

Regular Board Meeting

Monday, May 7, 2018

Randy Preston, Chairman
Shaun Gilliland, Vice-Chairman

Chairman Preston called this Regular Board Meeting to order at 10:00 am with a salute to the flag. Upon roll-call, the following Supervisors were found in attendance: Robin DeLoria, Archie Depo, Shaun Gilliland, Joseph Giordano, Charlie Harrington, Ronald Jackson, Mike Marnell, Steve McNally, Noel Merrihew, Dean Montroy, James Monty, Ron Moore, Gerald Morrow, Roby Politi, Randy Preston, Tom Scozzafava, Michael Tyler and Joe-Pete Wilson.

Department Heads present were: Linda Beers, Judy Garrison, Don Jaquish, Charli Lewis, Allison McGahay, Dan Manning, Michael Mascarenas, Sue Montgomery-Corey and Dan Palmer.

Deputies present: Jim Dougan.

Also present: Joanne Caswell, Deborah Mitchell – Families First, Jen Fifield, Sharon Boisen, Bethany Kosmider and Margaret Bartley.

News Media: Keith Lobdell – Sun Community News.

PRESTON: We're going to call this meeting today. Would everyone please rise as we salute the flag. So a real couple of quick things before we get into the meeting today I just want you to all know Dina is not with us today because her father in-law passed this morning so just if we could keep her in our thoughts and prayers.

And now most of you have this on your desks and what this is is there is a young lady I believe she's 16, from Wilmington who lives with her grandmother and that's the only relative she has in the house. She's 16 and goes to Lake Placid School and she has been trying to get into a pre-college program which is approximately \$6500. She has raised all the money herself. I talked to her grandmother Friday before we lost the power and she is \$2000 short and I am just putting a plea out there not for today but if we could, somehow this board come up with that two grand she would go to this pre-college this summer and I think you know, for young person in this day and age to have that kind of interest I think to me is an amazing thing and so if you take a look at that, have any questions or anything at all I just think I truly, truly believe for a young person to have this kind of interest and want to better themselves you know for the future, I think in this day and age is pretty impressive so please take this into consideration and if you have any questions please see me after. Thank you.

Go ahead now Jude.

GARRISON: Roll call – thank you.

PRESTON: Okay introduction of guests we have with us today Joanne Caswell the Executive Director of Families First and we're going to talk about Children's Mental Health Awareness Month. Thank you for coming.

CASWELL: You're welcome. Thank you for having me. So thank you having me. My name is Joanne Caswell and the first full week in May is Children's Mental Health Awareness week and

Thursday, the 10th is Children's Mental Health Awareness Day. You have a packet from Families First in front of you and if you don't mind, there's a green ribbon and we'd love to have you wear that this week symbolizing Children's Mental Health Awareness Week. We use this week to raise awareness about the importance of Children's Mental health show that positive mental health is essential to a child's normal health development and that early detection and treatment are critical for a child to lead a normal, healthy life. This year's theme is partnering for help for hope following trauma focus on the importance of integrated approach to care for the mental health needs of children, youth and young adults that have experienced trauma. Just to give you a couple numbers currently families first is providing care management services to 102 kids in Essex County and 20% of them have some form of trauma in their diagnosis so it's really, really gone up a lot in recent years. Some other facts one in five children ages 13 – 18 have a serious mental illness 50% of all life time cases of mental illness begin by age 14 and 75% by age 24 so it's very critical to diagnose this early and get treatment for kids. 70% of youth and State and local juvenile justice systems have a mental health illness and suicide is the third leading cause of death from ages 10 – 24 so our youth are really struggling.

We certainly encourage you to celebrate the importance of collaboration to inspire hope and resiliency in our families. Like I said we would love it if you wore the green ribbon this week that would be awesome. Thursday, May 10 we have our annual mental health awareness walk which it starts right out by Stewarts in the park, goes around the block and we have a few speakers and then there's lunch at Families First afterwards so if you will be in town I'd like to have you join us and I just want to thank you for having me today and for doing a proclamation for us and if there is any questions?

PRESTON: Any questions? Somebody in the audience, sorry about that. Go ahead.

MITCHELL: Unfortunately the recent statistics have changed and suicide is now the second leading cause of death and that was just in the new data that came out. We also have a beautiful unity tree at Families First so if you want to stop by and maybe make a note on the leave of what you do to keep yourself well and what gives you hope you're welcome to do that.

PRESTON: Thank you. Is there anyone on the board that has any questions? If not, we have a proclamation that I'm going to read.

"Whereas, mental health is critical for the well-being and vitality for our families, communities and businesses and

Whereas, mental illness strikes one in five Americans in a given year regardless of age, gender, race, ethnicity, assistance and treatment and

Whereas, early diagnosis and appropriate treatment of the mental health disorders among children and adolescents provide their communities to lead fuller productive lives, and

Whereas, celebrating Children's Mental Health Week and May as Mental Health Month will increase awareness among Essex County residents on this importance issue and diminished stigma.

Now, therefore I, Randy Preston as Chairman and behalf of the Essex County Board of Supervisors to hereby, proclaim the Month of May, 2018 as Mental Health Month and the week of May 7-13, 2018 as Children's Mental Health Week in Essex County. This proclamation is issued this 7th day of May, 2018."

CASWELL: Thank you very much. Thank you for having me.

PRESTON: Thank you for coming.

CASWELL: You're welcome.

PRESTON: Now we're going to resolutions.

**RESOLUTION #124 – APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS
This resolution was offered by Mr. Scozzafava, seconded by Mr. Harrington and adopted.**

PRESTON: I'm going to back up to this mental health awareness thing for just a moment. I will say and please don't misinterpret this. I don't think anyone would but just in case but there is a problem in our society that where every day now we're finding out about a police officer being shot and you know, it's just something almost every day now and I just want to point out that I think this comes back, I think it comes back to mental illness and that's why I think now more than ever we need to pay attention to this. I think it is a critical – because there's got to be a reason in our society that people think, some people think that it's acceptable and we should be doing all we can because I firmly believe and I could be wrong that this comes back to mental illness and I think that we've got to start somewhere to try and change this because it is not acceptable in any shape, form or matter that people can think shooting a police officer is an acceptable practice so thank you for bearing with me.

RESOLUTION #125 – AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH ACCOUNT IN THE ESSEX COUNTY MENTAL HEALTH DEPARTMENT, WITH \$200.00 TO BE USED AS A CASH DRAWER.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Depo and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #126 – AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Merrihew and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION # 127 – AUTHORIZING A CONTRACT AGREEMENT BETWEEN ESSEX COUNTY MENTAL HEALTH AND ST. JOSEPH'S ADDICTION TREATMENT AND RECOVERY CENTERS FOR SUBSTANCE ABUSE AND ADDICTION SERVICES, IN ACCORDANCE WITH THE ESSEX COUNTY PROCUREMENT/PURCHASING POLICY, IN AN AMOUNT OF \$265,101.00 FOR 2018, AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXCEUTE SUCH CONTRACT UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Monty, seconded by Mr. Morrow and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #128 – AUTHORIZING THE HEALTH DEPARTMENT TO APPLY FOR AND ACCEPT A \$2,500.00 GRANT FROM ADIRONDACK FOUNDATION GENEROUS ACTS TO SUPPORT PARENT AND INFANT/CHILD DEVELOPMENT, AND AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME.

This resolution was offered by Mr. Giordano, seconded by Mr. Tyler and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #129 – ADOPTING AND APPROVING THE HEALTH DEPARTMENT MEDICAL DIRECTOR POLICY/PROCEDURE REVIEW BY THE PUBLIC HEALTH ADVISORY COUNCIL (PHAC)

This resolution was offered by Mr. Depo, seconded by Mr. Gilliland and adopted.

