*in accordance with Robert Rules of Order*). A majority of the total weighted vote of the Board shall be necessary to take item off the table.

**C. Conduct of All Meetings of Board of Supervisors and Committees**

1. All questions relating to the priority of business shall be decided without debate.
2. The Chair shall preserve order and shall decide all questions of order, subject to the appeal of the Board.
3. The Chair in all cases shall have the right to vote, and when his/her vote makes an equal division the question shall be lost.
4. Any member desiring to speak or present any subject matter shall address the Chair and shall not further proceed until recognized by the Chair and granted the floor.
5. No debate shall be in order until the pending question shall be stated by the Chair or read by the Clerk.
6. No member shall speak more than once on any question until every member choosing to speak shall have spoken. If the Chair of the Board or the Chair of any Committee wishes to enter into debate, he/she may do so only after he/she excuses himself/herself from the Chair and a Temporary Chair is appointed by the Chair.
7. Upon any member raising a point of order, all members shall remain seated and silent until the Chair determines the point raised. The Chair shall sustain or deny their point. Any member may appeal the decision of the Chair on the point of order to the full body for a vote.
8. No business shall be transacted by the Board, as such, while a Committee or Committees are out at work, except to adjourn.
9. All motions and resolutions shall be presented in open regular meeting. The Chair will state to what Committee the motion or resolution shall be referred unless such reference is objected to in which case the Board shall decide.
10. While a member is speaking no member shall entertain any private discourse or pass between him/her or the Chair.

11. A motion to adjourn shall always be in order, and shall be subject to debate.
12. When a question is under debate no motion shall be entertained, unless for adjournment of the Board, for the previous question, to place on the table indefinitely; to place on the table for a certain day; to hold; to amend it. These several motions shall have precedence in the order in which they are here stated and shall be subject to debate.
13. The minutes of this Board shall be distributed to members of the Board and posted to the County website within two weeks of the date of such Regular or Special Meeting of the Board, except that minutes taken during executive session of any action which is taken by formal vote shall be posted to the County website within one week from the date of the executive session, by the Clerk of the Board.

**D. Committees of the Board of Supervisors**

1. Standing Committees consisting of at least five (5) members, and Special Committees consisting of at least three (3) members, shall be appointed by the Chair at the Organization Meeting or not later than the first regular meeting following the Organization Meeting, upon the following subjects, to wit:

<b>Standing Committee Name</b>	<b>Number of Members</b>
Budget	7
County Facilities - <i>Airport; Buildings &amp; Grounds; Fire Prevention &amp; Building Code Enforcement; Weights &amp; Measures</i>	7
Criminal Justice & Public Safety - <i>Assigned Counsel; Courts; District Attorney; Office of Emergency Services; Probation; Public Defender; Sheriff &amp; Communications</i>	7
Economic Growth & Development - <i>Economic Development Corporation; Employment &amp; Training Administration; Planning &amp; Community Development</i>	7
EMS (Emergency Medical Services)	7
Environmental Concerns & Real Property Tax Services	7
Finance - <i>County Administrator; County Treasurer</i>	7
Legislative, Rules & Governmental Operations - <i>Board of Elections; County Auditor; County Clerk/DMV; Information Technology, Purchasing; Self-Insurance</i>	7
Health Services - <i>Mental Health; Office for the Aging; Public Health</i>	7
Human Services - <i>Countryside Adult Home; Department of Social Services; Veterans' Services; Youth Programs</i>	7
Occupancy Tax Coordination	7

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Personnel, Administration & Higher Education - <i>Civil Service; Clerk of the Board; County Attorney; Human Resources; SUNY Adirondack</i>	7
Public Works - <i>DPW; Parks, Recreation &amp; Railroad; Solid Waste &amp; Recycling; Warren County Sewer</i>	7
Tourism	7

**Special Committees**

Park Operations & Management (O&M)	4 <i>plus 1 alternate</i>
National Association of Counties/New York State Association of Counties	5
Extension Services	5
ARPA Advisory	11

2. Special Committees may be created at a Regular Meeting of the Board. They shall, unless otherwise ordered and directed by a majority vote of the Board, be appointed by the Chair. The period of time that a special committee shall serve shall be designated when it is created, and may be extended to a future date at a Regular Meeting of the Board.
3. The first member appointed to each Standing and Special Committee shall be and act as the Chair of such committee. The Chair of each Committee shall appoint both the Vice Chair and 2<sup>nd</sup> Vice Chair, who shall serve in the event that both the Committee Chair and Vice Chair are absent. The Vice Chair and 2<sup>nd</sup> Vice Chair designations must be submitted to the Clerk of the Board of Supervisors no later than the date of the first regular Board Meeting of the year, to be held on the third Friday of January, so that the Clerk may update the Standing Committee List appropriately. The Committee Chair may elect not to make the Vice and 2<sup>nd</sup> Vice Chair appointments, in which case the Chair of the Board shall do so.
4. The meetings of each committee shall be held upon call by the Chair thereof, except as hereinafter provided. The Chair of each committee shall give or cause to be given by the Clerk of the Board of Supervisors notice in person, by telephone, or by email at least two days in advance of the day, hour and place of each meeting of the committee except that no advance or prior notice shall be required when the committee meeting is held on a day when the Board shall be in session. A meeting of any committee may be called and shall be held at any time that a majority of the members of a committee sign a written notice to conduct a meeting, which notice shall clearly state the day, hour and place of such meeting, provided that such notice shall be served in person or emailed to the Chair of such committee and the Chair of the Board of Supervisors at least three days in advance of the day specified in such notice.
5. Members of the Board may attend any Regular or Special Committee meeting as a member of the general public, but no member of the Board, except the Chair of the Board, shall sit as part of a Committee for which they were not appointed, or participate in a Committee meeting as a voting member of the Committee, unless appointed to that Committee as a member. Board

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members shall be permitted to attend and participate in executive sessions for Committees on which they are not a member.

6. The Chair of the Board of Supervisors shall be an ex-officio member of a standing committee when: a) a quorum is not present at any regularly or specially scheduled committee meeting; b) if such membership will provide a quorum as herein specified; and c) the Chair is available to attend. The total membership of the committee as established by Board Rules shall not change or be increased by the presence and availability of the Chair in determining whether a majority of members are present to allow the conduct of business, rather the Chair shall be considered an alternate or substitute for a non-present committee member. Once the Chair becomes a member by virtue of the criteria set forth above (whether at the start of or during a meeting), the Chair shall be a voting member and shall continue as a member of the committee until a quorum is established or reestablished by appointed Committee members at the subject meeting or subsequent meetings. If an executive session is called for during a Committee meeting after the Chair becomes a member by virtue of the criteria set forth above, then the Chair's vote shall count towards the total needed for a majority vote of the entire Committee. The Finance Chair of the Board may exercise the duties described in this paragraph in the Chair's absence.
7. When any Standing or Special Committee of the Board of Supervisors is acting on any matter affecting a single Municipality or is engaged in seeking or obtaining rights of way in a particular municipality, the Supervisor(s) of the affected municipality shall be provided with an opportunity to make a presentation or otherwise be heard by the Committee.

E. Voting by Members of the Board of Supervisors

1. All members present shall vote upon each question.
2. If a resolution contains items that can be voted on separately, and a request is made by any member to do so, each item contained in the resolution shall be subject to a separate vote.
3. All questions shall be decided by a majority of the total weighted voting power of the Board unless otherwise required by law or as required herein. All questions shall be decided by weighted vote in accordance with the terms of Local Law No. 2 of 2023, as it may be amended from time to time. Whenever in these Rules of Order there is reference to a majority vote or a 2/3rds vote of the Board, it means a majority of the voting power of the members of the Board or 2/3rds of the voting power of the members of the Board as defined in Local Law No. 2 of 2023.
4. The following resolutions shall require a roll call vote: fixing or altering salaries, or establishing salary and wage classifications; adoption of the budget; any appropriation or expenditure of public funds; transfers to and from .1 salary codes within the authorized budget and transfers between funds, including Capital and Road Fund Projects; levying of taxes; bond resolutions; any authorizations to fund or refund indebtedness; legalizing informal acts of a town meeting, village election, town or village officer; legalizing municipal obligations incurred through error or mistake wherein a 2/3rds vote is required; alteration of the boundaries of a town; local laws; any sale or conveyance of county property, either real or personal or for amending the Occupancy Tax spending guidelines.

*RESOLUTION No. 204 OF 2023*

*PAGE 8 OF 8*

5. A roll call vote upon any resolution or other proceeding shall be taken upon request of any member.
6. All resolutions adopted by the Board of Supervisors shall become effective upon their adoption or as otherwise provided by law or as specified in the resolution.
7. The Warren County Sheriff is authorized to fill positions that become vacant in the uniform correctional staff to maintain mandated staffing levels at the Warren County Correctional Facility providing those staffing levels not exceed the following:

Correction Officers - 76

Correction Lieutenants - 2

Correction Sergeants - 9

Correction Captain - 1

All notices approved shall remain in effect for six (6) months from the date of committee approval only to allow department heads to properly evaluate probationary employees and take appropriate action when necessary.

F. General

1. Upon the request by any member of the Board of Supervisors, the Clerk of the Board shall draft a Proclamation of acknowledgment, congratulations, commendation or otherwise recognizing a particular person(s), achievement(s), cause(s) or event(s) on behalf of the Board and for execution by the Chair, upon approval by the Board of Supervisors.
2. During 2023, no standing rule of the Board shall be rescinded, suspended or amended, or any additional rule or order added thereto, unless it be by majority vote (as majority vote is defined under Local Law No. 2 of 2023). In the event a rule is suspended, such suspension shall apply only to that matter which is before the Board at the time of such suspension.
3. All questions not covered in the rules shall be decided according to Robert's Rules of Order-Revised.
4. The rules of the Board shall be published in the Proceedings in the year first adopted and whenever amended.
5. The Rules of the Board for 2022, along with any amendments or additions thereto, shall continue in full force and effect until the end of the Organization Meeting for the ensuing year, or any adjourned Organization Meeting, upon the ensuing Board enacting Rules of the Board by majority vote for that ensuing year. Absent the ensuing Board adopting Rules of the Board for the ensuing year, the 2022 Rules of the Board shall sunset and expire on January 31<sup>st</sup> of the ensuing year.

# Warren County Board of Supervisors

## RESOLUTION NO. 205 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, CONOVER, FRASIER, GERACI, THOMAS, DRISCOLL AND WILD**

**AUTHORIZING AN AGREEMENT WITH BILL LINDLOFF OF PRO CUTS  
TO PROVIDE CHAINSAW SAFETY TRAINING COURSE**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to enter into an agreement with Bill Lindloff of Pro CUTS, 1387 Tibury Hill, Endicott, New York 13760, to provide up to six (6) days of safety training during 2023, at a rate of One Thousand Two Hundred Dollars (\$1,200) per day plus travel (hotel and mileage from the Binghamton area), for a term commencing April 21, 2023 and terminating December 31, 2023, in a form approved by the County Attorney, and be it further

RESOLVED, that funds for this agreement shall be expended from Budget Code S.1710 437, Workers' Compensation, Self Insurance Administration, Consulting Fees.

# Warren County Board of Supervisors

## RESOLUTION NO. 206 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS STROUGH, CONOVER, FRASIER, GERACI, THOMAS, DRISCOLL AND WILD**

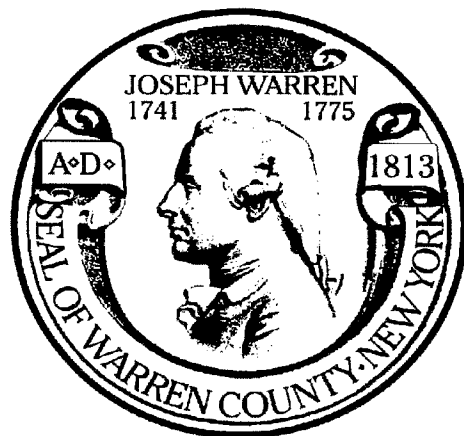
**ADOPTING AMENDED WARREN COUNTY HUMAN SERVICES BUILDING EMERGENCY ACTION AND RESPONSE PLAN AND THE WARREN COUNTY MUNICIPAL CENTER EMERGENCY ACTION AND RESPONSE PLAN**

WHEREAS, the Warren County Board of Supervisors adopted the Warren County Human Services Building Emergency Action and Response Plan and the Warren County Municipal Center Emergency Action and Response Plan (hereinafter the “Emergency Action and Response Plans”) by Resolution No. 582 of 2005 and 219 of 2012, which have been updated by many subsequent resolutions, most recently by Resolution Nos. 197 of 2013, 484 of 2014 and 200 of 2017, and

WHEREAS, the Legislative, Rules & Governmental Operations Committee has reviewed suggested updates to the Warren County Human Services Building Emergency Action and Response Plan and the Warren County Municipal Center Emergency Action and Response Plan and recommends that the same be advanced to the Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the Warren County Human Services Building Emergency Action and Response Plan and the Warren County Municipal Center Emergency Action and Response Plan annexed hereto, be and the same hereby is, adopted as the official Plans for Warren County, and be it further

RESOLVED, that any and all prior Emergency Action and Response Plans or Resolutions are hereby repealed, effective April 21, 2023.



# Warren County Emergency Action and Response Plan

## Human Services Building

19 Glen Lake Road  
Queensbury, New York 12804

Approved 4/21/2023  
Resolution No. 206 of 2023

### **Emergency Action and Response Plan**

All activities within the framework of this plan will be carried out with the Incident Command System within the National Incident Management System. Warren County formally adopted the National Incident Management System in Resolution 616 of 2006.

Appendix A through Appendix I can be found on file with the Self-Insurance Office.

#### **§XIII.045 ORGANIZATION**

##### *(A) List of Contacts for Further Information*

(1) Names or regular job titles of persons or departments at the Warren County Human Services Building facility located at 19 Glen Lake Road, Queensbury, New York who would be contacted for further information or explanation of duties under this plan:

Insurance Administrator/Safety Officer 518-761-6529

(2) See also Chain of Command in §XIII.046(C)

##### *(B) Training and Exercises*

(1) Training is important for the effectiveness of an emergency plan. Before implementing an emergency action plan a sufficient number of persons must be trained to assist in the safe and orderly evacuation of employees. Training for each type of disaster response is necessary so that employees know what actions are required. Training for the County's Continuity of Operations Plan (COOP) is also necessary.

(2) All employees will be trained in the following in accordance with the Employee Quick Response Card found in Appendix A of this document:

- a) Evacuation
- b) Run Hide Fight
- c) Shelter-in-Place
- d) Duck and Cover

(3) These Training Programs should be provided as follows:

- a) Initially when the plan is developed.
- b) For all new employees, interns, long-term vendors or others that might be alone in the building.
- c) When new equipment, materials, or processes are introduced.
- d) When procedures have been updated or revised.
- e) When exercises show that employee performance must be improved.
- f) At least annually.

(4) Potential Incident Commanders shall take incident command training. Minimally NIMS 700 and ICS 100.

(5) The Human Services Building will hold a minimum of two fire drills per year, and at least one emergency drill from the Employee Quick Response Card e.g. Duck and Cover. There will be an evaluation of the performance made immediately by management and employees. After

Action Reports/ Improvement Plans of all exercises will be prepared and maintained. The emergency plan will be reviewed periodically and updated to maintain adequate response and program efficiency.

**§XIII.046 COMMUNICATION**

*(A) Methods of Communication*

(1) During an emergency, it may be necessary to alert all work areas. A method of communication is needed to alert employees to take action as required in the plan.

