

Resolution No. 225

**November 3, 2003
Regular Board Meeting**

RESOLUTION AMENDING THE 2003 ESSEX COUNTY BUDGET

The following resolution was offered by Supervisor Morency, who moved its adoption.

Upon the recommendation of the various committees indicated below, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2003 Essex County Budget as follows:

1. From the Human Services Committee:

(a) For the Public Health Department, increase revenues in the amount of \$15,000.00 from a smoke alarm grant as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4010 4440665	Prevention of Fire-Related Injuries	\$ 15,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
40104 5410	Office Supplies	\$ 250.00
401045424	Postage	\$ 2,900.00
40104 5436	Advertising	\$ 5,100.00
40104 5486	Educational Materials	\$ 750.00
40104 5487	Miscellaneous Expenses	\$ 6,000.00

2. From the Public Safety Committee:

(a) For the Weights and Measures Department, increase revenues and appropriations by \$450.00 from inspection fines as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6610419622	Inspection Fines	\$ 450.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
66102 5250	Technical Equipment	\$ 100.00
66104 5410	Office Supplies	20.00
66104 5420	Printing	150.00
66104 5441	Auto Supplies & Repair	180.00

3. From the DPW Committee:

(a) For the Department of Public Works, increase revenues (42680 - Insurance Recovery) and appropriations (51304 5464 - Vehicle Repair) in the amount of \$2,217.50 from an accident refund.

4. From the Finance/Tax Reduction/Mandate Relief Committee:

(a) Increase revenues (447851 FA - Disaster Recovery Initiative) and appropriations (69894 5400 - DRI) in the amount of \$282,554 from a Disaster Recovery Initiative.

(b) Increase revenues (449975FA- Micro-Enterprise Grant) and appropriations (69894 5400 - MICR) in the amount of \$76,739 from a Micro-Enterprise grant.

5. From the Ways and Means Committee:

(a) For the Mental Health Department, increase revenues (43490101) and appropriations (42224 5430 - Families First) by \$14,000 from an increase in funding from the New York State Office of Mental Health for Families First.

(b) For the Emergency Services Department, increase revenues and appropriations by \$32,409.00 from grant funds from the State Emergency Management Office to update the County's All-Hazards Comprehensive Emergency Management Plan, create a Terrorism Incident Annex, and purchase computer equipment, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3640 5400INV	Supplemental Grant Program	\$ 32,409.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
36404 5400Inv	Inventory	\$ 5,000.00
36404 5487SUPP	Supplemental Appropriation Grant	\$ 27409.00

This resolution was duly seconded by Supervisors Seney and Morrow, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 226

**November 3, 2003
Regular Board Meeting**

**RESOLUTION APPROPRIATING THE SUM OF \$60,943.00 FROM
THE CONTINGENT ACCOUNT FOR TRANSFER TO THE
2003 ESSEX COUNTY BUDGET**

The following resolution was offered by Supervisor Morency, who moved its adoption.

Upon the recommendation of the Committees listed below, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appropriates the sum of \$60,943.00 from the contingent account (Account No. 19904-5487) for transfer to the 2003 Essex County Budget as follows:

1. From the Public Services Committee:

(a) For the Sheriff's Department, the sum of \$2,000.00 to be transferred into (Account No. 31504 5418 – Fuel & Oil) to pay for propane heat for the modular jail for the remainder of the 2003 fiscal year.

2. From the Ways & Means Committee:

(a) the sum of \$46,943.00 to be transferred into (Account No. 19104 5475 – Unallocated Insurance) to pay the capitalization fee required by the New York Municipal Insurance Reciprocal.

3. From the Regular Board Meeting:

(a) the sum of \$12,000 to be transferred into (Account No. 11854 5488 - Autopsies) to pay for autopsies for the remainder of the year.

This resolution was duly seconded by Supervisors O'Neil and Merrihew, and adopted upon a roll-call vote as follows:

AYES: 2843 votes

NOES: 0 votes

ABSENT: 0 votes

BUDGET IMPACT STATEMENT:

Contingent Account Balance as of 11/03/03: \$ 246,884.00

Reduction Impact of ¶1(a): \$ 2,000.00

Reduction Impact of ¶2(a): \$ 46,943.00

Reduction Impact of ¶3(a): \$ 12,000.00

FY2003 Contingent Account Balance: \$ 185,941.00

Resolution No. 227

November 3, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PUBLIC HEALTH
DEPARTMENT TO CONTINUE HIV TESTING AT ST. JOSEPH'S
REHABILITATION CENTER IN SARANAC LAKE**

The following resolution was offered by Supervisor Seney, who moved its adoption.