RESOLUTION #130 – AUTHORIZING A CONTRACT AGREEMENT BETWEEN ESSEX COUNTY OFFICE FOR THE AGING AND NASCENTIA HEALTH (FORMERLY VNA HOME CARE OPTIONS) FOR THE REIMBURSEMENT OF HOME DELIVERED MEALS, AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SUCH CONTRACT UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Marnell, seconded by Mr. Tyler and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #131 – AUTHORIZING A CONTRACT AGREEMENT BETWEEN ESSEX COUNTY OFFICE FOR THE AGING AND FIDELIS CARE AT HOME FOR THE REIMBURSEMENT OF HOME DELIVERED MEALS, AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SUCH CONTRACT UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Depo, seconded by Mr. Monty and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #132 – AUTHORIZING A CONTRACT AMENDMENT TO THE MOUNTAIN VIEW PLANNING CONTRACT BEARING CONTRACT NO. MISC-18-0018 AND MISC-19-0009, IN AN AMOUNT NOT TO EXCEED \$15,000.00, FROM BUDGETED FUNDS, TO INCLUDE AN EVACUATION PLAN FOR ESSEX COUNTY AS REQUIRED BY NEW YORK STATE FOR THE HAZARD MITIGATION PLAN, AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. DeLoria, seconded by Mr. Morrow and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #133 – RECOGNIZING THE WEEK OF APRIL 9-15, 2018, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.

This resolution was offered by Mr. Depo, seconded unanimously and adopted.

RESOLUTION #134 – RECOGNIZING THE WEEK OF MAY 20-26, 2018, AS NATIONAL EMS WEEK.

This resolution was offered by Mr. Jackson, seconded unanimously and adopted.

RESOLUTION #135 – AUTHORIZING THE COUNTY MANAGER OR COUNTY CHAIRMAN TO EXECUTE A CONTRACT RENEWAL WITH NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES (NYS DOCS) FOR THE PROVISION OF FOOD SERVICES/PRODUCTS PRODUCED BY THE NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES OFFICE OF NUTRITIONAL SERVICES TO THE ESSEX COUNTY JAIL FOR A FIVE YEAR TERM SEPTEMBER 1, 2018 THROUGH AUGUST 31, 2023.

This resolution was offered by Mr. Monty, seconded by Mr. Tyler and adopted upon a roll-call vote as follows.

AYES: 2694 votes
NOES: 227 votes (McNally, Gilliland)
ABSENT: 0 votes

PRESTON: Questions?

McNALLY: I have some mixed feelings on this we have family farmers and everything like this and we're going to be buying this stuff for the inmates and I think this is a bad program.

PRESTON: Any other questions, concerns? If not, this is a roll call vote.

RESOLUTION #136 – AUTHORIZING THE ISSUANCE OF A PERMIT TO LAKE PLACID MARATHON/INSPIRATION SPORTS, LLC FOR THE USE OF COUNTY ROADWAYS FOR THE 2018 LAKE PLACID MARATHON UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Politi, seconded by Mr. Marnell and adopted.

RESOLUTION #137 – AUTHORIZING AN AMENDMENT TO SCHODER RIVERS ASSOCIATES CONTRACT BEARING CONTRACT NO. DPW-18-0006, IN AN AMOUNT NOT TO EXCEED \$59,900.00, FOR CONCEPTUAL DESIGN PHASE ENGINEERING INCLUDING SURVEY, HYDRAULIC ANALYSIS, HYDROLOGICAL ANALYSIS AND GEOMORPHOLOGIC ANALYSIS OF THREE CULVERT CROSSING LOCATIONS ON WELLS HILL ROAD IN THE TOWN OF LEWIS, WITH FUNDS TO COME FROM FEMA (ACCOUNT NO. H51234-5445), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Monty, seconded by Mr. Jackson and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #138 – AUTHORIZING THE PURCHASING AGENT TO AWARD A CONTRACT TO EASTERN HEATING AND COOLING INC., A SOLE SOURCE SUPPLIER, IN

THE AMOUNT OF \$28,626.00, FOR A NEW HEAT EXCHANGER FOR AERCO BOILER #3 AT THE PUBLIC SAFETY BUILDING, FROM BUDGETED FUNDS (ACCOUNT NO. 16202 5212PSB), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Tyler, seconded by Mr. Morrow and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #139 – AUTHORIZING AN AMENDMENT TO DENTE ENGINEERING CONTRACT BEARING CONTRACT NO. DPW-18-0005, IN AN AMOUNT NOT TO EXCEED \$8,885.00, FOR SUBSURFACE INVESTIGATION AND THE PREPARATION OF A GEOTECHNICAL REPORT FOR THE INTERBROOK ROAD BRIDGE REPLACEMENT PROJECT IN THE TOWN OF KEENE, FROM BUDGETED FUNDS (ACCOUNT NO. 50204-5445), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Wilson, seconded by Mr. Monty and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #140 – AUTHORIZING AN AMENDMENT TO DENTE ENGINEERING CONTRACT BEARING CONTRACT NO. DPW-18-0005, IN AN AMOUNT NOT TO EXCEED \$12,935.00, FOR SUBSURFACE INVESTIGATION AND THE PREPARATION OF A GEOTECHNICAL REPORT FOR THE MILL POND DRIVE BRIDGE REPLACEMENT PROJECT IN THE TOWN OF NORTH ELBA, FROM BUDGETED FUNDS (ACCOUNT NO. 50204-5445), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Politi, seconded by Mr. Wilson and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

PRESTON: Any discussion?

SCOZZAFAVA: The contractor, Dente why – the original contract what do they cover in that contact? Because I see all these amendments.

PALMER: Well again all the original contract was a term contract that provided certain services that were going to be provided to us based upon geotechnical and subsurface investigations.

SCOZZAFAVA: These are all additions that came up?

PALMER: And what happens is once you have the term contract, when you actually get a project you then have to amend that contract to include the costs that are defined within the term contract.

SCOZZAFAVA: Thank you.

PRESTON: Okay any further discussion? If not, this is a roll call vote.

RESOLUTION #141 – AUTHORIZING AN AMENDMENT TO DENTE ENGINEERING CONTRACT BEARING CONTRACT NO. DPW-18-0005, IN AN AMOUNT NOT TO EXCEED \$5,000.00, FOR CONSTRUCTION MATERIALS TESTING FOR FRATERNALAND ROAD BRIDGE REPLACEMENT PROJECT IN THE TOWN OF SCHROON, FROM BUDGETED FUNDS (ACCOUNT NO. H52615-5483), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Marnell, seconded by Mr. Moore and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #142 – AUTHORIZING THE PURCHASING AGENT TO AWARD A CONTRACT TO CLASSIC ENVIRONMENTAL INC., IN THE AMOUNT OF \$8,500.00, FOR ASBESTOS ABATEMENT AT THE ABANDONED FORMER FRONTIER TOWN J-BAR MOTEL, FROM BUDGETED FUNDS (ACCOUNT NO. 16202 52FRONT), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Moore, seconded by Mr. DeLoria and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #143 – AUTHORIZING AN AMENDMENT TO ATLANTIC TESTING LABORATORIES, LTD., BEARING CONTRACT NO. DPW-18-0013, IN AN AMOUNT NOT TO EXCEED \$2,352.80, FOR ABESTOS PROJECT MONITORING OF THE ASBESTOS ABATEMENT PROJECT AT THE FORMER FRONTIER TOWN J-BAR MOTEL, FROM BUDGETED FUNDS (ACCOUNT NO. 16202-52FRONT), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Moore, seconded by Mr. Morrow and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

PRESTON: Any questions, concerns?

SCOZZAFAVA: Dan can towns piggyback off of this contract?

PALMER: Yes you can.

SCOZZAFAVA: Thank you.

PALMER: And just, these two resolutions that you passed this really ends what is essentially our responsibilities related to the Frontier Town property as it relates to asbestos removal so that kind of concludes that project in terms of asbestos problems.

PRESTON: Any further discussion, questions?

SCOZZAFAVA: So the contract with Atlantic Testing wasn't just for that property then?

PALMER: It's for that J-Bar Motel specifically.

SCOZZAFAVA: Oh, it was?

PALMER: But again we have contracts with they are term contracts again that are defined ahead of time what it is that they are going to charge and then when we do a project we can do that and you can do the same thing as a town you can piggyback off of that.

SCOZZAFAVA: Thank you.

PRESTON: Okay, any other questions? If not, roll call.