(2) The communication procedure for notifying employees of the need to evacuate is through the use of the fire alarm. The fire alarm signal is an audible signal and a strobe light signal. The telephone would be used for contacting local authorities (i.e. Security or 911 Communications Center.)

(3) The Human Services Building has an “All Call” paging function through the phone system. This “All Call” notification will be used to advise employees of other response actions necessary in the event of an incident which does not require evacuation from the facility and notification via the fire alarm.

(4) Dial 6640 wait for the “beep beep” and then dial:

- 00 = All Zones
- 01 = 1<sup>st</sup> Floor Hallways
- 02 = Family/Waiting Room 1<sup>st</sup> Floor
- 03 = Group Recert Room
- 04 = 2<sup>nd</sup> Floor Halls
- 05 = 3<sup>rd</sup> Floor Halls and Break Room
- 06 = Basement and Conference Rooms

(5) The Highest Ranking Person in the Chain of Command has the primary responsibility for setting up, directing, maintaining, and operating all communications in an emergency action situation. A list of sample messages that can be used during emergency situations can be found in Appendix I.

(6) During Non-Working Hours

The Primary Method of notification of key people while off duty is by cell phone or home phone using the Sheriff’s Office “Dais, Inc. d/b/a Regroup” system. A secondary means will be using a department phone tree.

(7) During Working Hours

The Primary Method of communicating during an all building emergency will be via-County email, public address system, “Dais, Inc. d/b/a Regroup” and phone systems. Communication may also come directly from the employees supervisor.

*(B) Indirect Communications or Alarm Signals During Work Hours.* The building is equipped with fire, heat and smoke detection systems that are monitored by a contracted vendor. The fire alarm signal will be used as a warning for conditions that warrant facility wide emergency action and evacuation. Once the alarm is raised, employees shall evacuate the facility and report to the emergency evacuation areas, see Appendix B

*(C) Chain of Command*

(1) A chain of command is established to minimize confusion so that employees will have no doubt about who has authority for making decisions.

(2) The chain of command for the Human Services Building is:

**Position**

Commissioner DSS	518-761-6362
Deputy Commissioner DSS	518-761-6273
Insurance Administrator	518-761-6529
Director OFA	518-761-8820

(3) In the event that no member of the Chain of Command for the Human Services Building is available at the time of an emergency, the Incident Command will be drawn from the Warren County Municipal Center's Chain of Command, or a member of the County Chain of Command may choose to become Incident Commander at a facility incident based on the scale or scope of the emergency.

(4) If there is an emergency which affects both buildings, the Incident Command will be drawn from Warren County Municipal Center's chain of command.

*(D) Reporting.*

(1) Means of Reporting Fires and Other Emergencies

- (a) Call 911
- (b) Fire Alarm, Pull Down System
- (c) Verbal through the "All Call" feature on the telephone system
- (d) Notify the Security Desk via telephone at 6248

(2) These are not in any specific order, see Communication Plan, §XIII.046

(3) A list of Important Contacts and phone trees are documented in Appendix C.

**§XIII.047 ACTION AND RESPONSE**

*(A) Procedures during evacuation.* Employees shall not be expected to remain in operating areas during an emergency that requires facility wide evacuation, during normal operating conditions. During an emergency, employees should not turn off computers and printers but should shut off any heat producing equipment such as toasters and portable heating equipment, if time allows. All employees and visitors will evacuate the building upon being notified to do so. Employees should bring their coats and car keys with the idea they may not be allowed to return, only if they can be easily reached without delaying evacuation, and should proceed to the evacuation areas (see Appendix B). When the emergency allows, the Incident Commander will establish a Command Post in front of the main entrance where the Incident Commander will greet incoming emergency vehicles. If the nature of the emergency does not allow the command post to be in front of the main entrance, the Incident Commander will designate another command post.

*(B) Emergency Escape Procedures*

(1) A map of the facility can be found in Appendix B of this document. Evacuation routes are posted by each stairway and elevator door, and in the event of an evacuation, employees and visitors should evacuate the facility by use of the nearest available marked exit. If the closest stairway or exit is unusable, another exit should be located and used.

(2) Employees and visitors should not use elevators to evacuate the building.

*(C) Procedures to Account for Personnel*

(1) After emergency evacuation has been initiated, all employees and visitors will gather at the designated emergency evacuation area. The area fire marshal (see list in Appendix B) will verify the adequacy of the evacuation in their area and then report to the assigned outside areas. Members of the chain of command and others have been issued portable radios as follows:

- DSS Accounting/ Bus Stop Unit 11
- DSS CPS / County Cars Unit 10
- Self-Insurance / County Cars Unit 13
- OFA / Bus Stop Unit 18
  
- Security Supervisor Unit 5
- HSB Security Units 1 and 2
- MC Probation Security Units 3, 4
- MC DMV Security Unit 7
- County Administrator Unit 14
- Health Services / Gazebo Unit 15
- Clerk of the Board / Flag Pole Unit 16
- County Clerk / DMV Assembly Unit 12
- Probation / Probation Assembly Unit 19
- Director of Facilities Unit 17

(2) Members of the chain of command will report to the Incident Command Post. Employees that have been issued emergency radios will report to each of the evacuation sites with their radios and will communicate evacuation status to the Incident Commander at the command post. The Incident Commander will be responsible for reporting the evacuation status to incoming police and other emergency services personnel including the status of non-ambulatory or disabled persons.

(a) Non-Ambulatory personnel and any other persons not physically able to use the stairs should report to one of the designated areas of refuge located in the rear stairwells at the east and west ends of the building on each floor and press the button to speak with Emergency Services. An additional area of refuge can be found near the elevator and stairway 3 in the basement.

(b) All personnel who have evacuated to the evacuation areas will remain there until told that they may return to the building by the Incident Commander or the first responders.

(c) If the building cannot be re-entered or the first responders indicate that employees

must be relocated, the evacuation area radio personnel will lead persons from their assembly/evacuation areas to the Municipal Center, if available, and organize by department as assigned in Appendix H. Consideration to weather conditions must be given during evacuation period (Appendix F).

(d) Prior to building re-entry, Incident Command should consult with emergency personnel and/or Building Codes to determine status of fire suppression system and if a fire watch needs to be initiated prior to building habitation.

*(D) Medical Assistance*

(1) Warren County does not expect or require any employee to provide medical assistance or CPR to injured colleagues or visitors. If any employees have received training and choose to provide medical assistance or perform CPR on an injured colleague or visitor, they do so on a voluntary "good Samaritan" basis and are encouraged to follow universal precautions as taught to them in their certification classes. An Automatic External Defibrillator (AED) machine is located in the Security area of the building.

(2) The following is information should someone choose to assist an injured worker while awaiting the arrival of emergency medical services.

(a) Rendering First AID/ CPR:

1. Call 911
2. Perform a primary victim assessment to determine what the next step will be.
  - (a) Does the victim have an open airway?
  - (b) Is the victim breathing?
  - (c) Is the unconscious victim's heart beating?
  - (d) Is the victim bleeding heavily?
3. Check for medical alert tag.
4. Render basic first aid as appropriate and in accordance with training.
5. Render CPR as appropriate and in accordance with training.
6. For a person that may be choking:
  - (a) If the person is coughing forcefully he/she is able to get oxygen. Encourage the person to keep coughing.
  - (b) If the person cannot cough, cry, speak or breathe, get permission to help and have someone call 911. Administer 5 back blows and 5 abdominal thrusts until the object is forced out, the person starts to cough, cry, speak or breathe on his/her own or the person becomes unconscious. If the person becomes unconscious, gently lower him/her to the floor being careful to protect the head on the way down.

(b) Additional Medical Assistance: If person requires additional medical attention from a physician but the condition is not an emergency, transport victim to:

Glens Falls Hospital  
518-926-1000

(c) Emergency Conditions

(1) If the condition of the victim is considered an emergency, call the emergency

medical services by dialing 911. It is important to stay calm and speak clearly and concisely to the 911 operator.

- (2) Be prepared to give:
  - (a) The victim's location
  - (b) A call back number for yourself
  - (c) The nature of the emergency
  - (d) Number of persons needing help and any special conditions
  - (e) Condition of victim(s)
  - (f) Always be the last person to hang-up the phone

**§XIII.048 TYPES OF ACTIONS TO BE USED IN EMERGENCY CIRCUMSTANCES.**

- (A) (1) The following list has been compiled and thought to be the most likely emergencies at the facility, not in specific order:

- (a) Fire and/or associated explosions, internal chemical spills, substantiated bomb threat, structural integrity issues resulting from natural disasters (Evacuation)

- (b) Escalation by clients and Workplace violence incidents Run, Hide, Fight)

- (c) Commercial traffic related incidents including external chemical spills, natural disasters, and bomb threat (Shelter in Place)

- (d) Natural disaster (Duck and Cover)

- (2) Procedures to be followed in the event of an emergency are located in Appendix A.

- (B) Fire and/or Associated Explosions (Evacuation)

- (1) The fire protection system consists of heat, smoke and fire detectors within the facility that are monitored by a contracted vendor. The means of egress from the building are indicated on the diagrams located in Appendix B, and exit routes are posted in the building.

- (2) Portable fire extinguishers are located in common areas in the facility.

- (3) In the event of a fire (other than incipient (small and contained with small amounts of smoke)), pull a fire alarm pull station and notify 911 of the nature of the emergency, location, severity, and number of injuries. Request the presence of the fire department, even if building employees can control the fire.

- (4) Building employees may operate fire extinguishers when attempting to control fires to aid in maintaining evacuation routes; however, employees are encouraged to evacuate the building and allow the fire department to control fires. The fire department has prime authority to direct fire fighting activities.

- (5) Chemical spills, bomb threats, natural disasters could also precipitate a situation calling for a building evacuation. In the case of this event the evacuation would be called

via the public address system.

**(C) Escalation by clients and workplace violence incidents (Run Hide Fight)**

(1) In the event of an intruder or a client who poses a threat, employees should telephone 911 or use an accessible distress button (see Appendix J). If an intruder enters the building, and is armed or indicates a threat to personnel, the following steps should be taken:

- (a) Call 911, if you can do so safely.
- (b) Do not confront the intruder.
- (c) Follow instructions given by the intruder, particularly if they are armed.
- (d) Do not violate the intruder's space, use loud tones or issue false promises or threats.
- (e) Stay calm and do not attempt to negotiate or sympathize with the intruder.
- (f) Personnel who are not immediately in the location of the intruder, and who become aware of the intruder's presence should immediately choose the best way to protect their life by making a determination using the "run, hide, fight" protocol.

(2) The exteriors of the building, including the parking areas, are provided with lighting. If an employee has any concern with regard to entering or leaving the parking lot, they should request assistance from the Sheriff's Office.

(3) See Appendix A for Run Hide Fight instructions.

**(D) Commercial traffic related incidents including chemical spills, natural disasters, and bomb threats (Shelter in Place)**

(1) In the event of commercial traffic related incidents or natural disasters a "Shelter in Place" may be announced. See Appendix A for Shelter in Place instructions.

(2) Should an employee receive a bomb threat, he or she should complete the New York State Police Bomb Threat Card which is kept near each telephone (Appendix D) and immediately notify 911. See Appendix A for additional Shelter in Place instructions.

(3) Bomb Threat (Generic, Non-specific Bomb Threat, i.e. no specific date, time, location or method):

- (a) Instruct everyone to remain where they are, and scan their respective area for anything out of the ordinary.
- (b) Call 911.
- (c) Scan common areas for anything unusual. Do not touch anything.
- (d) If no device is found, decide whether to continue normal operations or evacuate. The Incident Commander may consult with police to make their decision.
- (f) If a device is found, follow steps for a "Specific" bomb threat.

(4) Bomb Threat (Specific):

- (a) Call security
- (b) Security will assist and announce "Shelter-in-Place".
- (c) Move people out of the immediate area where the device is found, or specific threat has been issued to, to another area of the building.
- (d) Call 911 and assist first responders as necessary.

(E) Natural disasters (Duck and Cover)

(1) In the event of severe weather that can cause flying glass or loss of structural integrity, the Incident Commander will call for a "Duck and Cover", and have employees move into corridors and assume the duck and cover position. See Appendix A for Duck and Cover instructions.

(2) Snow and ice - General Considerations

- (a) Maintenance of exits
- (b) Maintenance of walkways
- (c) Watch for snow and ice loading on roof – post warning signs or barricades for clients and employees if ice and snow might fall from the roof
- (d) Prepare areas for plowing snow
- (e) The Incident Command will notify personnel of hazards when coming to work and determine who is able to get to work.

(3) Severe Thunderstorms/ Hurricanes - General Considerations

- (a) Stay away from telephone lines and metal pipes, which can conduct electricity
- (b) Secure loose objects that may blow around the facility
- (c) Stay away from windows and doors
- (d) The Incident Commander will notify personnel of hazards when coming to work and determine who is able to get to work.

(4) Building Closing Procedures due to weather conditions, etc.

(a) Procedure for final determination as to whether to close the building:

County Administrator shall confer, as necessary, with:

- 1. Director/Deputy Director of OES
- 2. Chairman of the Board of Supervisors
- 3. DPW Superintendent
- 4. Sheriff

(b) If it is determined to close one or more County Buildings, the following procedures will be followed:

- 1. The County Board Chairman, County Administrator or designee will notify the press, or if after business hours, notification will be to the Office of Emergency Services who will arrange to send it to the 911 communications center which will in turn notify all press, paper, TV and radio on file. The communications center will also issue a notice to all employees over the departments "Dais, Inc. d/b/a Regroup" system. The Office of Emergency Services will also post the closing notice to its Face Book account and, depending on availability lighted variable message signs providing closing notification will be placed, as soon as practical, at the affected building entrance to provide notification to the general public;
- 2. The Closing will also be posted to the County Web site on the Home page near the top of the page and below the caption "County News and Events";
- 3. The closing will be posted to the School Closings network which provides the scrolling information on TV and to the radio stations;
- 4. An email will be sent to "Warren County Supervisors", "Department Heads", and "All Employees" – at the on file government email addresses – this will

allow those that access their County email to find out information that way as well (including Chief Clerk of the Supreme Court and Chief Clerk of the Family Court);

5. Depending upon weather conditions, a secondary notice will be sent, at such time as appropriate, to cancel all non-essential meetings, clinics, etc. to Department Heads.
6. A phone call will be made to each Department Head. For after hour events, Department Heads shall notify their own department staff; and
7. Closed notices will be posted at or near building entrances as soon as practical.

(c) Depending upon conditions, the County Administrator may determine to implement a liberal leave policy by notifying Department Heads of the same and asking them to extend liberal leave to their employees with the understanding that, most likely, DPW, Sheriff, Countryside, Airport and Buildings & Grounds will not be extending the liberal leave policy due to the particular tasks or jobs their staff may need to engage in during the storm.

(5) Suspicious Mail

(a) Characteristics of a mail or package bomb:

1. Feel and Balance. Letter or packages that have unusual weight, is lopsided, is oddly shaped, or is oddly sealed. Can you hear a sloshing sound? Does it feel unusual (i.e., rigid, springiness, undue pressure, etc.).
2. Foreign Packages. If the item is from another country, is it expected?
3. Place of Origin. Check the delivery postmark. Is it a familiar one?
4. Unrequested Deliveries. Is correspondence from the sender expected? Do the characteristics of the envelope or package resemble the expected contents? The addressee normally doesn't receive personal mail at the office.
5. Unusual Addressing or Delivery Instructions. There are unusually restrictive endorsements (i.e., "Personal" or "Private.") Parcel is endorsed "Fragile-Handle with Care" or "Rush-Do not Delay" and not professionally wrapped. The addressee's name and title are not accurate. The sender is unknown. There's no return address.
6. Smell. Has a strange odor (i.e., smell of almonds or marzipan or any other strange smell) coming from the package or letter.
7. Sender's Writing. Any mail should be treated with caution if it features a foreign style of writing, not normally received, on the address. This goes along with the Place of Origin.
8. Protruding Wires. Are there any protruding wires, strings, tape, etc. present?
9. Suspicious Packaging. Wrapping exhibits previous use, such as traces of glue, mailing labels, return addresses or tape. The parcel is secured with several types of tape. Excess postage on small packages.
10. Sound. If there's any unusual sound or noise coming from the package (i.e., buzzing, ticking), the package should be treated with caution.