Upon the recommendation of the Human Services Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Public Health Department to continue HIV testing at St. Joseph's Rehabilitation Center in Saranac Lake.

This resolution was duly seconded by Supervisors Both and Jackson, and adopted.

Resolution No. 228

November 3, 2003
Regular Board Meeting

RESOLUTION AUTHORIZING CONTRACTS

The following resolution was offered by Supervisor Seney, who moved its adoption.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Chairman of the Board or the County Manager to enter into and execute the following contracts:

1. An amendment with Families First for the Mental Health Department so as to increase the contract amount by \$14,000 from additional State funds.

2. A technical assistance agreement with IBM under NYS Contract No.: PS00374 for the installation and system set-up of the 2 servers in the Information Systems Department, at a cost not to exceed \$10,062.00 to be paid from funds within the Information Systems budget.

3. Amend the survey contract with Kevin Hall for the new jail site so as to include additional work for APA, DEC and Commission on Corrections approvals and facility design, including but not limited to site plans, topographic work, and related services, at an additional cost not to exceed \$11,800, to be paid from the capital project.

4. A contract for the sale of real property in the Town of Crown Point acquired by the County in satisfaction of a social services lien to John Hayes and Dennis Babin for the sum of \$22,500 and with the buyers to pay all closing costs and expenses including but not limited to title and recording fees.

This resolution was duly seconded by Supervisor Glebus, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 229

November 3, 2003
Regular Board Meeting

**RESOLUTION ACCEPTING, ADOPTING AND PLACING ON FILE
POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS**

The following resolution was offered by Supervisor Moses, who moved its adoption.

Upon the recommendation and approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby accepts and places on file the 2004 Annual Stop DWI Plan as submitted by the Essex County Clerk.

This resolution was duly seconded by Supervisors Dedrick and Canon, and adopted.

Resolution No. 230

November 3, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING APPOINTMENTS TO
BOARDS, COMMITTEES AND/OR COUNCILS**

The following resolution was offered by Supervisor Glebus, who moved its adoption.

Upon the recommendation of the Economic Development/Planning/Publicity Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED *that the Board of Supervisors of Essex County hereby appoints Bill Murray, Adele Connors, Dipu Basu, Lynn Edmonds, Douglas Ferris, Jim Rushia and Michael Mannix to the Workforce Investment Board.*

This resolution was duly seconded by Supervisors Connell and Ashworth, and adopted.

Resolution No. 231

November 3, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING APPOINTMENTS AND
CHANGES TO POSITIONS IN COUNTY SERVICE**

The following resolution was offered by Supervisor Merrihew, who moved its adoption.

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and approves the following appointments and changes in county service, all to be performed in compliance with, as and if applicable, the Essex County Civil Service Rules and Regulations, and/or the current CSEA contract and/or the Essex County Personnel Policy Manual:

1. For the Real Property Tax Services Department, upgrade the RPTS Aide/Data Collector from Grade 8 to Grade 9, and upgrade the Senior RPTS Aide/Data Collector from Grade 10 to Grade 11.

This resolution was duly seconded by Supervisor Canon, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 232

**November 3, 2003
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE COUNTY
PURCHASING AGENT TO GO TO BID, ACCEPT AND/OR
REJECT BIDS, AND/OR PURCHASE VARIOUS ITEMS**

The following resolution was offered by Supervisor Rushby, who moved its adoption.

Upon the recommendation of the various committees indicated below, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes and directs the County Purchasing Agent to go to bid and/or purchase in accordance with the Essex County Purchasing Policy (Resolution No. 320-97) the following:

1. From the Finance/Tax Reduction/Mandate Relief Committee:

(a) For the Real Property Tax Services Department, purchase the following items from 2003 budgeted funds:

1. Two Arc Info 8.3 GIS software licenses at a cost not to exceed \$14,500; and
2. A Dell computer at a cost not to exceed \$2,500.

(b) For the County Clerk's Office, purchase the following items from 2003 budgeted funds:

1. A computer at a cost not to exceed \$2,500; and
2. Upgrade the RPTS server which handles the County Clerk's Image Mate at a cost not to exceed \$2,500.

2. From the Ways & Means Committee:

(a) For the Department of Social Services, purchase computer equipment at a cost not to exceed \$8,556.58 from Training Grant Funds.

This resolution was duly seconded by Supervisor Ashworth, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 233

**November 3, 2003
Regular Board Meeting**

**RESOLUTION INCREASING THE PRIVATE PAY RATE FOR
THE HORACE NYE HOME FOR NURSING HOME CARE
TO \$195.00 PER DAY, EFFECTIVE JANUARY 1, 2004**

The following resolution was offered by Supervisor Seney, who moved its adoption.