RESOLUTION #144 – AUTHORIZING AN AMENDMENT TO ATLANTIC TESTING LABORATORIES, LTD., BEARING CONTRACT NO. DPW-18-0013, IN AN AMOUNT NOT TO EXCEED \$5,170.80, FOR HAZARDOUS MATERIALS SURVEY AT THE ESSEX COUNTY AGRICULTURAL CENTER BUILDING, FROM BUDGETED FUNDS AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Gilliland, seconded by Mr. Harrington and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #145 – AUTHORIZING THE PURCHASING AGENT TO AWARD A CONTRACT TO J. HOGAN REFRIGERATION AND MECHANICAL, INC., IN THE AMOUNT OF \$67,674.00, FOR HEATING SYSTEM PIPING REPAIRS AT THE ESSEX COUNTY COURTHOUSE, FROM BUDGETED FUNDS (ACCOUNT NO. 16202 5212), AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Morrow, seconded by Mr. Tyler and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

PRESTON: I also want to apologize because I thought we were going to consolidate a lot of this apparently that memo didn't make it around so any questions on this? If not, roll call please.

RESOLUTION #146 – AUTHORIZING THE PURCHASING AGENT TO AWARD A CONTRACT TO FRANCIS SMITH AND SONS, INC., IN THE AMOUNT OF \$45,673.00, FOR REPLACEMENT OF THE FUEL ISLAND CANOPY AND FIRE SUPPRESSION SYSTEM AT THE ESSEX COUNTY DEPARTMENT OF PUBLIC WORKS WITH FUNDS TO COME FROM INSURANCE PROCEEDS; AUTHORIZING A BUDGET AMENDMENT TO INCREASE REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$45,673.00, AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Morrow, seconded by Mr. Marnell and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #147 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO BID OR RFP FOR THE SHORE AIRPORT ROAD CULVERT REHABILITATION PROJECT IN THE TOWN OF TICONDEROGA, WHICH IS A FEDERAL AID PROJECT.

This resolution was offered by Mr. Giordano, seconded by Mr. Monty and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #148 – AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER IN THE DEPARTMENT OF PUBLIC WORKS TO HYNES ELECTRICAL SUPPLY, IN THE AMOUNT OF \$11,295.55, FOR LED LIGHTING FIXTURES, FROM BUDGETED FUNDS (ACCOUNT NO. 16204 5415LED), AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Monty, seconded by Mr. Tyler and adopted upon a roll-call vote as follows.

AYES: 2586 votes
NOES: 0 votes
ABSENT: 0 votes
ABSTAIN: 335 votes (Scozzafava)

McNALLY: Yes, where are those lights going?

PALMER: It's a general project for all of the light replacements throughout – remember a couple of years ago when we had that energy study done and we opted not to do that but at the time we had excess budgeted funds, we set them aside for LED lightening because LED lightening is one thing that saves you the most under an energy savings and we've budgeted that over the next few years to continue to replace those. Our guys are replacing them. All we are doing is buying the lights.

McNALLY: Thank you.

GILLILLAND: Can I get a copy of that contract? I want to piggyback.

PALMER: Okay it's not a contract per say it's just to purchase. Our guys are installing them but we can get you the price of what we paid for units.

PRESTON: Any other questions? If not, this is a roll call.

RESOLUTION #149 – AUTHORIZING THE PURCHASING AGENT TO GO TO BID FOR A SEWER CAMERA SYSTEM FOR DPW USE, WITH BUDGETED FUNDS TO COME FROM ACCOUNT NO. 16202 5250.

This resolution was offered by Mr. Tyler, seconded by Mr. Monty and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

PRESTON: Questions?

POLITI: I'm curious Randy is this for use within the Public Safety Building and this facility to check the lines?

PALMER: Well it's basically for anywhere we need it and it certainly can be made available for in the towns and those areas but that was what drove it was the issue, we have an issue with sewer lines at the Public Safety Building, we did have it camera by an outside and realized that the line has a dip in it so we chose to purchase our own so that we could review all of the lines.

POLITI: Thank you.

PRESTON: Any other questions? If not, this is a roll call vote.

RESOLUTION #150 – AUTHORIZING THE PURCHASING AGENT TO GO TO BID FOR SOLID WASTE STATIONARY COMPACTORS, WITH BUDGETED FUNDS TO COME FROM ACCOUNT NO. 81602 5260.

This resolution was offered by Mr. Morrow, seconded by Mr. Merrihew and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #151 – AUTHORIZING THE PURCHASING AGENT TO GO TO BID FOR STRUCTURAL REPAIRS TO THE BELL TOWER LOCATED ABOVE THE BOARD OF SUPERVISORS CHAMBERS, WITH BUDGETED FUNDS TO COME FROM ACCOUNT NO. 16202 5212.

This resolution was offered by Mr. Harrington, seconded by Mr. Jackson and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

PRESTON: Any questions?

MARNELL: Should that say repair or replacement? In the event that you get into it and we've got to replace it.

PALMER: It is planned just as a repair. We did not plan for, if it turned out that we actually had to replace it we would have to come back to you and go back out again.

PRESTON: Any other questions, comments? Roll call please.

RESOLUTION #152 – AUTHORIZING A CONTRACT BETWEEN ESSEX COUNTY AND MXI, INC., FOR HAZARDOUS WASTE MANAGEMENT AND DISPOSAL SERVICES ASSOCIATED WITH THE 2018 HOUSEHOLD HAZARDOUS WASTE DISPOSAL DAYS, FROM BUDGETED FUNDS ACCOUNT NO. 81604 5487, AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID CONTRACT UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Depo and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #153 – AUTHORIZING A CONTRACT BETWEEN ESSEX COUNTY AND E-WASTE, FOR RECYCLING ELECTRONIC EQUIPMENT, FROM BUDGETED FUNDS ACCOUNT NO. 81604 5487, AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID CONTRACT UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Merrihew, seconded by Mr. Monty and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

PRESTON: Any discussion?

MARNELL: Dan can you explain that again?

PALMER: Again we are taking over the hazardous waste responsibilities from North Elba. The Town of North Elba used to do it and we reimbursed them, it's going to come back to the county we are going to handle all of it including the grant part of it with the State. Typically you spend anywhere between forty and sixty of county funds doing this depending on how much response you receive but at this point we are going to do a contract with this outfit that we've already agreed for this year and we're going to go ahead and it will now be a county responsibility as opposed to a Town of North Elba.

PRESTON: Any other questions, concerns? Did we ever get paid for last year?

PALMER: Not yet.

PRESTON: Still no? Have we had any communication?

PALMER: I think Shaun has, yes.

PRESTON: Shaun.

GILLILLAND: Yes he texted me back and said, stand by. If I get any news I'll let you know.

PALMER: We're on standby.

PRESTON: Okay I'm going to be in Albany on Thursday with DEC so let me know me and I'll try to get them moving a little myself. Okay, roll call.

RESOLUTION #154 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO BID OR RFP FOR THE TROUT BROOK ROAD BRIDGE REPLACEMENT PROJECT IN THE TOWN OF MINERVA.

This resolution was offered by Mr. McNally, seconded by Mr. Morrow and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #155 – AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT A GRANT FROM THE LAKE CHAMPLAIN BASIN PROGRAM FOR THE TERRIFIC TROUT WATERSHED EDUCATION GRANT IN THE AMOUNT OF \$2,120.00; AUTHORIZING A BUDGET AMENDMENT TO INCREASE REVENUES AND APPROPRIATIONS IN THE AMOUNT OF \$2,120.00; AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Jackson and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

TABLED:

RESOLUTION #156 – AUTHORIZING A TEN-YEAR PLAN FOR EQUIPMENT REPLACEMENT PURCHASES FOR THE DEPARTMENT OF PUBLIC WORKS, SOLID WASTE DEPARTMENT, IN THE AMOUNT OF \$350,000.

This resolution was offered by Mr. Tyler, seconded by Mr. Scozzafava and tabled upon a roll-call vote as follows.

AYES: 2725 votes
NOES: 196 votes (Morrow)
ABSENT: 0 votes

PRESTON: Questions?

MERRIHEW: \$350,000 is that per year?

PALMER: \$350,000 per year for ten years is what the plan would amount to.

