

Resolution No. 153 August 21, 2015
By Supervisor Haff

TITLE: Supporting Consideration of the Adoption of a New York State Law That Would Amend the Education Law, in Relation to the Common Core State Standards Initiative, the Race to the Top Program and the Partnership for Assessment of Readiness for College and Careers Consortium

WHEREAS, Article VI, Paragraph 2 of the U.S. Constitution reads, "*This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding*", and

WHEREAS, Article VI, paragraph 2, commonly referred to as the Supremacy Clause, establishes that the federal Constitution, and federal law take precedence over state laws, and even state constitutions, and

WHEREAS, the Tenth Amendment of the U.S. Constitution reads, "*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people*", and

WHEREAS, the Tenth Amendment expresses the principle of federalism, which undergirds the entire plan of the Constitution, by stating that the federal government possesses only those powers delegated to it by the States or the People, and

WHEREAS, Article I, Section 8 of the U.S. Constitution enumerates the powers of Congress – that is, the authoritative capacity of Congress, and

WHEREAS, Article I, Section 8 does not mention education, meaning matters regarding education, such as the Common Core educational system, are the purview of the States or the People, not the federal government, and

WHEREAS, Article I, Section 10, Clause 3 of the U.S. Constitution reads, "*No State shall, without the Consent of Congress ... enter into any Agreement or Compact with another State*", and

WHEREAS, Article I, Section 10, Clause 3, which is known as the Compact Clause, prohibited New York State from entering into the Common Core related Smarter Balanced Assessment Consortia (SBAC) and the Partnership for Assessment of Readiness for College and Careers Consortia (PARCC), which are interstate compacts to which Congress has never consented and are thus unconstitutional, and

WHEREAS, Article IV, Section 4 of the U.S. Constitution reads, "*The United States shall guarantee to every State in this Union a Republican Form of Government*", and

WHEREAS, Article IV, Section 4, which is known as the Guarantee Clause, guarantees the people of New York State will forever enjoy republicanism, including popular rule, no monarch and the rule of law, and

WHEREAS, the Rule of Law, from our State and Federal Constitutions on down, is to be defended at all costs by all those entrusted with the reins of political power, according to their oaths of office, no matter the level of practical difficulties; the Rule of Law must stand against the folly of political expediency and the Rule of Man and his whims, and

WHEREAS, the Fourth Amendment of the U.S. Constitution reads, "*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*", and

WHEREAS, the Fourth Amendment protects citizens from unreasonable harassment by the government; the government has no right to search through their personal property without first receiving a warrant (a court order approving the search or seizure upon probable cause of wrongdoing), and

WHEREAS, the Race to the Top (RTTT), Common Core State Standards (CCSS), Smarter Balanced Assessment Consortia (SBAC), and Partnership for Assessment of Readiness for College and Careers Consortia (PARCC) developed assessments include and facilitate the collection of confidential personal and non-educational student, family, and teacher data, and the SBAC and PARCC Cooperative Agreements allow for access to that data by the federal government and third party organizations without parent, student, or teacher notification or prior written consent, and

WHEREAS, in 2009 and 2010, New York State was offered the chance to compete for education funding through the unconstitutional "Race to the Top" program created by the U. S. Department of Education, and

WHEREAS, the only way to achieve a score in the "Race to the Top" competition sufficient to qualify for funding was to agree to "participation in a consortium of States that is working toward jointly developing and adopting a common set of K-12 standards", and

WHEREAS, the only such "common set of K-12 standards" existent at that time, or since, is known as the Common Core State Standards Initiative ("CCSSI"), which was developed without a grant of authority from any state, and

WHEREAS, New York State submitted its Race to the Top Application for Phase 1 in January 2010 and for Phase 2 in May 2010 (the CCSSI were not released until June of 2010 meaning that New York State committed to the CCSSI before they were written), and

WHEREAS, local education officials, school leaders, teachers, and parents were not invited or encouraged to participate in the discussion, evaluation and preparation of the CCSSI standards that would affect students in New York State, and

WHEREAS, the Common Core education system has been the subject of criticism by educators and parents and a number of elected officials, and

WHEREAS, the National Assessment of Educational Progress national test allows comparisons of academic achievement to be made across the states, without the necessity of imposing national standards, curricula, or assessments, and

WHEREAS, the imposition of a set of national standards could lead to the imposition of a national curriculum and national assessment upon the various states; now therefore be it

