

PERSONNEL, ADMINISTRATION & HIGHER EDUCATION COMMITTEE

AGENDA

JANUARY 30, 2025

**Committee Members:** *Wild, Driscoll, Etu, Maday, Bean, Patchett, and Merlino- Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C(4) of the Rules of the Board*

- I. Committee meeting called to order by Chair.
- II. Motion to approve minutes of prior Committee meetings.
- III. Privilege of the Floor/Public Comment
- IV. Action Agenda
  - 1) **SUNY Adirondack representatives to provide and update on the College.**
  - 2) **Requests/Items to be Discussed by the Human Resources Director (Jackie Figueroa, Director):**
    - A) Review of report on tracking of vacancies filled.
    - B) Request to authorize a new contract with Adirondack EAP for WC 82-24 Provision of Employee Assistance Program for County employees, commencing March 1, 2025 and terminating February 28, 2030.
  - 3) **Requests/Items to be Discussed by the Clerk of the Board (Amanda Allen, Clerk of the Board):**
    - A) Request to authorize renewal of agreement with Glens Falls Hospital for autopsy services and authorizing the Chair of the Board to sign a letter of agreement with Glens Falls Hospital for same.
    - B) Request to amend the Rules of the Board to change the dates of the April and May Board Meetings.
  - 4) **Request/Item to be Discussed by the Director of Information Technology (Mike Colvin, Director):**

Request to appropriate \$33,000 from Budget Code A.895.00, *Computer Reserve Fund*, to various budget codes to cover the cost of purchasing computers and related equipment and software.
  - 5) **Referrals from the Criminal Justice, Public Safety & Emergency Services Committee (Chaired by Supervisor Geraci):**

**Probation (Robert Iusi, Director) -**
    - A) Request to amend the Table of Organization & Salary Schedule to create the new position of Probation Officer Trainee, *Grade 16, Base Annual Salary \$57,270*, and unfund but retain in the Table of Organization the position of Probation Officer, effective February 24, 2025.

**Sheriff (James LaFarr, Sheriff) -**
    - B) Request to amend the Table of Organization and Salary Schedule to create the new position of Building Maintenance Mechanic P/T, *Grade 15, Base Annual Salary \$28.86/hr*, effective February 24, 2025.
  - 6) **Requests/Items to be Discussed by the County Administrator (John Taflan, County Administrator):**
    - A) Request to adopt the Warren County Meeting, Conference and Job Training Policy.
    - B) *On Behalf of the Department of Public Works* - Request to amend Resolution No. 433 of 2019, *Adopting Revised Warren County Payroll Rules Policy*, to adopt the revised Warren County Payroll Rules Policy for per diem and less than part-time employees of DPW to compensate DPW employees that are either per diem/less than part-time at a rate of time and one half when working a holiday, any hours over eight per shift or in excess of forty hours per week retroactive to December 2, 2024.
    - C) Executive session to discussion a Collective Bargaining matter.
  - 7) **Requests/Items to be Discussed by the County Attorney (Larry Elmen, County Attorney):**

**Action Agenda/New Business Items:**
    - A. Request: Resolution approving a unified "County Motor Vehicle Use Program" Policy.  
Rationale: The proposed policy began in September 2024 to separate the County's "Travel and Education Policy" into two separate policies and to incorporate the various Department-level vehicle policies into a single unified, County Motor Vehicle Use Program policy. The enclosed policy was reviewed and modified by the Risk & Safety Committee on January 16, 2025.
    - B. Request: To transfer funds in the amount of \$1,400 from Budget Code A.1990 469, *Contingent Account, Other Payments/Contributions*, to Budget Code A. 1420 436, *County Attorney, Advertising Fees*.  
Rationale: Due to new NYS tax foreclosure laws, the annual tax foreclosure sale needed to be filed three months earlier than in past years. As a result, more parcels were included in 2025 tax foreclosure lawsuit, than past years, which increased the newspaper publications costs. For 2025, 445 parcels were listed in lawsuit, as compared to 286 parcels listed in 2024 lawsuit.

**Discussion Items:**
    - C) Contract Templates and Contract Workflow:

**CONTINUED**

D) Litigation Update: Request for a motion to enter into an executive session, per Public Officer's Law §105(1)(d), to engage in discussions of proposed, pending and current litigation and to provide attorney-client communications per Public Officer's Law §108(3), concerning one or more of the matters listed below which shall be identified at the time of meeting:

a. Proposed lawsuit: To enforce County breach of contract claim and seek specific performance

b. Lawsuits without Insurance Coverage:

- 1) Michael Easterbrooks v. Schenectady County, et al, Albany County Index No. 907013-2021, filed August 10, 2021. Discovery ongoing. Stay in place following death of Plaintiff-awaiting appointment of Estate administrator. No new activity.
- 2) Joshua Rouse v. Berkshire Farms Center for Youth, et al, Warren County Index No. EF2021-69346, filed August 10, 2021. Discovery ongoing.
- 3) Kathleen Innes v. Warren County and Correctional Medical Care, NDNY 1:22-cv-00641-BKS-TWD, filed June 15, 2022. Discovery completed. Summary judgment motions filing deadline: 2/28/2025.
- 4) Estate of Ann Alice Hennessey v. County of Warren & Christine Norton, as County Treasurer, NDNY 1:24-cv-314-AMN-CFH, filed March 6, 2024.
  - Alleging violations of federal constitutional rights under 5th Amendment, 8th Amendment, and 14th Amendment, as well as section 1983 claims for deprivation of civil rights, and State law claim for unjust enrichment.
  - March 22, 2024: Insurance Coverage Denied through Travelers-claims made.
  - New York Tax Foreclosure Surplus Litigation: Multi-District Litigation (MDL) No. 3117: Plaintiffs motion to join all 37 counties subject to individual lawsuits. Responses filed 5/7/2024. Decision pending.
  - May 31, 2024: Motion to Dismiss against remaining plaintiff, Estate of Ann Alice Hennessey, filed with Federal District Court.
  - July 19, 2024: Plaintiff filed opposition papers to County's Motion to Dismiss.
  - July 25, 2024: County filed reply brief in response to plaintiff's opposition papers.
  - October 8, 2024: Court conference in Federal District Court regarding pending motions to dismiss. All separately filed lawsuits consolidated into single matter following court conference.
  - No new activity.
- 5) Village of Hudson Falls v. Town of Queensbury, Town of Kingsbury, County of Washington & County of Warren, Index No. 2024-37927, filed December 10, 2024. Action to Quiet Title on Village/Town Boundary Line along Warren Street and Quarry Crossing between Dix Avenue and River Street. Hearing on Motion for Preliminary Injunction: January 31, 2025.

c. Lawsuits Covered by Insurance:

- 1) Tyson Poulos (Pro Se) v. County of Warren, Warren County Sheriff's Office, Warren County District Attorney's Office [as well as 6 employees of Sheriff's Office and 1 employee of District Attorney's Office], NDNY 1:21-cv-96-MAD-CFH, filed January 27, 2021. Date of Loss alleged January 20, 2014 through August 8, 2014. County Motion to Dismiss GRANTED 12/20/2024. County issued closing letters to all named County defendants: 12/24/2024 (MATTER CLOSED).
- 2) Patricia Zahaba v. County of Warren and Town of Queensbury, Warren County Index No. EF2022-70243, filed June 13, 2022. Date of Loss alleged: June 11, 2021. Notice of Claim served September 8, 2021. Depositions ongoing.
- 3) John Werner v. Bernice Conlon & Warren County, Warren County Index No. EF2022-70247, filed June 15, 2022. Date of Loss alleged: August 15, 2021. Notice of Claim served November 8, 2021. Depositions ongoing.
- 4) Michael Davis v. Cole Palmer, Nicole Palmer, Town of Queensbury & County of Warren, Warren County Index No. EF2023-71114, filed July 15, 2022. Date of Loss alleged: May 14, 2022. Notice of Claim served July 15, 2022. Matter settled: December 2024 (MATTER CLOSED)
- 5) Jasmine Earnest v. Town of Queensbury, County of Warren, Stilsing Electric, Inc. & Joanne Levack, Warren County Index No. EF2022-2111, filed September 29, 2022. Date of Loss alleged: April 12, 2022. Notice of Claim served May 9, 2022. Depositions ongoing.

- c. **Lawsuits Covered by Insurance Continued:**
- 6) Timothy McIntyre & Brenna Michalak v. County of Warren, Warren County Index No. EF2023-72092, filed December 11, 2023. Date of Loss alleged: September 18, 2022. Notice of Claim, served December 19, 2022. Discovery ongoing.
  - 7) Nicholas Oudekerk (Pro Se) v. Sergeant Brandon Thomas & Corrections Officer Nicholas Crum, NDNY 9:24-cv-00109-AMN-TWD, filed March 13, 2024.
    - September 13, 2024: Motion to Dismiss filed.
    - October 10, 2024/October 24, 2024/December 4, 2024: Court provides Pro Se Plaintiff additional time and opportunity to file opposition papers to Motion to Dismiss.
    - December 19, 2024: Pro Se Plaintiff files opposition papers.
  - 8) James Condon v. Warren County Deputy Sheriffs Ortiz & Duggan, NDNY 1:24-cv-1172, filed September 25, 2024. Discovery started. Mandatory Mediation Pending.
  - 9) Corey M. Russell (Pro Se) v. Bailey, NDNY 9:24-cv-1109, filed November 4, 2024. Date of Loss: June 4, 2024. Order dismissing various claims filed October 23, 2024. Discovery to be started.
- d. **Notice of Claims & Administrative Complaints:**
- 1) Notice of Claim served March 7, 2024: Ethan Smith and Jennifer Dees. Date of Loss alleged: November 8, 2023 through March 1, 2024.
  - 2) Administrative Complaint: Department of Human Rights against County of Warren and Warren County DSS, dated May 2, 2024. Date of Loss alleged: November 27, 2023 through March 7, 2024. Pending administrative determination.
  - 3) Notice of Claim served July 15, 2024. Jennifer Dees & Ethan Smith. Date of Loss alleged: June 2024. Warren County District Attorney's Office regarding assignment as special prosecutor for Saratoga County in the matter of People v. Veronica Smith.
  - 4) Notice of Claim served September 17, 2024. David J. Funaro, Jr. & Sarah A Vedder v. Glens Falls and Glens Falls Police Department, Violation of constitutional rights, excessive force, perjury, property damage, and retaliation arising from execution of search warrant.
  - 5) Notice of Claim served November 25, 2024: Rosemarie Salerno. Date of Loss: August 23, 2024. Alleging defective sidewalk in Village of Lake George behind Christie's on the Lake. Affidavit submitted-not County sidewalk/walkway.

**V. Pending Items:**

No Items this Month.