MERRIHEW: Thank you.

SCOZZAFAVA: Are there scales built into this plan for Moriah? I would hope.

PALMER: There isn't right now but we could, if it's necessary we could do that.

MONTY: If scales are going to be purchased for Moriah I hope they purchase them for every transfer station.

JACKSON: We had to buy our own.

SCOZZAFAVA: We have the most trash coming in than any other town. We have Westport, Crown Point both closed their transfer station if the Town of Moriah pays for those scales that transfer station will be for Town of Moriah residents only.

MONTY: That's fine. That's what they should be Tom. I don't think we should be specifically one for Moriah without paying for everybody.

SCOZZAFAVA: You weren't here when the plan was designed and the plan was designed so the smaller towns such as yours could survive because if the big towns pull out the smaller towns are done.

PALMER: Okay let's just review, this is a resolution to authorize up to \$350,000 to be spent on equipment. How you choice to do that can be laid out you can always revise what's bought or not bought under the plan based upon a resolution passed and approved by this board.

PRESTON: Any other questions, concerns?

McNALLY: Without this plan moving forward we're all going to experience service failure going forward because of disrepair of that equipment.

PALMER: I think the report I put out to you in terms of financing this is probably as important as the approving the plan per say, you can approve the \$350,000 but if you don't approve for me a way to pay for it that becomes problematic because I can't go forward anyways so I did provide you on the report last Thursday that talks specifically about two options as it relates to how you would pay for his whether you pay for it based upon some of the funding going on in option two under what I described was \$100,000 would go against the county level the rest would go as a charge back to the towns which is essentially would raise the town tipping fees from the current \$62.00 a ton to \$87.00 a ton. If the towns were going to absorb all of the costs of the \$350,000 then that would mean \$100 tipping fee which is I understand, is problematic either way so I did provide you with two options how you choose to do that is really up to this board or if you choose to do it at all but I think that the system the way it's currently set up you know, obviously when we started this whole thing we received \$23 million dollars from the State and that paid for all of our equipment and that kept us running for a long time but we're at the point where we no longer have that ability to sustain the system without having some kind of serious equipment replacement plan in place that would necessitate someday for us to keep going.

POLITI: I understand we need to consider the expense of the purchase of solid waste equipment. I think that the manner in which it is paid for is as important as spending the money

so if we're voting on this \$350,000 a year for ten years when are we going to have the debate on how we're going to pay for it?

PALMER: I was sort of hoping that you might do it now and what you could do is amend the current resolution on the floor to include either option one or two as it relates to paying for it.

POLITI: I agree with that the only thing, I'm a little concerned with really haven't had a lot of opportunity to review this with my town, the largest payer here.

PALMER: And I understand that that's problematic and again I guess it's the system is not going to stop if we don't decide today so I mean you certainly could, you could table this resolution until next month and go ahead and start, you know give yourselves a month to talk to your towns about it and kind of even discuss it at DPW I guess at some point.

POLITI: Yeah, there's just been a lot of pressure from the private sector in terms of taking garbage and what will the effects be from raising a tipping from \$60 to \$85 potentially \$100. I know as you and I spoke earlier Dan I think that our volume has been decreasing and there are alternatives facing North Elba that would affect the rest of this board dramatically so I don't know that I'm prepared to vote on this without considering all the alternatives in my town.

PALMER: Yeah, I don't disagree with that.

POLITI: I don't know about Tommy?

SCOZZAFAVA: Well as the second I believe, Schroon Lake may do equivalent to what we do if we don't get scales we are paying back this tipping fee based on per ton, we are charging for garbage by volume it's crazy. We need scales there. If we don't get scales I can assure you the Town of Moriah Town Board will pull out of this system and if we pull out of this system watch your tipping fees then and that's not a threat. I'm not asking for anything that we're not entitled to not to mention we take C& D there from surrounding towns, we take recyclables, we take electronics it's not just from the town of Moriah when we designed and built this system it was a countywide system. I'm not asking for anything our community is not entitled to and it's not just for our community it's for Essex County.

TYLER: I would move to table this to review the concepts on how we are going to pay for it or if we are going to go without doing this.

PALMER: If you get a second there's no more discussion.

PRESTON: Second, Tommy so is this a roll call on the table?

PALMER: Yeah you have a roll call on the table.

RESOLUTION #157 – OF CONDOLENCE TO THE FAMILY OF DEREK J. “BOOMER” SPRAGUE.

This resolution was offered by Mr. Scozzafava, seconded unanimously and adopted.

RESOLUTION #158 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO RFP FOR PROFESSIONAL SERVICES IN PREPARING AN UPDATED ESSEX COUNTY PERSONNEL POLICY MANUAL.

This resolution was offered by Mr. Moore, seconded by Mr. Monty and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #159 – ACCEPTING, ADOPTING AND PLACING ON FILE POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS.

This resolution was offered by Mr. Tyler, seconded by Mr. Giordano and adopted.

RESOLUTION #160 – OF CONGRATULATIONS TO DEVANN MURPHY ON HER SECOND PLACE FINISH AT THE 2018 BOSTON MARATHON HANDCYCLE DIVISION.

This resolution was offered by Mr. Morrow, seconded unanimously and adopted.

RESOLUTION #161 – AUTHORIZING TO CHANGE THE HOURS IN THE OFFICES OF THE ESSEX COUNTY CLERK AND THE DEPARTMENT OF MOTOR VEHICLES TO BE OPEN FROM 8:00 AM TO 4:00 PM FOR THE MONTHS OF JUNE, JULY AND AUGUST, 2018.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Tyler and adopted.

RESOLUTION #162 – OF CONDOLENCE TO THE FAMILY OF SHEILA A. ZELINSKY.

This resolution was offered by Mr. Scozzafava, seconded unanimously and adopted.

RESOLUTION #163 – AUTHORIZING A REFUND OF 2017 TOWN AND COUNTY TAXES, TOWN OF KEENE – MARK NASSAN

This resolution was offered by Mr. Wilson, seconded by Mr. Depo and adopted upon a roll-call vote as follows.

**AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes**

RESOLUTION #164 – AUTHORIZING A REFUND OF 2017 TOWN AND COUNTY TAXES, TOWN OF WILLSBORO – VESTA SPRING.

This resolution was offered by Mr. Gilliland, seconded by Mr. Jackson and adopted upon a roll-call vote as follows.

**AYES: 2815 votes
NOES: 0 votes
ABSENT: 106 votes (Tyler)**

RESOLUTION #165 – AUTHORIZING TO CHANGE THE HOURS IN THE OFFICE OF THE ESSEX COUNTY TREASURER TO BE OPEN FROM 8:00 AM TO 4:00 PM FOR THE MONTHS OF JUNE, JULY AND AUGUST, 2018.

This resolution was offered by Mr. Depo, seconded by Mr. Scozzafava and adopted.

RESOLUTION #166 – AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO RFP TO TITLE SEARCH SERVICES FOR ESSEX COUNTY TAX FORECLOSURE PROPERTIES FOR THE TAX YEARS 2016 AND 2017.

This resolution was offered by Mr. Monty, seconded by Mr. Depo and adopted upon a roll-call vote as follows.

**AYES: 2815 votes
NOES: 0 votes**

ABSENT: 106 votes (Tyler)

RESOLUTION #167 – AUTHORIZING TO CHANGE THE FIBER OPTIC CONNECTION LINE SERVICE BETWEEN THE MAIN COUNTY COMPLEX, THE PUBLIC WORKS DEPARTMENT AND PUBLIC SAFETY BUILDING TO THE DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY, AT A RATE OF \$1,425.00 PER MONTH.

This resolution was offered by Mr. Merrihew, seconded by Mr. Jackson and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

PRESTON: Comments or questions?

POLITI: Do you want to clarify this?

PALMER: We currently have a fiber line that's run through Charter Spectrum from the county building to the public safety, to DPW to the public safety building it's a full 1G line. I did some pricing on it. The Development Authority can provide us the same line at almost \$400 a month less.

POLITI: Okay so that's the cost? Monthly cost is \$1,425.00?

PALMER: Yes the monthly cost is \$1,425.00, our current monthly cost is around \$1,800.00.