RESOLVED, that the Washington County Board of Supervisors urges the New York State Legislature and the Governor to consider the adoption of a state law that would discontinue the Common Core State Standards and end New York State's involvement with the Race To The Top Program and the Partnership for Assessment of Readiness for College and Careers Consortium; and be it further

RESOLVED, that the Washington County Board of Supervisors urges the New York State Legislature to call for and fund an independent, state-based approach and PLAN to improve the education system in New York; and be it further

RESOLVED, the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senator Elizabeth O'C. Little, Senator Kathleen Marchione, Assemblyman Daniel G. Stec, Assemblywoman Carrie Woerner, Assemblyman Steve McLaughlin, the New York State Assembly and Senate Majority and Minority Leaders, the Assembly and Senate Education Committee Chairmen, and the New York State Commissioner of Education.

BUDGET IMPACT STATEMENT: Costs of mailing.

Resolution No. 154 August 21, 2015
By Supervisor Haff

TITLE: Supporting Consideration of an Amendment to New York State's Social Studies Learning Standard No. 5, Civics, Citizenship and Government

WHEREAS, the People are entitled, by Right, to a constitutionally valid system of education, which prepares each citizen to meet the obligations of citizenship in America, to understand America's constitutional form of governance, and each one's own unalienable Rights, and the responsibility to preserve and protect the blessings of individual liberty for future generations, and

WHEREAS, Section 801 of the New York State Education Law reads, in relevant part:

§ 801. Courses of instruction in patriotism and citizenship and in certain historic documents.

1. In order to promote a spirit of patriotic and civic service and obligation and to foster in the children of the state moral and intellectual qualities which are essential in preparing to meet the obligations of citizenship in peace or in war, the regents of The University of the State of New York shall prescribe courses of instruction in patriotism, citizenship, and human rights issues ...

2. The regents shall prescribe courses of instruction in the history, meaning, significance and effect of the provisions of the constitution of the United States, the amendments thereto, the declaration of independence, the constitution of the state of New York and the amendments thereto, to be maintained and followed in all of the schools of the state. The boards of education and trustees of the several cities and school districts of the state shall require instruction to be given in such courses, by the teachers employed in the schools therein. All pupils attending such schools, in the eighth and higher grades, shall attend upon such instruction.

Similar courses of instruction shall be prescribed and maintained in private schools in the state, and all pupils in such schools in grades or classes corresponding to the instruction in the eighth and higher grades of the public schools shall attend upon such courses, and

WHEREAS, Section 802 of the New York State Education Law reads, in relevant part:

§ 802. Instruction relating to the flag; holidays.

1. It shall be the duty of the commissioner to prepare, for the use of the public schools of the state, a program providing for a salute to the flag and a daily pledge of allegiance to the flag, and instruction in its correct use and display which shall include, as a minimum, specific instruction regarding respect for the flag of the United States of America, its display and use as provided by federal statute and regulation and such other patriotic exercises as may be deemed by him to be expedient, under such regulations and instructions as may best meet the varied requirements of the different grades in such schools. However, such instruction shall

include, as a minimum, the provisions of sections one hundred seventy through one hundred seventy-seven of title thirty-six of the United States Code, and

WHEREAS, the learning standard for Civics, Citizenship and Government, as adopted by the New York State Board of Regents, currently reads in its entirety:

“Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental systems of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the roles, rights, and responsibilities of citizenship, including avenues of participation.”, and

WHEREAS, the current New York State learning standard for Civics, Citizenship and Government should be reviewed to ensure compliance with Sections 801 and 802 of the New York State Education Law; now therefore, be it

RESOLVED, that the Washington County Board of Supervisors does hereby urge the Board of Regents to review and, thereafter, consider amending the learning standard for Civics, Citizenship and Government to read as follows:

Social Studies Learning Standard 5: Civics, Citizenship, and Government.

“Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments, with particular attention to the need to secure the individual’s Creator-endowed, unalienable Rights; the history, meaning, significance and effect of the provisions of the United States Declaration of Independence, the Constitution for the State of New York, as amended, and the Constitution for the United States of America, as amended; the basic civic values of the American democratic Republic; the roles, rights, and responsibilities of citizenship, including avenues of participation and respect for the flag of the United States of America, its display and use as provided by sections one hundred seventy through one hundred seventy-seven of title thirty-six of the United States Code; and the governmental systems of the United States and other nations; and be it further

RESOLVED, the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senator Elizabeth O’C. Little, Senator Kathleen Marchione, Assemblyman Daniel G. Stec, Assemblywoman Carrie Woerner, Assemblyman Steve McLaughlin, the New York State Assembly and Senate Majority and Minority Leaders, the Assembly and Senate Education Committee Chairmen, and the New York State Board of Regents.