**VI. Privilege of the Floor/Public Comment**

**VII. Motion to adjourn**

2025 - NOTICE OF INTENT TO FILL TRACKING

Approval Date	Department	Position	Incumbent	Reason for Vacancy *	Incumbent Salary	Salary Approved	Date Filled	Hire	Salary Hired	Approved vs. Hired	Incumbent vs. Hired
10/10/2024	Veteran's Services	Veteran's Benefits Counselor (2690)	Cooke	RS	\$ 48,790.00	\$ 47,404.00	vacant				
10/10/2024	Real Property	GIS Tax Map Technician (2768)	Tilly	RS	\$ 57,962.00	\$ 57,962.00	vacant				
11/1/2024	Social Services	Community Services Worker # 4 PT (2830)	N/A	N	N/A	\$ 46,004.00	vacant			\$ -	\$ -
11/7/2024	DPW	MEO (L) # 17 (1250)	Livingston	PR	\$ 49,545.00	\$ 44,418.00	vacant			\$ -	\$ -
11/8/2024	DPW	MEO (L) # 5 (1264)	Stockman	PR	\$ 43,187.00	\$ 44,418.00	vacant			\$ -	\$ -
11/19/2024	Social Services	Support Investigator # 1 (1740)	Granger	O	\$ 55,855.00	\$ 46,004.00	vacant			\$ -	\$ -
12/2/2024	Social Services	Caseworker # 9 (1653)	York	RS	\$ 55,602.00	\$ 55,602.00	vacant			\$ -	\$ -
12/20/2024	Social Services	Support Investigator # 5 (1739)	Johnson	PR	\$ 47,363.00	\$ 47,384.00	vacant			\$ -	\$ -
12/23/2024	Probation	Probation Officer Trainee # 1 (2384)	N/A	O	N/A	\$ 55,602.00	2/3/2025	McKinney	\$65,766.00	\$10,164.00	\$ -
1/6/2025	Social Services	Principal Account Clerk (1688)	Mammone	PR	\$ 61,566.00	\$ 50,497.00	vacant			\$ -	\$ -
1/6/2025	Social Services	Sr. Caseworker # 3 (1681)	McKinney	O	\$ 69,976.00	\$ 60,920.00	vacant			\$ -	\$ -
1/7/2025	Health Services	PHN # 15 (1553)	Murphy	RT	\$ 84,070.00	\$ 67,659.00	vacant			\$ -	\$ -
1/10/2025	Probation	Senior Probation Officer # 4 (2387)	Gheen	RT	\$ 78,496.00	\$ 64,527.00	vacant			\$ -	\$ -
									<b>Totals:</b>	<b>\$10,164.00</b>	<b>\$ -</b>

\* (RT= Retired, RS= resigned, PR= promotion, O= Other, N- New)

## ***RESOLUTION REQUEST FORM NO. 3***

### ***Request for New Contract***

**DEPARTMENT NAME: Human Resources**

**DATE:**

- (a) Is this a Result of a Bid or Request for Proposal? **WC 82-24**
- (b) Purpose of Contract: **Provision of Employee Assistance Program services for County employees**
- (c) Name of Contractor: **Adirondack EAP**
- (d) Address of Contractor: **559 Glen Street, Glens Falls, NY 12801**
- (e) Contractor's Contact Person and Telephone Number:  
**Susan McManus, 518-793-9768**
- (f) Has or will the Contract be provided, if so, please attach:
- (g) Commencement Date of Contract: **March 1, 2025**
- (h) Termination Date of Contract: **February 28, 2030**
- (i) Payment Provisions:
  - i) lump sum amount
  - ii) hourly rate amount
  - iii) total amount not to exceed
  - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc. **per employee per month based on number of eligible employees over y years (\$1.89, \$1.93, \$1.97, \$2.01, \$2.05 pepm)**)
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title\* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount: **A.1435.470****

**Sample: A.1010 470 Legislative Board – Contract \$xx.xx  
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx**

\*as listed in budget and LOGOS

**RESOLUTION REQUEST FORM NO. 20****MISCELLANEOUS**

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

**DEPARTMENT NAME: CLERK OF THE BOARD**

**DATE: JANUARY 30, 2025**

- (a) Purpose of Request:  
**Authorizing renewal of agreement with Glens Falls Hospital for autopsy services and authorizing Chair of the Board to sign a letter of agreement with Glens Falls Hospital for same**
- (b) Details:  
**To provide autopsy services for the year 2025 (1/1/25 - 12/31/25) at the rates provided by Glens Falls Hospital (see letter from GF Hospital and draft resolution)**
- (c) Previous Resolution Number:  
**Resolution No. 109 of 2024**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:  
**A.1185 435, Medical Examiners & Coroners, Medical Fees**

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS



ALBANY MED Health System

**GLENS FALLS HOSPITAL**

Morgue Services



Glens Falls Hospital Pathology  
100 Park Street  
Glens Falls, NY 12801

Date: 11/22/2024

Warren County  
County Coroner's office  
1340 State Route 9  
Lake George, NY 12845

RE: Letter of Agreement Glens Falls Hospital Morgue and Laboratory Services

Dear Administrator:

This letter is to inform you that there has been a change in our base rate fee beginning January 1<sup>st</sup>, 2024. There will be an increase in our base rate fee changing from \$1200 to \$1500 due to increasing expenses such as providing round-the-clock coverage by Morgue support personnel. Please refer to the attached fee schedule for the rate. The agreement is between Glens Falls Hospital and New York State County medical examiners to utilize the Glens Falls Hospital Morgue and Laboratory services.

Effective upon signature, Glens Falls Hospital will allow the county coroner and associated pathologist(s) use of the morgue facility. In conjunction with morgue facility use and services, Glens Falls Hospital agrees to provide a location within the morgue for secure paraffin block and slide storage and toxicology specimen storage on the condition that the county is solely responsible for arranging secure pick up and transport of toxicology specimens. All wet tissue, blood and body fluid specimens will be discarded after the case has been finalized by the Medical Examiner. Additional storage after this date will be at the burden of the county. Materials will be released to the counties upon written request. Glens Falls Hospital will provide a hospital-employed forensic autopsy technician to assist with autopsies performed for the county. No results of said autopsies will be provided to Glens Falls Hospital.

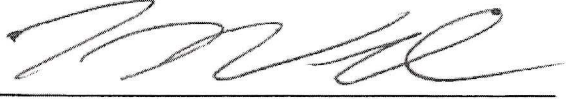
County and law enforcement personnel must observe, and respect all posted signage in the morgue and hospital to keep workers safe. This includes prohibitions on eating, drinking, and food storage, as well as requirements for use of hand-washing facilities and personal protective equipment. Non-Compliance may result in termination of this agreement.

Attached, please find a copy of Glens Falls Hospital's Morgue and Laboratory Fee Schedule. All requests for services by County on or after January 1, 2025, shall be understood by the parties to be at fees set forth therein. All payments for services are due from County forty-five (45) days from receipt of an invoice from Glens Falls Hospital. Failure to make timely payments for morgue and laboratory services will result in suspension of all services by Glens Falls Hospital until all outstanding payments for services are received.

I ask that you acknowledge County's agreement to the above by having a duly authorized representative of the county sign the letter indicated below, and then return one fully executed copy as indicated below. An appropriately authorized counter signed letter must be received by December 15<sup>th</sup>, 2024, to make this agreement active upon signature. This contract will renew automatically on an annual basis, provided no changes to the fee schedule are required. After December 31, 2025, this contract can be terminated by either party upon 30 days written notice.

Please return one fully execute copy to the attention of Jennifer Kish, Manager of Anatomical Pathology, or Richard Vandell, Administrative Director of Laboratory Services, via email [kishja@glensfallshosp.org](mailto:kishja@glensfallshosp.org) or [vandelrd@glensfallshosp.org](mailto:vandelrd@glensfallshosp.org). If you have any questions regarding this correspondence, please call 518-926-3836.

Sincerely,



Richard Vandell, MS, MT (ASCP) SC, SH  
Administrative Director of Laboratory Services at Glens Falls Hospital

By signing below, you acknowledge and agree that you are a duly authorized signatory of County and accept on behalf of the County to the terms and condition herein.

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

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

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

County: \_\_\_\_\_

**Glens Falls Hospital  
Morgue and Laboratory Fee Schedule  
Effective January 1, 2025 - December 31, 2025**

<b>Morgue Facility Use</b> (includes onsite histology and microbiology services)	<b>\$1,500 per case</b>
<b>Histology or laboratory services requested but not performed at Glens Falls Hospital</b> (does not include ANY toxicology services)	<b>Material will be released to the county. County is responsible for testing.</b>
<b>Other laboratory tests performed on site at Glens Falls Hospital (e.g. HIV serology, molecular testing, chemistry procedures)</b>	<b>50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service</b>
<b>Microbiology only (without morgue facility use)</b>	<b>50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service</b>
<b>Radiology fee – hospital technical fee</b>	<b>50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service</b>
<b>*Radiologist professional fee (to be included in base fee)</b>	
<b>*Toxicology services will be the sole responsibility of the County to contract for testing services at an outside lab</b>	
<b>Extended Morgue Body Storage</b>	<b>\$275.00 Fee each 24 hour period beyond completion of the post mortem exam.</b>

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# Warren County Board of Supervisors

## RESOLUTION NO. OF 2025

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, ETU, MADAY, BEAN, PATCHETT AND MERLINO**

**AUTHORIZING RENEWAL OF AGREEMENT WITH GLENS FALLS HOSPITAL FOR AUTOPSY SERVICES AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN A LETTER OF AGREEMENT WITH GLENS FALLS HOSPITAL FOR SAME**

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a renewal agreement (previous agreement authorized by Resolution No. 109 of 2024) with Glens Falls Hospital, 100 Park Street, Glens Falls, New York 12801, for autopsy services, as outlined in the attached Schedule "A," for a term commencing January 1, 2025 and terminating December 31, 2025 with annual renewals to occur automatically, provided there are no changes to the fee schedule, in a form approved by the County Attorney, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to sign a letter of agreement with Glens Falls Hospital for autopsy services, and be it further

RESOLVED, that the funds shall be expended from Budget Code A.1185 435 Medical Examiners & Coroners, Medical Fees.

## RESOLUTION No. OF 2025

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## SCHEDULE "A"

**Glens Falls Hospital  
Morgue and Laboratory Fee Schedule  
Effective January 1, 2025 - December 31, 2025**

Morgue Facility Use <i>(includes onsite histology and microbiology)</i>	\$1,500 per case
Histology or laboratory services requested but not performed at Glens Falls Hospital <i>(does not include ANY toxicology services)</i>	Material will be released to the county. County is responsible for testing.
Other laboratory tests performed on site at Glens Falls Hospital <i>(e.g. HIV serology, molecular testing, chemistry procedures)</i>	50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service
Microbiology only <i>(without morgue facility use)</i>	50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service
Radiology fee - hospital technical fee	50% discount of Glens Falls Hospital's specific charge schedule in effect at time of service
Radiologist professional fee <i>(to be included in base fee)</i>	
Toxicology services will be the sole responsibility of the County to contract for testing services at an outside lab	
Extended Morgue Body Storage	\$275.00 fee each 24 hour period beyond completion of the post mortem exam

**RESOLUTION REQUEST FORM NO. 20****MISCELLANEOUS**

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

**DEPARTMENT NAME: CLERK OF THE BOARD**

**DATE: JANUARY 30, 2025**

- (a) Purpose of Request:  
**To amend the Rules of the Board to change the dates of the April and May Board Meetings**
- (b) Details:  
**April Board Meeting is scheduled for April 18th which falls on Good Friday during Spring Break week - propose to move that meeting to Friday April 11th  
May Board Meeting is scheduled for May 16th which falls during the NYSACCLB Conference which Clerk attends - propose to move that meeting to Tuesday May 13th**
- (c) Previous Resolution Number:  
**Rules of the Board were adopted by Resolution No. 1 of 2025**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

# Warren County Board of Supervisors

## RESOLUTION NO. OF 2025

**RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, ETU, MADAY, BEAN, PATCHETT AND MERLINO**

**RESOLUTION ALTERING THE STANDING RULES OF THE BOARD OF SUPERVISORS,  
AS ADOPTED BY RESOLUTION NO. 1 OF 2025, TO ALTER THE DATES  
OF THE APRIL AND MAY 2025 BOARD MEETINGS**

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 alter the dates of the April and May Board meetings, as reflected in Section B(1), changing them from Friday April 18, 2025 to Friday April 11, 2025, in order to avoid Good Friday and the school's spring break week; and from Friday May 16, 2025 to Tuesday May 13, 2025, in order to avoid a conflict with the New York State Association of Clerks of County Legislative Boards Conference, 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."

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## 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 seventh 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, unless a different time was scheduled during a previous meeting. The Regular Meetings for the year 2024 are scheduled as follows:
  - i) January 17, 2025
  - ii) February 21, 2025
  - iii) March 21, 2025
  - iv) ~~April 18, 2025~~ **April 11, 2025**
  - v) ~~May 16, 2025~~ **May 13, 2025**
  - vi) June 20, 2025
  - vii) July 18, 2025
  - viii) August 15, 2025
  - ix) September 19, 2025
  - x) October 17, 2025
  - xi) November 21, 2025
  - xii) December 19, 2025

The Board may also gather for bi-monthly workshop sessions to be called at the discretion of the Chair for the purpose of receiving presentations and/or training at which no action of

*RESOLUTION No. OF 2025**PAGE 3 OF 9*

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, without discussion, which is 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 them.

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 Call for Recusals on 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).

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4. 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.
5. 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 of 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 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 their 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 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 on the question shall have spoken. If the Chair of the Board or the Chair of any Committee wishes to enter into debate, they may do so only after they excuse themselves from the Chair and the Vice-Chair or 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 the point raised. Any member may appeal the decision of the Chair on the point of order to the full body for determination by 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 by a member, in which case the Board shall decide the issue.

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10. While a member is speaking no member shall entertain any private discourse or pass between the speaking member 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; or to amend it. These several motions shall have precedence in the order in which they are stated herein and each stated motion 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 seven (7) or nine (9) members (Note: total weighted vote of Committee membership may not exceed 501, so as not to convene a quorum of the Board of Supervisors), and Special Committees consisting of at least three (3) members, if any, shall be appointed by the Chair at the Organization Meeting or not later than the first regular Board meeting following the Organization Meeting, upon the following subjects, to wit:

<b>Standing Committee Name</b>	<b>Number of Members</b>
County Facilities - <i>Airport; Buildings &amp; Grounds; Fire Prevention &amp; Building Code Enforcement; Weights &amp; Measures</i>	7
Criminal Justice, Public Safety & Emergency Services - <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; Planning &amp; Community Development; Workforce Development</i>	7
Environmental Concerns & Real Property Tax Services	7
Finance & Budget - <i>Budget Officer; County Administrator; County Treasurer</i>	7
Health Services - <i>Office for the Aging; Office of Community Services; Public Health</i>	7
Human Services - <i>Countryside Adult Home; Department of Social Services; Veterans' Services; Youth Programs</i>	7

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Legislative, Rules & Governmental Operations - <i>Board of Elections; County Auditor; County Clerk/DMV; Purchasing; Self-Insurance</i>	7
Occupancy Tax Coordination	7
Personnel, Administration & Higher Education - <i>Civil Service; Clerk of the Board; County Attorney; Human Resources; Information Technology; 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>
Extension Services	5

2. Special Committees may be created at a Regular Meeting of the Board. The members of a newly-created special committee shall, unless otherwise ordered and directed by a majority vote of the Board, be appointed by the Chair not later than the next scheduled Board meeting following the creation of the Special Committee. The period of time that a special committee shall serve shall be designated when it is created, may be extended to a future date at a Regular Meeting of the Board, but may not extend beyond the current term of the Board of Supervisors.
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. 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 as soon as is practicable after the first regular Board Meeting of the year.
4. The regular monthly meetings for each standing committee shall be held on dates and times fixed by the Clerk of the Board of Supervisors.
5. Additional committee meetings may be called 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 any additional meeting of a 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.

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6. A meeting of any committee may be called by any member of the committee and shall be held when a majority of the total membership of a committee sign a written notice to conduct an additional 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.
7. 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 members shall be permitted to attend and participate in executive sessions for Committees on which they are not a member.
8. 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 any vote of the total membership for a Committee. The Finance Chair may exercise the duties described in this paragraph in the case of the absence, incapacity or inability of the Chair to act during the meeting and shall perform the functions, powers, and duties of the Chair as an ex-officio member of the standing committee.
9. 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 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, unless their recusal from the question is required and was declared by the member when called for by the Chair.
2. If a resolution contains items that can be voted on separately and a request is made by any member to vote separately on any such item, then the requested item shall be subject to a separate vote.

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3. All questions shall be decided by a majority of the total weighted voting power of the Board (herein, "majority vote") unless otherwise required by law or as required herein. All questions shall be decided by weighted majority 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 the Board of Supervisors 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;
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. Out-of-Unit Salary Increases. Salaries for all Out-of-Unit (i.e. non-union) employment positions shall be set through the annual adoption of the Warren County Budget ONLY and the County's annual Salary Schedule, except as provided herein.
  - i) Filling Vacant Out-of-Unit Employment Positions: Salary increases may be considered by the Board of Supervisors outside the annual County Budget process when filling a vacant Out-of-Unit employment position which was approved and funded under the current County Budget and the proposed salary increase is required to fill a vacancy with a qualified candidate. All Out-of-Unit salary increases for a vacant employment position shall be approved for both the amount of salary increase and the source of funding for the salary increase upon a majority vote of the Board of Supervisors. Department Heads shall have authority to fill a vacant Out-of-Unit position at a salary up to the amount budgeted without having to obtain oversight Committee or Board of Supervisors approval, provided that the salary amount does not exceed the amount budgeted for that position.
  - ii) Filling Vacant Department Head Positions: When a vacancy arises within a budgeted Department Head position, the County Administrator, with the assistance of the Director of Human Resources and County Personnel Officer, shall manage the recruitment process by: reviewing and updating the job description and minimum qualifications for the position; advertising the position in the manner to obtain the widest available pool of qualified applicants; accepting and pre-screening applications/resumes in order to schedule initial interviews with candidates meeting the minimum requirements for the position. Interviews shall be conducted by the Chair of the Board, appropriate oversight

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Committee Chair, Personnel Committee Chair, County Administrator and Director of Human Resources, following which a recommendation shall be made to the Personnel, Administration & Higher Education Committee to identify the final candidate and the starting salary for approval and referral to the Board of Supervisors who shall authorize the appointment upon a majority vote of the Board.

## 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, subject to no member moving to reject a proclamation and the Board of Supervisors approving such motion by majority vote.
2. 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.. In the event a rule of the Board is suspended, such suspension shall apply only to the matter or question 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, 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, and upon the 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, these Rules of the Board shall sunset and expire on January 31<sup>st</sup> of the ensuing year.

**RESOLUTION REQUEST FORM NO. 20****MISCELLANEOUS**

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

**DEPARTMENT NAME: Information Technology**

**DATE: January 30, 2025**

(a) Purpose of Request: **To appropriate funds from the Computer Reserve Fund to departmental budgets to purchase computers and related equipment and software.**

(b) Details:

<b>Information Technology</b>	<b>A.1680 220.1</b>	<b>\$30,000</b>
<b>Human Resources</b>	<b>A.1435.220.1</b>	<b>\$3,000</b>

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

(d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **A.895.00 Computer Reserve Fund**

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

**RESOLUTION REQUEST FORM NO. 11****Request to Create New Position**

DEPARTMENT NAME: Probation

DATE: January 21, 2025

- (a) Title of Requested Position: **Probation Officer Trainee**
- (b) Annual Base Salary (and Grade if Applicable): \$57,270 Grade 16
- (c) Effective Date for New Position\*: **ASAP**  
*\*Please do not backdate unless the purpose is to correct an error.*
- (d) List Any Position in the Department=s Table of Organization Being Deleted as a Result of this Request: (Include annual salary and grade if applicable): **In anticipation of promoting a Probation Officer to Senior Probation Officer and having a vacant Probation Officer position, we desire to create a Probation Officer Trainee position in A. 3140-Probation, remove funding from current Probation Officer position, keep title in code unfunded and use funding for Probation Officer Trainee position.**
- (e) Where are Funds in the Budget for this Position?  
 List Budget Code, Object Code, Full Title and Amount: **A.3140 Probation-Salaries-Regular-\$57,270**
- (f) Is a Budget Transfer needed? YES NO **X**  
 If yes, please complete Resolution Request Form No. 10 – Transfer of Funds  
 If no, please provide details on how the increase will be funded with the current budget:
- (g) Has Personnel Officer Reviewed and Approved of the New Position Title?  YES NO  
*(This is necessary **BEFORE** bringing the request to committee)* **1/18/25**
- (h) Has County Administrator Reviewed and Approved Creation of New Position?  YES NO  
*(This is necessary **BEFORE** bringing the request to committee)* **1/18/25**
- (i) Is this a mandated position? YES NO **X**  
 If yes, please explain:
- (j) Is there expected revenue from this position? YES NO **X**  
 If, please explain and complete Resolution Request Form No. 07 – Amend County Budget to recognize revenue:

**PROBATION OFFICER 1 TRAINEE**

**DISTINGUISHING FEATURES OF THE CLASS:** This is a one-year traineeship used to appoint individuals to an entry-level Probation Officer 1, Probation Officer (Other Language), or Probation Officer (Community Liaison) position in a probation department responsible for the care of adults and juveniles subject to probation supervision or intake services which require them to meet certain standards of conduct. A Probation Officer 1 Trainee is responsible for participating in a continuous in-service training program regarding the investigative, supervision, counseling and coaching duties and responsibilities of a Probation Officer 1 and, under close and on-going supervision, performs such duties and exercises such responsibilities in a limited nature. When a Probation Officer 1 Trainee participates in a traineeship for a Probation Officer 1 (Other language) or a Probation Officer 1 (Community Liaison) position, he/she is required to satisfy the additional requirements for these positions and be capable to learn the specialized work they perform. Probation Officer 1 Trainee work is performed under the direct supervision of a probation professional. Upon successful completion of the one-year traineeship the incumbent is appointed to the position of Probation Officer 1 or specified parenthetical without further examination. A Probation Officer 1 Trainee is a Peace Officer pursuant to Criminal Procedure Law Section 2.10 and may be authorized to carry a firearm in the performance of his/her duties. The incumbent will perform all related duties as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

- Participates in an in-service training program regarding the investigation, supervision, counseling and coaching duties and responsibilities of a Probation Officer I and develops goals and objectives to ensure the successful completion of the training program;
- Under the direct supervision of a probation professional, gathers, verifies, reviews and analyzes social, medical, mental health, substance abuse, sex offender, legal and other documentation and by interviewing defendants/respondents, victims, law enforcement personnel and other case related individuals to conduct pre-plea/pre-sentence/pre-disposition investigations;
- Under the direct supervision of a probation professional, prepares reports regarding persons awaiting disposition of the courts;
- Under the direct supervision of a probation professional, conducts risk and need assessments and evaluates results for pre-trial, investigation, and supervision purposes;
- Under the direct supervision of a probation professional, promotes risk reduction by providing direction and support to help the probationer change factors that promote and maintain criminal/delinquent behavior;
- Coaches probationers to select new patterns of thinking, feeling and behaving and develop new attitudes and skills which help sustain a constructive and law-abiding relationship with the broader community and reduce the likelihood of becoming re-involved in criminal or delinquent behavior;
- Under the direct supervision of a probation professional, prepares progress reports on probationers and periodically reviews case histories to determine the degree of adjustment;
- Under the direct supervision of a probation professional, prepares a final case report once a case is closed;
- Under the direct supervision of a probation professional, prepares violation reports;
- Under the direct supervision of a probation professional, prepares case/supervision plans and explains conditions of sentence/disposition to probationers;
- Under the direct supervision of a probation professional, monitors probationer's compliance with conditions of probation;
- Under the direct supervision of a probation professional, performs drug/alcohol screenings, and collects DNA samples from probationers;
- May develop and maintain professional relationships with other social and law enforcement agencies and cooperates with them in matters of mutual interest such as assisting probationers with life adjustments;
- May arrange for medical, mental health, substance abuse treatment or other services according to individual probationer's needs or court orders;
- May testify in court or at violation hearings;
- May use a firearm in performing duties and exercising authority pursuant to departmental policy.

**REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Working knowledge of interviewing and investigative techniques and practices related to probation work;

Working knowledge of laws pertaining to probation work and the functions and procedures of family and criminal courts;

Working knowledge of methods of differential supervision of probationers including the application of cognitive behavioral interventions and motivational techniques;

Working knowledge of effective assessment, case planning and management;

Working knowledge of special offender populations such as domestic violence offenders, sex offender, DWI offenders, youthful offenders, juvenile offenders, Persons in Need of Supervision and juvenile delinquents;

Working knowledge of juvenile and adult risk and needs assessment instruments;

Working knowledge of the provisions of the Health Insurance Portability and Accountability Act (HIPAA) regulations and policies relating to confidentiality of case record information;

Working knowledge of tools used to monitor compliance with condition of probation, such as drug and alcohol screenings, DNA collection and electronic monitoring devices;

Working knowledge of the powers of a Peace Officer;

Working knowledge of the geography of the jurisdiction employed in;

Working knowledge of factors related to crime and delinquency;

Working knowledge of the rules of evidence, arrest laws and custody procedures;

Working knowledge of social sciences, including sociology, psychology and demography;

Working knowledge of community resources;

Working knowledge of employment, training and treatment options available to probationers;

Working knowledge of firearm safety; Skill in the use of firearms where authorized;

Ability to administer accurate and thorough assessments;

Ability to understand and follow oral and written instructions;

Ability to analyze and organize data and prepare records and reports;

Ability to conduct effective case planning;

Ability to refer a probationer to the right types of services within the probation department and the broader community;

Ability to promote and monitor change and take appropriate action to sustain growth or help the probationer initiate appropriate behavioral patterns;

Ability to establish and maintain effective working relationships with others;

Ability to counsel probationers regarding social, emotional and vocational problems;

Ability to understand and interpret complex written technical information including statutes, regulations and operational procedures;

Ability to communicate effectively both orally and in writing;

Ability to administer drug, alcohol testing and collect DNA samples as needed;

Ability to understand and empathize with the needs and concerns of others;

Ability to maintain composure and make rational judgements under stressful conditions;

Ability to safely and effectively use a firearm if so authorized.

**OPEN COMPETITIVE MINIMUM QUALIFICATIONS:** Bachelor's degree or higher with at least thirty (30) credit hours in the social or behavioral sciences.

**SPECIAL REQUIREMENT:** Where required, possession of a current driver's license or the ability to otherwise meet the transportation requirements of the position.

**NOTE:** *Social Science* includes areas of study concerned with humans living in relation to other humans in a social environment and such as anthropology, criminal justice, economics, geography, history, political science, psychology and sociology.

*Behavioral science* is a subset of social science characterized by observation of the behavior of living organisms and focused on human social behavior such as psychology, sociology, anthropology, counseling, criminal justice, gerontology, human behavior, social work/social welfare and vocational rehabilitation.

**NOTE:** Individuals whose duties and responsibilities include the use of a firearm must also complete training pursuant to Criminal Procedure Law Section 2.30(3).

**NOTE:** The class specifications including the minimum qualifications for positions in Probation Departments are established by rule and regulations of the Division of Criminal Justice Services. These class specifications are found in Title 9 NYCRR Part 347, Appendix H-10, Standard Specifications for Professional Probation Positions.

**NOTE:** This position is allocated to the competitive class pursuant to Executive Law Section 257(1).

***RESOLUTION REQUEST FORM NO. 11******Request to Create New Position*****DEPARTMENT NAME:** Sheriff**DATE:** January 21, 2025

(a) **Title of Requested Position:** Building Maintenance Mechanic P/T

(b) **Annual Base Salary (and Grade of Applicable):** \$28.86/hr.

(c) **Effective Date for New Position:\***

**\*Please do not backdate unless the purpose is to correct an error.**

Upon Approval of the Board of Supervisors

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

N/A

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

A.3110 130 General Sheriff's Law Enforcement - Salaries - Part Time

(f) **Has Personnel Officer Reviewed and Approved of the New Position Title?:** Yes  
(This is necessary **BEFORE** bringing the request to committees.)

(g) **Is this a mandated position? If so, please explain:** No

(h) **Is there expected revenue from this position? If so, please explain:** No

## BUILDING MAINTENANCE MECHANIC

**DISTINGUISHING FEATURES OF THE CLASS:** This work involves the repair and maintenance of buildings, grounds and equipment. The work performed is of a general mechanical nature and may include masonry, carpentry, painting, plumbing, heating or electrical maintenance and repair. The work may also involve the operation and routine maintenance of motor vehicles or other machinery and equipment. Although employees of this class, because of individual training or experience, generally devote a greater part of their time to a particular specialized field, they are required to work in various mechanical fields as the occasion demands. Employees work under general supervision allowing for the exercise of independent judgment in carrying out the details of the work. Direct supervision may be exercised over the work of laborers or other subordinate employees. Does related work as required.

**TYPICAL WORK ACTIVITIES:** (Illustrative only)

Installs and repairs electrical wiring and equipment;

May clean, maintain and make repairs to boilers, pumps, heaters, piping, valves, traps, compressor motors and generators;

Builds and/or installs cabinets, shelves, doors, paneling, flooring, windows and locks;

Installs and repairs plumbing fixtures such as sinks, toilets and showers;

Operates and/or performs minor repairs to motor vehicles, and other motorized equipment;

Repairs windows, doors, floors, walls, furniture, roofs, projectors, screens and sprinklers;

Performs masonry duties such as mixing plaster and concrete, laying brick or blocks, preparing forms and pouring concretes;

Prepares surfaces and paints exteriors and interiors of buildings and structures;

Performs general grounds maintenance activities;

May supervise the work of laborers or other subordinates.

**REQUIRED KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES:**

Thorough knowledge of the practices, processes, materials and tools of the principal trade in which the experience has been gained;

Good knowledge of modern buildings and grounds maintenance and repair practices;

Good knowledge of the operation and maintenance of heating and ventilating equipment;

Ability to plan and supervise the work of others;

Ability to understand and carry out oral and written directions;

Mechanical aptitude, manual dexterity;

Physical condition commensurate with the demands of the position.

**MINIMUM QUALIFICATIONS:**

- A) Four (4) years of experience in general building maintenance, heavy construction or building trades work;  
or
- B) One (1) year of experience as a journeyman in one of the recognized skilled trades; or
- C) An equivalent combination of training and experience as defined by the limits of (A) and (B) above.

**RESOLUTION REQUEST FORM NO. 20****MISCELLANEOUS**

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

**DEPARTMENT NAME: Administrator**

**DATE: 1/30/2025**

- (a) Purpose of Request: **To Adopt the Warren County Meeting, Conference and Job Training Policy**
- (b) Details: **Recommendations made to separate the existing Travel, Education and Vehicle Use Policy into two policies the Vehicle Use Policy (focus on Safety) and the Meeting, Conference and Job Training Policy (focus on Reimbursement)**
- (c) Previous Resolution Number: **298/2024**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

## Meeting, Conference and Job Training Policy

### I. Policy

The Board of Supervisors encourages County officers and employees to participate in job-related conferences, workshops and training to learn and develop skills and knowledge to apply to daily tasks and responsibilities, network and connect with industry leaders and counterparts in other municipal organizations, and to empower professional development throughout the County workforce. Warren County officers and employees shall comply with the requirements of the County Meeting, Conference and Job Training Policy when pursuing potential meeting, conference, and job training opportunities and shall comply with the approval processes and travel requirements set forth by this Policy. All County officers and employees represent the County of Warren, and our residents, when traveling and attending meetings, conferences and job-related trainings and shall conduct themselves as representatives of the County at all times.

### II. Policy Definitions:

**Approval Authority:** Department Head approval authority shall be the Chair of the Board of Supervisors for members of the Board of Supervisors.

**Continuing Education Credits:** Courses taken to comply with educational requirements for continuing certification for a professional license or other license issued by New York State Office of the Professions.

**County Vehicle:** a vehicle owned, operated, leased or rented by or for the County of Warren.

**Department Head:** Each elected and appointed County officer responsible for the administration of their respective departments, agencies and offices which collectively constitute the structure of the County's governmental operations.

**Employee:** an individual employed by the County on a part-time or full-time basis, as well as volunteers and interns.

**Incidental Expenses:** an expense related to fees and gratuities incurred while conducting County business.

**Job Training:** training that materially pertains to an employee's job functions and excluding higher education courses which may result in the receipt of credits towards a college or graduate degree.

**Mass Transportation:** the transportation by airplane, bus, subway or train.

**Mileage:** mileage from the location of the assigned County workplace to the meeting, conference or job training address using Goggle maps.

**Officer:** an individual given the title of Officer for the County of Warren.

### III. General Transportation Guidelines

County officers and employees shall use County owned vehicles for County business purposes and not personal vehicles, when practicable. The use of County vehicles to attend meetings, conferences and job-related trainings is governed by the **County Vehicle Use Policy**.

The following transportation guidelines apply to the vehicle usage by County employees when attending an offsite meeting, conference or job training:

1. Personal vehicles may be used if a County owned vehicle is unavailable but only with the prior permission of the Department Head.
2. Mass transportation should be used whenever there may be a cost savings unless such use would be impractical given the nature of the trip.
3. Mass transportation should be utilized for travel distances totaling six (6) hours or more.

### IV. Meeting, Conference, and Job Training Expenses and Travel Approval Procedures

This County policy provides instruction on obtaining the permissions needed to attend meetings, conferences and/or job training as they directly relate to County business. Permissions for these activities must be obtained **prior** to any attendance or expenditure of funds.

Reimbursement for meetings, conferences, and job training will occur if the County criteria has been met in accordance with the following guidelines:

1. Meeting/conference/job training opportunities available to County officers and employees which do not require travel and where there is **no cost** to the county shall only require the employee's Department Head approval.
2. Meeting, conference, and/or job training opportunities available to County officers and employees whose total cost for the entire event (whether one session or multiple sessions) is **One Thousand Dollars (\$1,000.00) per person or less** including travel, registration fees, meal costs, and overnight accommodations, and for which the Department's budget contains sufficient funding for the total cost shall be approved by the Department Head **prior** to incurring the expense.
3. Meeting, conference, and/or job training opportunities available to County officers and employees whose total cost for the entire event (whether one session or multiple sessions) is a total combined cost of **more than One Thousand Dollars (\$1,000.00) per person** including travel, registration fees, meal costs, and for which the Department's budget contains sufficient funding for the total cost shall be pre-approved using the attached "Authorization to Attend Meeting/Convention/Training" (Attachment "A" - Approval Form) submitted to their Department Head along with documentation detailing the associated costs and shall require the approval of the Department Head, County Administrator, and the appropriate supervisory Committee Chair, **prior** to incurring the expense.
4. Meeting, conference, and/or job training opportunities available to County officers and employees which will cost the County any amount, and **for which the Department's budget does not contain sufficient funding for the total cost**, will require a Request for Transfer of Funds Form (Attachment "B"). This Request for Transfer of Funds Form shall be required to cover the unfunded cost of the meeting, conference, and/or job training opportunity and be submitted to the Department's oversight

committee, along with documentation detailing the associated costs, for approval by the Board of Supervisors **prior** to incurring the expense.

5. An officer or employee may obtain reimbursement for previously approved out of pocket expenses once the trip has been completed by submitting a completed Warren County Travel Voucher (Attachment "C") along with original receipts, their Approval Form (as applicable), and a completed/approved County Purchase Order (as applicable).

#### **V. County Reimbursement Rate for Lodging, Meals and Incidental Expenses**

The U.S. General Services Administration Domestic Per Diem Rates are to be used to determine the maximum reimbursement for lodging, meals and incidental expenses. A listing can be found at [www.gsa.gov](http://www.gsa.gov). This section shall not apply to limit the maximum reimbursement rate where the lodging and/or meals are provided at a facility that is the host of an approved meeting, conference, job-related training or is chosen because of its location proximate to the event and where the reimbursement is less than One Hundred Fifty Dollars (\$150.00) above the maximum daily GSA rate.

#### **VI. County Mileage Reimbursement**

The New York state reimbursement rate for employees using their own vehicles for County approved meetings, conferences and job-related training shall be based upon the mileage from the employee's workplace to and from the location address of the meeting, conference and training based upon the standard mileage allowance established by the Internal Revenue Service and the US General Services Administration (GSA).

#### **VII. Exceptions to This Policy**

County officers and employees shall use County owned or rented vehicles for County business purposes and not personal vehicles, when practicable. Personal vehicle usage shall be allowed under this policy subject to Department Head Approval.

Meeting and travel expenses by County Supervisors, the County Administrator, Assistant County Administrator and Department Heads to attend New York State Association of Counties' conferences do NOT need prior approval under this Policy, provided that the Department has budget appropriations for the expense and there is compliance with the GSA policy herein.

Attachments to this policy include the following:

**Attachment A: Authorization to attend Meeting/Conference/Training (Approval Form)**

**Attachment B: Request for Transfer of Funds**

**Attachment C: Warren County Travel Voucher**

**ATTACHMENT "A"**

**AUTHORIZATION TO ATTEND MEETING, CONFERENCE OR TRAINING**

(Use if total cost > \$1,000 per person including all travel costs)

(Must be approved by Department Head, County Administrator & Committee Chair)

\_\_\_\_\_ is authorized to attend \_\_\_\_\_  
(Employee Name) (Name of meeting or organization)

at \_\_\_\_\_ on \_\_\_\_\_  
(Address) (Dates)

**Notice of Meeting/Conference/Training including cost must be attached when submitting for approval**

Total Cost \$ \_\_\_\_\_ Budget Code: \_\_\_\_\_

**For Overnight Travel: (refer to [www.gsa.gov](http://www.gsa.gov) for current allowable rates)**

Room rate : \$ \_\_\_\_\_ GSA rate: \$ \_\_\_\_\_ Justification if over GSA rate: \_\_\_\_\_

Meal costs: \$ \_\_\_\_\_ GSA per diem rate \$ \_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_  
(Department Head Signature)

Date: \_\_\_\_\_  
\_\_\_\_\_  
(County Administrator Signature)

Date: \_\_\_\_\_  
\_\_\_\_\_  
(Committee Chair Signature)

Please refer to the Warren County Meeting, Conference and Job Training Policy for general policy guidelines.



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



**Filing Instructions:**

1. Original with Voucher to Auditor
2. Copy to Purchasing with Purchase Order, if required.
3. Copy to Clerk of the Board if County Credit Card will be used.

**RESOLUTION REQUEST FORM NO. 10**

***Request for Transfer of Funds***

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

**DEPARTMENT NAME:**

**SIGNED:**

**DATE:**

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

**CONTINGENT FUND TRANSFER REQUESTS**

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.1990 469	Contingent Account- Other Payments/Contributions			

**Please state reason for transfer request:**

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



***RESOLUTION REQUEST FORM NO. 20***

***MISCELLANEOUS***

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

**DEPARTMENT NAME: County Administrator**

**DATE: 1/30/25**

- (a) Purpose of Request: Amending Resolution 433 of 2019. Adopting the revised Warren County Payroll Rules Policy for per diem and less than part time employees of DPW.
  
- (b) Details: To compensate DPW employees that are either per diem/less than part time at a rate of time and one half when working a holiday, any hours over eight (8) per shift or in excess of forty (40) hours per week to be made retroactive to December 2, 2024.
  
- (c) Previous Resolution Number: 433 of 2019
  
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount:

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

**RESOLUTION REQUEST FORM NO. 20****MISCELLANEOUS**

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

**DEPARTMENT NAME: County Attorney (on behalf of Risk & Safety Committee)**

**DATE: 1/30/25**

- (a) Purpose of Request: **Approving Warren County Motor Vehicle Use Program Policy**
- (b) Details:  
**Efforts to generate the enclosed policy began in September 2024 to separate the County's "Travel and Education Policy" into two separate policies. The intent was to consolidate and incorporate the various Department-level vehicle use policies which were present into a single unified document: The Warren County Motor Vehicle Use Program policy. The enclosed policy was reviewed by the Risk & Safety Committee on January 16, 2025 and their final modifications are included in the draft policy.**
- (c) Previous Resolution Number: **298 of 2024**
- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title\* and Amount: **N/A**

**Sample: A.8021 470 Planning & Community Development – Contract**

\* as listed in budget and LOGOS

**Title: Warren County Motor Vehicle Use Program Policy**

**I. General Policy**

The County maintains a fleet of “motor vehicles” (defined for this program as being any motorized vehicle requiring registration with the State of New York), for the express use of official County business. This Vehicle Use Program provides policy and protocol governing the use of County motor vehicles.

**II. Definitions**

**At-Fault Accident:** Motor vehicle accidents are defined as any occurrence involving the operation of a County-owned or leased motor vehicle, being operated by a County employee while engaged in the performance of his or her duties that results in death, physical injury or property damage that is deemed to be chargeable per the NYS Vehicle and Traffic Laws.

**County Vehicle:** A vehicle owned, rented or leased by the County of Warren for official county business.

**Commercial Vehicle:** For purposes of this policy, "Commercial Motor Vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: has a gross combination weight rating of 11,794 or more kilograms (26,001 or more pounds) including a towed unit with a gross vehicle weight of more than 4,536 kilograms (10,000 pounds); or has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); or is designed to transport 16 or more passengers, including the driver; or is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F)

**Conditional License:** Defined in section 1196-(7) of the NYS Vehicle and Traffic Law as a license to be used by the holder thereof only: en route to and from the holder’s place of employment; if the holder’s employment requires the operation of a motor vehicle as permitted; en route to and from a class or an activity which is an authorized part of the alcohol and drug rehabilitation program and at which attendance is required; en route to and from a class or course at an accredited school, college, or university or to a state approved institution of vocational or technical training; to or from court ordered probation activities; to and from a motor vehicle office for the transaction of business relating to such license or program; for a three (3) hour consecutive daytime period, chosen by administrators of the program, on a day during which the participant is not engaged in usual employment or vocation; en route to and from a medical examination or treatment as part of a necessary medical treatment for such participant or member of the participant’s household, as evidenced by a written statement to that effect from a licensed practitioner; and en route to and from a place, including a school, at which a child or children of the holder are cared for on a regular basis and which is necessary for the holder to maintain such holder’s employment or enrollment at an accredited school, college or university or at a state approved institution of vocational or technical training.

**Department Head:** Each elected and appointed County officer responsible for the administration of their respective departments, agencies and offices which collectively constitute the structure of the County’s governmental operations.

**EAP:** Employee Assistance Program

**FMCSA:** Federal Motor Carrier Safety Administration

**FMCSA Clearinghouse:** A secure online database that gives employers, the FMCSA, State Licensing Agencies (SDLAs) and State law enforcement personnel real-time information about the holders of commercial driver’s licenses (CDLs) and commercial learning permits (CLPs) drug and alcohol program violations. The Clearinghouse contains records of violations of drug and alcohol prohibitions in 49 CFR

**Title: Warren County Motor Vehicle Use Program Policy**

Part 382, Subpart B, including positive drug or alcohol test results and test refusals. When a driver completes the return-to-duty (RTD) process and follow up testing plan, this information is also recorded in the Clearinghouse.

**Ignition Interlocking Device:** Defined in 9 NYCRR § 358.3 as any blood alcohol concentration equivalence measuring device which connects to a motor vehicle ignition system and prevents a motor vehicle from being started without first determining through a deep lung breath sample that the operator's equivalent blood alcohol level does not exceed the calibrated setting on the device as required by standards of the NYS Department of Health in 10 NYCRR § 59.10.

**NYS CDL:** A NYS Commercial Driver's License allowing individuals to operate a commercial vehicle.

**NYS DMV:** New York State Department of Motor Vehicles.

**LENS Program:** The New York State Department of Motor Vehicles License Event Notification Service (LENS). The County subscribes to the LENS Program by entering the employee driver information of all authorized drivers of County vehicles per the terms and conditions of this program and receives daily information from NYS Department of Motor Vehicles regarding the driving records for County employees authorized to operate a County vehicle as part of their official County employment duties.

**Over-the-Road (OTR) CDL:** A commercial driver's license (CDL) that allows a driver to operate a vehicle across state lines and drive long-haul routes.

**Police Vehicle:** Any vehicle owned by the County that is owned, operated and maintained by a law enforcement agency for law enforcement purposes.

**Private Passenger Vehicle:** A vehicle that is owned with four wheels that requires insurance in order to be used on a roadway that weighs less than six thousand five hundred (6,500) pounds and is not an ambulance, fire vehicle, motorcycle, livery vehicle, police vehicle, taxicab or farm vehicle.

**Restricted Use License:** Defined in section 530 of the NYS Vehicle and Traffic Law as a license issued to a person whose driving has been heretofore suspended or revoked pursuant to the provisions of section 510 for whom the holding of a valid license is necessary to:

- his or her employment, business, trade, occupation or profession; or
- his or her travel to and from a class or course at an accredited school, college or university or a state approved institution of vocational or technical training; or
- attend a medical examination or treatment as part of a necessary medical treatment for such participant or a member of their household.

**Safety Sensitive as defined by FMCSA:** Safety sensitive functions including driving; waiting to be dispatched; inspecting, servicing or conditioning any commercial motor vehicle; at the controls of a commercial motor vehicle; on or in a commercial motor vehicle; loading or unloading a commercial motor vehicle (including assisting, attending, giving and getting receipts); performing driver requirements associated with an accident; or when the vehicle is disabled – repairing, getting help or staying with the vehicle.

**Take Home Vehicle:** A County-owned, leased and maintained vehicle specifically assigned to a County employee for that employee's convenience to be used for their official County duties.

**Testing:** Drug and alcohol testing required per county collective bargaining and/or FMCSA and undertaken as part of this program for all those County authorized drivers.

**Title: Warren County Motor Vehicle Use Program Policy**

**Valid License:** A driver's license issued by a State Authorized Department of Motor Vehicles that is not expired, restricted, suspended or revoked.

**Weapon:** All those items mentioned and defined in section 265.00 of the NYS Penal Law.

**Work Site:** A location of work assigned to an employee of the County of Warren.

### **III. Non-CDL Licensed Operation of a County Vehicle**

#### **A. Eligibility Standards for Non-CDL Licensed Drivers:**

1. County employees are approved to operate a County owned or leased vehicle if they are:
  - a. are at least eighteen (18) years old; and
  - b. possess a valid NYS Driver's License that is not conditional, restricted, expired or revoked; and
  - c. provide proof of having attended a driver training and/or improvement program within the last three (3) years; and
  - d. have had their motor vehicle record reviewed for those requirements by the Department of Human Resources, per the terms and conditions of this program; and
  - e. agree to enroll in the LENS Program, thereby allowing the County to receive notification from LENS regarding the employee's driving record; and
  - f. are a person who is not subject to the installation of an ignition interlock device on any motor vehicle they drive arising from a conviction under the NYS Vehicle and Traffic Law or Penal Law; and
  - g. have no restrictions that would prevent the employee from legally or safely operating a County vehicle assigned to them for work assignments; and
  - h. are authorized to operate a County vehicle by the employee's Department Head.
2. Newly hired employees whose job description requires them to operate a County vehicle in the course of their employment must meet the requirements of II.A.1 as a condition of employment.
3. Volunteers and interns are eligible to drive a County vehicle when authorized to perform official County business by a Department Head. Individuals given permission to drive a County vehicle must agree to participate in the County's LENS Program, and possess a valid NYS Driver's License with no restrictions and agree to abide by the terms and conditions of this County Vehicle Use Policy.
4. Authorized drivers of County-owned and operated vehicles shall be given a copy of this policy program and be required to provide a copy of their valid NYS Drivers' license, agree to participate in the County LENS Program and execute their acknowledgement of the terms and conditions of this policy program.
5. Members of employees' families **shall not** have permission to operate a County vehicle,

#### **B. Ineligibility to Operate a County Vehicle for Non-CDL Licensed Drivers:**

A County officer, employee or volunteer shall not be eligible to drive a County vehicle as part of their employment and/or service if they:

**Title: Warren County Motor Vehicle Use Program Policy**

1. no longer possess a valid license issued by NYS DMV or
2. refuse to enroll or continue enrollment in the LENS Program; or
3. are a person who is subject to the installation of an ignition interlock device on any motor vehicle they drive arising from a conviction under the NYS Vehicle and Traffic Law, Penal Law, or similar statutes from another jurisdiction in the United States of America; or
4. have any restrictions that would prevent the employee from legally or safely operating a motor vehicle assigned to them for work assignments; or
5. have three (3) at-fault accidents in a County vehicle within the prior thirty-six (36) months of County employment; or
6. have been arrested for and/or convicted of violating any provision of the NYS Vehicle and Traffic Law sections 1192 and 1192-a or any similar alcohol or drug related driving offense in another state.

**C. Reinstatement of Driving Privileges for Non-CDL Licensed Drivers:**

1. In the event that an employee loses their privilege to drive a County vehicle pursuant to Section III(B)(5) above, said privilege shall be reinstated if the employee successfully completes an approved Driver Safety Course recognized by the NYS Department of Motor Vehicles and proof of completion is provided to the employee's department head, the Director of Human Resources, and the County Attorney's Office.
2. In the event an employee loses their eligibility to drive a County vehicle pursuant to Section III(B)(6) above, said eligibility shall be reinstated if the employee is determined by a court of competent jurisdiction not to have violated any subsection of the NYS Vehicle and Traffic Law Section 1192, or if determined by a court of competent jurisdiction to have violated any subsection of the NYS Vehicle and Traffic Law Section 1192 the employee regains possession of a valid license that is not a conditional license or restricted use license.
3. In the event an employee loses his or her eligibility to drive a County vehicle pursuant to Section III(B), the employee's eligibility shall be reinstated after the employee is referred to and successfully completes the terms and conditions of the Employee Assistance Program (EAP) in a manner acceptable to the County's Director of Human Resources. The reinstatement of the employee's driving privileges shall be provided to the County Attorney's Office.
4. The Department of Human Resources shall inform the Department Head, County Attorney's Office and the Self-Insurance Office of an employee's completion of the required EAP completion and driving privileges.

**D. Repeat Offenses for Non-CDL Licensed Drivers:**

In the event an employee becomes ineligible to drive a County vehicle twice during any three (3) year period, the employee shall be ineligible to drive a County vehicle for a minimum period of two (2) years from the date of the second event making them ineligible. The employee's eligibility to drive a County vehicle may be reinstated after the two (2) year period only upon approval of the Department Head, Director of Human Resources, and the County Attorney's Office.

**IV. CDL Licensed Operation of a County Vehicle**

In accordance with the Federal Motor Carrier Safety Administration (FMCSA) Regulations (49 CFR Parts 40 and 382), County employees who meet the requirements of the FMCSA are subject to drug and alcohol testing. Every County employee who is required to hold a Commercial Driver's License (CDL) and who operates a motor vehicle designed to transport sixteen (16) or more passengers (including the driver); or with a weight of twenty six thousand (26,000) or more pounds; or is used to transport hazardous materials which require the motor vehicle to be placarded; is required by the FMCSA to submit to the following drug

**Title: Warren County Motor Vehicle Use Program Policy**

and alcohol tests: Random drug and alcohol testing per collective bargaining agreement parameters; Post-accident Testing per FMCSA regulations; reasonable suspicion testing; return to duty testing; and/or follow-up testing.

**A. Eligibility Standards for CDL Licensed Drivers:**

County employees are approved to operate a County owned or leased commercially rated vehicle as part of their employment if they:

1. are at least eighteen (18) years old; and
2. possess a valid NYS CDL Driver's License that is not conditional, restricted, expired or revoked; and
3. provide proof of having attended a driver training and/or improvement program within the last three (3) years; and
4. have had their motor vehicle record reviewed for these requirements by the Department of Human Resources per the terms and conditions of this program prior to being hired; and
5. agree to enroll in the LENS Program, thereby allowing the County to receive notification from LENS regarding the employee's driving record; and
6. are a person who is not subject to the installation of an ignition interlock device on any motor vehicle they drive arising from a conviction under the NYS Vehicle and Traffic Law or Penal Law; and
7. have no restrictions that would prevent the employee from legally or safely operating a County vehicle assigned to them for work assignments; and
8. are authorized to operate a County vehicle by the employee's Department Head; and
9. have successfully passed a FMCSA CDL physical exam and provided a current medical examination certificate to the County; (The medical certification exam will be at the expense of the County for the purpose of CDL physical examinations. Conflicts of medical opinion will be resolved based upon 49 CFR § 391.47.); and
10. agree to abide by the FMCSA CDL requirements for drug and alcohol testing and the *Warren County Alcohol and Drug Testing Policy: Commercial Driver License (CDL)*.

Newly hired employees whose job description requires them to operate a commercially rated County vehicle in the course of their employment must meet the requirements of III.A as a condition of employment.

**B. Ineligibility to Operate a Commercially Rated County Vehicle for CDL Licensed Drivers:**

A County officer, employee or volunteer shall not be eligible to operate a commercially rated County vehicle as part of their employment and/or service if they:

1. no longer possess a valid license issued by NYS DMV or
2. refuse to enroll or continue enrollment in the LENS Program; or
3. are a person who is subject to the installation of an ignition interlock device on any motor vehicle they drive arising from a conviction under the NYS Vehicle and Traffic Law, Penal Law, or similar statutes from another jurisdiction in the United States of America; or
4. have any restrictions that would prevent the employee from legally or safely operating a motor vehicle assigned to them for work assignments; or
5. have three (3) at-fault accidents in a County vehicle within the prior thirty-six (36) months of County employment; or
6. have been arrested for and/or convicted of violating any provision of the NYS Vehicle and Traffic Law sections 1192 and 1192-a or any similar alcohol or drug related driving offense in another state; or
7. fail a drug and/or alcohol test administered by the County; or are identified as under the influence per the County's reasonable suspicion protocols; or are deemed to have failed a drug and/or alcohol test by

**Title: Warren County Motor Vehicle Use Program Policy**

refusing to take the test as directed by their supervising authority per the terms and conditions of the employees collective bargaining agreement, the *Warren County Substance Abuse Policy for Employees*, and the *Warren County Alcohol and Drug Testing Policy: Commercial Driver License (CDL)*.

**C. Reinstatement of Driving Privileges for CDL Licensed Drivers**

In the event an employee loses their eligibility to drive a commercially rated County vehicle pursuant to this policy, the employee's driving privileges shall be reinstated in accordance with the conditions set forth in the *Warren County Alcohol and Drug Testing Policy: Commercial Driver License (CDL)* and the terms and conditions established by the FMCSA.

**V. Vehicle Usage**

County vehicles shall not be used for private or personal use whatsoever. All County owned, leased and maintained vehicles shall be properly marked with the County's approved insignia as practicable. All drivers of County vehicles must observe New York State Vehicle and Traffic Laws and County's Vehicle Use Program including, but not limited to:

1. Using a County assigned vehicle specifically for official County business and/or a County agency sponsored or operated program;
2. Wearing seat belts and ensuring all passengers being transported within a County vehicle wear seatbelts per New York State Vehicle and Traffic Laws, as practicable;
3. Understanding that drivers shall be responsible for any traffic violations including, but not limited to speeding tickets, parking tickets, moving violations that may be issued as a result of their operation of a County vehicle.
4. Observing the *County's Smoking and Tobacco Use Policy – Resolution 523 of 2016* prohibiting any smoking when inside a County vehicle;
5. Refraining from using a handheld mobile telephone or portable electronic device or electronic while operating a County vehicle;
6. Refraining from consumption of alcoholic beverages or use of drugs while at work and/or operating County vehicles, equipment or equipment per the *Warren County Substance Abuse Policy for Employees – Resolution 138 of 2019*;
7. Observing the regulations concerning controlled substances and alcohol testing for NYS Commercial Driver's Licenses as governed by the FMCSA, the *Warren County Alcohol and Drug Testing Policy: Commercial Driver License (CDL)* and the *Warren County Substance Abuse Policy for Employees*;
8. Allowing only County employees as passengers with the exception of the transport of individuals in the furtherance of County business.

At no time, **EXCEPT** for law enforcement personnel in the performance of their official duties, shall any authorized driver, as defined by this policy, have any weapon, within his or her personal vehicle and/or a County motor vehicle while on County owned, leased or maintained property or in the course of their employment. **An employee who is identified as having a weapon in violation of this policy shall be immediately reported to the Department Head.**

**VI. County Authorized Take Home Vehicles**

1. Department Heads must obtain approval to take a County vehicle to their place of residence overnight from the County Administrator prior to a vehicle being taken home.
- 2- An employee may be granted authorization from their Department Head to take home a County vehicle due to the nature of their employment responsibilities

**Title: Warren County Motor Vehicle Use Program Policy**

3. Department Heads who have employees who have permission to take home a County vehicle shall be required to maintain a detailed log or record setting forth the date(s) vehicles were authorized to be taken home under this subsection, the name of the employee, the vehicle year, make, model, the reason or purpose for a take home vehicle, the employee's position, title and vehicle number. County assigned take home vehicles shall be driven only to and from the place of residence to the work site. No personal errands shall be allowed.
4. Authorized County officers, employees receiving "on call pay," and/or employees assigned a take home vehicle, shall complete a detailed quarterly usage report stating the use of the County vehicle assigned to them, their employee number, and the days the vehicle was taken home when used for official County business. This employee specific quarterly usage report shall be filed with the Warren County Treasurer and a copy shall be submitted to the County Fleet Manager no later than the last day of each fiscal quarter. The use of a County vehicle is considered a fringe benefit and is taxable per IRS regulation.
5. An employee taking home a County vehicle on a regular recurring basis must provide their name; vehicle year, make, model and license plate number; and address to the County property and casualty insurance program for a covered garage location.

**VII. Borrowing a Vehicle from the County's Pool of Unassigned Vehicles**

1. Authorization to use a County vehicle for travel in accordance with the **Meeting, Conference and Job Training Policy** from the County Fleet Pool requires approval under the policy parameters.
2. Authorized travel requests for the use of a County Fleet Pool vehicle shall be requested through the "Car Reservations Program" in the Vinyl online programming in "My Warren." and shall include dates of the travel, destination, purpose and the employee(s) who will be responsible for driving the vehicle.
3. A County employee, intern, official or volunteer shall produce their valid State Authorized Driver's License in accordance with the provisions of this policy prior to any use of the County vehicle.
4. County Fleet Pool Vehicles will be assigned on a first come, first serve basis.

**VIII. Maintenance and Safety**

All drivers shall be required to adhere to their departmental vehicle maintenance and safety inspection guidelines. The County's mechanics or designated repair shops shall be responsible for the performance of routine maintenance (other than warranty items) and repair of all County motor vehicles and equipment. In addition, the following procedures shall be followed:

1. Supervisors shall be responsible for enforcing the County's vehicle safety standards for the employees assigned to their Department work group.
2. Employees are required to conduct a vehicle maintenance and safety inspection for their assigned vehicle prior to and at the end of their use of the County vehicle and immediately report any known or suspected mechanical and physical defects to their supervisor.
3. Employees shall be responsible for:
  - a. checking that the vehicle is clean - no trash, good overall appearance before and after each use and report any deficiencies to their supervisor;
  - b. checking that any tools, equipment or other items do not interfere with the driver's ability to operate the vehicle or pose threats in situations where the driver suddenly stops or swerves the vehicle or otherwise cause items in the vehicle to move around;
  - c. ensuring that a current copy of the vehicle registration and the insurance card are in the vehicle and all required inspection stickers are up to date;
  - d. checking that both license plates are properly attached and visible at all times; and
  - e. conducting a daily visual inspection for obvious problems (flat tire, damage, dents, leaks) before the start of the workday and during the workday when approaching the vehicle. An unsafe vehicle should not be operated until repairs are made.

**Title: Warren County Motor Vehicle Use Program Policy****IX. Accident Reporting**

In the event a County employee is involved in a motor vehicle accident, such employee shall comply with the following when driving a County vehicle involved in an accident per Resolution 318 of 2024:

1. Any accident involving a County motor vehicle must be **IMMEDIATELY** reported to the law enforcement agency having jurisdiction in which the accident has occurred.
2. Accidents are to be reported as soon as practical to the employee's supervisor. The employee's supervisor shall notify the respective Department Head and the Property and Casualty Risk Manager as soon as practical after the accident no later than the close of the following business day.
3. The employee involved in the accident, and the employee's supervisor shall complete the County's Employee Incident Report. The employee's supervisor shall transmit the Employee Incident Report to the Property and Casualty Risk Manager as soon as practical, but no later than the close of the following business day.

When a motor vehicle incident or collision occurs, authorized County drivers using County vehicles **MUST** take the following steps:

1. Turn on the vehicle's 4-way flashing hazard lights, if operable;
2. Notify the police (call 911) and their immediate Supervisor;
3. Supply their name and driver's license to law enforcement authorities;
4. Make arrangements to have the vehicle towed as needed; and
5. Comply with the drug-alcohol testing requirements of the *Warren County Alcohol and Drug Testing Policy: Commercial Driver License (CDL)*, the *Warren County Substance Abuse Policy for Employees*, and FMCSA as required by the employee's collective bargaining unit.

If a vehicle becomes disabled outside of the Warren County jurisdiction, the County employee shall coordinate a tow of the vehicle per the instructions of their Department Head.

**X. Department Head Responsibilities**

County Department Heads shall review this policy with all employees authorized to drive a County vehicle prior to using a vehicle for official County business and at any time when this policy is changed. Department Heads shall obtain a signed acknowledgment form from each County employee authorized to operate a vehicle for County business **PRIOR** to the employee's use of the County vehicle. The Department Head shall communicate with the Department of Human Resources to determine each employee's eligibility under this policy as an authorized driver **PRIOR** to vehicle use.

County Department Heads and/or their designee shall notify the Self-Insurance Department upon hire or termination of employees authorized to drive County vehicles or other vehicles for County business using the attached Schedule "D" LENS Add/Remove Driver form within forty-eight (48) hours of the employment status change. The Self-Insurance Department will maintain the NYS DMV LENS database accordingly in partnership with the Department of Human Resources and the County Attorney's Office.

**XI. Insurance Recoveries Involving County Vehicles**

Accidents involving a vehicle owned, rented or leased by the County shall be governed by the County Policy for Reporting Accidents, Incidents, Claims and Litigation.

1. County employees and representatives shall utilize the **County Incident Report** when reporting automobile incidents involving County vehicles. This Incident Report supplements and does not replace

**Title: Warren County Motor Vehicle Use Program Policy**

- any mandatory calls required to report an incident to the County Sheriff's Office or other local law enforcement in the jurisdiction where the incident occurred.
2. All property and casualty incidents that result in damage to County vehicles shall be reported upon the **County Incident Report** to the Property and Casualty Risk Manager for investigation, as needed.
  3. The Property and Casualty Risk Manager shall report incidents identified as a risk to the County to the County's insurance company for a coverage determination per the terms and conditions of the County's insurance program, unless the identified risk is believed to be within the deductible of the County's property and casualty insurance program.
  4. The Property and Casualty Risk Manager shall work with Department Heads to obtain an estimate of the damage to the vehicle and its contents to determine if the vehicle is repairable and reportable to the County's insurance carrier or another party's insurance carrier as applicable.
  5. Insurance recoveries for vehicle property damage shall be credited to departmental budgets which shall be amended by the County Treasurer to reflect the income received.
  6. If a vehicle is totaled by the County's insurance carrier, the Department Head who has responsibility for the vehicle shall transfer it to the County Fleet Manager for disposal.

**XII. Criteria for Vehicle Replacement**

The current County Fleet is evaluated based on the age of its vehicles. Any vehicle ten (10) years or older will be evaluated by the Fleet Manager to determine if the vehicle should be retained in the fleet, used as a trade-in or sold at auction. Each year the County Administrator and Fleet Manager shall conduct an analysis of the County's fleet usage to determine vehicle need. If the analysis shows that a department frequently borrows fleet vehicles that are not assigned to their department, the County will consider adding a vehicle to that department's inventory. *The Sheriff's Office and Department of Public Works shall be exempt from the provisions of this criteria for any vehicle utilized on 365 days a year/24 hour/7 days a week basis for the provision of County services.*

**XIII. Expenditures for Green Vehicle Purchases**

The County shall consider the purchase of fuel efficient, electric, hybrid-electric and/or other sustainable vehicles defined as "green" vehicles for its vehicle fleet whenever practicable if the purchase provides a cost effective, fuel and energy efficient use for County operational vehicle use per Resolution 305 of 2019.

County vehicles are purchased based upon vehicle safety ratings, intended use, weight, classification, miles per gallon, annual miles driven and functionality.

**XIV. Funding for Vehicle Purchases**

1. The County Administrator shall have responsibility for submitting a resolution request to the Finance Committee to transfer funds from the Vehicle Reserve Fund to the departmental budgets to allow the department to replace or purchase a vehicle.
2. In the instance where a department can receive reimbursement for the purchase of a vehicle, the County Administrator will submit a resolution request to the Finance Committee to Amend the appropriate departmental budget to recognize the expense and associated revenue.
3. Once the resolution is approved by the Board of Supervisors and funds are posted to the appropriate department budget, the department can proceed with completing a Purchase Order and shall work with the County Purchasing Agent and Fleet Manager to proceed with the vehicle purchase, registration, delivery and insurance.

**Title: Warren County Motor Vehicle Use Program Policy****XV. County Protocols for the Receipt of Purchased Vehicle**

1. All vehicles purchased by the County shall be delivered to the County Fleet Manager at 1340 State Route 9, Lake George, NY 12845. The Fleet Manager shall have the responsibility of inspecting the vehicle to ensure that it is the correct vehicle and it meets all of the specifications outlined in the bid.
2. The Fleet Manager will request the Vendor provide the vehicle's Certificate of Origin and Bill of Sale; complete and submit the County **Add/Delete/Transfer Auto Form** found on the Self Insurance website: <http://warrencountyny.gov/insurance/pc.php> in order to obtain insurance for the vehicle.
3. The Fleet Manager will obtain appropriate registration and license documents, sign and complete required paperwork for the vehicle and forward to the respective Department for payment.
4. Once the vehicle is insured, registered and plated, the Fleet Manager will deliver the vehicle to the County Department of Public Works for decal placement.
5. The County Department of Public Works will contact the Fleet Manager when the vehicle is ready for delivery to the Department. The Fleet Manager will then contact the Department Head or their designee to arrange for delivery of the vehicle and provide its paperwork within one (1) week of its delivery from the dealer.
6. All vehicles will be delivered with two (2) sets of keys, unless the Department requires and requests additional sets of keys. Vehicle keys shall be kept in a secure place within the Department offices. A third set will be made and will remain with the Fleet Manager.
7. The Department of Public Works and Sheriff's Office shall be exceptions to this policy section.

**XVI. County Protocols for the Disposal of Vehicles**

1. Surrendered vehicles shall be transferred to the County Fleet by surrendering the vehicle license plate and registration to the Department of Motor Vehicles and completing and forwarding copies of them to the County Fleet Manager and to the appropriate departments as indicated on the forms:
  - a. Property Transfer Form which can be found on the Department Head SharePoint site.
  - b. Add/Delete/Transfer Auto Form which can be found on Vinyl website:  
<http://warrencountyny.gov/insurance/pc.php>
2. The Fleet Manager will assess the useful life of the vehicle and make a final determination of the vehicle's continued value to the County or disposal.
3. If the Fleet Manager determines that the vehicle is at the end of its useful life, the Fleet Manager will surrender the registration and license plate to the Department of Motor Vehicles and complete the appropriate forms above to remove the insurance.
4. If the Fleet Manager determines that the vehicle has value, they will have the authority to transfer it to another department based upon need. The Fleet Manager shall have the responsibility of processing the appropriate forms needed for licensing and insuring the vehicle under the new department.
5. If a vehicle is sold and belonged to a department that received reimbursements from state, federal or other agency funds, the department must follow the agency's regulations for disposing of assets.
6. If a vehicle is sold for any other department, all funds are to be deposited in the General Fund and the County Treasurer is directed to deposit these funds into the Vehicle Reserve Fund.

**RESOLUTION REQUEST FORM NO. 10*****Request for Transfer of Funds***TO: AMANDA ALLEN, CLERK, WARREN COUNTY BOARD OF SUPERVISORS

DEPARTMENT NAME: County Attorney

SIGNED:

DATE: 1/30/25

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

**CONTINGENT FUND TRANSFER REQUESTS**

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.1990 469	Contingent Account- Other Payments/Contributions	A.1420 436	County Attorney, Advertising Fees	\$ 1 , 4 0 0 . 0 0

Please state reason for transfer request:

Due to new NYS tax foreclosure laws, the annual tax foreclosure sale was filed three months earlier than in past years. As a result, more parcels were unpaid and included in tax foreclosure lawsuit.

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

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: PERSONNEL, ADMINISTRATION & HIGHER EDUCATION**

**DATE: JANUARY 30, 2025**

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<b>COMMITTEE MEMBERS PRESENT:</b>	<b>OTHERS PRESENT:</b>
SUPERVISORS WILD	AMANDA ALLEN, CLERK OF THE BOARD
DRISCOLL	LARRY ELMEN, COUNTY ATTORNEY
ETU	JACKIE FIGUEROA, DIRECTOR OF HUMAN RESOURCES
MADAY	MIKE COLVIN, DIRECTOR, INFORMATION TECHNOLOGY
PATCHETT	DR, KRISTINE DUFFY, PRESIDENT, SUNY ADIRONDACK
MERLINO	KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
	JOHN TAFLAN, COUNTY ADMINISTRATOR

<b>COMMITTEE MEMBER ABSENT:</b>	FRANK THOMAS, BUDGET OFFICER
SUPERVISOR BEAN	SUPERVISORS CONOVER
	CROCITTO
	GERACI
	STRAINER
	TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
	KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
	CHRISTINE NORTON, COUNTY TREASURER
	LARRY PALTROWITZ, SPECIAL COUNSEL TO THE COUNTY
	MARILYN RIVERS, PROPERTY & CASUALTY RISK MANAGER
	LUKE MOSSEAU, <i>THE POST STAR</i>
	SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

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Please note, the following contains a summarization of the meeting of the January 30, 2025 Personnel, Administration & Higher Education Committee; the meeting in its entirety can be viewed using the following links:

Warren County website - <https://warrencountyny.gov/mma>

Warren County's YouTube Channel - Part 1 - <https://www.youtube.com/watch?v=Xkdnbcfen3Q>

Part 2 - <https://www.youtube.com/watch?v=LUef5H6hrKY>

Part 3 - [https://www.youtube.com/watch?v=DBT\\_KjCu9ws](https://www.youtube.com/watch?v=DBT_KjCu9ws)

Mr. Wild called the meeting of the Personnel, Administration & Higher Education Committee to order at 10:01 a.m.

Copies of the meeting agenda were distributed; a copy of the agenda is on file with the meeting minutes.

Motion was made by Mr. Merlino, seconded by Mr. Maday and carried by a unanimous vote of those present (*Mr. Bean absent*), with Mr. Patchett abstaining, to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Mr. Wild announced they would be jumping ahead to Agenda Item 6C concerning an executive session to discuss a Collective Bargaining matter and he asked Larry Elmen, *County Attorney*, to expound on the purpose of the executive session. Mr. Elmen indicated an executive session was required to discuss Collective Bargaining negotiations pursuant to Section 105(1)(e) of the Public Officer's Law. He requested that the following individuals be permitted to remain in the executive session: Larry Paltrowitz, *Special Counsel to the County*; Christine Norton, *County Treasurer*; Marilyn Rivers, *Property & Casualty Risk Manager*; Jackie Figueroa, *Director of Human Resources*; and Kevin Hajos, *Superintendent of Public Works*.

Motion was made by Mr. Etu, seconded by Mr. Merlino and carried by a unanimous vote of those present (*Mr. Bean absent*) to enter into an executive session pursuant to Section 105(1)(e) of the Public Officer's Law for the purposes outlined above.

Executive session was held from 10:03 a.m. until 10:36 a.m.

Upon reconvening, Mr. Wild announced no action was taken during the executive session.

The agenda review resumed with Item 1 concerning an update from Dr. Kristine Duffy, *President, SUNY Adirondack*, regarding the college.

- 2) Requests/Items to be Discussed by the County Human Resources Director:
  - A) Review of report on tracking of vacancies filled. Report on tracking of vacancies filled provided in the agenda for informational purposes.
  - B) Request to authorize a new contract with Adirondack EAP for WC 82-24 Provision of Employee Assistance Program for County employees, commencing March 1, 2025 and terminating February 28, 2030.

Motion was made by Mr. Driscoll, seconded by Mr. Maday and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 2B as presented and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- 3) Requests/Items to be Discussed by the Clerk of the Board:
  - A) Request to authorize renewal of agreement with Glens Falls Hospital for autopsy services and authorizing the Chair of the Board to sign a letter of agreement with Glens Falls Hospital for same.

The County Administrator apprised he had spoken to representatives of Glens Falls Hospital regarding autopsy services during which they indicated they had no plans to cease offering these services. He added the discussion regarding the possibility of constructing a regional morgue in Warren County was ongoing.

Motion was made by Mr. Merlino and seconded by Mr. Maday to approve the request as presented.

Mr. Elmen apprised due to the fact that Glens Falls Hospital had recently become part of Albany Health System it was necessary for his Office to determine the proper contractor name for purposes of a legal relationship.

Messrs. Merlino and Maday amended their motion to indicate authorizing renewal of agreement with Albany Med Health System - Glens Falls Hospital for autopsy services and authorizing the Chair of the Board to sign a letter of agreement for same, pending review by the County Attorney; Mr. Wild called the question and the motion was carried by a unanimous vote of those present (*Mr. Bean absent*) to approve the request as amended and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- B) Request to amend the Rules of the Board to change the dates of the April and May Board Meetings.

Motion was made by Mr. Maday, seconded by Mr. Driscoll and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 3B as presented and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- 4) Request/Item to be Discussed by Director of Information Technology regarding a request to appropriate \$33,000 from Budget Code A.895.00, *Computer Reserve Fund*, to various budget codes to cover the cost of purchasing computers and related equipment and software.

Motion was made by Mr. Merlino, seconded by Mr. Etu and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 4 as presented and refer same to the Finance & Budget Committee.

- 5) Referrals from the Criminal Justice, Public Safety & Emergency Services Committee:
  - A) Request to amend the Table of Organization & Salary Schedule to create the new position of Probation Officer Trainee, *Grade 16, Base Annual Salary \$57,270*, and unfund but retain in the Table of Organization the position of Probation Officer, effective February 24, 2025.

Motion was made by Mr. Driscoll, seconded by Mr. Maday and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 5A as presented and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- B) Request to amend the Table of Organization and Salary Schedule to create the new position of Building Maintenance Mechanic P/T, *Grade 15, Base Annual Salary \$28.86/hr*, effective February 24, 2025.

Motion was made by Mr. Maday, seconded by Mr. Etu and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 5B as presented and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- 6) Request/Items to be Discussed by the County Administrator:

- A) Request to adopt the Warren County Meeting, Conference and Job Training Policy.

Motion was made by Mr. Merlino, seconded by Mr. Maday and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 6A as presented and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- B) *On Behalf of the Department of Public Works* - Request to amend Resolution No. 433 of 2019, *Adopting Revised Warren County Payroll Rules Policy*, to adopt the revised Warren County Payroll Rules Policy for per diem and less than part-time employees of DPW to compensate DPW employees that are either per diem/less than part-time at a rate of time and one half when working a holiday, any hours over eight per shift or in excess of forty hours per week retroactive to December 2, 2024. - This Item was withdrawn from the Agenda.

- C) Executive session to discuss a Collective Bargaining matter. - This item was addressed at the beginning of the meeting.

7) Requests/Items to be Discussed by the County Attorney:

**Action Agenda/New Business Items:**

- A) Request: Resolution approving a unified "County Motor Vehicle Use Program" Policy.

Rationale: The proposed policy began in September 2024 to separate the County's "Travel and Education Policy" into two separate policies and to incorporate the various Department-level vehicle policies into a single unified, County Motor Vehicle Use Program policy. The enclosed policy was reviewed and modified by the Risk & Safety Committee on January 16, 2025.

It was noted Section 6 paragraphs 3 and 4 would be modified to consolidate those two paragraphs pending receipt of additional information from the Treasurer's Office.

Motion was made by Mr. Merlino, seconded by Mr. Etu and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 7A as outlined above and the necessary resolution was authorized for the February 21<sup>st</sup> Board Meeting.

- B) Request: To transfer funds in the amount of \$1,400 from Budget Code A.1990 469, *Contingent Account, Other Payments/Contributions*, to Budget Code A. 1420 436, *County Attorney, Advertising Fees*.

Rationale: Due to new NYS tax foreclosure laws, the annual tax foreclosure sale needed to be filed three months earlier than in past years. As a result, more parcels were included in 2025 tax foreclosure lawsuit, than past years, which increased the newspaper publications costs. For 2025, 445 parcels were listed in lawsuit, as compared to 286 parcels listed in 2024 lawsuit.

Motion was made by Mr. Patchett, seconded by Mr. Etu and carried by a unanimous vote of those present (*Mr. Bean absent*) to approve Item 7B as presented and refer same to the Finance & Budget Committee.

**Discussion Items:**

- C) Contract Templates and Contract Workflow:

- D) Litigation Update: Request for a motion to enter into an executive session, per Public Officer's Law§105(1)(d), to engage in discussions of proposed, pending and current litigation and to provide attorney-client communications per Public Officer's Law§108(3), concerning one or more of the matters listed below which shall be identified at the time of meeting:

- a. Proposed lawsuit: To enforce County breach of contract claim and seek specific performance

- b. Lawsuits without Insurance Coverage:

- 1) Michael Easterbrooks v. Schenectady County, et al, Albany County Index No. 907013-2021, filed August 10, 2021. Discovery ongoing. Stay in place following death of Plaintiff-awaiting appointment of Estate administrator. No new activity.
- 2) Joshua Rouse v. Berkshire Farms Center for Youth, et al, Warren County Index No. EF2021-69346, filed August 10, 2021. Discovery ongoing.
- 3) Kathleen Innes v. Warren County and Correctional Medical Care, NDNY 1:22-cv-00641-BKS-TWD, filed June 15, 2022. Discovery completed. Summary judgment motions filing deadline: 2/28/2025.
- 4) Estate of Ann Alice Hennessey v. County of Warren & Christine Norton, as County Treasurer, NDNY 1:24-cv-314-AMN-CFH, filed March 6, 2024.

- Alleging violations of federal constitutional rights under 5th Amendment, 8th Amendment, and 14th Amendment, as well as section 1983 claims for deprivation of civil rights, and State law claim for unjust enrichment.
  - March 22, 2024: Insurance Coverage Denied through Travelers-claims made.
  - New York Tax Foreclosure Surplus Litigation: Multi-District Litigation (MDL) No. 3117: Plaintiffs motion to join all 37 counties subject to individual lawsuits. Responses filed 5/7/2024. Decision pending.
  - May 31, 2024: Motion to Dismiss against remaining plaintiff, Estate of Ann Alice Hennessey, filed with Federal District Court.
  - July 19, 2024: Plaintiff filed opposition papers to County's Motion to Dismiss.
  - July 25, 2024: County filed reply brief in response to plaintiff's opposition papers.
  - October 8, 2024: Court conference in Federal District Court regarding pending motions to dismiss. All separately filed lawsuits consolidated into single matter following court conference.
  - No new activity.
- 5) Village of Hudson Falls v. Town of Queensbury, Town of Kingsbury, County of Washington & County of Warren, Index No. 2024-37927, filed December 10, 2024. Action to Quiet Title on Village/Town Boundary Line along Warren Street and Quarry Crossing between Dix Avenue and River Street. Hearing on Motion for Preliminary Injunction: January 31, 2025.
- c. **Lawsuits Covered by Insurance:**
- 1) Tyson Poulos (Pro Se) v. County of Warren, Warren County Sheriff's Office, Warren County District Attorney's Office [as well as 6 employees of Sheriff's Office and 1 employee of District Attorney's Office], NDNY 1:21-cv-96-MAD-CFH, filed January 27, 2021. Date of Loss alleged January 20, 2014 through August 8, 2014. County Motion to Dismiss GRANTED 12/20/2024. County issued closing letters to all named County defendants: 12/24/2024 (MATTER CLOSED).
  - 2) Patricia Zahaba v. County of Warren and Town of Queensbury, Warren County Index No. EF2022-70243, filed June 13, 2022. Date of Loss alleged: June 11, 2021. Notice of Claim served September 8, 2021. Depositions ongoing.
  - 3) John Werner v. Bernice Conlon & Warren County, Warren County Index No. EF2022-70247, filed June 15, 2022. Date of Loss alleged: August 15, 2021. Notice of Claim served November 8, 2021. Depositions ongoing.
  - 4) Michael Davis v. Cole Palmer, Nicole Palmer, Town of Queensbury & County of Warren, Warren County Index No. EF2023-71114, filed July 15, 2022. Date of Loss alleged: May 14, 2022. Notice of Claim served July 15, 2022. Matter settled: December 2024 (MATTER CLOSED)
  - 5) Jasmine Earnest v. Town of Queensbury, County of Warren, Stilsing Electric, Inc. & Joanne Levack, Warren County Index No. EF2022-2111, filed September 29, 2022. Date of Loss alleged: April 12, 2022. Notice of Claim served May 9, 2022. Depositions ongoing.
  - 6) Timothy McIntyre & Brenna Michalak v. County of Warren, Warren County Index No. EF2023-72092, filed December 11, 2023. Date of Loss alleged: September 18, 2022. Notice of Claim, served December 19, 2022. Discovery ongoing.
  - 7) Nicholas Oudekerk (Pro Se) v. Sergeant Brandon Thomas & Corrections Officer Nicholas Crum, NDNY 9:24-cv-00109-AMN-TWD, filed March 13, 2024.
    - September 13, 2024: Motion to Dismiss filed.
    - October 10, 2024/October 24, 2024/December 4, 2024: Court provides Pro Se Plaintiff additional time and opportunity to file opposition papers to Motion to Dismiss.
    - December 19, 2024: Pro Se Plaintiff files opposition papers.
  - 8) James Condon v. Warren County Deputy Sheriffs Ortiz & Duggan, NDNY 1:24-cv-1172, filed September 25, 2024. Discovery started. Mandatory Mediation Pending.
  - 9) Corey M. Russell (Pro Se) v. Bailey, NDNY 9:24-cv-1109, filed November 4, 2024. Date of Loss: June 4, 2024. Order dismissing various claims filed October 23, 2024. Discovery to be started.
- d. **Notice of Claims & Administrative Complaints:**
- 1) Notice of Claim served March 7, 2024: Ethan Smith and Jennifer Dees. Date of Loss alleged: November 8, 2023 through March 1, 2024.
  - 2) Administrative Complaint: Department of Human Rights against County of Warren and Warren County DSS, dated May 2, 2024. Date of Loss alleged: November 27, 2023 through March 7, 2024. Pending administrative determination.

- 3) Notice of Claim served July 15, 2024. Jennifer Dees & Ethan Smith. Date of Loss alleged: June 2024. Warren County District Attorney's Office regarding assignment as special prosecutor for Saratoga County in the matter of People v. Veronica Smith.
- 4) Notice of Claim served September 17, 2024. David J. Funaro, Jr. & Sarah A Vedder v. Glens Falls and Glens Falls Police Department, Violation of constitutional rights, excessive force, perjury, property damage, and retaliation arising from execution of search warrant.
- 5) Notice of Claim served November 25, 2024: Rosemarie Salerno. Date of Loss: August 23, 2024. Alleging defective sidewalk in Village of Lake George behind Christie's on the Lake. Affidavit submitted-not County sidewalk/walkway.

Mr. Elmen advised an executive session was required to discuss the following pending litigation subject to Section §105(1)(d) of the Public Officer's Law to discuss pending, proposed and current litigation and also provide Attorney/Client communications under Section §108(3) of the Public Officer's Law : Agenda Items 7-D-a;7-D-b-5, 7-D-c-1 and 5, 7 and 9; and 7-D-6 of the County Attorney's portion of the agenda.

Motion was made by Mr. Maday to enter into an executive session pursuant to Sections §105(1)(d) and §108(3) of the Public Officer's Law for the purposes outlined above. Mr. Elmen requested that Ms. Rivers be permitted to remain in the executive session.

Mr. Mayday amended his motion and Mr. Etu seconded the motion as amended; Mr. Wild called the question and the amended motion was carried by a unanimous vote of those present to enter into an executive session pursuant to Sections §105(1)(d) and §108(3) of the Public Officer's Law for the purposes outlined above.

Executive session was held from 11:06 a.m. until 11:31 a.m.

Upon reconvening, Mr. Wild announced no action was taken during the executive session.

Mr. Elmen noted an item not included on the agenda pertained to the receipt of a Notice of Claim that was filed on January 24, 2025 by Tyson Poulos. He stated this claim had been referred to the County's insurance carrier for coverage.

The Agenda review resumed with Privilege of the Floor/Public Comment being called for, but there was no one wishing to speak.

There being no further business to come before the Personnel, Administration & Higher Education Committee, on motion made by Mr. Etu and seconded by Mr. Patchett, Mr. Wild declared the meeting adjourned at 11:37 a.m.

Respectfully submitted,  
Sarah McLenithan, Deputy Clerk of the Board