POLITI: Thank you.

PRESTON: Any further comments or questions? If not, this is a roll call.

RESOLUTION #168 – AUTHORIZING PAYMENT OF MILLIMAN ASSOCIATES FOR 2018 RETIREMENT, DRUGS, SUBSIDY (RDS) ATTESTATION IN THE AMOUNT OF \$4,000.00, AND FURTHER AUTHORIZING A CONTRACT AGREEMENT WITH MILLIMAN ASSOCIATES UPON THE APPROVAL OF THE COUNTY ATTORNEY.

This resolution was offered by Mr. Merrihew, seconded by Mr. Jackson and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION #169 – AUTHORIZING THE UPGRADE OF A COMPUTER PROGRAM ANALYST POSITION GRADE 12, IN THE INFORMATION SYSTEMS DEPARTMENT, TO A SENIOR COMPUTER PROGRAM ANALYST GRADE 16, AT THE RATE OF \$24.76 PER HOUR.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Depo and adopted upon a roll-call vote as follows.

AYES: 2921 votes
NOES: 0 votes
ABSENT: 0 votes

PRESTON: Questions, concerns?

JACKSON: I'm just curious what's the breakup of our analysts as far as the pay scale? I'm curious what determines where they are?

PALMER: They are graded positions in our grade charts but this is our entry level programmer that we hired about three years ago. He's going to start taking over the responsibilities that Mike Brenish –

JACKSON: So it's a natural progression?

PALMER: Yes. Mike Brenish is actually, you know Mike.

JACKSON: Yes very well.

PALMER: And Mike is our webmaster and has indicated that he wants to phase out he's retired and he's been doing it part time for us. I need to upgrade Jonathan so that he can take over his responsibilities.

JACKSON: Thank you.

PRESTON: Any other questions or concerns. If not, this is roll call.

RESOLUTION #170 – OF CONGRATULATIONS TO RANDY S. PRESTON AS RECIPIENT OF THE 2018 LIBERTY BELL AWARD FROM THE ESSEX COUNTY BAR ASSOCIATION. This resolution was offered by Mr. Gilliland, seconded unanimously and adopted.

PRESTON: Thank you all, thank you all. I went to get this award this past week and I thought with the BAR Association we were having mimosas but apparently we weren't but anyways I was very honored. Thank you.

RESOLUTION #171 – CHANGING THE DATE OF THE JUNE 2018 REGULAR BOARD MEETING FROM MONDAY, JUNE 4, 2018 TO TUESDAY, JUNE 5, 2018. This resolution was offered by Mr. Moore, seconded by Mr. Giordano and adopted.

RESOLUTION #172 – AUTHORIZING THE CLOSURE OF A SECTION OF THE SHORE AIRPORT ROAD IN THE TOWN OF TICONDEROGA, TO ACCOMMODATE PARKING AND MOTORCYCLE ACCESS FOR THE COMBAT VETERANS ANNUAL MOTORCYCLE RIDE AND REGIONAL MEETING BEGINNING FRIDAY, JULY 20, 2018 THROUGH SUNDAY, JULY 22, 2018. This resolution was offered by Mr. Giordano, seconded unanimously and adopted.

**RESOLUTION #173 – AUTHORIZING THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER IN THE DEPARTMENT OF PUBLIC WORKS TO ENVIRONMENTAL FUELING SYSTEMS, INC., IN THE AMOUNT OF \$21,937.00, FOR A 10,000 GALLON UNDERGROUND FUEL STORAGE TANK AND ACCESSORIES, FROM BUDGETED FUNDS, AND AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME UPON THE APPROVAL OF THE COUNTY ATTORNEY. This resolution was offered by Mr. Morrow, seconded by Mr. Tyler and adopted upon a roll-call vote as follows.
AYES: 2921 votes**

NOES: 0 votes
ABSENT: 0 votes

PRESTON: Any discussion?

MANNING: These purchase orders aren't approved by me or signed by the County Manager or County Chairman. When you authorize the purchasing agent to sign the purchasing order that's all that's needed my secretary tagged that on the end of a couple of these so just for your edification.

PRESTON: Any further discussion? If not, this is a roll call vote.

RESOLUTION #174 – OF RECOGNITION AND APPRECIATION TO CADENCE LEWIS A SENIOR AT LAKE PLACID HIGH SCHOOL FOR HER ACTIVE PARTICIPATION IN THE FIGHT AGAINST SUBSTANCE ABUSE.

This resolution was offered by Mr. Politi, seconded unanimously and adopted.

RESOLUTION #175 – INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2018 ENTITLED, "A LOCAL LAW TO RAISE THE LEGAL AGE OF SALE OF TOBACCO PRODUCTS IN ESSEX COUNTY TO 21 YEARS OF AGE."

This resolution was offered by Mr. Giordano, seconded by Mr. Morrow and adopted upon a roll-call vote as follows.

AYES: 1881 votes (Morrow, Harrington, Jackson, Wilson, Monty, Politi, Marnell Montroy, Giordano, Preston)
NOES: 1040 votes (Merrihew, Depo, McNally, Scozzafava, DeLoria, Moore, Tyler, Gilliland)
ABSENT: 0 votes

PRESTON: Discussion?

GILLILLAND: I just have a question here, looking here you've got enforcement and hearing officer so my question is what are the hidden costs in the enforcement of this local law and are we going to have to hire somebody to come in and enforce it? And are we paying hearing officers and is there procedures there for this hearing officer to judicate these?

MANNING: We can either look for a hearing officer in house so we wouldn't have to pay that person or you could pay a hearing officer by the hour. There's no provision that we have to pay someone so as an example, Mr. Palmer could be the hearing officer he might not be the best at it but he could, or say Mike Mascarenas or someone we could appoint someone like that as the hearing officer. In a very, very contentious case or something that's got a lot more notoriety you probably want to go outside the complex of the county for your hearing officer so whether you're going to get someone to do that for free or for whatever price that would be an expense.

GILLILLAND: And enforcement? It says in here the local health officer or designee is charged with ensuring compliance or are we going to have to hire somebody new to do that?

MANNING: No I don't think so. I think it would be the local health enforcement officer would be the one to bring the charges and then any enforcement of the fines would go through my office basically. There's no provision for jail.

GILLILLAND: So you're talking the local health officer does that mean each town's designated health officer? I'm going to send out one of my MD's to go do this?

MANNING: No, no. Linda Beers.

GILLILLAND: Linda is the one that is going to go out and enforce this?

MANNING: Yes.

POLITI: I'm just curious, how is that going to happen? I'm all for it but in this enforcement, provision the local health officer defined as our Essex County Health Department Director is going to do this?

MANNING: Yes. No, no what would happen is if someone made a complaint she would follow through and issue a for lack of better term, it would be a written complaint under this law and then she would also appoint a hearing officer and that person would receive similar to a summons in a criminal procedure, this is civil a notice would show up and then the proceedings would begin.

POLITI: So who is going to investigate a complaint?

MANNING: I would say Linda Beers' office would investigate that complaint.

GILLILLAND: Well I guess I've got a question then the person that is doing the enforcement is also designating hearing officer?

MANNING: Yes.

GILLILLAND: Isn't that a conflict? We don't allow that in criminal cases. The Sheriff doesn't pick his own Judge.

MANNING: Criminal is a whole different ball of wax.

GILLILLAND: Rights are rights.

MANNING: No, I get it, I get it but in many, many instances Section 75 of the Civil Service Law, the hearing officer is designated by the appointing authority.

GILLILLAND: These are not employees, these are private business people you are going after.

MANNING: Right but this is a civil case not a criminal case and it can be done this way. We also do it through our Ethics Committee the Ethics Board hires a hearing officer in an event that there are ethics committee violations and most local laws that are looked at that dealt with this subject do the same thing. Some of them I change a little bit because that actually they had the Health Officer doing everything which goes to what you said. I don't know who drafted those local laws but they were not proper.