BUDGET IMPACT STATEMENT: Costs of mailing.

Resolution No. 155 August 21, 2015
By Supervisors Suprenant, Henke, Shay, Haff, Pitts, O'Brien, Armstrong

TITLE: To Oppose A6430/S0983, Legislation Relating to Restraint of Female Prisoners

WHEREAS, the Senate and Assembly have passed a bill, A6430/S0983 relating to regulations surrounding shackling of female prisoners in the custody of the Department of Corrections and county sheriffs, and

WHEREAS, this legislation removes discretion of the Sheriff to make security decisions surrounding female prisoners and provides for a lesser level of security despite the knowledge of the Sheriff which may provide for the contrary, and

WHEREAS, this will require increased security personnel be present in situations involving female prisoners, and

WHEREAS, this legislation was passed without consultation with county sheriffs and other security professionals, and

WHEREAS, this constitutes another unfunded mandate by the State of New York against its localities, and

WHEREAS, the Public Safety Committee has recommended a resolution against this legislation be forwarded to the Governor and our legislators; now therefore be it

RESOLVED, that the Washington County Board of Supervisors hereby indicates its opposition to A6430/S0983 on the basis of lack of consultation with the counties and its imposition of unfunded mandates upon the counties; and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Cuomo and the state legislators representing Washington County.

BUDGET IMPACT STATEMENT: None for this resolution. The legislation will require a heightened level of security personnel thereby raising costs.

Resolution No. 156 August 21, 2015
By Supervisors O'Brien, LaPointe, Hicks

TITLE: Amend Staffing Pattern – County Clerk to Add One Account Clerk

WHEREAS, the County Clerk's office requested a new position of Account Clerk to work and train at the counter allowing the current Deputy to train with the retiring County Clerk, and

WHEREAS, the new Account Clerk position is funded in the 2015 budget; now therefore be it

RESOLVED, that the Staffing Pattern for County Clerk be amended to add one (1) Account Clerk.

BUDGET IMPACT STATEMENT: None. Funds for new Account Clerk position are in the 2015 budget.

Resolution No. 157 August 21, 2015
By Supervisors O'Brien, LaPointe, Suprenant

TITLE: Amend Staffing Pattern – Buildings and Grounds

WHEREAS, Resolution No. 111 of 2015 authorized adding one (1) temporary Laborer to the Staffing Pattern for Buildings and Grounds and allow time for the Superintendent to evaluate what type position was needed to meet the demands of the department before backfilling a vacant position created through a retirement, and

WHEREAS, the Superintendent has determined the need for a Building Maintenance Mechanic position, and

WHEREAS, the Personnel Committee approved this new position; now therefore be it

RESOLVED, that the Staffing Pattern is amended to add one Building Maintenance Mechanic position and delete (1) Building Maintenance Helper position and (1) temporary Laborer position.

BUDGET IMPACT STATEMENT: Due to vacant position not immediately being backfilled and utilizing a temporary Laborer in the interim, there is sufficient funding within the department's personnel services line.

Resolution No. 158 August 21, 2015
By Supervisors O'Brien, LaPointe, Suprenant

TITLE: Amend Staffing Pattern – Sheriff’s Department

WHEREAS, the Sheriff has requested changes to the Staffing Pattern, and

WHEREAS, the request includes increasing the number of Sergeants by one (1) to a total of six (6) and decreasing the Deputy Sheriffs by one (1) which will allow two Sergeants on each shift, and

WHEREAS, he is also requesting changes within the drug unit increasing Investigators by two (2) and decreasing Deputy Sheriffs by two (2), and

WHEREAS, the total number of employees in the Sheriff’s Staffing Pattern would not change, only titles will change, and

WHEREAS, the Personnel Committee has reviewed this request and recommend approval; now therefore be it

RESOLVED, that the Staffing Pattern within the Sheriff’s Department be amended as follows:

Increase: Sergeant by (1)
Investigator by (2)

Decrease: Deputy Sheriff by (3)

BUDGET IMPACT STATEMENT: Estimated cost for these promotions for 2015 is \$8,094 which is within the budget due to a Sergeant retiring and being backfilled with a Deputy at a lower salary.