(b) If the suspicious package has not been touched:

1. If a suspicious delivery is spotted, do not touch it, and don't allow anyone else to touch it.
2. Evacuate the area.
3. Close off the room.
4. Keep people away from the area.

5. Call Security.
  6. Do not handle the suspicious object, and do not try to carry it outside.
  7. Do not place the item in water.
  8. Do not use a hand held radio nearby.
- (c) If an item is suspected during handling:
1. Handle it very gently and while making sure not to turn it over or unbalance it, place the item in a corner of the room.
  2. Make sure the device is placed away from windows.
  3. Evacuate the room and surrounding rooms.
  4. Keep people away from the area.
  5. Call Security.
  6. Do not try to carry the device outside. Use the above procedures only

**§XIII.049 CRISIS RESPONSE PROCEDURES**

In the interest of consistent community and media relations, employees shall not make statements on behalf of the County to representatives of the press, television, or radio, nor may they photograph, videotape, or record at the facility. Inquiries from the media must be referred to the County Administrator as the designated Public Information Officer (Appendix E).

**Appendixes attached as follows:**

- Appendix A: Confidential Emergency Quick Card**
- Appendix B: Building Diagram & Fire Marshal List**
- Appendix C: List of important contact numbers**
- Appendix D: NYS bomb threat instruction card**
- Appendix E: Public Information Report**
- Appendix F: Weather Charts**
- Appendix G: blank**
- Appendix H: HSB Department assignments at the Municipal Center**
- Appendix I: Sample public address messages**
- Appendix J: Distress Alarms**

**Appendix A**

Annex here:

Confidential Emergency Quick Response Card

**APPENDIX B**

Annex here:

Building diagram with assembly and refuge areas  
Fire marshal list

**APPENDIX C**

Annex here:

County list of important names and Phone numbers – CONFIDENTIAL

**Appendix D**

Annex here:

NYS Bomb Threat Instruction Card

Appendix D

New York State Police Bomb Threat Instruction Card

Place This Card Under Your Telephone

QUESTIONS TO ASK:

1. When is bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?
5. What will cause it to explode?
6. Did you place the bomb?
7. Why?
8. What is your address?
9. What is your name?

EXACT WORDING OF THE THREAT:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sex of caller: \_\_\_\_\_ Race: \_\_\_\_\_

Age: \_\_\_\_\_ Length of call: \_\_\_\_\_

**BOMB THREAT  
INSTRUCTIONS**

Number at which the call was received:

\_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

CALLERS VOICE:

- |  |                                    |
|--|------------------------------------|
| <input type="checkbox"/> Loud                        | <input type="checkbox"/> Soft      |
| <input type="checkbox"/> High                        | <input type="checkbox"/> Deep      |
| <input type="checkbox"/> Intoxicated                 | <input type="checkbox"/> Disguised |
| <input type="checkbox"/> Calm                        | <input type="checkbox"/> Angry     |
| <input type="checkbox"/> Fast                        | <input type="checkbox"/> Slow      |
| <input type="checkbox"/> Stutter                     | <input type="checkbox"/> Nasal     |
| <input type="checkbox"/> Distinct                    | <input type="checkbox"/> Slurred   |
| <input type="checkbox"/> Accent (type) _____         |                                    |
| <input type="checkbox"/> Other Characteristics _____ |                                    |

If voice is familiar, who did it sound like:

\_\_\_\_\_

BACKGROUND SOUNDS:

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Voices           | <input type="checkbox"/> Airplanes |
| <input type="checkbox"/> Quiet            | <input type="checkbox"/> Trains    |
| <input type="checkbox"/> Animals          | <input type="checkbox"/> Music     |
| <input type="checkbox"/> Street Traffic   | <input type="checkbox"/> Machinery |
| <input type="checkbox"/> Office Machinery |                                    |
| <input type="checkbox"/> Other _____      |                                    |

THREAT LANGUAGE:

- |   |                                     |
|---|-------------------------------------|
| <input type="checkbox"/> Well spoken (educated)       | <input type="checkbox"/> Incoherent |
| <input type="checkbox"/> Foul                         | <input type="checkbox"/> Taped      |
| <input type="checkbox"/> Irrational                   |                                     |
| <input type="checkbox"/> Message read by threat maker |                                     |

Remarks:

\_\_\_\_\_

\_\_\_\_\_

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

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

Position: \_\_\_\_\_

**Appendix E**

Annex here:

Public Information Report

**Appendix E**

**PUBLIC INFORMATION REPORT**

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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

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

Your Name and Title: \_\_\_\_\_

Nature of Incident: \_\_\_\_\_

Time Detected: \_\_\_\_\_

Brief Description of the Facts of the Incident:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Who Responded: \_\_\_\_\_

Number of Injuries/Deaths (Hold the names pending notification of family) \_\_\_\_\_

Incident Commander's Name: \_\_\_\_\_

Emergency Service Public Information Officer Name: \_\_\_\_\_

Name of Warren County's Public Information Officer: \_\_\_\_\_

Time and Location that County's Public Information Officer will be available: \_\_\_\_\_

**INSTRUCTIONS:**

COMPLETE THIS FORM AND PROVIDE IT TO THE COUNTY ADMINISTRATOR AS QUICKLY AS POSSIBLE.

**Appendix F**

Annex here:

Weather Charts

**Appendix H**

Annex here:

Human Services Building Departments rooms assignments for evacuation to the Municipal Center

**Appendix I**

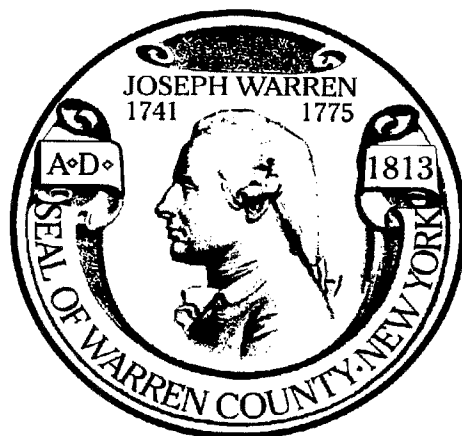
Annex here:

Sample public address messages to use for various types of emergencies

**Appendix J**

Annex here:

Distress alarm locations and testing protocol.



# Warren County Emergency Action and Response Plan

## Municipal Center

1340 State Route 9  
Lake George, New York 12845

Adopted \_\_\_\_\_  
Resolution No. \_\_\_\_ of \_\_\_\_

**Emergency Action and Response Plan**

All activities within the framework of this plan will be carried out with the Incident Command System within the National Incident Management System. Warren County formally adopted the National Incident Management System in Resolution 616 of 2006.

Appendix A through Appendix J can be found on file with the Self-Insurance Office.

**§ XIII.030 ORGANIZATION**

(A) *List of Contacts for Further Information*

- (1) Names or regular job titles of persons or departments at the Warren County Municipal Center facility located on 1340 State Route 9, Lake George, New York who would be contacted for further information or explanation of duties under this plan:

Insurance Administrator/Safety Officer 518-761-6529

(See also Chain of Command in §XIII.031(C)).

(B) *New York State Supreme and County Court Procedures.* See Appendix F

(C) *Training and Exercises*

(1) Training is important for the effectiveness of an emergency plan. Before implementing an emergency action plan a sufficient number of persons must be trained to assist in the safe and orderly evacuation of employees. Training for each type of disaster response is necessary so that employees know what actions are required. Training for the County's Continuity of Operations Plan (COOP) is also necessary.

(2) All employees will be trained in the following in accordance with the Employee Quick Response Card found in Appendix A of this document:

- a) Evacuation
- b) Run Hide Fight
- c) Shelter-in-Place
- d) Duck and Cover

(3) These Training Programs should be provided as follows:

- a) Initially when the plan is developed.
- b) For all new employees, interns, long-term vendors or others that might be alone in the building.
- c) When new equipment, materials, or processes are introduced.
- d) When procedures have been updated or revised.
- e) When exercises show that employee performance must be improved.
- f) At least annually.

(4) Potential Incident Commanders shall take incident command training. Minimally NIMS 700

and ICS 100.

(5) The Municipal Center will hold a minimum of two fire drills per year, and at least one emergency drill from the Employee Quick Response Card e.g. Duck and Cover. There will be an evaluation of the performance made immediately by management and employees. After Action Reports/ Improvement Plans of all exercises will be prepared and maintained. The emergency plan will be reviewed periodically and updated to maintain adequate response and program efficiency.

### **§XIII.031 COMMUNICATION**

#### **(A) *Methods of Communication***

(1) During an emergency, it may be necessary to alert all work areas. A method of communication is needed to alert employees to take action as required in the plan.

(2) The communication procedure for notifying employees of the need to evacuate is through the use of the fire alarm. The fire alarm signal is an audible signal and a strobe light signal. The telephone would be used for contacting local authorities (i.e. Security or 911 Communications Center.)

(3) The Municipal Center has an "All Call" paging function through the phone system. This "All Call" notification will be used to advise employees of other response actions necessary in the event of an incident which does not require evacuation from the facility and notification via the fire alarm.

(4) The process for the paging system is to dial from any phone in the building, 05#01 the phone receiver will then become a microphone connected to the speaker system throughout the building.

(5) The Highest Ranking Person in the Chain of Command has the primary responsibility for setting up, directing, maintaining, and operating all communications in an emergency action situation. A list of sample messages that can be used during emergency situations can be found in Appendix I.

(6) During Non-Working Hours: The Primary Method of notification of key people while off duty is by cell phone or home phone using the Sheriff's Office "Dais, Inc. d/b/a Regroup" system. A secondary means will be using a department phone tree.

(7) During Working Hours: The Primary Method of communicating during an all building emergency will be via County email, public address system, "Dais, Inc. d/b/a Regroup" and phone systems. Communication may also come directly from the employees supervisor.

(B) *Indirect communications or alarm signals during work hours.* The building is equipped with fire, heat and smoke detection systems that are monitored by a contracted vendor. The fire alarm signal will be used as a warning for conditions that warrant facility wide emergency action and evacuation. Once the alarm is raised, employees shall evacuate the facility and report to the emergency evacuation areas, see Appendix B

#### **(C) *Chain of Command***

(1) A chain of command is established to minimize confusion so that employees will have no doubt about who has authority for making decisions.

(2) The chain of command for the Municipal Center is:

Position

County Administrator	518-761-6539
Assistant to the County Administrator	518-761-7655
Clerk of the Board	518-761-6563
County Attorney	518-761-8708

(3) In the event that no member of the Chain of Command for the Municipal Center is available at the time of an emergency, the Incident Command will be drawn from Warren County's HSB Chain of Command, or a member of the County Chain of Command may choose to become Incident Commander at a facility incident based on the scale or scope of the emergency.

(4) If there is an emergency which affects both buildings, the Incident Command will be drawn from Warren County Municipal Center's chain of command.

(D) *Reporting*

(1) The Preferred Means of Reporting Fires and Other Emergencies

- a) Call 911
- b) Fire Alarm, Pull Down System
- c) Verbal through the "All Call" feature on the telephone system
- d) Notify the Security Desk via telephone at 6231 or 6217

(2) These are not in any specific order, see Communication Plan, divisions (A) and (C) above.)

(3) A list of Important Contacts and phone trees are documented in Appendix C.

**§ XIII.032 ACTION AND RESPONSE**

(A) *Procedures during evacuation.* Employees shall not be expected to remain in operating areas during an emergency that requires facility wide evacuation, during normal operating conditions. During an emergency, employees should not turn off computers and printers but should shut off any heat producing equipment such as toasters and portable heating equipment. All employees and visitors will evacuate the building upon being notified to do so. Employees should bring their coats and car keys with the idea they may not be allowed to return only if they can be easily reached without delaying evacuation, and should proceed to the evacuation areas (see Appendix B). A member of the County's Chain of Command will form a temporary command center near the radio tower at the rear of the Municipal Center until such time that fire department responders arrive and then the fire departments officer in charge will assume the position of incident commander and determine where the incident command site will be located.

(B) *Emergency Escape Procedures*

- (1) A map of the facility can be found in Appendix B of this document. Evacuation routes are posted by each exit door, and in the event of an evacuation, employees and visitors should evacuate the facility by use of the nearest available marked exit. If the closest stairway or exit is unusable, another exit should be located and used.
- (2) Employees and visitors should not use elevators to evacuate the building.

(C) *Procedures to Account for Personnel*

- (1) After emergency evacuation has been initiated, all employees and visitors will gather at the designated emergency evacuation area. The area fire marshal (see list in Appendix B) will verify the adequacy of the evacuation in their area and then report to the assigned outside areas.
- (2) Members of the chain of command and others have been issued portable radios as follows:

- Security Supervisor Unit 5
- HSB Security Units 1 and 2
- MC Probation Security Units 3, 4
- DMV Security Unit 7
- County Administrator Unit 14
- Health Services / Gazebo Unit 15
- Clerk of the Board / Flag Pole Unit 16
- County Clerk / DMV Assembly Unit 12
- Probation / Probation Assembly Unit 19
- Director of Facilities Unit 17
- DSS Accounting/ Bus Stop Unit 11
- DSS CPS / County Cars Unit 10
- Self-Insurance / County Cars Unit 13
- OFA / Bus Stop Unit 18

- (3) Members of the chain of command will report to the Incident Command Post. Employees that have been issued emergency radios will report to each of the evacuation sites with their radios and will communicate evacuation status to the Incident Commander at the command post. The Incident Commander will be responsible for reporting the evacuation status to incoming police and other emergency services personnel including the status of non-ambulatory or disabled persons.

(a) Non-Ambulatory personnel, and any other persons not physically able to use the stairs should report to one of the five designated areas of refuge located in the north and south stairwells on the 2<sup>nd</sup> floor and in the basement.

(b) All personnel who have evacuated to the evacuation areas will remain there until told that they may return to the building by the Incident Commander or Emergency Services.

(c) If the building cannot be re-entered or the first responders indicate that employees

must be relocated, the evacuation area radio personnel will lead persons from their assembly/evacuation areas to the Human Services Building and organize by department as assigned in Appendix H. Consideration to weather conditions must be given during evacuation periods (Appendix J).

**(D) Medical Assistance**

(1) Warren County does not expect or require any employee to provide medical assistance or CPR to injured colleagues or visitors. If any employees have received training and choose to provide medical assistance or perform CPR on an injured colleague or visitor, they do so on a voluntary “good Samaritan” basis and are encouraged to follow universal precautions as taught to them in their certification classes. Automatic External Defibrillator (AED) machines are located in the DMV Security area and near the Board of Supervisors.

(2) The following is information should someone choose to assist an injured worker while awaiting the arrival of emergency medical services.