McNALLY: I'm not opposed to the 18 to 21 change but I think this law has no teeth. This law has no teeth at all. It's going to be a defrayment to my two local businesses that sell tobacco

products which are within six miles of Warren County. I'm not opposed to a resolution supporting tobacco 21 statewide but this thing, who's going to enforce this? I mean really? I have to complain to the health department to get me flu shots what are we going to run down there and complain that someone 19 years old bought a pack of cigarettes in Minerva? It makes us all feel warm and cuddly but if you're going to have a law have it with something with some teeth to it and there is so many may's and may not's in this law it's just a waste of our time.

MANNING: I can't answer all those things I'm just the discriminator so you may ask that Linda have the courtesy of the floor to answer these questions.

PRESTON: Well I don't want to be here to 2:00 tomorrow so we're going to take a vote and it's going to fall where it falls.

MONTY: Just a quick question, isn't this just to go to go public hearing?

MANNING: Yes it is.

MONTY: So we go to a public hearing, and hear what the public has to say and then vote on it.

PALMER: You will have another chance to discuss, it will be prior to vote.

MONTY: Absolutely.

MANNING: This is just introducing it.

MORROW: Well I said this and I will add a little bit more to it when this come up before you know the old saying, our youth of today, is our future of tomorrow and if we don't do something the health of our youth right now is in immediate danger with this and it may not be the end of all evil but it's a start and the little bit it's going to cost or somebody putting their profits and this is what I said at the last meeting, somebody putting their profits over the health of the youth is a sad situation. I wholeheartedly support this.

PRESTON: Okay so we're going to pass this and this if I understand correctly I don't always, is to just go to public hearing, correct?

MANNING: All this does is get the local law in the pipeline and we hold a public hearing, after the public hearing then you would actual have your hard look on the actual local law so this would just get it into the system for a public hearing.

GILLILLAND: But if there are any amendments to this faced at the public hearing we have to go through the process again?

MANNING: Yes, that is correct.

PALMER: Any amendments of significance right?

MANNING: Right if it's a typographical error and it doesn't change the law that's not an amendment.

PRESTON: We found the Frontier Town badge and we're going to give it to Dan Palmer, he's not the best we've got but he's all we got. Alright I don't want to be here until 3:00.

MONTROY: I just want to understand. What would the process be any different from selling to a person under 18 now? Why would it be any different if you're 21?

PALMER: Because it's not state law.

PRESTON: Okay we are going to do a roll call vote and try to get moving here. This is just to go to public hearing, correct?

GARRISON: Yes, it is introducing it, yes. Mr. Morrow – yes; Mr. Harrington – yes; Mr. Merrihew – no; Mr. Jackson – yes; Mr. Depo – no; Mr. Wilson – yes; Mr. Monty – yes; Mr. McNally – no; Mr. Scozzafava –no; Mr. DeLoria – no; Mr. Politi – yes; Mr. Moore –no; Mr. Marnell – yes; Mr. Montroy – yes; Mr. Giordano – yes; Mr. Tyler – no; Mr. Gilliland – no; and Mr. Preston – yes. The resolution carries.

PRESTON: The resolution carries. Okay now what are we moving to Jude?

GARRISON: That's it for resolutions. I do have resolutions from the floor, you all have copies on your desks. The first one is adopting a home rule request for enactment and adoption by the New York State Senate of Senate Bill S-8180 and adoption by the New York State Assembly of Assembly Bill A-10372 permitting Essex County to establish a special district for emergency medical services and general ambulance services.

PRESTON: Do we have twelve to put this on the floor?

GARRISON: Yes we do.

PRESTON: Thank you.

RESOLUTION #176 - ADOPTING A HOME RULE REQUEST FOR ENACTION AND ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL S-8180 AND ADOPTION BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL A-10372 PERMITTING ESSEX COUNTY TO ESTABLISH A SPECIAL DISTRICT FOR EMERGENCY MEDICAL SERVICES AND GENERAL AMBULANCE SERVICES.

This resolution was offered by Mr. Scozzafava, seconded by Mr. Gilliland and adopted upon a two-thirds roll-call vote as follows.

AYES: 4039 votes
NOES: 0 votes
ABSENT: 0 votes

PRESTON: Any questions, concerns?

MONTY: So by doing this we are preparing to establish our own district this doesn't now have to go to public hearing?

MANNING: This is State legislation so as you recall we already have done similar requests for state legislation statewide and it was suggested that we also do one just countywide in the event the legislature wants to pick and choose.

MONTY: So if the State Legislature votes no on this?

MANNING: It would not happen. We have no authority to establish any ambulance district under General Municipal Law or County law although towns do have the authority to establish ambulance districts but we don't so this would just be directed only as Essex County's ability to establish such a district.

MONTY: Well, personally I still would like to see more. Trust me, after this weekend I'm not against what EMS does at all but I'd just like as a Supervisor know more detail about what this countywide plan is because I really don't know.

MANNING: I'm just going to speak to that and I'm not taking any sides here although it is very important. This just allows you to do it. You don't have to, it doesn't mean you have to do it.

PALMER: Jim I do understand your point and I think we've had the consultant give a presentation and honestly I think Rob in Community Resources could give a better demonstration of the plan the way it was submitted I think I would like to do that, set that up so that you guys could see it. I think once you see what's actually laid out and how it's going to be done and what the plan is I think you would be pretty impressed. I sat through that for an hour and a half or so over there and it was worth it but I'll talk to Anna about getting a presentation to the board as it relates to that district itself now this, obviously has nothing to do with whether you form a district or not but this just provides that the State allows us to do it if we choose.

MONTY: I think that is a great idea Dan. Thank you.

GILLILLAND: There's already a bill on the floor to amend this at the State level so if that one fails basically this is another one that goes forward that will allow Essex County alone or alter the county law to allow Essex County alone to do it so if there's objections statewide or something statewide from other activities then we can still have this as a tool in our toolbox to establish it. It doesn't mean we are establishing it that is another question for another day with public hearings etc. this just allows us to provide the path to go forward.

MONTY: So before we establish it Shaun we would have to have a public hearing?

GILLILLAND: That is correct.

JACKSON: This just lets us do it. We'll have to have the bill designed, everyone will have it, we'll read it, vote for it, public hearing all that if we get this far this just allows us to go forward this is not a committing us to anything other than letting us do it.

PRESTON: Right.

MANNING: Just one quick thing I want to state they drafted this thing for Essex County and they had it the procedure would be under the fire district local law which was in my mind really nuts there is a lot of things in fire districts that you don't need to do. So I asked them if we could amend this so that the procedure would follow the same procedure that we do for special

districts water district, sewer districts so there would be hearings, you would make a determination of what this might cause and you would make a determination as a board as to whether this was in the best interest of the community if you make that determination then the rest of the cost continues. One other thing before I forget, this together with the other resolution I was trying to bring up at the special meeting last meeting was they want this thing as soon as possible so we can't table it or anything. I personally don't see anything that is going to prejudice anybody even if you have any trepidation or any questions about it by going forward and just getting it in there because as we just said you don't have to do it if you don't want to do it.

PRESTON: If and fact this was approved by the legislature it's up to each town to set the rate. I know we worked with Real Property here twenty-five cents per thousand would generate \$1.7 million which probably is going to be able to fund this system going forward because if you add on top of that we would be doing billing so on and so forth but this is something that is desperately needed and I hope it goes forward. Is that it? Any other questions?

SCOZZAFAVA: Of course the tax rate will be, if it's a countywide then it would be determined by, I mean the whole reason we went to this is to get all the exemptions off there and start paying their fair share and that's why the rate came in at the numbers you just quoted Mr. Preston but Dan Manning, would this be subject to permissive referendum? If we establish a district within a community most of those districts are subject to permissive referendum.

PALMER: Yeah, but I'm not sure it is at the county level.

MANNING: I can't remember Tom. It would be similar to water and sewer districts special improvement districts and I think – I don't think there's a referendum, or maybe there is? I can't remember but –

SCOZZAFAVA: Well this is just the tip of the iceberg. We've got a lot of ground to cover.

MANNING: Absolutely, absolutely you just want to get this in here and how you're going to do it, how your towns are going to come together, how your fire departments are going to come together, how you're all going to do this that's going to be for another day but this will at least allow you to do it.