Rescinded by Resolution No. 180 Dated September 18, 2015

Resolution No. 159 August 21, 2015

By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget for Direct Care Worker Program – Office for the Aging

WHEREAS, the Office for the Aging received \$4,799 to be used to offset the county share of salary and fringe benefits of direct care workers, and

WHEREAS, the salary and fringe benefits for the Office for the Aging are already in the 2015 budget so these funds will be placed in contingency; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Revenue:

A3772	State Aid – Programs for the Aging	4,799
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Increase Appropriation:

A1990.4530	Contingency	4,799
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BUDGET IMPACT STATEMENT: The funds for salary and fringe benefits are already in the budget so this amount will be placed in contingency. If this resolution is approved, the contingency account will be \$33,038.

Resolution No. 160 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget – County Road Machinery Fund for Military Surplus Trucks

WHEREAS, the Superintendent of Public Works presented a dump truck/military equipment plan to the Public Works Committee, and

WHEREAS, a budget amendment for \$60,000 was requested to purchase up to four military surplus trucks, depending on what is available, to replace back up trucks that are in high use, and

WHEREAS, the plan is to use parts to convert the military surplus trucks to plow trucks, most of the work to be done in the shop, and

WHEREAS, up to four trucks will be declared surplus if military surplus trucks become available; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

DM5130.2070	Vehicles	60,000
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Decrease Appropriation:

DM5130.4280	Supplies	60,000
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BUDGET IMPACT STATEMENT: Transfer funds from contractual to equipment to purchase military surplus trucks.

Resolution No. 161 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend the Duties of the County Auditor and Deputy County Auditor

WHEREAS, by Resolution No. 10 of 2014, the Board of Supervisors established the position of County Auditor and Deputy County Auditor to approve various bills that can be paid outside the normal auditing time frame, and

WHEREAS, military surplus items become available through an on-line bid process that requires an immediate commitment, and

WHEREAS, the Department of Public Works has found it to be economically advantageous for their operations to seek and acquire military surplus items, and

WHEREAS, the Budget Officer has given the department pre-approval to purchase military surplus items within their budgeted funds, and

WHEREAS, due to the time constraints for payment of military surplus items, authorization to pay out of the audit cycle has been requested; now therefore be it

RESOLVED, that the duties of the County Auditor and Deputy County Auditor be expanded to include purchase of military surplus items; and be it further

RESOLVED, that all bills signed by the County Auditor and Deputy County be submitted to the Audit Committee for their review.

BUDGET IMPACT STATEMENT: Funds budgeted for these purchases which are being made to help extend the life of the current equipment.

Resolution No. 162 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Amend Budget – Capital Project #116 – 2014 Capital Improvements for Change Orders for the Replacement of the Building Management System

WHEREAS, per Resolution No. 72 of 2014, a capital project was established from funds from the sale of the County operated nursing home, and

WHEREAS, \$550,000 was allocated for the replacement of the building management system and was amended by Resolution No. 20 of 2015 by \$64,000 for the bid, for a total of \$614,000, and

WHEREAS, the County has one change order for \$3,125 for adding three lighting circuits in Buildings B & C, and one door contact closure in Building B, and

WHEREAS, Buildings & Grounds renovated a space in the basement of Building B which included reworking the duct work and controls which the County had the current contractor spec for an additional \$22,655, and

WHEREAS, the Government Operations Committee approved the additional work; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

CAPTIAL PROJECT #116 – 2014 CAPITAL IMPROVEMENTS

Increase Appropriation:

HDD1620.204002	Replace Bldg. Management Sys.	25,780
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Decrease Appropriation:

HDD1620.2440	Contingency	25,780
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BUDGET IMPACT STATEMENT: If approved, the total contract for Eastern Heating & Cooling would be \$639,780. The contingency within Capital Project #116 will be \$641,100.

Resolution No. 163 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget – Jail to Replace Broken Ice Machine & Bin

WHEREAS, the current ice maker machine has broken down and it would be more cost effective to replace it with a new smaller system that will still meet their needs than it would be to repair the broken machine, and

WHEREAS, the Sheriff is requesting to transfer \$3,200 from the contractual line to the equipment line to replace this equipment; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A3150.2090	Jail - Equip.	3,200
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Decrease Appropriation:

A3150.4130	Jail - Boarding of Prisoners	3,200
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BUDGET IMPACT STATEMENT: Transfer funds between line items within the Jail budget.