Upon the recommendation of the Human Services Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizing the Horace Nye Home to increase the private pay rate for nursing home care to \$195.00 per day, effective January 1, 2004.

This resolution was duly seconded by Supervisor Jackson, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 234

November 3, 2003
Regular Board Meeting

**RESOLUTION REQUESTING THE STATE LEGISLATURE ADOPT
HOME RULE LEGISLATION AUTHORIZING ESSEX COUNTY TO
IMPOSE A 30 CENT SURCHARGE ON CELLULAR TELEPHONES**

The following resolution was offered by Supervisor Morrow, who moved its adoption.

Upon the recommendation of the Public Safety Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, the State Legislature has adopted special legislation for the counties of Cortland, Nassau, Herkimer, Tompkins, Cayuga, Livingston, Ulster, Dutchess, Schuyler, Yates Putnam Cattaraugus, Seneca, Wayne, Ontario, Rensselaer, Montgomery, Westchester, Tioga, Broome, Fulton, Allegany, Steuben, Chautauqua, and Washington County Law §§308-a - 308-p), to establish and impose a wireless E911 surcharge; and

WHEREAS, no such legislation has been adopted for Essex County; and

WHEREAS, similar legislation for Essex County would allow Essex County to significantly improve wireless E911 coverage and response.

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests the State Legislature to introduce and adopt home rule legislation authorizing Essex County to impose a 30 cent surcharge on cellular telephones; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor George E. Pataki; Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O’C. Little; Senate Minority Leader David A. Paterson; Assembly Speaker Sheldon Silver; Assembly Minority Leader Charles H. Nesbitt; and Assembly Members Chris Ortloff and Teresa R. Sayward.

This resolution was duly seconded by Supervisors Connell and Both, and adopted.

Resolution No. 235

November 3, 2003
Regular Board Meeting

**RESOLUTION REQUESTING WIRELESS TELEPHONE
COMPANIES TO FURNISH AND IMPROVE WIRELESS
TELEPHONE COVERAGE IN ESSEX COUNTY**

The following resolution was offered by Supervisor Dobie, who moved its adoption.

Upon the recommendation of the Public Safety Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, wireless telephone coverage in Essex County is limited to only a few areas, and there is no coverage in the County seat and other major areas of Essex County; and

WHEREAS, the lack of consistent and extensive wireless telephone coverage poses impairs the public health, safety and welfare as persons in need of emergency services, including but not limited to life-saving medical services, cannot utilize wireless telephones to report an accident, injury or other emergency.

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests wireless telephone companies to furnish and/or improve wireless telephone coverage in Essex County.

This resolution was unanimously seconded and adopted.

Resolution No. 236

November 3, 2003
Regular Board Meeting

**RESOLUTION SUPPORTING INTERNATIONAL PAPER
COMPANY'S TEST TRIAL OF TIRE-DERIVED FUEL**

The following resolution was offered by Supervisor Dedrick, who moved its adoption.

Upon the recommendation of the Department of Public Works Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, the International Paper Company is examining the potential use of discarded tires as a source of fuel to operate its manufacturing facility in Ticonderoga; and

WHEREAS, the disposal of discarded tires has been a significant environmental problem for many years; and

WHEREAS, the use of discarded tires as a fuel source is an environmentally friendly concept and process which involves tires being cleaned, shredded and chipped, the removal of approximately 95% of the metal components, and the burning of the residue as a processed fuel; and

WHEREAS, the use of this tire-derived fuel is taking place in other areas of the country – 34 other states and at least 6 other International Paper facilities – and EPA tests have indicated that emission parameters from tire-derived fuel are the same or less than those from fuel oil; and

WHEREAS, International Paper is only seeking to conduct a limited test of the use of tire-derived fuel at its Ticonderoga facility, and has been working with the New York State Department of Environmental Conservation and the State of Vermont to insure that the limited test will not result in any significant adverse environmental impact.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly supports the efforts by International Paper Company to conduct a test trial of tire-derived fuel.

This resolution was duly seconded by Supervisors Rushby, Morrow, French, Merrihew, Jackson, O'Neill, Both, Glebus, Kelly, Canon, Seney, Dobie, Morency, Moses, Dedrick, Connell and Ashline, and adopted with Supervisor Ashworth being opposed.

Resolution No. 237

November 3, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE EXCHANGE OF ROADS
BETWEEN THE TOWN OF TICONDEROGA AND ESSEX COUNTY**

The following resolution was offered by Supervisor Dedrick, who moved its adoption.