PRESTON: Yes so the other thing I wanted to just throw out there just for your informational, after a great deal of prodding the State they came out with public service announcements that some of you may have seen there's a lot of them out there and it's generating results. We have been having people sign up just solely based on those public service announcements which was done by the Department of Health. Did we have a mover and a seconder?

GARRISON: Yes we did.

PRESTON: So we are in a roll call, correct?

MANNING: It's a 2/3 roll call just for the record. Are there any resolutions from the floor?

MERRIHEW: I would move to authorize the resolution authorizing legal services.

MANNING: We are going to hold off on that Noel. We are going to go into executive session first.

MERRIHEW: Oh, I didn't get the memo.

PALMER: I had provided you guys with a memo regarding the Transportation Department whether you want to move it to DPW, whether you want to leave it as a stand-alone? I don't know if you're ready for that discussion now or if you prefer we bring it through committee?

PRESTON: Yes, we should go through committee.

PALMER: That's up to you guys.

PRESTON: Ways and means.

PALMER: Okay, we're struggling a little bit over there but that's fine.

PRESTON: Yeah, they are not on time.

PALMER: If we have a discussion at committee I might ask the Chair to do a special only because they are running short staffed so to speak because they are one person, a full person down and it is, we are having some difficulties keeping up but yeah, alright I will plan that for discussion at committee.

SCOZZAFAVA: Dan can we address the short staff now without doing the entire plan? I mean is it something that we can specifically address?

PALMER: Well I don't think so only because of the stuff that's required right now is higher level stuff that really, the department head was doing herself and essentially Mike Mascarenas and Linda Wolf have been kind of picking it up so to speak.

PRESTON: Yeah and I've been getting complaints in Wilmington and I've turned into the bus, that it's never on time and I see these kids wanting to go to Whiteface I've been transporting them you know, what the heck it's a healthy outdoor activity. I see them standing out waiting for the bus and you know I've stopped and they say well, it was supposed to be here 20 minutes ago I say, hop in my car and I take them so it obviously needs a little bit of structure.

MONTY: What is a cost of the ride Randy?

PALMER: Yeah what do you charge for a ride?

PRESTON: I don't charge anything they will buy me something later in the future.

SCOZZAFAVA: Do you do Medicaid pickups also Randy? *(laughter)*

PRESTON: Are any other resolutions from the floor before we go into executive session?

MONTY: I would just like to offer a resolution of commence to Jim Dougan, Todd Hodgson, Don Jaquish, Patty Bashaw, Krissy Leerkes they were just incredible this weekend for the Town of Lewis, they did an outstanding job pointing us in the right direction and I think they really

deserve it. Todd Hodgson saved the Public Safety building from being without water and I can't thank them enough.

PRESTON: We need twelve, thank you.

RESOLUTION #177 – OF APPRECIATION TO THE EMPLOYEES OF THE ESSEX COUNTY DEPARTMENT OF PUBLIC WORKS, EMERGENCY SERVICES DEPARTMENT, AND ALL THE ESSEX COUNTY EMPLOYEES INCLUDING, BUT NOT LIMITED TO, JIM DOUGAN, TODD HODGSON, DON JAQUISH AND THEIR STAFFS TOGETHER WITH NEW YORK STATE ELECTRIC AND GAS AND ALL EMT, FIRE AND ALL PERSONS AND ENTITY FOR THEIR EXCELLENT AND SELFLESS SERVICE AND ASSISTANCE DURING THE RECENT POWER OUTAGE WHICH OCCURRED THE WEEKEND OF MAY 4TH, 2018.

This resolution was offered by Mr. Monty, seconded unanimously and adopted.

PRESTON: Thank you very much. Anything else?

GILLILLAND: I'd like to recognize, a proclamation to recognize May 6-12 as Correction Officer Week and May 13 -19 as Police Officer Week. Resolutions are included in the email that went out to everybody from Sheriff Cutting.

PRESTON: Twelve to put it on the floor?

GARRISON: Yes we do.

RESOLUTION #178 – OF APPRECIATION AND RECOGNITION TO THE ESSEX COUNTY SHERIFF'S DEPARTMENT CORRECTION STAFF IN HONOR OF NATIONAL CORRECTIONAL OFFICERS WEEK, MAY 6-12, 2018.

This resolution was offered by Mr. Gillilland, seconded unanimously and adopted.

RESOLUTION #179 – RECOGNIZING MAY 15, 2018, AS NATIONAL PEACE/POLICE OFFICERS MEMORIAL DAY AND THE WEEK OF MAY 13-19, 2018, AS NATIONAL POLICE WEEK.

This resolution was offered by Mr. Gillilland, seconded unanimously and adopted.

TYLER: Yeah, I just would like to add that Todd was down in Westport we had issues down there and he was there until midnight or after, it's just a credit to have him. He's been down there quite a bit helping us out down there without his help it would have set us back a long ways not just internally, financially so he's really been a great help to the Town of Westport.

SCOZZAFAVA: With Mr. Monty's permission I think we should move the line crews that were out there over the weekend, EMT, fire departments, town highway employees, county highway employees I mean everybody came together on this.

PRESTON: They did.

SCOZZAFAVA: We beat up NYSEG and we beat up National Grid but those guys that are out there on the poles, the linemen and so on they really did a tremendous amount of work trying to get power restored as quickly as they possibly could. I understand there was 85,000 homes out between Buffalo and here.

PRESTON: Mr. Monty are you okay with that? Adding that into it?

MONTY: Yes.

PRESTON: Okay we're good. Thank you. Is there anything else before we attempt to get into executive session? Do we need twelve to move that?

MANNING: Just a motion to go into executive session.

PRESTON: Moved by Mr. Gilliland, second by Mr. Giordano. All in favor -

SCOZZAFAVA: Can you highlight what this is for?

MANNING: This regards legislation entitled, Bethany Kosmider vs. Allison McGahay, Mark Whitney et al. to provide legal advice thereto.

PRESTON: Vote on the moving to the executive session so could you all please take your seat. This is not a roll call. All in favor of the motion to go into executive session, opposed – Mr. Morrow, Mr. Scozzafava, Mr. Tyler and Mr. Monty. The motion passes and we are now going once again, it is good exercise. We are going into executive session.

MANNING: I'm going to ask Sue Montgomery-Corey and Allison McGahay the Democrat and Republican Commissioners to join us.

THE COMMITTEE MOVED INTO EXECUTIVE SESSION AT 11:35 AM
TO DISCUSS AND RECEIVE LEGAL ADVICE ON THE LEGISLATION,
"BETHANY KOSMIDER VS. ALLISON MCGAHAY, MARK WHITNEY ET AL."

THE COMMITTEE MOVED BACK INTO SESSION AT 12:25 PM.

PRESTON: If I'm wrong with stating this then somebody tell me. I've got pretty thick skin well, except for over here so the way I see this is we can move forward with the motion that was out on your desks or we can amend that to say that we are going to allow the County Attorney to file the paperwork we reserve the right to appeal.

MANNING: Just to make it clear though, I think what Randy is asking that the board authorize myself, the Democratic Commissioner if she so desire, the Republican Commissioner if she so desire to file notices of appeal together with the represent file fee to preserve our right to perfect the appeal. It's not authorizing the perfection as of yet but to at least to allow us to file notices of appeal because the time limit ends this week.

PRESTON: Okay.

POLITI: I just want to say without the retention of outside counsel.

PRESTON: We need twelve to allow this on the floor. We are going to do a roll call.

PALMER: This is a roll call just allow it on the floor.

GARRISON: Mr. Morrow – no; Mr. Harrington – yes; Mr. Merrihew – yes; Mr. Jackson – yes; Mr. Depo – yes; Mr. Wilson – no; Mr. Monty –no; Mr. McNally – yes; Mr. Scozzafava –no; Mr. DeLoria – yes; Mr. Politi –yes; Mr. Moore – yes; Mr. Marnell – yes; Mr. Montroy – no; Mr. Giordano – yes; Mr. Tyler – no; Mr. Gilliland- yes and Mr. Preston – yes. We have twelve.

PALMER: So it's on the floor.

PRESTON: So it's on the floor. We are looking for a resolution one way or another.

MANNING: A motion needs to be made by someone.

MONTY: Who wasn't there?

MANNING: No just anybody at this meeting.

JACKSON: I make the motion we allow the Attorney to spend \$65 and file the motion to appeal but not to spend any more money without coming back and getting permission from the Board of Supervisors over and above the filing fees.

PRESTON: Does someone want to second that motion? Mr. Giordano.

AMENDED

RESOLUTION #180 – AUTHORIZING THE COUNTY ATTORNEY TO FILE A NOTICE OF APPEAL AND ALL ACCOMPANYING PAPERWORK AND FEES RELATIVE TO APPEALING THE DECISION OF THE SUPREME COURT, APPELLATE DIVISION, THIRD DEPARTMENT, DATED APRIL 12, 2018, ENTITLED, “BETHANY KOSMIDER V. ALLISON MCGAHAY, MARK WHITNEY, ESSEX COUNTY BOARD OF ELECTIONS, ET AL” AND FURTHER AUTHORIZING THE PAYMENT OF THE FEE FOR THE FILING OF A NOTICE OF APPEAL BY ALLISON MCGAHAY AND/OR SUE MONTGOMERY-COREY SHOULD THEY DECIDE TO FILE A NOTICE OF APPEAL.

This resolution was offered by Mr. Giordano, seconded by Mr. Morrow and adopted, as amended, upon a roll-call vote as follows.

AYES:	1804 votes	(Harrington, Merrihew, Jackson, Depo, McNally, DeLoria, Politi, Moore, Giordano, Gilliland, Preston)
NOES:	1117 votes	(Morrow, Wilson, Monty, Scozzafava, Marnell, Montroy, Tyler)
ABSENT:	0 votes	

PRESTON: Discussion?

MORROW: Well I can't support this because this is just a delayed tactic to get money from the taxpayers in the future and anybody can say no, this isn't to get money. I know there's a window of opportunity here that's going to close but it's just a delayed tactic to bring it up in the future to get money from the taxpayers. I've heard so much about we're here to support the seeker of the voters, how they vote and stuff well, I ran in 1993 for supervisor and took an oath of office in 1994, twenty-five years ago and I swore to represent the voters but also the taxpayers of Essex County not only the Town of Chesterfield but Essex County., I asked two questions and I will restate these today its already asked, its already been spent of the taxpayers \$26,000 of taxpayer's money to represent this to the county they now, if we do this

appeal now they tell us up to another \$10,000 to possibly \$30,000 more. How much money are we going waste of taxpayers' money with what we heard during our meeting today all of our problems we have out there with solid waste and everything else, security cameras and different things, sewer cameras we got all kinds of things that we can spend money on without this frivolous case here where it doesn't show anybody how they voted and personally every time I ran since 1973, I could care less if people find out who voted for me or not because everybody that comes in my office and wants a favor they voted for me in that case, nobody would have ever voted against me until I tell them to drag and then they final tell me they didn't vote for me anyways well, that's too bad isn't it. I don't really care but I do care about wasting taxpayer's money that's what this is right now.

PRESTON: We are going to try and keep this moving and the way I look at it it's either an up or down vote.

GILLILLAND: I just suggest that we vote.

MANNING: I want to clarify this. This is an important resolution we need to make sure we have it right so I know what my direction is. I would like the resolution to recite that it gives myself, the Democratic Commissioner if she so desire, the Republican Commissioner if she so desire to file a notice of appeal and accompanying paperwork which just preserves our right to appeal, there would be no monies for attorneys at this juncture and I would say I'm not 100% sure what the fee is so cap it at \$500.00 a piece if that's possible. I don't think it is but I don't want to, I'm not going to be able to come back before Friday.

PALMER: Right if it's \$66.00 we are out of the water.

MANNING: Mr. Jackson to amend the resolution –

JACKSON: I will accept that as a friendly amendment.

PRESTON: And who was the second?

GARRISON: Joe Giordano.

PRESTON: You okay with that?

GIORDANO: Yes.

PRESTON: Okay so Tom do you want to speak and then we're going to call the vote and it either passes or it doesn't.

SCOZZAFAVA: I won't support this. From the beginning I agreed with Bob Freeman who was the FOIL officer at that time before this even got into a legal issue had stated that it should be made available. The legislature it's my understanding is going to addressed this and as they should, I don't think Essex County should fall on the sword over this thing. It's a statewide issue and regard to the local races, so on how you would ever pinpoint who voted for you and who didn't like Jerry said, who really cares after the election listen if you win, everybody voted for you and if you lose everybody voted for the other guy so it really doesn't matter.

PRESTON: Thank you Tom and again we are going to do a roll call vote.

GARRISON: Mr. Morrow – no; Mr. Harrington – yes; Mr. Merrihew – yes; Mr. Jackson – yes; Mr. Depo – yes; Mr. Wilson – no; Mr. Monty – no; Mr. McNally – yes; Mr. Scozzafava – no; Mr. Politi – yes; Mr. Moore – yes; Mr. Marnell – no; Mr. Montroy – no; Mr. Giordano – yes; Mr. Tyler –no; Mr. Gilliland – yes and Mr. Preston – yes.

DELORIA: Mr. DeLoria – yes.

GARRISON: Did I skip you? I'm sorry. The resolution carries.

PRESTON: It passes and again this is just to preserve the right to go through with the appeal and do we have anything else from the floor?

MANNING: One quick matter if any of you declared a State of Emergency over the weekend and need the forms filled out and filed let me know. I don't anticipate that there was one but in some cases if you're going to get FEMA funding or grant funding it's just defining the paperwork and helps you down the line so come see me I will fill them out right now and have you sign them.

MORROW: Did you get my email?

MANNING: Okay so I'm going to have you sign one.

JACKSON: If there's not a declaration we can't file one.

MANNING: Say that again?

JACKSON: If there is not a county wide declaration you can't file anything through FEMA.

MANNING: What about a town declaration?

JACKSON: I don't know if you'll get to the amount needed for that.

PALMER: Right, if you hit it on the town level.

JACKSON: I was hoping to have it countywide so we could all piggyback and get money for diesel fuel for our water plants and stuff like that.

PRESTON: Well the county did not file one. I personally was without power for three days but we went out and did house to house checks on seniors, spent most of the day yesterday but honestly we gave out a case of water that was the only thing we were asked for and we were prepared to do whatever and honestly that was the only thing and I, unless we had massive damage, to be quite honest that wasn't going to let us come up you know, get our power back for a week I would have but because that wasn't the case and whether I got the right information or not that I got several times I didn't feel it was bad enough so I'm sorry if I let you down.

MORROW: I'm still going to sign mine because our highway department was out 24-7 since Friday night at 7:30 and it wasn't just water it was highway workers and everything reimbursement for salaries and fuel and stuff.

MANNING: For everybody's education you need to declare before and use the formal documents, you have three days from that date to file so it doesn't hurt if you want to try it.

MONTY: Just briefly I wanted to remind everyone the Legal Aid Society is going to be here at 1:00 to do a presentation. We sent you an email.

PRESTON: Yes, I know you did and I'm just trying to think what else.

MONTY: The other thing is I'd like to recognize NYSEG because they sent trailer loads of water and dry ice to Lewis to the Public Safety Building.

PRESTON: They must have not known where Wilmington was because I never saw them. I was asked for dry ice, never saw them until like 8:00 last night and the boys from Keeseville called me up and said we've got it here.

MONTY: I don't know if anybody spoke to him but Tim Karski who sent the email, Tim as soon as said I needed some he said we'll send somebody up to get them more.

PRESTON: He was very good. I spoke to him too.

MONTY: They went above and beyond for the Town of Wilmington.

PRESTON: Yes. So thank you all I know this has been like a marathon session and it was a lot of fun but please don't forget this little girl and I get it you know, if it's just not you but please don't forget this girl. Thank you I appreciate it and –

MARNELL: Are you taking donations today?

PRESTON: I can yes or next week or Judy can collect them. Judy thank you. We are adjourned.

As there was no further discussion to come before this regular board meeting it was adjourned at 12:35 pm.

Respectfully submitted,

Judy Garrison, Clerk
Board of Supervisors