Resolution No. 164 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Public Defender Budget for Training

WHEREAS, the Public Defender has requested a budget amendment to cover the conference registration for seven Public Defenders to attend the Public Defenders annual conference and training; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A1170.4170	PD – Training/Education/Staff Dev.	1,320
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Decrease Appropriation:

A1170.2020	PD – Computer Equip.	1,320
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BUDGET IMPACT STATEMENT: Transfer funds from equipment to contractual to cover conference registration cost.

Resolution No. 165 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Amend Public Defender Budget, Salary Schedule and Staffing Pattern

WHEREAS, the County has grant funds to improve the Public Defender services within Washington County, and

WHEREAS, it has been recommended to increase the staff within the Public Defender's office to add one (1) Legal Assistant and make three (3) part time Public Defenders full time (one 1st Assistant Public Defender and two 2nd Assistant Public Defenders), and

WHEREAS, the extra cost for the remainder of the year will be covered by the Public Defender state grant due to available unused grant money from 2013 through 2014 which has been carried forward; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A1170.101	PD – Pers. Svcs. – Reg.	20,820
A1170.89030	PD – Soc. Security	1,565
A1170.89060	PD – Health & Dental Ins.	<u>19,681</u>
		42,066

Increase Revenue:

A3025	State Aid – Indigent Legal Svcs. Fund	42,066
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; and be it further

RESOLVED, that the Salary Schedules are hereby amended to include the following:

Legal Assistant – Public Defender	Grade Schedule	Grade 12 (35 hrs./wk.)
1 st Assistant Public Defender	Exempt Schedule	\$68,645
2 nd Assistant Public Defender	Exempt Schedule	\$62,877

; and be it further

RESOLVED, that the Staffing Pattern of the Public Defender's office be amended as follows:

Increase: (1) Legal Assistant
(1) 1st Assistant Public Defender
(2) 2nd Assistant Public Defender

Decrease: (3) Part Time Public Defender

BUDGET IMPACT STATEMENT: The \$42,066 cost is covered by an unused grant. The cost is to add one Legal Assistant and make three part time Public Defenders full time. The grant going forward will pay for some of next year's cost but approximately 50% of the cost will be local dollars. Estimated 2016 annual cost of \$170,000 (x 50%) = \$85,000 local cost.

Resolution No. 166 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Adopt Introductory Local Law "C" of 2015

WHEREAS, Introductory Local Law "C" of 2015 amends the Workers Compensation reserve amount from \$3 million to \$1.75 million, and

WHEREAS, pursuant to Resolution No. 145 adopted July 17, 2015, the Board of Supervisors scheduled and conducted a public hearing on Introductory Local Law "C" of 2015 in the Supervisors' Chambers, County Office Building B, Fort Edward, New York on the 21st day of August, 2015 at which time all interested parties were given the opportunity to speak; now therefore be it

RESOLVED, that the Board of Supervisors of the County of Washington, New York does hereby enact Introductory Local Law "C" of 2015 effective upon filing in the Office of the Secretary of State.

BUDGET IMPACT STATEMENT: None. Lowers the reserve amount from \$3 million to \$1.75 million, which is enough to pay for two catastrophic events.

Resolution No. 167 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Amend District Attorney 2015 Budget for Crime Victim's Grant

WHEREAS, the District Attorney received a three (3) year grant to fund crime victims' advocates in Washington County, and

WHEREAS, this three (3) year grant was accepted via Board of Supervisor's Resolution No. 236 dated September 19, 2014, and

WHEREAS, the District Attorney has received an increase of \$19,105.95 for year two (2) of the grant for the period 10/01/2015-09/30/2016; now therefore be it

RESOLVED, that the Washington County Board of Supervisors does hereby accept the increase in funding; and be it further

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A1165.4620	District Attorney -Grants	1,908
A1165.101	Regular Time – DA	14,700
A1165.8	Employee Benefits – DA	2,498

Increase Revenue:

A3389.11	District Attorney Grants	19,106
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BUDGET IMPACT STATEMENT: Increase to year two (2) of three (3) year grant, which has a local match of 5%. It is currently anticipated that the local match will be funded through volunteer hours.