Upon the recommendation of the Department of Public Works Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, the Town of Ticonderoga Highway Superintendent and the Essex County Department of Public Works Superintendent have met and agreed that an exchange of roads in the Town of Ticonderoga will benefit both the Town and the County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby approves an exchange of roads between the Town of Ticonderoga and Essex County as follows:

1. The following portions of existing Town Roads will become Essex County Roads:
 - (a) beginning at the intersection of Alexandria Avenue (Route 77) and the Baldwin Road thence running southerly on the Baldwin Road to the point where the former Village of Ticonderoga line ended and the Essex County Highway (Route 5) begins; and
 - (b) beginning at the intersection of Lake George Avenue and Alexandria Avenue (Route 77) and running in a westerly direction to the former Ticonderoga Village line and where the Essex County Highway (Route 5) begins.
2. The following portion of existing Essex County Road will become a Town Road: beginning at the former previous Ticonderoga Village line on Mount Hope Avenue (Route 49) and running in a northerly direction to NYS Route 22 and 74.

This resolution was duly seconded by Supervisors Dobie and Merrihew, and adopted.

Resolution No. 238

November 3, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID
VILLAGE AND SCHOOL TAXES, AND ALL ROAD, WATER,
SEWER AND GARBAGE RENTS ON THE 2004 TAX ROLLS**

The following resolution was offered by Supervisor Moses, who moved its adoption.

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, *the Supervisors of the several towns within Essex County have transmitted to the Clerk of the Board the amounts of unpaid road, water, sewer, and garbage rents on the 2003 tax rolls; and*

WHEREAS, *the several Villages and School Districts within Essex County have transmitted to the Essex County Treasurer the amounts of unpaid village and school taxes, duly verified and certified as provided by Real Property Tax Law §§1330 and 1442; and*

WHEREAS, *the unpaid village and school taxes, together with an additional 7% thereon, are subject to relevy and collection pursuant to Real Property Tax Law §1330 and Essex County Local Law No. 3 of 1979, respectively.*

BE IT RESOLVED *that the Essex County Board of Supervisors hereby authorizes and directs that the amounts of 2003-2004 Village and School Taxes, and 2003 Road, Water, Sewer and Garbage rents, remaining unpaid as of 5:00 p.m. on December 1, 2003, be relevied upon the 2004 tax roll; and*

BE IT FURTHER RESOLVED *that any payments which are mailed and contain a postmark as of December 1, 2003, shall be deemed to have been actually received by the County Treasurer prior to 5:00 p.m. on said date.*

This resolution was duly seconded by Supervisors Ashworth and Morency, and adopted.

Resolution No. 239

November 3, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE DIRECTOR OF COMMUNITY DEVELOPMENT
& PLANNING TO OVERSEE COUNTY PROGRAMS PUBLICIZING THE
ADVANTAGES OF ESSEX COUNTY, AND MODIFYING THE STRUCTURE OF
THE BED TAX ADVISORY COMMITTEE**

The following resolution was offered by Supervisor Connell, who moved its adoption.

Upon the recommendation of the Economic Development / Planning / Publicity Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Director of Community Development & Planning to oversee County programs publicizing the advantages of Essex County; and

BE IT FURTHER RESOLVED that the Bed Tax Advisory Committee shall hereafter be comprised of eight members to be appointed by the Board of Supervisors from among persons demonstrating the ability to exercise a county-wide perspective in providing advice and recommendations as to the County's strategic tourism marketing plans publicizing the advantages of Essex County through the use of bed tax revenues; and

BE IT FURTHER RESOLVED that the Bed Tax Advisory Committee shall select a Chairperson from among its members who shall preside at the meetings of such Committee and report to the Board of Supervisors through the Director of Community Development & Planning along with the Lake Placid Visitor's Bureau.

This resolution was duly seconded by Supervisors Jackson and Seney, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 240

November 3, 2003
Regular Board Meeting

**RESOLUTION OPPOSING THE REQUIREMENT THAT ASSESSORS
FILE ANNUAL FINANCIAL DISCLOSURE STATEMENTS AS
PROVIDED BY CHAPTER 548 OF THE LAWS OF 2003**

The following resolution was offered by Supervisor Morency, who moved its adoption.

Upon the recommendation of the Finance Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, Chapter 548 of the Laws of 2003 adopted by the State Legislature and signed into law by Governor Pataki, takes effect on January 1, 2004 and requires all assessors to annually file financial disclosure statements; and

WHEREAS, most town assessors in Essex County are part-time officials, and the requirement that they file financial disclosure statements will cause many honest and competent persons to resign or refrain from serving as an assessor.