**(a) Rendering First AID/ CPR:**

1. Call 911
2. Perform a primary victim assessment to determine what the next step will be.
  - a. Does the victim have an open airway?
  - b. Is the victim breathing?
  - c. Is the unconscious victim’s heart beating?
  - d. Is the victim bleeding heavily?
3. Check for medical alert tag.
4. Render basic first aid as appropriate and in accordance with training.
5. Render CPR as appropriate and in accordance with training.
6. For a person that may be choking:
  - a. If the person is coughing forcefully he/she is able to get oxygen. Encourage the person to keep coughing.
  - b. If the person cannot cough, cry, speak or breathe, get permission to help and have someone call 911. Administer 5 back blows and 5 abdominal thrusts until the object is forced out, the person starts to cough, cry, speak or breathe on his/her own or the person becomes unconscious. If the person becomes unconscious, gently lower him/her to the floor being careful to protect the head on the way down.

**(b) Additional Medical Assistance.** If a person requires additional medical attention from a physician but the condition is not an emergency, transport victim to:

Glens Falls Hospital  
518-926-1000

**(c) Emergency Conditions:**

1. If the condition of the victim is considered an emergency, call the emergency medical services by dialing 911.

2. Be prepared to give:
  - a. The victim's location
  - b. Your phone number
  - c. The nature of the emergency
  - d. Number of persons needing help and any special conditions
  - e. Condition of victim(s) from the assessment made in #1 above
  - f. Always be the last person to hang-up the phone

**§ XIII.033 TYPES OF ACTIONS TO BE USED IN EMERGENCY CIRCUMSTANCES.**

(A) (1) The following list has been compiled and thought to be the most likely emergencies at the facility, not in specific order:

- (a) Fire and/or associated explosions, internal chemical spills, substantiated bomb threat, structural integrity issues resulting from natural disasters (Evacuation)
- (b) Escalation by clients and Workplace violence incidents (Run, Hide, Fight)
- (c) Commercial traffic related incidents including external chemical spills, natural disasters, and bomb threat (Shelter in Place)
- (d) Natural disaster (Duck and Cover)

(2) Procedures to be followed in the event of an emergency are located in Appendix A.

(B) Fire and/or Associated Explosions (Evacuation):

(1) The fire protection system consists of heat, smoke and fire detectors within the facility that are monitored by a contracted vendor. The means of egress from the building are indicated on the diagrams located in Appendix B, and exit routes are posted in corridors and office areas.

(2) Portable fire extinguishers are located in common areas in the facility.

(3) In the event of a fire (other than incipient (small and contained with small amounts of smoke)), pull a fire alarm pull station and notify 911 of the nature of the emergency, location, severity, and number of injuries. Request the presence of the fire department, even if building employees can control the fire.

(4) Building employees may operate fire extinguishers when attempting to control fires to aid in maintaining evacuation routes; however, employees are encouraged to evacuate the building and allow the fire department to control fires. The fire department has prime authority to direct fire fighting activities.

(5) Chemical spills, bomb threats, natural disasters could also precipitate a situation calling for a building evacuation. In the case of this event the evacuation would be called via the public address system.

(C) Escalation by clients and workplace violence incidents (Run Hide Fight)

(1) In the event of an intruder or a client who poses a threat, employees should telephone 911 or use an accessible distress alarm (See Appendix K). If an intruder enters the building, and is armed or indicates a threat to personnel, the following steps should be taken:

- (a) Call 911 if you can do so safely.
- (b) Do not confront the intruder.
- (c) Follow instructions given by the intruder, particularly if they are armed.
- (d) Do not violate the intruder's space, use loud tones or issue false promises or threats.
- (e) Stay calm and do not attempt to negotiate or sympathize with the intruder. Personnel who are not immediately in the location of the intruder, and who become aware of the intruder's presence should immediately choose the best way to protect their life by making a determination using the "run, hide, fight" protocol.

(2) The exteriors of the building, including the parking areas, are provided with lighting. If an employee has any concern with regard to entering or leaving the parking lot, they should request assistance from the Sheriff's Office.

(3) See Appendix A for Run Hide Fight instructions.

(D) Commercial traffic related incidents including chemical spills, natural disasters, and bomb threats (Shelter in Place)

(1) In the event of commercial traffic related incidents or natural disasters a "Shelter in Place" may be announced. See Appendix A for Shelter in Place instructions.

(2) Should an employee receive a bomb threat, he or she should complete the New York State Police Bomb Threat Card which is kept near each telephone (Appendix D) and immediately notify 911. See Appendix A for additional Shelter in Place instructions.

(3) Bomb Threat (Generic, Non-specific Bomb Threat, i.e. no specific date, time, location or method):

- (a) Instruct everyone to remain where they are, and scan their respective area for anything out of the ordinary.
- (b) Call 911.
- (c) Scan common areas for anything unusual. Do not touch anything.
- (d) If no device is found, decide whether to continue normal operations or evacuate. The Incident Commander may consult with police to make their decision.
- (e) If a device is found, follow steps for a "Specific" bomb threat.

(4) Bomb Threat (Specific):

- (a) Call security
- (b) Security will assist and announce "Shelter-in-Place".
- (c) Move people out of the immediate area where the device is found, or area identified in the specific threat, to another area of the building.
- (d) Call 911 and assist first responders as necessary.

(E) Natural disasters (Duck and Cover)

(1) In the event of severe weather that can cause flying glass or loss of structural integrity, the Incident Commander will call for a "Duck and Cover", and have employees move into corridors and assume the duck and cover position. See Appendix A for Duck and Cover instructions.

(2) SNOW AND ICE - General Considerations

- (a) Maintenance of exits
- (b) Maintenance of walkways
- (c) Watch for snow and ice loading on roof – post warning signs or barricades for clients and employees if ice and snow might fall from the roof
- (d) Prepare areas for plowing snow
- (e) The Incident Command will notify personnel of hazards when coming to work and determine who is able to get to work.

(3) SEVERE THUNDERSTORMS/HURRICANES - General Considerations

- (a) Stay away from telephone lines and metal pipes, which can conduct electricity
- (b) Secure loose objects that may blow around the facility
- (c) Stay away from windows and doors
- (d) The Incident Commander will notify personnel of hazards when coming to work and determine who is able to get to work.

(4) Building Closing Procedures due to weather conditions, etc.

(a) Procedure for final determination as to whether to close the building:

- 1. County Administrator shall confer, as necessary, with:
- 2. Director/Deputy Director of OES
- 3. Chairman of the Board of Supervisors
- 4. DPW Superintendent
- 5. Sheriff

(b) If it is determined to close one or more County Buildings, the following procedures will be followed:

- 1. The County Board Chairman, County Administrator or designee will notify the press, or if after business hours, notification will be to the Office of Emergency Services who will arrange to send it to the 911 communications center which will in turn notify all press, paper, TV and radio on file. The communications center will also issue a notice to all employees over the departments "Dais, Inc. d/b/a Regroup" system. The Office of Emergency Services will also post the closing notice to its Face Book account and, depending on availability lighted variable message signs providing closing notification will be placed, as soon as practical, at the affected building entrance to provide notification to the general public;
- 2. The Closing will also be posted to the County Web site on the Home page near the top of the page and below the caption "County News and Events";
- 3. The closing will be posted to the School Closings network which

- provides the scrolling information on TV and to the radio stations;
4. An email will be sent to "Warren County Supervisors", "Department Heads", and "All Employees" – at the on file government email addresses – this will allow those that access their County email to find out information that way as well (including Chief Clerk of the Supreme Court and Chief Clerk of the Family Court);
  5. Depending upon weather conditions, a secondary notice will be sent, at such time as appropriate, to cancel all non-essential meetings, clinics, etc. to Department Heads.
  6. A phone call will be made to each Department Head. For after hour events, Department Heads shall notify their own departments staff ~~so~~ staff; and
  7. Closed notices will be posted at or near building entrances as soon as practical.

(c) Depending upon conditions, the County Administrator may determine to implement a liberal leave policy by notifying Department Heads of the same and asking them to extend liberal leave to their employees with the understanding that, most likely, DPW, Sheriff, Countryside, Airport and Buildings & Grounds will not be extending the liberal leave policy due to the particular tasks or jobs their staff may need to engage in during the storm.

(5) Suspicious Mail

(a) Characteristics of a mail or package bomb:

1. Feel and Balance. Letter or packages that have unusual weight, is lopsided, is oddly shaped, or is oddly sealed. Can you hear a sloshing sound? Does it feel unusual (i.e., rigid, springiness, undue pressure, etc.).
2. Foreign Packages. If the item is from another country, is it expected?
3. Place of Origin. Check the delivery postmark. Is it a familiar one?
4. Unrequested Deliveries. Is correspondence from the sender expected? Do the characteristics of the envelope or package resemble the expected contents? The addressee normally doesn't receive personal mail at the office.
5. Unusual Addressing or Delivery Instructions. There are unusually restrictive endorsements (i.e., "Personal" or "Private.") Parcel is endorsed "Fragile-Handle with Care" or "Rush-Do not Delay" and not professionally wrapped. The addressee's name and title are not accurate. The sender is unknown. There's no return address.
6. Smell. Has a strange odor (i.e., smell of almonds or marzipan or any other strange smell) coming from the package or letter.
7. Sender's Writing. Any mail should be treated with caution if it features a foreign style of writing, not normally received, on the address. This goes along with the Place of Origin.
8. Protruding Wires. Are there any protruding wires, strings, tape, etc. present?
9. Suspicious Packaging. Wrapping exhibits previous use, such as traces of glue, mailing labels, return addresses or tape. The parcel is secured with several types of tape. Excess postage on small packages.

10. Sound. If there's any unusual sound or noise coming from the package (i.e., buzzing, ticking), the package should be treated with caution.
- (b) If the suspicious package has not been touched:
1. If a suspicious delivery is spotted, do not touch it, and don't allow anyone else to touch it.
  2. Evacuate the area.
  3. Close off the room.
  4. Keep people away from the area.
  5. Call Security.
  6. Do not handle the suspicious object, and do not try to carry it outside.
  7. Do not place the item in water.
  8. Do not use a hand held radio nearby.
- (c) If an item is suspected during handling:
1. Handle it very gently and while making sure not to turn it over or unbalance it, place the item in a corner of the room.
  2. Make sure the device is placed away from windows.
  3. Evacuate the room and surrounding rooms.
  4. Keep people away from the area.
  5. Call Security.
  6. Do not try to carry the device outside. Use the above procedures only

#### **§XIII.034 CRISIS RESPONSE PROCEDURES**

In the interest of consistent community and media relations, employees shall not make statements on behalf of the County to representatives of the press, television, or radio, nor may they photograph, videotape, or record at the facility. Inquiries from the media must be referred to the County Administrator as the designated Public Information Officer (Appendix E).

**Appendixes attached as follows:**

- Appendix A: Confidential Emergency Quick Card**
- Appendix B: Building Diagram & Fire Marshal List**
- Appendix C: List of important contact numbers**
- Appendix D: NYS bomb threat instruction card**
- Appendix E: Public Information Report**
- Appendix F: NYS Court procedures**
- Appendix G: blank**
- Appendix H: Municipal Center Department assignments at the HSB**
- Appendix I: Sample public address messages**
- Appendix J: Weather Charts**
- Appendix K: Distress Alarms**

**Appendix A**

Annex here:

Confidential Emergency Quick Response Card

**APPENDIX B**

Annex here:

Building diagram with assembly and refuge areas

Fire marshal list

**APPENDIX C**

Annex here:

County list of important names and phone numbers - CONFIDENTIAL

**Appendix D**

Annex here:

NYS Bomb Threat Instruction Card

### New York State Police Bomb Threat Instruction Card

Place This Card Under Your Telephone

QUESTIONS TO ASK:

1. When is bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?
5. What will cause it to explode?
6. Did you place the bomb?
7. Why?
8. What is your address?
9. What is your name?

EXACT WORDING OF THE THREAT:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sex of caller: \_\_\_\_\_ Race: \_\_\_\_\_

Age: \_\_\_\_\_ Length of call: \_\_\_\_\_

# BOMB THREAT INSTRUCTIONS

Number at which the call was received:

\_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

CALLERS VOICE:

- |  |                                    |
|--|------------------------------------|
| <input type="checkbox"/> Loud                        | <input type="checkbox"/> Soft      |
| <input type="checkbox"/> High                        | <input type="checkbox"/> Deep      |
| <input type="checkbox"/> Intoxicated                 | <input type="checkbox"/> Disguised |
| <input type="checkbox"/> Calm                        | <input type="checkbox"/> Angry     |
| <input type="checkbox"/> Fast                        | <input type="checkbox"/> Slow      |
| <input type="checkbox"/> Stutter                     | <input type="checkbox"/> Nasal     |
| <input type="checkbox"/> Distinct                    | <input type="checkbox"/> Slurred   |
| <input type="checkbox"/> Accent (type) _____         |                                    |
| <input type="checkbox"/> Other Characteristics _____ |                                    |

If voice is familiar, who did it sound like:

\_\_\_\_\_

BACKGROUND SOUNDS:

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Voices           | <input type="checkbox"/> Airplanes |
| <input type="checkbox"/> Quiet            | <input type="checkbox"/> Trains    |
| <input type="checkbox"/> Animals          | <input type="checkbox"/> Music     |
| <input type="checkbox"/> Street Traffic   | <input type="checkbox"/> Machinery |
| <input type="checkbox"/> Office Machinery |                                    |
| <input type="checkbox"/> Other _____      |                                    |

THREAT LANGUAGE:

- |   |                                     |
|---|-------------------------------------|
| <input type="checkbox"/> Well spoken (educated)       | <input type="checkbox"/> Incoherent |
| <input type="checkbox"/> Foul                         | <input type="checkbox"/> Taped      |
| <input type="checkbox"/> Irrational                   |                                     |
| <input type="checkbox"/> Message read by threat maker |                                     |

Remarks:

\_\_\_\_\_

\_\_\_\_\_

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

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

Position: \_\_\_\_\_

**Appendix E**

Annex here:

Public Information Report

**PUBLIC INFORMATION REPORT**

Date:

Time:

Location:

Address:

Your Name and Title:

Nature of Incident:

Time Detected:

Brief Description of the Facts of the Incident:

---

---

---

Who Responded:

Number of Injuries/Deaths (Hold the names pending notification of family)

Incident Commander's Name:

Emergency Service Public Information Officer Name:

Name of Warren County's Public Information Officer:

Time and Location that County's Public Information Officer will be available:

**INSTRUCTIONS:**

COMPLETE THIS FORM AND PROVIDE IT TO THE COUNTY ADMINISTRATOR AS QUICKLY AS POSSIBLE.

**Appendix F**

Annex here:

NYS Supreme and County Court Procedures

Warren County Court Officers Radio Call #'s

**New York State Supreme and County Court Procedures:**

- A. All New York State Court personnel will be trained in accordance with Warren County's Emergency Action Plan when occupying county facilities outside of the court wing.
- B. All New York State Court personnel will perform an "All Call" over the PA system in accordance with the Warren County Emergency Action Plan in a emergency situation.
- C. All New York State Court personnel will be trained by a representative of the New York State Court System.
- D. All New York State Court personnel will follow New York State Policy and Procedure as outlined within their own Emergency Action Plan when an alarm is sounded and they're occupying the court facilities.
- E. New York State Court personnel will gather at an area of refuge designated by the New York State courts procedures during an evacuation and maintain radio contact with Warren County personnel designated as floor wardens for proper personnel accountability.

**Appendix H**

Annex here:

Municipal Center Departments rooms assignments for evacuation to the Human Services Building

**Appendix I**

Annex here:

Sample public address messages to use for various types of emergencies

**Appendix J**

Annex here:

Weather Charts

**Appendix K**

Annex here:

Distress alarm locations and testing protocol.