Resolution No. 168 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Allow for Exception to Handbook Section 7.002 Providing for Use of Vacation Time Beyond Its Expiration Date

WHEREAS, the County Administrator has requested that he be allowed to carry over 15 days of vacation time past his anniversary date, and

WHEREAS, this would be an exception to the handbook policy, and

WHEREAS, the Personnel Committee has recommended that the employee be allowed to carry over the vacation time; now therefore be it

RESOLVED, that the Personnel Officer is hereby authorized to carry over up to 15 days of vacation time for Kevin Hayes.

BUDGET IMPACT STATEMENT: The cost of \$297.20 per day plus fringe benefits estimated at 25% or \$74.30 per day for a total daily cost of \$371.50. If time is used prior to retirement, there would be no dollar cost for the carry forward of vacation time.

Resolution No. 169 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Authorize Payment of Stale Voucher – STOP-DWI Program

WHEREAS, a voucher has been submitted for services provided September through November of 2014 in the amount of \$6,206.52 by the Village of Hudson Falls Police Department as part of the STOP-DWI program, and

WHEREAS, due to the stale date of this voucher, the Finance Committee has reviewed this claim and recommend payment be made; now therefore be it

RESOLVED, that the Washington County Board of Supervisors authorizes payment of this voucher.

BUDGET IMPACT STATEMENT: None.

Resolution No. 170 August 21, 2015
By Supervisors Campbell, LaPointe, Henke, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Ratify Agreement Between Washington County and the Washington County Sheriffs Correction Officers Association Bargaining Unit, for the period of January 1, 2015 - December 31, 2017

WHEREAS, the membership of the Washington County Sheriffs Correction Officers Association bargaining unit, consisting of corrections officers, has ratified a tentative collective bargaining agreement with Washington County for the period of January 1, 2015 - December 31, 2017; now therefore be it

RESOLVED, that Washington County does hereby ratify the aforesaid agreement retroactive to January 1, 2015; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the agreement with the Washington County Sheriffs Correction Officers Association in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: Average net cost of 1.96% per year. Wages increase 1.5% in 2015 and 2016 and 1.75% in 2017 along with longevity increases. There are also savings to the County in health insurance.

Resolution No. 171 August 21, 2015
By Supervisor Campbell

TITLE: To Settle Insurance Coverage Suit Against Travelers and Charter Oak Insurance Companies

WHEREAS, the County was sued in a matter involving an accident at a construction site operated by a contractor and located in the Town of Fort Edward, and

WHEREAS, NYMIR and the County initiated a declaratory judgement action wherein coverage was claimed for the County under the contractor's insurer, and

WHEREAS, the action was settled with the contractor's insurer assuming defense costs and indemnification, if any, and

WHEREAS, settlement of the coverage suit requires execution of a stipulation of discontinuance; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the stipulation of settlement in the declaratory judgement action in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: None. Settlement requires contractor's insurer to defend and indemnify.

Resolution No. 172 August 21, 2015
By Supervisor Lindsay

TITLE: To Consent to the Warren Washington IDA's Undertaking of an Industrial Development Project in the Town of Fort Edward; 354 Broadway LLC and Price Chopper Operating Co., Inc. ("Market 32 Project")

WHEREAS, 354 Broadway LLC and Price Chopper Operating Co., Inc. have requested that the Warren/Washington Industrial Development Agency (IDA) undertake certain actions regarding a project known as the "Market 32 Project" in the Town of Fort Edward, and

WHEREAS, the project will require the IDA and Developer to enter into an agreement whereby the Developer will acquire, by deed or by lease, and construct the project facility and the IDA will lease or sell the project facility to the Developer with an option to buy, and

WHEREAS, the project will also require the IDA and the Company to enter into an agreement whereby the Company will acquire and install the project equipment and the IDA will lease the project equipment to the Company, and

WHEREAS, the IDA has agreed to such assistance, and

WHEREAS, the IDA has determined, after a public hearing, that this project meets the retail exception criteria since the Market 32 Project is considered located in a "highly distressed area" since it is located in an area that was previously designated as an empire zone under Article 18-B of the General Municipal Law, and is therefore a "project" eligible for assistance under State statute, and

WHEREAS, Article 18-A of the General Municipal Law governing IDA's requires the consent of the Chief Executive Officer of the jurisdiction in which the specific industrial development agency operates with regard to the exception to prohibition of assistance to retail; now therefore be it

RESOLVED, that the Washington County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute a confirmation and consent to this project and execute documents to that effect in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: None.