BE IT RESOLVED that the Essex County Board of Supervisors hereby opposes the requirement that assessors annually file financial disclosure statements as imposed by Chapter 548 of the Laws of 2003; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor George E. Pataki; Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O'C. Little; Senate Minority Leader David A. Paterson; Assembly Speaker Sheldon Silver; Assembly Minority Leader Charles H. Nesbitt; and Assembly Members Chris Ortloff and Teresa R. Sayward.

This resolution was unanimously seconded and adopted.

RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT

The following resolution was offered by Supervisor Moses, who moved its adoption.

Upon the recommendation and approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, this board is in receipt of the semiannual Mortgage Tax Report, showing amounts to be credited to each tax district of the county of the money collected during the preceding six months ending September 30, 2003.

BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amount so credited as appropriated by the Clerk of the Board, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts, in accordance with the report, as follows:

<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>	<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>
Chesterfield		North Elba	
Town	26,706.51	Town	151,735.11
Village (Keeseville)	2,615.54	Village (Lake Placid)	63,367.98
Crown Point	12,517.64	Village (Saranac Lake)	7,666.76
Elizabethtown	9,082.35	North Hudson	6,157.63
Essex	13,617.18	St. Armand	
Jay	28,015.62	Town	20,485.27
Keene	19,000.05	Village (Saranac Lake)	1,481.83
Lewis	9,174.57	Schroon	47,943.07
Minerva	11,000.29	Ticonderoga	60,260.86
Moriah		Westport	17,765.35
Town	20,200.09	Willsboro	14,971.02
Village (Port Henry)	3,244.53	Wilmington	11,836.01
Newcomb	6,621.38		TOTAL: \$565,466.64

This resolution was duly seconded by Supervisors Morency and Merrihew, and adopted.

Resolution No. 242

November 3, 2003
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

JOHN P. ROTELLA

The following resolution was offered by Supervisor Rushby, who moved its adoption.

WHEREAS, John P. Rotella, former Essex County Clerk, passed away on October 20, 2003; and

WHEREAS, starting on July 1, 1962, John P. Rotella devoted 30 years of service in the Essex County Clerk's Office working his way up the ladder by performing the duties of Typist, Clerk, Motor Vehicle License Clerk, Senior Clerk, and Principal Recording Clerk; and

WHEREAS, John P. Rotella was appointed as Deputy Essex County Clerk on February 5, 1979; and

WHEREAS, from January 1, 1980 until his retirement in 1991, John P. Rotella served the People of Essex as County Clerk with distinction and excellence; and

WHEREAS, the John P. Rotella made a lasting contribution to the People of Essex County, and he will be sorely missed.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of John P. Rotella; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to the Rotella family.

This resolution was unanimously seconded and adopted.

Resolution No. 243

November 3, 2003
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

JOAN (CHIP) WRIGHT

The following resolution was offered by Supervisor Rushby, who moved its adoption.

Upon the recommendation and approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, Joan (Chip) Wright, the loving wife of Essex County Undersheriff Gary Wright, tragically passed away on October 23, 2003, with her family at her side; and

WHEREAS, Joan had previously been employed at International Paper Company in Ticonderoga; and

WHEREAS, Joan enjoyed walking, exercising, reading, crocheting and music; and

WHEREAS, Joan is survived by her husband, Gary Wright; her daughters, Marlene Cunningham and Tina Bureau and her husband John; her stepsons, Todd Wright and Jay Wright; grandchildren Benjamin Kordziel, Nicholas Kordziel, Chelsea Jones, Mara Bureau, Jena Bureau and Kyra Wright; sisters Mary Anne Mazzotte and her husband Joe and Nancy Rosselli; brothers Thomas Rosselli and his wife Julie and Joe Rosselli; several aunts, uncles, cousins, nieces and nephews; and many good friends.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Joan (Chip) Wright; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to the Wright family.

This resolution was unanimously seconded and adopted.

Resolution No. 244

**November 3, 2003
Regular Board Meeting**

**RESOLUTION PROCLAIMING OCTOBER 27, 2003 AS
END DOMESTIC VIOLENCE – A DAY OF REMEMBRANCE**

The following resolution was moved by Supervisor Moses, who moved its adoption.

WHEREAS, *October is Domestic Violence Awareness month; and*

WHEREAS, *Domestic Violence in the family not only is tragic but in some cases fatal tragedy; and*

WHEREAS, *annually 2000 children are killed due to acts attributed to domestic violence; and*

WHEREAS, *over 4 million women are abused annually and that domestic violence occurs in 2 million families a year; and*

WHEREAS, *the Essex County Task Force against Domestic Violence is having a “Day of Remembrance” on October 27, 2003; and*

WHEREAS, *together we will remember the horrors of Domestic Violence and work to eliminate this scourge on society.*

BE IT RESOLVED, *that the Essex County Board of Supervisors hereby proclaims October 27, 2003 as End Domestic Violence – A Day of Remembrance; and*

BE IT FURTHER RESOLVED, *that this Board and its officers pledge their support to eliminate Domestic Violence in our County.*

This resolution was unanimously seconded and adopted.