# Warren County Board of Supervisors

## RESOLUTION NO. 207 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, WILD, GERCI, STROUGH, RUNYON AND DIAMOND**

**AMENDING RESOLUTION NO. 37 OF 2023, WHICH AUTHORIZED AGREEMENTS WITH CERTAIN APPLICANTS FOR THE DISBURSEMENT OF 2023 OCCUPANCY TAX REVENUES, TO REMOVE ADIRONDACK CYCLING ADVOCATES, INC.**

WHEREAS, pursuant to Resolution No. 37 of 2023, as amended by Resolution Nos. 84 of 2023 and 146 of 2023, 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 their March 22, 2023 meeting, the Occupancy Tax Coordination Committee considered and approved the request to remove Adirondack Cycling Advocates, Inc. as the request for occupancy tax funding was for 2022:

<u>Applicant</u>	<u>Event</u>	<u>Dates</u>	<u>Amount of Award</u>
Adirondack Cycling Advocates, Inc.	Planning and Design Work on the Rabbit Pond Trail in Ski Bowl Park in North Creek	N/A	\$1,500.00 <i>Special Event Funding</i>

now, therefore, be it

RESOLVED, that Resolution No. 37 of 2023, as subsequently amended by Resolution No. 84 of 2023 and 146 of 2023 be, and hereby is, amended to remove Adirondack Cycling Advocates, Inc. as the request for occupancy tax funding was for 2022 and to decrease the total amount of occupancy tax funding to Eight Hundred Ninety-Five Thousand Seven Hundred Sixty-Five (\$895,765.00), to be expended from Budget Code A.6417.0002 480, Tourism/Occupancy Tax, Tourism-Special Events (\$849,700.00) and Budget Code A.6417.0002 469.05, Tourism/Occupancy Tax, Occupancy Tax, Municipal Application Funding (\$46,065.00), as listed on the revised Schedule "A," and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution No. 37 of 2023, as amended by Resolution No. 84 of 2023 and 146 of 2023 will remain the same.

**SCHEDULE "A"**  
**2023 Occupancy Tax Awards**

	<b>APPLICANT</b>	<b>EVENT</b>	<b>DATE</b>	<b>AMOUNT OF AWARD</b>
1	Lake George Winter Carnival, Inc.	Lake George Winter Carnival	11/16/22 - 1/26/23	\$50,000.00
2	Greater Glens Falls Amateur Athletic Championship Association	NYSPHSAA Boys Basketball Championships	3/17/23-3/19/23	\$47,100.00
3	Silver Bay YMCA	Bluegrass in Heaven	9/15/23-9/17/23	\$15,000.00
4	Adirondack Cycling Advocates, Inc.	Promotion of Bicycling <i>*continuing on an annual basis for three years</i>	2023	\$20,000.00
5	Adirondack Festivals, LLC	2023 Adirondack Wine and Food Festival	6/24/23-6/25/23	\$45,000.00
6	Adirondack Hot Air Balloon Festival	Adirondack Hot Air Balloon Festival 50 <sup>th</sup> Anniversary	9/20/23-9/24/23	\$50,000.00
7	Adirondack Sports Complex, LLC	ADKSC Travel Team Fastpitch Softball Tournaments	1/1/23-12/31/23	\$50,000.00
8	Albany Rods & Kustoms	Adirondack Nationals Car Show	9/6/23-9/10/23	\$35,000.00
9	Americade, Inc.	Americade	5/30/23-6/4/23	\$50,000.00
10	Hyde Collection	Boost Year Round Marketing Efforts	1/28/23-12/31/23	\$25,000.00
11	Prime Time Lacrosse	Lake George National Invitational	7/21/23-7/23/23	\$40,000.00
12	Special Olympics NY	Special Olympics NY Fall Games	10/20/23-10/21/23	\$50,000.00

13	Warrensburg Garage Sale	World's Largest Garage Sale	9/29/23-10/1/23	\$35,000.00
14	Adirondack Folk School	Marketing and Production	2023	\$15,000.00
15	Adirondack Theatre Festival, Inc.	Adirondack Theatre Festival 29 Season	5/15/23-8/15/23	\$30,000.00
16	Glens Falls Collaborative and the City of Glens Falls	2023 Adirondack Christkindlmarkt	12/1/23-12/3/23	\$25,000.00
17	Glens Falls Collaborative and the City of Glens Falls	Wingfest	4/29/23	\$10,000.00
18	Lower Adirondack Regional Arts Council (LARAC)	LARAC Arts Festival	6/16/23-6/19/23	\$11,000.00
19	Marcella Sembrich Memorial Association, Inc.	2023 Summer Festival	6/1/23-9/1/23	\$20,000.00
20	Vermontfare, Inc. d/b/a Craftproducers	Lake George Arts & Crafts Festival	7/29/23-7/30/23	\$5,000.00
21	GenZHomes, Inc. d/b/a Alpha Win	2023 Lake George Triathlon	8/28/23-9/3/23	\$30,000.00
22	Improv Records, Inc.	Memorial Meltdown	5/6/23-5/29/23	\$35,000.00
23	Improv Records, Inc.	Adirondack Independence Music Festival	9/1/23-9/3/23	\$45,000.00
24	Lake Theatre Productions, Inc.	Lake George Dinner Theatre	7/6/23-8/26/23	\$12,000.00
25	Lake George J-Boat Racing, LLC	J/24 US National Championship Regatta	5/17/23-5/21/23	\$13,500.00
26	Lake George Music Festival, Inc.	Lake George Music Festival	8/6/23-8/17/23	\$30,000.00

27	Eastern NY Marine Trades Association, Inc.	15 <sup>th</sup> Annual Great Upstate Boat Show	3/31/23-4/2/23	\$25,000.00
28	Northeastern District Barbershop Harmony Society	Northeastern District Barbershop Harmony Society Divisional Contest and Convention	4/28/23-4/29/23	\$21,100.00
29	Hickory Legacy Foundation		6/1/23-9/30/23	\$10,000.00
<b>TOTAL</b>				<b>\$849,700.00</b>
<i>to be paid from A.6417.0002 480, Special Event Funding</i>				
	<b>APPLICANT</b>	<b>EVENT</b>	<b>DATE</b>	<b>AMOUNT OF AWARD</b>
1	Town of Horicon	Food Truck Friday's on the Pond	6/30/23-9/1/23	\$25,065.00
2	Tri-Lakes Community Alliance	Adirondack Woof Stock	6/3/23-6/4/23	\$6,000.00
3	Warrensburg Bike Rally, LLC	Warrensburg Bike Rally	5/27/23-6/3/23	\$10,000.00
4	South Queensbury Fire Company	2022/2023 Adirondack Balloon Festival expenses	N/A	\$5,000.00
<b>TOTAL</b>				<b>\$46,065.00</b>
<i>to be paid from A.6417.0002 469.05, Municipal Application Funding</i>				

# Warren County Board of Supervisors

## RESOLUTION NO. 208 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, WILD, GERCI, STROUGH, RUNYON AND DIAMOND**

**AMENDING RESOLUTION NO 570 OF 2021 AND AGREEMENT WITH ADIRONDACK CYCLING ADVOCATES, INC. TO INCLUDE THE CONTINUATION OF THE PLANNING AND DESIGN WORK ON THE RABBIT POND TRAIL IN SKI BOWL PARK IN NORTH CREEK**

WHEREAS, pursuant to Resolution No. 570 of 2021, the Warren County Board of Supervisors authorized the Chair of the Board of Supervisors to execute a Tourist and Convention Development Agreement (“Agreement”) with Adirondack Cycling Advocates, Inc., P.O. Box 64, Glens Falls, New York 12801, wherein the County would provide funding for specified tourism-related expenses in a total amount not to exceed Twenty Thousand Dollars (\$20,000) for the year 2022, and

WHEREAS, pursuant to Resolution No. 36 of 2023, the Chair of the Board of Supervisors was authorized to execute an amendment to the 2022 Agreement with Adirondack Cycling Advocates, Inc. to include excavator work at the Dynamite Hill Recreation Area as an expense in the amount of Eight Thousand Five Hundred Dollars (\$8,500), and

WHEREAS, the Adirondack Cycling Advocates, Inc. now seek to amend the 2022 Agreement to include the continuation of the planning and design work on the Rabbit Pond Trail in Ski Bowl Park in North Creek as an expense in the amount of One Thousand Five Hundred Dollars (\$1,500), and

WHEREAS, the Occupancy Tax Coordination Committee has approved the request to amend the 2022 Agreement with Adirondack Cycling Advocates, Inc., to include the continuation of the planning and design work on the Rabbit Pond Trail in Ski Bowl Park in the North Creek as an expense, 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 to the 2022 Agreement with Adirondack Cycling Advocates, Inc., P.O. Box 64, Glens Falls, New York 12801 to include the continuation of the planning and design work on the Rabbit Pond Trail in Ski Bowl Park in North Creek as an expense in the amount of One Thousand Five Hundred Dollars (\$1,500), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.6417.0002 480 Tourism/Occupancy, Occupancy Tax, Tourism-Special Events, 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, 235 of 2022, 635 of 2022 and 36 of 2023 will remain the same.

# Warren County Board of Supervisors

## RESOLUTION NO. 209 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS DICKINSON, MERLINO, WILD, GERCI, STROUGH, RUNYON AND DIAMOND**

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF LAKE GEORGE AND THE TOWN OF LAKE GEORGE TO PROVIDE FUNDING FOR THE LAKE GEORGE EVENT MANAGER POSITION**

WHEREAS, Warren County would like to enter into an Intermunicipal Agreement with the Village of Lake George and the Town of Lake George to provide funding for the Lake George Event Manager position created at the Village of Lake George, for an amount not to exceed Fifteen Thousand Dollars (\$15,000) per year, over a three (3) year term commencing April 1, 2023 and terminating March 31, 2026, and

WHEREAS, the Occupancy Tax Coordination 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 an Intermunicipal Agreement with the Village of Lake George and the Town of Lake George to provide funding for the Lake George Event Manager position created at the Village of Lake George, for an amount not to exceed Fifteen Thousand Dollars (\$15,000) per year, over a three (3) year term commencing April 1, 2023 and terminating March 31, 2026, 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.6417.0002 480.05, Tourism/Occupancy, Occupancy Tax, Tourism-Business Promotion.

# Warren County Board of Supervisors

## RESOLUTION NO. 210 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, DICKINSON, BRUNO, THOMAS, MERLINO, BRAYMER AND STEC**

**AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2 WITH BARTON & LOGUIDICE TO PROVIDE ADDITIONAL CONSTRUCTION INSPECTION SERVICES FOR THE CR 11 OVER FINKLE BROOK CULVERT REPLACEMENT PROJECT**

WHEREAS, pursuant to Resolution No. 225 of 2019 Warren County entered into an agreement with Barton & Loguidice to provide consultant services for the CR 11 over Finkle Brook Culvert Replacement Project for an amount not to exceed One Hundred Sixty-Seven Thousand Three Hundred Eighty-Four Dollars (\$167,384), and

WHEREAS, pursuant to Resolution No. 438 of 2021 Warren County entered into a Supplemental Agreement No. 1 for additional design services, construction support and construction inspection services, for a term commencing upon execution of said Supplemental Agreement No. 1 by both parties and terminating upon completion of the services for an amount not to exceed One Hundred Seventy-Three Thousand Seven Hundred Fifty-One Dollars (\$173,751), and

WHEREAS, the Public Works Committee has approved the request to enter into Supplemental Agreement No. 2 for additional construction inspection services, for a term commencing upon execution of said Supplemental Agreement No. 2 by both parties and terminating upon completion of the services for an amount not to exceed Nineteen Thousand Five Hundred Dollars (\$19,500), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute Supplemental Agreement No. 2 with Barton & Loguidice, for additional construction inspection services, over a term commencing upon execution of said Supplemental Agreement No. 2 by both parties and terminating upon completion of the services for an amount not to exceed Nineteen Thousand Five Hundred Dollars (\$19,500), in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from Capital Project No. H384, CR 11 Over Finkle Brook Culvert Replacement.

# Warren County Board of Supervisors

## RESOLUTION NO. 211 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, DICKINSON, BRUNO, THOMAS, MERLINO, BRAYMER AND STEC**

### **AWARDING BID AND AUTHORIZING AGREEMENT WITH K5 CORPORATION FOR APPLICATION OF PAVEMENT MARKINGS (WC 18-23)**

WHEREAS, the Purchasing Agent has advertised for sealed bids for Application of Pavement Markings (WC 18-23), and

WHEREAS, the bids were opened on April 6, 2023 and the Superintendent of Public Works has recommended that Warren County award the agreement to K5 Corporation located at 9 Rockview Way, Rockland, Massachusetts 02370, now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify K5 Corporation located at 9 Rockview Way, Rockland, Massachusetts 02370 of the acceptance of its bid, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute an agreement with K5 Corporation relative to Application of Pavement Markings, pursuant to the terms and provisions of the bid documents and proposal (WC 18-23), for a term commencing May 1, 2023 and terminating April 30, 2024, with the option for two (2) additional one (1) year terms upon mutual agreement of the parties subject to the prices defined in the attached Schedule "A," in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from various Department of Public Works projects.

WARREN COUNTY BID TABULATION SHEET

<p><b>BID NO: WC 18-23</b></p> <p><b>ITEM(S): APPLICATION OF PAVEMENT MARKINGS</b></p> <p><b>DATE: APRIL 6, 2023</b></p> <p><b>TIME: 3:00 PM.</b></p>		<p><b>NAME &amp; ADDRESS OF BIDDER</b></p> <p>Seneca Pavement Marking, Inc. Attn: Matthew Sena 3526 Watkins Road Horseheads, NY 14845 Ph: 607-742-8158 Fax: 607-846-3347</p>		<p><b>NAME &amp; ADDRESS OF BIDDER</b></p> <p>K5 Corporation Attn: Kathy DeLong 9 Rockview Way Rockland, MA 02370 Ph: 781-982-9229 Fax: 781-982-9226</p>		
<p><b>BID AWARDED TO:</b></p> <p>✓ <b>JULIE A. BUTLER, PURCHASING AGENT</b></p>		<p><b>TERM: MAY 1, 2023 THROUGH APRIL 30, 2024</b></p> <p><b>RESOLUTION NO: xxx of 2023</b></p>				
<p><b>SCHEDULE NO. 1 - HIGHWAY APPLICATIONS</b></p>						
ITEM	APPLICATION	UNIT	WATER BORNE PAINT	SOLVENT BORNE PAINT	WATER BORNE PAINT	SOLVENT BORNE PAINT
Yellow Paint ReflectORIZED Pavement Markings	Highway Centerline Striping	Foot	\$0.0695	\$0.0695	\$0.0730	\$0.0730
	Highway Hatching	Foot	\$0.75	\$0.75	\$0.59	\$0.59
White Paint ReflectORIZED Pavement Markings	Highway Edge line Striping	Foot	\$0.0750	\$0.0750	\$0.0730	\$0.0730
	Highway Hatching	Foot	\$0.75	\$0.75	\$0.59	\$0.59
<p><b>SCHEDULE NO. 2 - PARKING LOT APPLICATIONS</b></p>						
Yellow Paint ReflectORIZED Pavement Markings	Parking Lot Striping	Foot		\$0.50		\$0.45
	Parking Lot Hatching	Foot		\$0.75		\$0.45
White Paint ReflectORIZED Pavement Markings	Parking Lot Striping	Foot		\$0.50		\$0.45
	Parking Lot Hatching	Foot		\$0.75		\$0.45
4 ft. High Blue Handicap Symbol	Parking Lot	Each		\$75.00		\$65.00
8 ft. High Left or Right White Arrow Symbol	Parking Lot	Each		\$95.00		\$59.00
9.5 ft. High White Straight Arrow Symbol	Parking Lot	Each		\$95.00		\$59.00
8 ft. High White Letter	Parking Lot	Each		\$75.00		\$25.00
4 ft. High White Letter	Parking Lot	Each		\$50.00		\$20.00

# Warren County Board of Supervisors

## RESOLUTION NO. 212 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, DICKINSON, BRUNO, THOMAS, MERLINO, BRAYMER AND STEC**

### **ACCEPTING PROPOSAL AND AUTHORIZING AGREEMENT WITH VARIOUS CONTRACTORS FOR PERIODIC PROFESSIONAL MULTIDISCIPLINE ENGINEERING SERVICES (WC 19-23)**

WHEREAS, the Purchasing Agent has requested proposals for Periodic Professional Multidiscipline Engineering Services (WC 19-23), and

WHEREAS, the proposals were opened on April 4, 2023 and the Superintendent of Public Works has recommended the following awards:

<b>Contractor</b>
CPL Architects, Engineers, Landscape Architects & Surveyors, D.P.C. Attn: Matthew Smullen 30 Century Hill Drive, Suite 104 Latham, New York 12110
Greenman-Pederson Attn: Edmund Snyder 80 Wolf Road, Suite 300 Albany, New York 12205
H&T Engineering Services Attn: Charles Tutunjian 11 Arch Street Watervliet, New York 12189
LaBella Associates Attn: Joseph Lanaro 4 British American Boulevard Latham, New York 12110
MJ Engineering and Land Surveying Attn: Michael Panichelli 1533 Crescent Road Clifton Park, New York 12065
Schoder Rivers Associates Consulting Engineers, P.C. d/b/a SRA Engineers Attn: Erik Sandblom 453 Dixon Road, Suite 7, Building 3 Queensbury, New York 12804

*RESOLUTION NO. 212 OF 2023*

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Stantec Consulting Services, Inc.  
Attn: Robert Cartwright  
3 Columbia Circle, Suite 6  
Albany, New York 12203

now, therefore, be it

RESOLVED, that the Warren County Purchasing Agent be, and hereby is, authorized and directed to notify the aforementioned contractors of the acceptance of their proposals, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute agreements with the above listed contractors, pursuant to the terms and provisions of the bid documents and proposal (WC 19-23), for a term commencing May 7, 2023 and terminating May 6, 2024, with the option for two (2) additional one (1) year terms upon mutual agreement of the parties, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from various Department of Public Works projects.