Resolution No. 245

November 3, 2003
Regular Board Meeting

**RESOLUTION INCREASING THE FEE FOR THE COUNTY
CLERK'S COVER SHEET ON RECORDED
INSTRUMENTS FROM \$3.00 TO \$10.00 PER PAGE**

The following resolution was offered by Supervisor Morency, who moved its adoption.

Upon the recommendation and approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Clerk to increase the fee for the cover sheet on recorded instruments from \$3.00 to \$10.00 per page.

This resolution was duly seconded by Supervisors Merrihew and Canon, and adopted.

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT ON BEHALF OF ESSEX COUNTY WITH THE NEW YORK STATE DIVISION FOR YOUTH FOR THE 2004 COMPREHENSIVE PLAN FOR YOUTH SERVICES TO INCLUDE YOUTH RECREATION PROGRAMS, YOUTH SERVICE PROGRAMS, YOUTH INITIATIVE PROGRAMS, AND SPECIAL DELINQUENCY PREVENTION PROGRAMS AS PROVIDED FOR IN THE 2004 ESSEX COUNTY BUDGET

The following resolution was offered by Supervisor Moses, who moved its adoption.

BE IT RESOLVED that the Chairman of this Board is hereby authorized to enter into an agreement on behalf of Essex County with the New York State Division for Youth for the 2004 Comprehensive Plan for Youth Services to include Youth Recreation Programs, Youth Service Programs, Youth Initiatives Programs, and Special Delinquency Prevention Programs as provided for in the 2004 Essex County Budget, and that he/she be further authorized to contract with the various municipalities and other contract agencies for programs as hereafter listed:

ADMINISTRATION - STATE AID	\$	45,213.00
ADMINISTRATION - LOCAL MATCH		45,213.00
RECREATION - STATE AID	\$	20,433.00
RECREATION - LOCAL MATCH		20,433.00
YOUTH SERVICES - STATE AID	\$	18,312.00
YOUTH SERVICES - LOCAL MATCH		18,312.00
YOUTH INITIATIVES - STATE AID	\$	6,968.00
YOUTH INITIATIVES - LOCAL MATCH		6,968.00
SPECIAL DELINQUENCY PREVENTION PROGRAMS TYPE "A" STATE AID	\$	12,475.00

Section One: State Aid Reimbursable Amounts for Municipally Funded Recreation Programs (No County Advances Involved)

		(Total = \$20,233.00)
1. Town of Chesterfield.....	\$	900.00
2. Town of Crown Point.....		900.00
3. Town of Elizabethtown.....		900.00
4. Town of Essex.....		900.00
5. Town of Jay		900.00
6. Town of Keene.....		900.00

7. Town of Lewis.....	900.00
8. Town of Minerva.....	900.00
9. Town of Moriah.....	1,500.00
10. Village of Port Henry.....	500.00
11. Town of Newcomb.....	900.00
12. Town of North Elba.....	1,900.00
13. Town of North Hudson.....	900.00
14. Village of Saranac Lake.....	900.00
15. Town of St. Armand.....	900.00
16. Town of Schroon.....	900.00
17. Town of Ticonderoga.....	1,933.00
18. Town of Westport.....	900.00
19. Town of Willsboro.....	900.00
20. Town of Wilmington.....	900.00

Section Two: State Aid Reimbursable Amounts for Municipally Funded Recreation Programs

(Total = \$ 200.00)

- Essex County All-Sports, Sponsored by the
Essex County Youth Bureau..... \$ 200.00

BE IT FURTHER RESOLVED, that the sum of \$ 20,433.00 be recovered from the New York State Division for Youth on a dollar-for-dollar basis by the above organization.

Section Three: State Aid Reimbursable Amounts for Municipally Funded Youth Service Programs

(Total = \$ 5,775.00)

1. Town of Crown Point.....	\$ 450.00
2. Town of Elizabethtown.....	1,050.00
3. Ticonderoga Youth Center.....	2,000.00
4. Westport.....	450.00
4. Paine Memorial Library.....	225.00
5. Wilmington Youth Center.....	325.00
6. Finding Magic Keys.....	1,150.00
7. Schroon Lake Library Prog.....	125.00

Section Four: State Aid Reimbursable Amounts for County Contracted Youth Services Programs

(Total = \$ 12,537.00)

- Schroon Lake Enrichment Programs, Sponsored
by the Schroon Lake Central School 1,900.00
- Arts Trek, Sponsored by the

	Ticonderoga Festival Guild, Inc.	1,900.00
3.	Youth in the Know, Sponsored by Planned Parenthood Health Services of NENY...	3,700.00
4.	Teen Appreciation Of Government..... Cornell Cooperative Extension	400.00
5.	4-H Advantage After School..... Cornell Cooperative Extension	1,300.00
6.	The Getaway, Sponsored by the Saranac Lake Youth Center, Inc.....	1,300.00
7.	Holidays Are For Sharing, Sponsored by Committee for Economic Improvement.....	800.00
8.	Families First, Sponsored by Families First of Essex County.....	800.00
9.	Elizabethtown/Lewis Summer School Elizabethtown/Lewis Central School.....	437.00

BE IT FURTHER RESOLVED, that the sum of \$ 18,312.00 be recovered from the New York State Division for Youth on a dollar-for-dollar basis by the above organizations.

Section Five: State Aid Reimbursable Amounts for County Contracted Youth Initiatives Programs

(Total = \$ 6,968.00)

1.	Youth Conservation Corps - YCC, Sponsored by The Town of St. Armand.....	\$ 1,350.00
2.	Youth Conservation Corps - YCC, Sponsored by the Town of Moriah.....	1,350.00
3.	Saranac Lake Community Intervention Program Village of Saranac Lake.....	1,343.00
4.	Thomas Shipman Sr. Youth Center, Sponsored by The Town of North Elba.....	1,350.00
5.	Hiking Program, Sponsored by Substance Abuse Team.....	650.00
6.	After School Program, Sponsored by Saranac School.....	1,000.00

BE IT FURTHER RESOLVED, that the sum of \$6,968.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organizations.

Section Six: State Aid Reimbursable Amounts for County Contracted Special Delinquency Prevention Programs - Type "A" Monies

(Total = \$12,475.00)

1.	PINS Diversion Program, sponsored by Essex County Probation Department.....	\$ 1,636.00
2.	Moriah Summer Success Program, Sponsored by Moriah Central School	5,061.00
3.	Moriah Youth Conservation Corps, Sponsored by the Town of Moriah	4,142.00
4.	Adirondack Experience Program, Sponsored by St. Francis Academy (no County monies involved)	1,636.00

BE IT FURTHER RESOLVED that the sum of \$12,475.00 be received from the New York State Division for Youth at 100% reimbursement by the above organizations.

BE IT FURTHER RESOLVED that the Chairman of this Board of Supervisors be and he hereby is authorized to enter into an agreement for the sixteenth year of the Comprehensive Youth Services Plan, above described, with the New York State Division for Youth, on behalf of Essex County, which specifies Recreation, Youth Services, Youth Initiatives, and Special Delinquency Prevention Programs eligibility allocations to municipalities, community organizations, and the Essex County Youth Bureau and which will qualify the County for state reimbursement for Youth Programs in accordance with the level of funding provided for counties engaged in Comprehensive Planning for Youth Services.

This resolution was duly seconded by Supervisors Seney and Ashworth, and adopted upon a roll-call vote as follows.

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 247

**November 3, 2003
Regular Board Meeting**

**RESOLUTION APPROVING A FIVE YEAR CONTRACT WITH THE
ESSEX COUNTY CHAPTER OF THE CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC. FOR THE YEARS 2004-2008**

The following resolution was offered by Supervisor Canon, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, the Essex County Negotiating Committee has been engaged in contract negotiations with the Essex County Chapter of the Civil Service Employees Association, Inc. (CSEA); and

WHEREAS, the tentative agreement has been approved by the membership of CSEA.

BE IT RESOLVED that the Essex County Board of Supervisors hereby approves a five year contract with the Essex County Chapter of the Civil Service Employees Association, Inc. for the years 2004-2008, containing the terms set forth in the tentative agreement, such agreement to be effective January 1, 2004 except for Article 39 which shall be effective December 27, 2003; and

BE IT FURTHER RESOLVED that the Chairman of the Board is hereby authorized and directed to execute such agreement; and

BE IT FURTHER RESOLVED that the Essex County Personnel Officer and the Essex County Treasurer are hereby directed to set the 2004, 2005, 2006, 2007 and 2008 salaries of all County employees within the bargaining unit in accordance with the provisions of said agreement.