# Warren County Board of Supervisors

## RESOLUTION NO. 213 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, DICKINSON, BRUNO, THOMAS, MERLINO, BRAYMER AND STEC**

### **AUTHORIZING SUBMISSION OF AN APPLICATION TO THE FOREST FIRE LOOKOUT ASSOCIATION (FFLA) RESTORATION GRANT PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS**

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 Forest Fire Lookout Association (FFLA), 374 Maple Avenue East, Suite 310, Vienna, Virginia 22180, under the FFLA Restoration Grant Program to obtain funding in a total amount not to exceed Five Hundred Dollars (\$500), with a term to be determined and no matching County funds required, for materials for the Swede Fire Tower, and be it further

RESOLVED, that upon notification of the award of said grant funds, 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(s), 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. 214 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, DICKINSON, BRUNO, THOMAS, MERLINO, BRAYMER AND STEC**

**AUTHORIZING SUBMISSION OF AN APPLICATION TO THE WARREN COUNTY SOIL & WATER CONSERVATION DISTRICT FOR THE COMMUNITY CONSERVATION GRANT PROGRAM FOR THE DEPARTMENT OF PUBLIC WORKS**

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 Warren County Soil & Water Conservation District, 394 Schroon River Road, Warrensburg, New York 12885, under the Community Conservation Grant Program to obtain funding in a total amount not to exceed One Thousand Dollars (\$1,000), for a term commencing May 1, 2023 and terminating December 31, 2023, with no matching County funds required, to support the Warren County Fish Hatchery Spring Zing event and programs, and be it further

RESOLVED, that upon notification of the award of said grant funds, 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(s), 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. 215 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC

**AMENDING TABLE OF ORGANIZATION AND WARREN COUNTY  
SALARY AND COMPENSATION PLAN FOR 2023 TO CREATE POSITION  
WITHIN THE OFFICE OF EMERGENCY SERVICES;  
AND ADJUST THE SALARY OF POSITION WITHIN THE BOARD OF ELECTIONS**

RESOLVED, that the Tables of Organization and the Warren County Salary and Compensation Plan for 2023 are hereby amended as follows:

### **OFFICE OF EMERGENCY SERVICES**

<u>Creating Position of:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.3640 130</u>	April 24, 2023	\$25,912.20
<u>TITLE:</u> Office Specialist - Part Time		(24 hrs/week) Grade 7

### **BOARD OF ELECTIONS**

<u>Increasing Salary from:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1450 110</u>	April 24, 2023	\$0.00
<u>TITLE:</u> Sr. Clerk/Election Management Technician #1		

<u>Increasing Salary to:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1450 110</u>	April 24, 2023	\$48,091.00
<u>TITLE:</u> Sr. Clerk/Election Management Technician #1		

<u>Increasing Salary from:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1450 110</u>	April 24, 2023	\$0.00
<u>TITLE:</u> Sr. Clerk/Election Management Technician #2		

<u>Increasing Salary to:</u>	<u>EFFECTIVE DATE</u>	<u>BASE ANNUAL SALARY</u>
<u>A.1450 110</u>	April 24, 2023	\$48,091.00
<u>TITLE:</u> Sr. Clerk/Election Management Technician #2		

# Warren County Board of Supervisors

## RESOLUTION NO. 216 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**FURTHER AMENDING RESOLUTION NO. 374 OF 2017, APPROVING THE PAYMENT FOR SERVICES PROPOSAL SUBMITTED BY THE WARREN COUNTY CORONER, TO UPDATE FORENSIC MEDICAL SERVICES FEES**

WHEREAS, by Resolution No. 374 of 2017, which was subsequently amended by Resolution Nos. 132 of 2018, 461 of 2018, 440 of 2019, 71 of 2020, 493 of 2020 and 248 of 2022, the Warren County Board of Supervisors approved a payment for services proposal submitted by the Warren County Coroner in an effort to help control Warren County's costs for removal and transportation of deceased persons, and

WHEREAS, the Clerk of the Board has been advised of certain increases to the schedule of costs for forensic medical services, as provided by Forensic Medical Services, PC which became effective January 1, 2023, and the same scheduling having been reported to and approved by the Personnel, Administration & Higher Education Committee, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors has considered and approves the updated payment schedule for services as stated below, retroactive to January 1, 2023:

- Removal - \$650 (includes vehicle and any related removal equipment such as heavy duty infectious disease transport body bag; staff personal protective equipment; treatment; transport and disposal of hazardous materials, mileage); \$75.00 per person for extra personnel, with exigent removal stipend approved by the Coroner not to exceed an aggregate total of \$1,000;
- Mileage - from Warren County line to Albany Medical Center, approximately 50 miles @ \$1.50 per mile for a total of Seventy-Five Dollars (\$75);
- Forensic Medical Services - Autopsy fee and death certificate: Albany Medical Center - \$1,350, Glens Falls Hospital - \$1,500; External examination: Albany Medical Center - \$350, Glens Falls Hospital - \$500; Death certificate only - \$100;
- Custodial Fee - Seventy-Five Dollars (\$75) per day when storage is required while awaiting autopsy.
- Off-Site Refrigeration - \$100 per transfer for off-site refrigeration at local funeral homes, as necessary.

# Warren County Board of Supervisors

## RESOLUTION NO. 217 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**RESCINDING RESOLUTION NO. 45 OF 2023, WHICH AUTHORIZED THE HOME RULE REQUEST BY WARREN COUNTY FOR AN EXTENSION TO THE LAW AUTHORIZING AND EMPOWERING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX**

WHEREAS, pursuant to Resolution No. 45 of 2023, the Warren County Board of Supervisors, on behalf of the County of Warren, pursuant to Article 11 of the Constitution, requested the Legislature to enact a bill extending section 253-w of the Tax Law from December 1, 2023 through an additional period of three years to authorize the County of Warren to continue to impose the additional mortgage recording tax provided therein, and

WHEREAS, New York State has advised Warren County that the Legislature has decided to only extend the mortgage recording tax for two years instead of three years and new Home Rule requests need to be approved by the Warren County Board of Supervisors, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby rescinds Resolution No. 45 of 2023.

# Warren County Board of Supervisors

## RESOLUTION NO. 218 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**RESCINDING RESOLUTION NO. 160 OF 2023, WHICH AUTHORIZED THE HOME RULE REQUEST BY WARREN COUNTY FOR THE ENACTMENT OF SENATE BILL NO. S2781 AND ASSEMBLY BILL NO. A4881 ENTITLED “AN ACT TO AMEND CHAPTER 368 OF THE LAWS OF 2008 AMENDING THE TAX LAW RELATING TO AUTHORIZING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX, IN RELATION TO EXTENDING THE EFFECTIVENESS THEREOF”**

WHEREAS, pursuant to Resolution No. 160 of 2023, the Warren County Board of Supervisors, on behalf of the County of Warren, pursuant to Article 11 of the Constitution, requested the Legislature to enact Senate Bill No. S2781 and Assembly Bill No. A4881, said bills entitled “An Act to amend chapter 368 of the laws of 2008 amending the tax law relating to authorizing the County of Warren to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof,” and

WHEREAS, New York State has advised Warren County that the Legislature has decided to only extend the mortgage recording tax for two years instead of three years and new Home Rule requests need to be approved by the Warren County Board of Supervisors as new bill numbers will be assigned, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby rescinds Resolution No. 160 of 2023.

# Warren County Board of Supervisors

## RESOLUTION NO. 219 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**HOME RULE REQUEST BY WARREN COUNTY FOR AN EXTENSION TO THE LAW AUTHORIZING AND EMPOWERING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX**

WHEREAS, the Warren County Board of Supervisors, on behalf of the County of Warren, desires to request enactment of an extension to section 253-w of the Tax Law authorizing and empowering the County of Warren to continue to impose an additional mortgage recording tax on and after December 1, 2023, and

WHEREAS, the local government, Warren County, does not have the power to enact such legislation by local law, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors, on behalf of the County of Warren, pursuant to Article 11 of the Constitution, hereby requests the Legislature to enact a bill extending section 253-w of the Tax Law from December 1, 2023 through an additional period of two years to authorize the County of Warren to continue to impose the additional mortgage recording tax provided therein, and be it further

RESOLVED, that it is hereby declared that a necessity exists for the enactment of such legislation in that the local government, Warren County, does not have the power to enact such legislation by local law, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and he hereby is, authorized to complete the Municipal Home Rule Request form, complete the certification contained thereon, and indicate that the Board of Supervisors voted in favor of the Municipal Home Rule Request stated therein, and to transmit the same together with this resolution to the Senate and the Assembly.

# Warren County Board of Supervisors

## RESOLUTION NO. 220 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**HOME RULE REQUEST BY WARREN COUNTY FOR THE ENACTMENT OF SENATE BILL NO. S2781A AND ASSEMBLY BILL NO. A4881A ENTITLED "AN ACT TO AMEND CHAPTER 368 OF THE LAWS OF 2008 AMENDING THE TAX LAW RELATING TO AUTHORIZING THE COUNTY OF WARREN TO IMPOSE AN ADDITIONAL MORTGAGE RECORDING TAX, IN RELATION TO EXTENDING THE EFFECTIVENESS THEREOF"**

WHEREAS, the Warren County Board of Supervisors, on behalf of the County, desires to request enactment of Senate Bill No. S2781A and Assembly Bill No. A4881A, entitled "An Act to amend chapter 368 of the laws of 2008 amending the tax law relating to authorizing the County of Warren to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof", a copy of Assembly Bill No. A4881A and Senate Bill No. S2781A being on file with the Clerk of the Board of Supervisors, and

WHEREAS, the local government, Warren County, does not have the power to enact such legislation by local law, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors, on behalf of the County of Warren, pursuant to Article 11 of the Constitution, hereby requests the Legislature to enact Senate Bill No. S2781A and Assembly Bill No. A4881A, said bills entitled "An Act to amend chapter 368 of the laws of 2008 amending the tax law relating to authorizing the County of Warren to impose an additional mortgage recording tax, in relation to extending the effectiveness thereof", and a copy of Assembly Bill No. A4881A and Senate Bill No. S2781A being on file with the Clerk of the Warren County Board of Supervisors and also being available at this meeting of the Board of Supervisors, and be it further

RESOLVED, that it is hereby declared that a necessity exists for the enactment of such legislation in that the local government, Warren County, does not have the power to enact such legislation by local law, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and he hereby is, authorized to complete the Municipal Home Rule Request form, complete the certification contained thereon, and indicate that the Board of Supervisors has voted in favor of the Municipal Home Rule Request stated therein, and transmit the same together with this resolution to the Senate and the Assembly.

# Warren County Board of Supervisors

## RESOLUTION NO. 221 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE WARREN COUNTY POLICE BENEVOLENT ASSOCIATION (“PBA”), AND AUTHORIZING A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN WARREN COUNTY AND WARREN COUNTY POLICE BENEVOLENT ASSOCIATION FOR A TERM COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2025**

WHEREAS, as a result of collective bargaining, a proposed agreement has been reached establishing the terms and conditions of a new Collective Bargaining Agreement between the PBA and Warren County, and

WHEREAS, the terms and conditions of which are set forth in a Memorandum of Agreement, a copy of which Memorandum of Agreement is annexed to this resolution as “Schedule A,” now, therefore, be it

RESOLVED, that the Memorandum of Agreement between the County of Warren and the PBA, negotiated by the County’s representatives, is hereby ratified and approved, and be it further

RESOLVED, that the Warren County Board of Supervisors authorizes the preparation and execution of a new Collective Bargaining Agreement between Warren County and the PBA for a term to commence January 1, 2023 and to terminate December 31, 2025, and to incorporate all of the terms and conditions set forth in the Memorandum of Agreement, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors and the Warren County Sheriff to execute a new Collective Bargaining Agreement for a term to commence January 1, 2023 and to terminate on December 31, 2025, which incorporates the terms and conditions set forth in the Memorandum of Agreement, in a form approved by the County Attorney.

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is made on March 13, 2023 by and between the COUNTY OF WARREN ("County") and WARREN COUNTY PBA ("PBA") as follows:

1. Article 5 - Salary – Effective January 1, 2023, increase 1<sup>st</sup> year through 5<sup>th</sup> year and 10<sup>th</sup> year by 2.85%; effective January 1, 2024, increase 1<sup>st</sup> year through 5<sup>th</sup> year and 10<sup>th</sup> year by 2.85%; effective January 1, 2025, increase 1<sup>st</sup> year through 5<sup>th</sup> year and 10<sup>th</sup> year by 2.85%; Increase Investigative Sergeant and Sergeant differential from \$7,325 to \$10,000. Increase Investigator differential from \$6,325 to \$7,500. The increases will be applied retroactively to January 1, 2023 for all employees on the County payroll as of the date both parties ratify this Memorandum of Agreement.
2. Article 8 - Sick Leave - In Sections 2A and 2B, delete subsection (b)(f).
3. Article 8 – Sick Leave Bank – Add the attached provisions as a new Section 2C.
4. Article 8 – Leaves – Clarify the implementation of vacation and other leaves. See attached revised language.
5. Article 9 - Health Insurance Plan - Substitute the following for Sections 1(a) and 1(b):

"Section 1 - Health Insurance

(a) Effective January 1, 2023, for employees hired on or before June 30, 2015, the County shall contribute 80% of the health insurance premium, and the employee shall contribute 20% of the health insurance premium for the current self funded health insurance plan for active employees, and non-Medicare eligible retirees, or a substantially similar plan offered through the County.

Commencing December 1, 2023 for employees hired on or before June 30, 2015, the County shall contribute 76% of the health insurance premium and the employee shall contribute 24% of the health insurance premium for the current self-funded health insurance plan for active employees, and non-Medicare eligible retirees, or a substantially similar plan offered through the County. Commencing December 1, 2024, the County shall contribute 75% of the health insurance premium, and the employee shall contribute 25% of the health insurance premium. The balance of the applicable health insurance premiums shall be paid by the employee through payroll deduction.

(b) Effective January 1, 2023 for employees hired on or after July 1, 2015, and commencing on the first of the month immediately following the initial month of hire for a new full-time employee, the County shall contribute 77% of the health insurance premium, and the employee shall contribute 23% of the self-funded health insurance plan for active employees, and non-Medicare eligible retirees, or a substantially similar plan offered through the County. Commencing December 1, 2023, the County shall

contribute 76% of the health insurance premium, and the employee shall contribute 24% of the premium of the self-funded health insurance plan for active employees, and non-Medicare eligible retirees. Commencing December 1, 2024, the County shall contribute 75% of the health insurance premium, and the employee shall contribute 25% of the premium of the self-funded health insurance plan for active employees, and non-Medicare eligible employees.”

6. Article 14 - Miscellaneous Provisions – In Section 7, delete Section 7, and renumber the balance of the article.
7. Article 18 – Field Recruit Training Officer – Increase the daily stipend from \$20 to \$50.

WARREN COUNTY

By: /s/ J. Lawrence Paltrowitz

WARREN COUNTY PBA

By: /s/ Greg Seeley

# Warren County Board of Supervisors

## RESOLUTION NO. 222 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND STEC**

**RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE WARREN COUNTY POLICE SUPERVISORS BENEVOLENT ASSOCIATION AND AUTHORIZING A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN WARREN COUNTY AND THE WARREN COUNTY POLICE SUPERVISORS BENEVOLENT ASSOCIATION FOR A TERM COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2025**

WHEREAS, as a result of collective bargaining, a proposed agreement has been reached establishing the terms and conditions of a new Collective Bargaining Agreement between the Warren County Police Supervisors Benevolent Association and Warren County, and

WHEREAS, the terms and conditions of which are set forth in a Memorandum of Agreement, a copy of which Memorandum of Agreement is annexed to this resolution as “Schedule A,” now, therefore, be it

RESOLVED, that the Memorandum of Agreement between the County of Warren and the Warren County Police Supervisors Benevolent Association, negotiated by the County’s representatives, is hereby ratified and approved, and be it further

RESOLVED, that the Warren County Board of Supervisors authorizes the preparation and execution of a new Collective Bargaining Agreement between Warren County and the Warren County Police Supervisors Benevolent Association for a term to commence January 1, 2023 and to terminate December 31, 2025, and to incorporate all of the terms and conditions set forth in the Memorandum of Agreement, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors and the Warren County Police Supervisors Benevolent Association to execute a new Collective Bargaining Agreement for a term to commence January 1, 2023 and to terminate on December 31, 2025, which incorporates the terms of the Memorandum of Agreement, in a form approved by the County Attorney.

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT is made on March 29, 2023 by and between WARREN COUNTY ("County") and the WARREN COUNTY POLICE SUPERVISORS BENEVOLENT ASSOCIATION ("Association") as follows:

1. Article 5 – Salary and Compensation – In Section 1 and Schedule A, provide for a 3 year agreement with salary adjustments as follows:

2023 – 2.85% - \$113,361

2024 – 2.85% - \$116,592

2025 – 2.85% - \$119,915

2. Article 6 – Workday, Workweek Overtime – Add the following as a new Section 4 to Article 6:

"Section 4 – On Call Pay

Effective January 1, 2023, employees scheduled for on-call duties by the Sheriff to be on-call shall receive on-call pay of \$50 per day for Monday through Friday, and on-call pay of \$75 per day for Saturdays and Sundays."

3. Article 9 – Health insurance – In Section 1, provide for the following employee contribution toward health insurance premiums:

December 1, 2023 – 20%

December 1, 2024 – 22%

December 1, 2025 – 25%

4. Article 9 – Health Insurance – Delete the last sentence on Section 2(b) and add the following as Section 2(i):

" 'Employee Share' as applied in this Article shall mean that eligible retirees will pay the same percentage contribution as the percentage being contributed by active employees up to a maximum of 25%."

5. Article 7 – Holidays – Section 2(e), effective January 1, 2023 increase the pay for worked holidays from \$500 to \$600.

6. Article 14 – Miscellaneous Provisions – In Section 6, effective January 1, 2023, increase the uniform allowance from \$850 to \$1,000 to be paid as a stipend in the first full payroll period in January of each year.

WARREN COUNTY

By: \_\_\_\_\_

WARREN COUNTY POLICE SUPERVISORS  
BENEVOLENT ASSOCIATION

By: \_\_\_\_\_

# Warren County Board of Supervisors

## RESOLUTION NO. 223 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT BEATY, AND DRISCOLL**

### **AUTHORIZING TEMPORARY POSITIONS WITHIN THE WARREN COUNTY DEPARTMENT OF WORKFORCE DEVELOPMENT**

RESOLVED, that the following temporary positions of employment and training are hereby created and authorized under the Workforce Innovation and Opportunity Act (WIOA) and Summer Temporary Assistance to Needy Families (TANF) Program, within the Warren County Department of Workforce Development as set forth on Schedule "A" attached hereto, and be it further

RESOLVED, that the period for said positions, shall begin on July 1, 2023, pending receipt of funding from the Federal and State Government, and shall automatically terminate on June 30, 2024, or upon termination of Federal and State funding for the above-mentioned Programs, or upon the disbursement of all funds received by the County Treasurer for such Programs, whichever occurs first.

**SCHEDULE “A”**

**Temporary Positions/Training Slots  
7/1/23 - 6/30/24**

<b>EST. NO. OF JOBS/TRAINING SLOTS</b>	<b>TITLE</b>	<b>DEPT.</b>	<b>ALLOWANCES/ WAGES</b>
<b>Title I – Adult (7/1/23 - 6/30/24)</b>			
60 Training slots	N/A	WIOA-Adult	Training stipend per approved job training plan/WDB policies. *
<b>Title I - Dislocated Workers (7/1/23 - 6/30/24)</b>			
60 Training Slots	N/A	WIOA-D/W	See below*
<b>Trade Act Programs (7/1/23 - 6/30/24)</b>			
Training Slots (per DOL)	Aides	Trade Act	See below*
<b>Title I - Youth Employment Programs (7/1/23 - 6/30/24)</b>			
10 Training slots	N/A	WIOA-Youth	See below*
10 Jobs - in school youth	Aides	WIOA-Youth	See below**
30 Jobs – out of school youth	Aides	WIOA-Youth	See below***
<b>Summer TANF (7/20/23 - 9/30/23)</b>			
50 Jobs	Aides	Summer TANF	See below**

\*Plus tuitions, books and related training fees, testing/certification/licensing fees, child care, on-line training licenses, transportation and mileage payments, needs related payments, trade act, job search/relocation allowances and other financial payments made to or on behalf of program participants consistent with the job training plan, federal trade act or applicable WIOA and WDB approved policies. Subject to availability of funds and if not eligible for WIOA funding then other allocated funding for the department can be used for these positions per their respective guidelines.

\*\*\$15.00/hr. for public/non profit sector worksites. Maximum up to entry-level wage rate for individual private sector worksite placements.

\*\*\*\$15.00/hr. for public/non profit sector worksites with one performance increase of \$1.00/hr. as approved by the Department of Workforce Development. May also pay up to entry level wage rate for individual private sector worksite placements.

Note: Wages subject to adjustment as needed to comply with minimum wage requirements.

Note: References to above funding streams (adult, etc.) will be inclusive of all types of funds allocated including basic formula funds, incentive funds, supplemental funds, Trade Act funds or other similar funding made available to the County by the NYS Dept. of Labor for workforce related activities or other grants awarded.

# Warren County Board of Supervisors

## RESOLUTION NO. 224 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, RUNYON, THOMAS, FRASIER, GERACI, BRUNO AND BEATY

### ESTABLISHING 2023 ROAD FUND PROJECTS AND AMENDING WARREN COUNTY BUDGET FOR 2023

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

<u>PROJECT</u>	<u>TITLE</u>	<u>AMOUNT</u>
D.5112.8350	2023 CR#7 Bay Road ( <i>Queensbury</i> )	\$ 462,605.22
D.5112.8351	2023 CR#13 Glen Athol Road ( <i>Johnsburg</i> )	\$ 853,847.12
D.5112.8352	2023 CR#26 Palisades Road ( <i>Horicon</i> )	\$ 651,391.51
D.5112.8353	2023 CR#28 Corinth Road ( <i>Queensbury</i> )	\$ 454,249.59
D.5112.8354	2023 CR#36 Valley Road ( <i>Thurman</i> )	\$ 636,766.05
D.5112.8355	2023 CR#40 Golf Course Road ( <i>Warrensburg</i> )	\$ 743,988.77
D.5112.8356	2023 CR#66 Country Club Road ( <i>Queensbury</i> )	\$ 197,151.74
	TOTAL	\$ 4,000,000.00

1. The above Road Fund Projects are hereby established.
2. The estimated cost for such Road Fund Projects is the amount of Four Million Dollars (\$4,000,000.00).
3. The proposed method of financing such Road Fund Projects consists of the transfer of funds between existing Road Projects, as well as through and appropriation from Budget Code D.5112.8349 280 2022 CR#69 West Brook Road, to be authorized by separate resolution, and be it further

RESOLVED, that the Warren County Budget for 2023 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 225 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, RUNYON, THOMAS, FRASIER, GERACI, BRUNO AND BEATY**

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM  
THE OCCUPANCY TAX RESERVE TO THE TOURISM BUDGET;  
AND AMENDING 2023 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby appropriates funds in the amount of Fifteen Thousand Dollars (\$15,000) from the Occupancy Tax Reserve (A.881.00) to the following budget code to cover the County's share of the salary of the Lake George Event Manager position in the Village of Lake George:

<b>CODE</b>	<b>DEPARTMENT</b>	<b>AMOUNT</b>
A.6417.0002 480.05	Tourism/Occupancy, Occupancy Tax, Tourism-Business Promotion	\$15,000.00

and be it further

RESOLVED, that the Warren County Budget for 2023 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 226 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, RUNYON, THOMAS, FRASIER, GERACI, BRUNO AND BEATY**

**AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNAPPROPRIATED SURPLUS TO THE OFFICE OF COMMUNITY SERVICES BUDGET TO COVER THE COST OF COURT-ORDERED NEW YORK STATE CRIMINAL PROCEDURE LAW 730 COMPETENCY EXAMINATION AND RESTORATION EXPENSES; AMENDING 2023 WARREN COUNTY BUDGET**

RESOLVED, that the Warren County Board of Supervisors hereby approves the appropriation of funds to cover the cost of court-ordered New York State Criminal Procedure Law 730 competency examination and restoration expenses, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) from the General Fund Unappropriated Surplus to the following budget code:

CODE	DEPARTMENT	AMOUNT
A.4390 435	Psychiatric Exp./Criminal, Medical Fees	\$ 300,000.00

and be it further

RESOLVED, that the Warren County Budget for 2023 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 227 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, RUNYON, THOMAS, FRASIER, GERACI, BRUNO AND BEATY**

**AUTHORIZING THE RE-APPROPRIATION OF FUNDS TO THE  
PLANNING & COMMUNITY DEVELOPMENT BUDGET;  
AND AMENDING 2023 WARREN COUNTY BUDGET**

WHEREAS, pursuant to Resolution No. 324 of 2022, the Warren County Board of Supervisors authorized the appropriation of ARPA funds in an amount not to exceed Twenty Thousand Dollars (\$20,000) to the Planning & Community Development Budget to provide a Warren County bikeway connection feasibility study and Warren County bikeway safety improvements, and

WHEREAS, the Finance Committee has approved a request to re-appropriate the funds in the amount of Twenty Thousand Dollars (\$20,000) as the funds were not expended in 2022, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the following budget amendment to re-appropriate funds to the Planning & Community Development Budget:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
<b>DEPARTMENT: PLANNING &amp; COMMUNITY DEVELOPMENT</b>		
<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

and be it further

RESOLVED, that the Warren County Budget for 2023 be, and hereby is, amended accordingly.

# Warren County Board of Supervisors

## RESOLUTION NO. 228 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL AND SMITH

**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 HEATHER D. BAGSHAW AS DIRECTOR OF TOURISM**

WHEREAS, by Resolution No. 1 of 2023, later amended by Resolution No. 119 of 2023, the Board of Supervisors adopted the Rules of the Board, Section B(3) 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 Heather E. Bagshaw as Director of Tourism, 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. 229 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS WILD AND RUNYON

### APPOINTING HEATHER D. BAGSHAW AS DIRECTOR OF TOURISM

WHEREAS, the Personnel, Administration & Higher Education Committee has interviewed candidates for the Director of Tourism Position and does recommended to the Board of Supervisors the appointment of Heather D. Bagshaw to fill the vacant position, now therefore, be it

RESOLVED, that the Board of Supervisors does hereby appoint Heather D. Bagshaw as Director of Tourism, effective April 24, 2023 and serving at the pleasure of the Board of Supervisors, at an annual salary of \$90,783.

# Warren County Board of Supervisors

## RESOLUTION No. 230 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER AND BRUNO

**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 REQUIRING AC POWER, LLC TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF TAXES UPON CERTAIN PROPERTY LOCATED OFF OF RIVER STREET, TOWN OF QUEENSBURY**

WHEREAS, by Resolution No. 1 of 2023, later amended by Resolution No. 119 of 2023, the Board of Supervisors adopted the Rules of the Board, Section B(3) 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 requiring AC Power, LLC to enter into an agreement for payments in lieu of taxes upon certain property located off of River Street, Town of Queensbury, 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. 231 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS BRUNO AND SMITH

### RESOLUTION REQUIRING AC POWER, LLC TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF TAXES UPON CERTAIN PROPERTY LOCATED OFF OF RIVER STREET, TOWN OF QUEENSBURY

WHEREAS, the County of Warren received written notification on August 18, 2022 that AC Power, LLC intends to construct a solar energy system on certain property located off River Street, Town of Queensbury (Tax Map Parcel No. 303.20-2-50) pursuant to Section 487 of the Real Property Tax Law, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a PILOT agreement with AC Power, LLC up to the fifteen (15) year statutory period, as provided by Section 487 of the Real Property Tax Law, for the real property set forth above, as described in the attached Schedule "A," and in a form approved by the County Attorney.

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PAYMENT IN LIEU OF TAXES AGREEMENT  
FOR SOLAR ENERGY SYSTEMS

between

COUNTY OF WARREN

and

AC POWER 31, LLC

Effective as of April 21, 2023

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RELATING TO THE PREMISES LOCATED AT RIVER STREET  
(TAX MAP 303.20-2-50) IN THE TOWN OF QUEENSBURY,  
WARREN COUNTY, NEW YORK.

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PAYMENT IN LIEU OF TAXES AGREEMENT  
FOR SOLAR ENERGY SYSTEMS PURSUANT TO REAL PROPERTY TAX LAW § 487

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR REAL PROPERTY, effective as of the date on the cover page, above, by and between AC Power 31, LLC (the "Owner"), a Delaware limited liability company, with a principal place of business located at 20 West 22nd Street, Suite 1501, New York, New York 10010; and the County of Warren, New York, a municipal corporation duly established with a principal place of business located at 1340 State Route 9, Lake George, New York 12845 (the "County"); the County is herein referred to as the "Taxing Jurisdiction." Owner and the Taxing Jurisdiction are collectively referred to in this Agreement as the "Parties" and are individually referred to as a "Party."

RECITALS

WHEREAS, Owner has submitted a Notice of Intent to the Taxing Jurisdiction that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") § 487(1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately 5.0 Megawatts AC on a parcel of land located within the Town at River Street, Queensbury, New York, and identified as S.B.L. No. 303.20-2-50, as described in Exhibit A (herein the "Property"); and;

WHEREAS, the Taxing Jurisdiction had not opted out of RPTL § 487, prior to April 21, 2023; and

WHEREAS, pursuant to RPTL § 487(9)(a), the Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the Taxing Jurisdiction for each year during the term of this Agreement; and

WHEREAS, the Owner has submitted or will submit to the assessor of the Town a RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL § 487; and

WHEREAS, the Parties intend that, during the term of this Agreement, the Project will be placed on exempt portion of the assessment roll and the Owner will not be assessed for any statutory real property taxes for which it might otherwise be subjected under New York law with respect to the Project.

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter contained, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Representations of the Parties.

(a) The Owner hereby represents, warrants, and covenants that, as of the date of this Agreement:

1. The Owner is duly organized, and a validly existing limited liability company duly authorized to do business in the State of New York, has requisite authority to conduct its business as presently conducted or proposed to be conducted under this Agreement, and has full legal right, power, and authority to execute, deliver, and perform all applicable terms and provisions of this Agreement.

2. All necessary action has been taken to authorize the Owner's execution, delivery, and performance of this Agreement and this Agreement constitutes the Owner's legal, valid, and binding obligation enforceable against it in accordance with its terms.

3. None of the execution or delivery of this Agreement, the performance of the obligations in connection with the transactions contemplated hereby, or the fulfillment of the terms and conditions hereof will (i) conflict with or violate any provision of the Owner's Certificate of Incorporation, Certificate of Formation, bylaws or other organizational documents or of any restriction or any agreement or instrument to which the Owner is a party and by which it is bound; (ii) conflict with, violate, or result in a breach of any applicable law, rule, regulation, or order of any court or other taxing jurisdiction or authority of government or ordinance of the State or any political subdivision thereof; or (iii) conflict with, violate, or result in a breach of or constitute a default under or result in the imposition or creation of any mortgage, pledge, lien, security interest, or other encumbrance under this Agreement or under any term or condition of any mortgage, indenture, or any other agreement or instrument to which it is a party or by which it or any of the Owner's properties or assets are bound. There is no action, suit, or proceeding, at law or in equity, or official investigation before or by any government authority pending or, to its knowledge, threatened against the Owner, wherein an anticipated decision, ruling, or finding would result in a material adverse effect on the Owner's ability to perform its obligations under this Agreement or on the validity or enforceability of this Agreement.

(b) The Taxing Jurisdiction hereby represents, warrants, and covenants that, as of the date of this Agreement:

1. The Taxing Jurisdiction is duly organized, validly existing, and in good standing under the laws of the State of New York and has full legal right, power, and authority to execute, deliver, and perform all applicable terms and provisions of this Agreement.

2. All necessary action has been taken to authorize the Taxing Jurisdiction's execution, delivery, and performance of this Agreement, and this Agreement constitutes the Taxing Jurisdiction's legal, valid, and binding obligation enforceable against it in accordance with its terms.

3. No governmental approval by or with any government authority is required for the valid execution, delivery, and performance under this Agreement by the Taxing Jurisdiction except such as have been duly or will be obtained or made.

4. There is no action, suit, or proceeding, at law or in equity, or official investigation before or by any government authority pending or, to its knowledge, threatened against the Taxing Jurisdiction, wherein an anticipated decision, ruling, or finding would result in a material adverse effect on the Taxing Jurisdiction's ability to perform its obligations under this Agreement or on the validity or enforceability of this Agreement.

2. Tax Exemption; Payment in Lieu of Real Property Taxes.

(a) Tax-Exempt Status of the Project Facility. Pursuant to RPTL § 487 the Parties hereto agree that the Project shall be placed by the Taxing Jurisdiction as exempt upon the assessment rolls of the Taxing Jurisdiction. A Real Property Tax Exemption Form (RP-487) has or will be filed with the Assessor responsible for the Taxing Jurisdiction and the Project is eligible for exemption pursuant to RPTL § 487(4).

(b) Owner agrees to make annual payments to the Taxing Jurisdiction in lieu of real property taxes for the Project for a period of fifteen (15) consecutive fiscal tax years; annual payments may not exceed the amounts that would otherwise be payable but for the RPTL § 487 exemption. Such 15-year term shall commence on the first taxable status date selected by Owner following commencement of the construction of the Project (the "Commencement Date"), and shall end the fifteenth fiscal year following the Commercial Operations Date. The first annual payment shall be in the amount of ONE THOUSAND FOUR HUNDRED and 00/100 DOLLARS (\$1,400.00) (the "Annual Payment"), with a two percent (2%) increase upon the prior year's annual payment thereafter during each successive year during the fifteen (15) year term of the Agreement. Annual Payments to be made by Owner during the term of this Agreement shall be as listed in Exhibit B. Each Annual Payment will be paid to the Taxing Jurisdiction in accordance with Section 5 of this Agreement; and the annual payment amount and payment date will be noted on an annual bill issued by the Taxing Jurisdiction to the Owner, provided that any failure of the Taxing Jurisdiction to issue such a bill shall not relieve Owner of its obligation to make timely payments under this section.

(c) Owner agrees that the payments in lieu of taxes under this Agreement will not be reduced on account of a depreciation factor or reduction in the Taxing Jurisdiction tax rate, and the Taxing Jurisdiction agrees that the payments in lieu of taxes will not be increased on account of an inflation factor or increase in the Taxing Jurisdiction tax rate, all of which factors have been considered in arriving at the payment amounts reflected in this Agreement.

(d) The parties understand that the Annual Payments made pursuant to this Agreement may not exceed the amount that the Owner would otherwise be obligated to pay in County tax (the "Tax Liability"). If, during the term of this Agreement, the Taxing Jurisdiction is required to employ an assessment methodology that, if applied to the real property subject to this Agreement, would cause the Annual Payments set forth in attached Exhibit B to exceed the Owner's Tax Liability, then the Taxing Jurisdiction, after receiving all necessary information and documentation from the Owner, shall recalculate the assessment of the subject real property and shall also calculate the Owner's Tax Liability for that tax year. The new assessment shall become effective on the taxable status date next following the required use of such assessment methodology. The first PILOT payment to be made after such taxable status date shall reflect 100% of the Owner's Tax Liability. Thereafter Annual Payments will escalate by Two percent (2%) per year, not to exceed the Tax Liability.

(e) For purposes of Section 4 of this Agreement, in the event that changes in Capacity occur following a change in assessment methodology as described in this Section, the pro rata change to Annual Payments shall not be based upon the price per MW set forth in Section 2(b) above. Instead, a new price per MW shall be established based upon the amount of the first Annual Payment following the taxable status date described above divided by the Project Capacity as of that same date. This price per MW will then be used for any and all changes in Project Capacity occurring thereafter, not to exceed the Tax Liability.

3. Change in Capacity at Mechanical Completion: Adjustments to Payments. To the extent that the Capacity of the Project is more or less than the 5.0 Megawatts AC on the date when the Project is mechanically complete and Owner has commenced production of electricity, the payments set forth in Exhibit B will be increased or decreased on a pro rata basis.

4. Change in Capacity After Mechanical Completion: Adjustments to Payments. If after the Completion Date the Capacity is increased or decreased as a result of the replacement or upgrade or partial removal or retirement of existing Project equipment or property or the addition of new Project equipment or property, the Annual Payments set forth in Exhibit B shall be increased or decreased on a pro rata basis for the remaining years of the Agreement.

5. Payment Collection. Payments for the County shall be made payable to the County Treasurer and mailed to the County of Warren, 1340 State Route 9, Lake George, New York 12845, and payments are due no later than February 15th of each year. All late payments shall accrue interest at the statutory rate for late tax payments under New York Law. Owner shall pay the reasonable attorney fees, court and other costs incurred by the Taxing Jurisdiction in the collection of the unpaid amounts. All payments by the Owner hereunder shall be paid in lawful money of the United States of America.

6. Tax Status. Separate Tax Lot. The Taxing Jurisdiction agrees that during the term of this Agreement, the Taxing Jurisdiction will not assess Owner for any real property taxes with respect to the Project to which Owner might otherwise be subject under New York law, and the Taxing Jurisdiction agrees that this Agreement will exclusively govern the payments of all such taxes, provided, however, that this Agreement is not intended to affect, and will not preclude the

Taxing Jurisdiction from assessing, any other taxes, fees, charges, rates or assessments which the Owner is obligated to pay, including, but not limited to, special assessments or special district assessments, fees, or charges for services provided by the Taxing Jurisdiction to the Project. Nothing in this Agreement shall limit the right of the Owner to challenge the assessment of the Project pursuant to the RPTL.

7. No Assignments Without Prior Notice; Binding Effect.

(a) This Agreement may not be assigned by Owner without the prior written consent of the Taxing Jurisdiction; such consent may not be unreasonably withheld if the Assignee has agreed in writing to accept all obligations of the Owner. The restrictions on assignment contained herein do not prohibit or otherwise limit changes in control of Owner. If Owner assigns this Agreement with the advance written consent of the Taxing Jurisdiction, the Owner shall be released from all obligations under this Agreement upon assumption hereof in writing by the assignee, provided that Owner shall, as a condition of such assignment and to the reasonable satisfaction of the Taxing Jurisdiction, cure any defaults and satisfy all liabilities arising under this Agreement prior to the date of such assignment. A Notice of this Agreement may be recorded by Owner and the Taxing Jurisdiction shall cooperate in the execution of required Assignments with the Owner and its successors. Owner may, with advance written notice to the Taxing Jurisdiction and without prior consent, assign this Agreement to an affiliate of Owner or to any party who has provided or is providing financing to Owner for the construction, operation and/or maintenance of the Project.

(b) Binding Effect. This PILOT Agreement shall inure to the benefit of, and shall be binding upon, the Taxing Jurisdiction, the Owner and their respective successors and assigns.

8. Statement of Good Faith. The Parties agree that the payment obligations established by this Agreement have been negotiated in good faith in recognition of and with due consideration of the full and fair taxable value of the Project.

9. Additional Documentation and Actions. Subject to applicable laws and regulations, each Party will, from time to time hereafter, execute and deliver or cause to be executed and delivered, such reasonable additional instruments and documents as the other Party reasonably requests for the purpose of implementing or effectuating the provisions of this Agreement. Owner shall pay all reasonable attorneys' and consulting fees incurred by the Taxing Jurisdiction to review and negotiate any such instruments or documents.

10. Notices. All notices, consents, requests, or other communications provided for or permitted to be given hereunder by a Party must be in writing and will be deemed to have been properly given or served upon the personal delivery thereof, via courier delivery service, by hand, or by certified mail, return receipt requested. Such notices shall be addressed or delivered to the Parties at their respective addresses shown below.

If to Owner:                    AC Power 31, LLC  
    20 West 22<sup>nd</sup> Street, Suite 1501  
    New York, New York 10010

With a copy to: Jake Hirsch, Esq.  
General Counsel  
AC Power, LLC  
20 West 22<sup>nd</sup> Street, Suite 1501  
New York, New York 10010

If to the Taxing Jurisdiction:

Board of Supervisors  
County of Warren  
1340 State Route 9  
Lake George New York 12845

With a copy to: Lawrence Elmen, Esq.  
County Attorney  
County Attorney's Office  
1340 State Route 9  
Lake George New York 12845

Any such addresses for the giving of notices may be changed by either Party by giving written notice as provided above to the other Party. Notice given by counsel to a Party shall be effective as notice from such Party.

11. Applicable Law. This Agreement will be made and interpreted in accordance with the laws of the State of New York. Owner and the Taxing Jurisdiction each consent to the jurisdiction of the New York courts in and for the County in which the Project is located regarding any and all matters, including interpretation or enforcement of this Agreement or any of its provisions. Accordingly, any litigation arising hereunder shall be brought solely in such courts.

12. Termination Rights of the Owner. Owner may terminate this Agreement at any time by Notice to the Taxing Jurisdiction. Upon receipt of the Notice of Termination, the Project shall be placed on the taxable portion of the tax roll effective on the next taxable status date of the Taxing Jurisdiction. Owner shall be liable for all PILOT payments due in the year of termination, except that if Owner is required to pay any part-year real property taxes, the PILOT payment for that year shall be reduced pro rata so that the Owner is not required to pay both PILOT payments and real property taxes for any period of time.

13. Termination Rights of Taxing Jurisdiction. Notwithstanding anything to the contrary in this Agreement, the Taxing Jurisdiction may terminate this Agreement on thirty (30) days written notice to Owner if:

(a) Owner fails to make timely payments required under this Agreement, unless such payment is received by the Taxing Jurisdiction within the 30-day notice period with interest as stated in this Agreement

(b) Owner has filed, or has had filed against it, a petition in Bankruptcy, or is otherwise insolvent.

14. Remedies; Waiver And Notice.

(a) No Remedy Exclusive. No remedy herein conferred upon or reserved to Party is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

(b) Delay. No delay or omission in exercising any right or power accruing upon the occurrence of any breach of an obligation hereunder shall impair any such right or power or shall be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient.

(c) No Waiver. In the event any provision contained in this Agreement should be breached by any party and thereafter duly waived by the other party so empowered to act, such waiver shall be limited to the particular breach so waived and shall not be deemed to be a waiver of any other breach hereunder. No waiver, amendment, release or modification of this Agreement shall be established by conduct, custom or course of dealing.

15. Entire Agreement. The Parties agree that this is the entire, fully integrated Agreement between them with respect to payments in lieu of taxes for the Project.

16. Amendments. This Agreement may not be effectively amended, changed, modified, altered or terminated except by an instrument in writing executed by the parties hereto.

17. No Third Party Beneficiaries. The Parties state that there are no third-party beneficiaries to this Agreement.

18. Severability. If any article, section, subdivision, paragraph, sentence, clause, phrase, provision or portion of this Agreement shall for any reason be held or adjudged to be invalid or illegal or unenforceable by any court of competent jurisdiction, such article, section, subdivision, paragraph, sentence, clause, phrase, provision or portion so adjudged invalid, illegal or unenforceable shall be deemed separate, distinct and independent and the remainder of this Agreement shall be and remain in full force and effect and shall not be invalidated or rendered illegal or unenforceable or otherwise affected by such holding or adjudication.

19. Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

SPACE INTENTIONALLY OMITTED  
SIGNATURE PAGE FOLLOWS

Executed by the undersigned as of the day and year first written above, each of whom represents that it is fully and duly authorized to act on behalf of and bind its principals.

**AC POWER 31, LLC**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Approved as to Form:

**COUNTY OF WARREN**

\_\_\_\_\_  
Lawrence Elmen, Esq.  
Warren County Attorney

\_\_\_\_\_  
KEVIN B. GERAGHTY, as Chairman,  
Warren County Board of Supervisors

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

EXHIBIT A

Description of Land

**EXHIBIT B**

**Schedule of Annual Payments**

<b>Year</b>	<b>Payment Amount</b>
1	\$1,400.00
2	\$1,428.00
3	\$1,456.56
4	\$1,485.69
5	\$1,515.41
6	\$1,545.71
7	\$1,576.63
8	\$1,608.16
9	\$1,640.32
10	\$1,673.13
11	\$1,706.59
12	\$1,740.72
13	\$1,775.54
14	\$1,811.05
15	\$1,847.27