This resolution was duly seconded by Supervisors Rushby, Merrihew and Ashworth, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 248

November 3, 2003
Regular Board Meeting

**RESOLUTION AMENDING RESOLUTION NO. 208 OF 1999
REGARDING THE CONTINGENT SALE OF PARCEL NO. 108
SO AS TO REJECT THE BID BECAUSE THE CONTINGENCY
COULD NOT BE SATISFIED**

The following resolution was offered by Supervisor Canon, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

WHEREAS, Resolution No. 208 of 1999 authorized, in part, the contingent sale of parcel no. 108 from the August 21, 1999 auction sale, with the contingency being that the State of New York release its environmental lien on the subject property for the amount of the bid, namely \$11,000.00; and

WHEREAS, neither Essex County nor the bidder has been able to obtain a release of the lien for the bid amount of \$11,000.00, and the State has advised that it will not accept any amount less than \$47,000.00; and

WHEREAS, the contingency for the sale of said Parcel No. 108 cannot be satisfied.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends Resolution No. 208 of 1999 regarding the sale of parcel No. 108 so as to reject the bid of \$11,000.00 to purchase said parcel due to the fact that the contingency has not been and cannot be satisfied because the State of New York will not release its lien on the property for a sum less than \$47,000.00; and

BE IT FURTHER RESOLVED that the Essex County Treasurer shall return the bid deposit to the bidder.

This resolution was duly seconded by Supervisor Glebus, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AMENDING THE CAPITAL ASSET POLICY TO CLARIFY
 THE TREATMENT OF COUNTY ROAD AND BRIDGE COSTS &
 INVENTORY IN SECTIONS 3, 4 AND 5 THEREOF**

The following resolution was offered by Supervisor Canon, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the Capital Asset Policy, as adopted by Resolution No. 239 of 2001 and amended by Resolution No. 130 of 2003, regarding treatment of County Road and Bridge costs and inventory in §3, §4 and §5 thereof, as follows:

1. §3 of the Capital Asset Policy is hereby amended to read and provide as follows, with the matter to be deleted being stricken and the new matter to be added being underlined and italicized:

“§3. Threshold Levels For Recording Assets

Capital assets which are purchased or constructed, have a useful life of two or more years, and have an asset cost equal to or greater than the capitalization thresholds provided in the table below, shall be recorded.

Asset	Useful Life (years)	Tracking & Inventory	Capitalization Threshold
Land	none	\$1	Capitalize only
Land Improvements	20	\$1	\$25,000
Buildings	40	\$1	\$50,000
Building Improvements	20	\$1	\$50,000
Construction in Progress	none	\$1	Capitalize only
Equipment/Machinery:		\$250	\$5,000
Office Equipment	5		
Furniture	10		
Computers	3		
Heavy Equipment	10		
Other	5		

<i>Infrastructure:</i>		\$50,000 <u>\$1</u>	\$250,000 <u>\$10,000</u>
<i>Bridges (plus culverts)</i>	30		
<i>Dams</i>	100		
<i>Drainage Systems</i>	100		
<i>Roads</i>	20		
<i>Water & Sewer Systems</i>	20		
<i>Traffic Control</i>	40		
<i>Works of Art & Historical Treasures</i>	None	\$1	Capitalize only
<i>Vehicles</i>	5	\$1,000	\$5,000

2. §4 of the Capital Asset Policy is hereby amended to include a new paragraph 15, the same to read and provide as follows, with the matter to be added being underlined and italicized:

“(15) County Road costs shall consist of three major processes which shall be treated for inventory tracking and capitalization/expense purposes as follows:

<u>Process</u>	<u>Treatment</u>
<u>Maintenance Costs – Surface Treatment</u>	<u>Expense</u>
<u>Preservation Costs - Paving & Overlay</u>	<u>Capitalize</u>
<u>Addition & Improvements – Reclamation & Reconstruction</u>	<u>Capitalize</u> ”

3. §5, paragraph (2) of the Capital Asset Policy is hereby amended to read and provide as follows, with the matter to be deleted being stricken and the new matter to be added being underlined and italicized:

“(2) The straight-line depreciation method (historical cost less salvage value, divided by useful life) shall be used for all assets, except for County Road costs which shall be depreciated using the composite method for a group of similar assets of the same class.”

This resolution was duly seconded by Supervisors Rushby and Dobie, and adopted.

Resolution No. 250

**November 3, 2003
Regular Board Meeting**

**RESOLUTION AMENDING THE 2003
ESSEX COUNTY MANAGER'S BUDGET**

The following resolution was offered by Supervisor Morency, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2003 Essex County Manager's Budget by increasing revenues and appropriations in the total amount of \$ \$187,042.00 as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1900 42690	Tobacco Settlement	\$ 187,042.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
90108 5810	Retirement	\$ 187,042.00

This resolution was duly seconded by Supervisor Canon, and adopted upon a roll-call vote as follows:

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes