

Resolution No. 226

**November 1, 2004
Regular Board Meeting**

RESOLUTION AMENDING THE 2004 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 2004 Essex County Budget as follows:

1. From the Human Services Committee:

(a) For the Office for the Aging, increase revenues (4477280 - Title VII funds) and appropriations (67724 5420 - Printing) in the total amount of \$300.00 from Title VII funds.

(b) For the Social Services Department, increase revenues (6010 44670 - Fed. Aid Serv. Recipient) and appropriations as follows in the total amount of \$28,433.00 from a TANF Service Plan grant:

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
60704 5400POST	Post Employment	\$ 14,085.00
60704 5400WRAP	Wrap Around	10,348.00
60704 5400DATE	Dr/AI TANF Enhanced	4,000.00

2. From the DPW Committee:

(a) For the Department of Public Works - Highway Division, increase revenues (5130 4265520 - Sale of Tires) and appropriations (51304 5464 - Highway Vehicle Repairs and Parts) in the amount of \$1,601.02 from the sale of tires to Serkil.

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

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

RESOLUTION APPROPRIATING FUNDS FROM THE CONTINGENT ACCOUNT FOR TRANSFER TO THE 2004 ESSEX COUNTY BUDGET, AND AMENDING THE BUDGET ACCORDINGLY

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

Upon the recommendation of the various committees, 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 following sums from the contingent account (Account No. 19904-5487) for transfer to the 2004 Essex County Budget, which is amended accordingly:

1. From the DPW Committee:

(a) The total sum of \$55,146.00 to the 2004 Essex County Fairgrounds Budget to pay for a change order during restoration of the Floral Hall as follows:

Account Number	Account Name	Amount
H87502 5216	Renovations/Repairs	\$ 43,542.00
H87504 5400PS	Professional Services	\$ 11,604.00

2. From the Regular Board Meeting:

(a) The sum of \$25,000 to the 2004 Assigned Counsel Budget as follows:

Account Number	Account Name	Amount
11714 5402CC	Criminal Court-Hrs-Felony	\$ 3,000.00
11714 5402CCMI	Criminal Court-Hrs-Misc	500.00
11714 5402DI03	2003 In Court Expenses	500.00
11714 5402FC	Family Court Hours	19,000.00

11714 5403DI03	2003 Out of Court Expense	500.00
11714 5487CC	Criminal Court Disb-Felony	300.00
11714 5487CCMI	Criminal Court Disb - Misc	100.00
11714 5487DI03	2003 Disbursements	100.00
11714 5487FC	Family Court Disbursements	1,000.00

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

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

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 11/01/04:</i>	\$ 329,899.00
<i>Reduction Impact of this resolution:</i>	80,146.00
<i>FY2004 Contingent Account Balance:</i>	\$ 249,753.00

Resolution No. 228

**November 1, 2004
Regular Board Meeting**

RESOLUTION AUTHORIZING CONTRACTS

The following resolution was offered by Supervisor Both, 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 authorizes and directs the appropriate County official to enter into and execute the following:

- 1) A contract with Blue Shield of Northeastern New York for 2005 Health Insurance Coverages; and
- 2) Extend the contract with Jack Venesky for Home Care Consulting through December 31, 2005.

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 1, 2004
Regular Board Meeting**

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

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

Upon the recommendation of the committee(s) 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 Public Safety Committee:

(a) For the Emergency Services Department, purchase an identification system at a cost of \$15,788.16 from Homeland Security funding.

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

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

Resolution No. 230

November 1, 2004
Regular Board Meeting

**RESOLUTION APPROVING THE ISSUANCE OF CERTAIN TAX-EXEMPT
CIVIC FACILITY REVENUE BONDS BY THE ESSEX COUNTY
INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A PROJECT FOR
NORTH COUNTRY COMMUNITY COLLEGE FOUNDATION, INC.**

The following resolution was offered by Supervisor Dedrick, 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, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 563 of the Laws of 1973 of the State of New York, as amended (herein collectively called the "Act"), the Board of Supervisors of Essex County, New York (the "Board of Supervisors") has heretofore appointed the Chairperson and members of the Essex County Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to issue its civic facility revenue bonds to finance the costs of the acquisition, construction, reconstruction and equipping of one or more "projects" (as defined in the Act), to acquire, construct, reconstruct and equip said projects or to cause said projects to be acquired, constructed, reconstructed and equipped, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, North Country Community College Foundation, Inc., a New York not-for-profit corporation organized and existing under the laws of the State of New York (the "Applicant"), has presented an application to the Agency, a copy which is on file at the office of the Agency, requesting that the Agency consider undertaking: (i) to issue its tax-exempt civic facility revenue bonds in the principal amount not to exceed \$3,000,000 (the "Bonds") in order to provide a permanent financing facility for payment of all or a portion of the cost of the acquisition, construction, reconstruction and equipping of the project described in the following paragraph (the "Project"); (ii) to acquire, construct, reconstruct and equip the Project, or to cause the Project to be acquired, constructed, reconstructed and equipped; and (iii) to lease (with an obligation to purchase) or sell the Project to the Applicant or such other person as may be designated by the Applicant or such person as may be designated by the Applicant and agreed upon by the Agency; and

WHEREAS, the Project consists of the following: (A) the provision for a permanent financing facility to the Applicant for (i) the acquisition, construction and equipping of an approximately 16,500 square foot building and parking facilities on approximately 2.4 acres to be operated as classroom facilities for the Applicant, to be located on or near NYS Route 9N in the Town of Ticonderoga, New York (the "Facility"), (ii) the acquisition and installation in the Facility of various machinery, equipment and furnishings, and (iii) the payment of certain costs of issuance to finance the Project; (B) the financing of the costs of the foregoing by the issuance of the Bonds; and (C) the lease (with obligation to purchase) or sale of the Project to the Applicant; and

WHEREAS, the Board of Supervisors has been advised by the Agency that the Agency proposes to issue, subsequent to the adoption of this resolution, its civic facility revenue bonds, from time to time in a principal amount sufficient to fund all or a portion of the costs of acquiring, constructing, reconstructing and equipping of the Project, together with incidental costs in connection therewith, which principal amount is presently estimated to be not in excess of \$3,000,000; and

WHEREAS, the Applicant has requested that the Bonds be "qualified 501(c)(3) bonds", pursuant to the Internal Revenue Code of 1986, as amended (the "Code"), and to be issued as obligations the interest on which will be excluded from gross income for federal income tax purposes pursuant to Sections 103 and 145 and other applicable provisions of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excluded from gross income for federal income tax purposes unless the issuance of the Bonds shall be approved by the Board of Supervisors after the Agency has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, the Agency conducted said public hearing on July 27, 2004 and, upon the receipt of terms of financing from the underwriter or purchaser of the Bonds, will adopt a bond resolution authorizing the Bonds ; and

WHEREAS, the Board of Supervisors has received notice from the Agency that it is the preliminary determination of the Agency that the Project will not have a "significant impact on the environment" within the meaning of Article 8 of the Environmental Conservation Law of the State of New York; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Essex County, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income pursuant to the applicable provisions of the Code, the Board of Supervisors, as the elected legislative body of Essex County, New York, for purposes of Section 147(f) of the Code, hereby approves the issuance by the Agency of the Bonds, provided that the Bonds, and the premium, if any, and interest thereon, shall be special obligations of the Agency and shall never be a debt of the State of New York, the County of Essex or any political subdivisions thereof (other than the Agency), and neither the State of New York, the County of Essex nor any political subdivisions thereof (other than the Agency) shall be liable thereon.

Section 2. The Board of Supervisors reserves the right to approve any payment in lieu of taxes agreement with respect to real property taxes, if applicable, and hereby approves the abatement of the New York State mortgage recording tax and New York State sales and use tax so long as the Project is acquired by the Agency or under its jurisdiction or control or supervisor or upon its activities.

Section 3. This resolution shall take effect immediately.

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

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

Resolution No. 231

November 1, 2004
Regular Board Meeting

**RESOLUTION REAPPOINTING CLIFFORD R. DONALDSON, JR.
TO THE OFFICE OF ESSEX COUNTY MANAGER**

The following resolution was offered by Supervisor French, 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 reappoints Clifford R. Donaldson, Jr., to the office of Essex County Manager for a term of 2 years, effective January 1, 2005, at a salary of \$ 82,932.48 for 2005 and \$ 85,835.12 for 2006, plus all benefits; and

BE IT FURTHER RESOLVED that the residency requirement be and the same hereby is waived.

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

AYES: 1871 votes

NOES: 972 votes (*French, Merrihew, Jackson, Scozzafava, Canon,
Moses, Morency*)

ABSENT: 0 votes

Resolution No. 232

November 1, 2004
Regular Board Meeting

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

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

Upon the recommendation of the various committee(s), 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 makes the following appointments:

1. From the Human Services Committee:

(a) Appoint Dale Nolan and William Minogue as County Fire Investigators and Daniel Sweatt as a Deputy Fire Coordinator and County Fire Investigator.

2. From the Economic Development/Planning/Publicity Committee:

(a) Appoint Don Austin to the Regional Workforce Investment Board.

This resolution was duly seconded by Supervisor Morrow, and adopted.

Resolution No. 233

November 1, 2004
Regular Board Meeting

**RESOLUTION REQUESTING THE COMMISSIONER OF GENERAL
SERVICES TO CONVEY PROPERTY TO ESSEX COUNTY AS
AUTHORIZED BY CHAPTER 534 OF THE LAWS OF 2004**

The following resolution was offered by Supervisor Morency, 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 pursuant to Chapter 534 of the Laws of 2004 the Essex County Board of Supervisors hereby makes application along with the Elizabethtown Community Hospital to the Commissioner of General Services for the conveyance of certain lands by said Commissioner to Essex County as provided for in said Chapter, and hereby requests that the consideration therefor be one dollar; 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; Assembly Members Teresa R. Sayward and Chris Ortloff; and the Commissioner of General Services.

This resolution was duly seconded by Supervisor Douglas, and adopted.

Resolution No. 234

November 1, 2004
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF
LESTER H. "BUD" SWEATT

The following resolution was offered by Supervisor Jackson, 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, Lester H. "Bud" Sweatt of Essex, New York, passed away on October 11, 2004; and

WHEREAS, Bud Sweatt was a World War II veteran of the US Army serving in Canada, Europe and the Pacific before being honorably discharged in 1945; and

WHEREAS, Bud Sweatt was a two term Town Councilman for the Essex Town Board; and

WHEREAS, Bud Sweatt was the Postmaster for the Town of Essex for 25 years; and

WHEREAS, Bud Sweatt was a member and a faithful worker for the Essex Community Church, the Iroquois Lodge, the Oriental Shrine, the Keeseville Elks, the American Legion, the Whippoorwill hunting camp and the Essex Fire Department; and

WHEREAS, Bud Sweatt was an avid sportsman and long time hunter safety instructor; and

WHEREAS, Bud Sweatt was a loyal and devoted husband, brother, father, grandfather, uncle and friend, who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby express and extend their deepest sympathy and condolences to the family of Lester H. "Bud" Sweatt; 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 Sweatt family.

This resolution was unanimously seconded and adopted.

Resolution No. 235

November 1, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PUBLIC HEALTH
DEPARTMENT
TO ACCEPT A GRANT FROM HUDSON HEADWATERS**

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 authorizes the Public Health Department to accept a \$953.60 grant from Hudson Headwaters for improving Oral Health of Pregnant and Post Partum Women.

This resolution was duly seconded by Supervisor Ashworth, and adopted.

Resolution No. 236

November 1, 2004
Regular Board Meeting

RESOLUTION APPOINTING A PUBLIC DEFENDER

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby appoints Livingston L. Hatch to the full-time office of Essex County Public Defender, at an annual salary of \$100,000.00 plus benefits including family plan health insurance.

This resolution was unanimously seconded and adopted.

Resolution No. 237

**November 1, 2004
Regular Board Meeting**

**RESOLUTION AMENDING THE 2002-2003 NORTH COUNTRY
COMMUNITY COLLEGE OPERATING BUDGET BY
INCREASING THE AMOUNT OF STATE AID FROM \$2,276,297
TO \$2,308,850
TO REFLECT ACTUAL STATE AID ENTITLEMENT**

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.

WHEREAS, by Resolution No. 136 of 2002, the 2002-2003 operating budget for North Country Community College, containing a total expenditure of \$7,372,200.00, with Essex County's sponsor share being \$937,350.00 and State aid of \$2,276,297.00, was approved; and

WHEREAS, the 2002-2003 Annual Financial Report for the College reflects an actual State aid entitlement of \$2,305,850.00, and increase of \$29,553.00 over the approved budget amount.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2002-2003 North Country Community College operating budget by increasing the State aid revenue from \$2,276,297.00 to \$2,305,850.00, but does not amend the total operating costs or sponsor share.

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

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

Resolution No. 238

**November 1, 2004
Regular Board Meeting**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF ESSEX
COUNTY ELECTING THE JAN/FEB, 2005, ONE-WEEK CLOTHING
AND FOOTWEAR EXEMPTION FROM ITS SALES AND
COMPENSATING USE TAXES**

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

BE IT ENACTED by the Board of Supervisors of Essex County as follows:

Section one. The Board of Supervisors of Essex County hereby elects the clothing and footwear exemption for the period commencing on January 31, 2005, and ending on February 6, 2005.

Section Two. This resolution shall take effect on December 3, 2004, and shall apply in accordance with the applicable transitional provisions of the Tax Law.

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

AYES: 2610 votes
NOES: 233 votes (Morrow, Canon)
ABSENT: 0 votes

Resolution No. 239

**November 1, 2004
Regular Board Meeting**

**RESOLUTION APPROVING THE 2004-2005 MORIAH/PORT
HENRY/ESSEX COUNTY EMPIRE ZONE DEVELOPMENT PLAN**

The following resolution was offered by Supervisor Scozzafava, 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 approves the 2004-2005 Moriah/Port Henry/Essex County Empire Zone Development Plan.

This resolution was duly seconded by Supervisor French, and adopted.

Resolution No. 240

**November 1, 2004
Regular Board Meeting**

**RESOLUTION AUTHORIZING A REPLACEMENT DEED TO
CURTISTEEN Z. GATES OF PROPERTY IN THE TOWN OF MORIAH**

The following resolution was offered by Supervisor Scozzafava, 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 authorizes and directs that a replacement deed be furnished to Curtisteen Z. Gates of certain real property at 55-57 College Street, Port Henry, New York acquired by tax sale in 1967 and conveyed to Ms. Gates and her late husband.

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. 241

**November 1, 2004
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO PAUL SAVAGE, JAMES
BROOKS, GAIL RICE, ROBERT WHITNEY AND HOWARD PAGE ON
THEIR INDUCTION TO THE LAKE PLACID HALL OF FAME**

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

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

WHEREAS, the Lake Placid Hall of Fame nominates and selects residents, past or present, of the Olympic Region based on their significant contributions to the betterment and promotion of the Olympic Region, either through sports or civic and cultural involvement; and

WHEREAS, Paul Savage, James Brooks, Gail Rice, Robert Whitney and Howard Page have been selected for induction into the Lake Placid Hall of Fame.

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates Paul Savage, James Brooks, Gail Rice, Robert Whitney and Howard Page on their induction to the Lake Placid Hall of Fame, and expresses its appreciation for the significant contributions they have made to the Olympic Region, and particularly Essex County.

This resolution was unanimously seconded and adopted.

RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT

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

Upon the passage of a motion to consider from the floor, 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, 2004.

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	22,394.15	Town	174,877.27
Village (Keeseville)	2,183.06	Village (Lake Placid)	72,113.94
Crown Point	14,015.62	Village (Saranac Lake) ...	8,593.39
Elizabethtown	11,465.27	North Hudson	1,495.90
Essex	11,480.64	St. Armand	
Jay	34,036.21	Town	16,880.67
Keene	26,484.78	Village (Saranac Lake) ...	1,276.47
Lewis	12,679.90	Schroon	47,829.64
Minerva	10,287.79	Ticonderoga	60,814.85
Moriah		Westport	25,919.85
Town	23,620.77	Willsboro	23,410.69
Village (Port Henry)	3,786.55	Wilmington	<u>25,055.85</u>
Newcomb	9,875.16		TOTAL: \$640,578.42

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

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

Resolution No. 243

**November 1, 2004
Regular Board Meeting**

**RESOLUTION CHANGING THE TIME OF THE NOVEMBER WAYS AND
MEANS COMMITTEE MEETING AND SCHEDULING THE PUBLIC
HEARING ON THE TENTATIVE 2005 ESSEX COUNTY BUDGET**

The following resolution was offered by Supervisor Scozzafava, 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 changes the time of the November Ways and Means Committee Meeting from 10:00 a.m. to 6:00 p.m. on November 29, 2004; and

BE IT FURTHER RESOLVED that this Board hereby schedules the Public Hearing on the Tentative 2005 Essex County Budget to immediately follow the Ways and Means Committee Meeting on November 29, 2004 at 7:00 p.m.

This resolution was duly seconded by Supervisor Douglas, and adopted with Supervisor Jackson being opposed.

Resolution No. 244

November 1, 2004
Regular Board Meeting

**RESOLUTION CONSENTING TO EXTEND THE 15-DAY PERIOD
FOR THE ADIRONDACK PARK AGENCY TO REVIEW THE
COUNTY'S APPLICATION FOR A PERMIT TO CONSTRUCT
THE NEW JAIL & PUBLIC SAFETY FACILITY TO A 30-DAY
PERIOD**

The following resolution was offered by Supervisor Jackson, 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 consenting to extend the 15-day period for the Adirondack Park Agency to review the County's application for a permit to construct the new jail & public safety facility to a 30-day period.

This resolution was duly seconded by Supervisor Merrihew, and adopted.

Resolution No. 245

November 1, 2004
Regular Board Meeting

RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR

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.

WHEREAS, a Project for the Bridge Replacement of CR22, Jay Trumbulls Corners Road over East Branch Ausable River, P.I.N. 1751.59 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Essex desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering (Phases 5 and 6).

NOW, THEREFORE, the Essex County Board of Supervisors, duly convened does hereby

RESOLVE, that the Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that this Board hereby authorizes the County Treasurer of Essex County to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering (Phases 5 and 6) work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$440,000.00 (Four hundred forty thousand dollars and no cents) is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the sum of \$85,000.00 (Eighty Five Thousand dollars and no cents) is hereby appropriated from the County Road fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors of Essex County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of this Board or DPW Superintendent of the County of Essex be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Essex with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

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

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

Resolution No. 246

**November 4, 2004
Regular Board Meeting**

**RESOLUTION AMENDING RESOLUTION NO. 210 OF 2004 BY
INCREASING THE WRITE-OFF OF BAD DEBTS IN THE PUBLIC
HEALTH DEPARTMENT FROM \$44,333.66 TO \$46,333.66**

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

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

WHEREAS, by Resolution No. 210 duly adopted by this Board on October 4, 2004, this Board authorized the write-off of bad debts in the Public Health Department amounting to \$44,333.66; and

WHEREAS, subsequent accounting has revealed the uncollectible bad debt amount to be \$46,333.66.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends Resolution No. 210 of 2004 by increasing the amount of uncollectible bad debts to be written off from \$44,33.66 to \$46,333.66.

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

Tabled

Resolution No. 247

**November 1, 2004
Regular Board Meeting**

**RESOLUTION REQUESTING THE STATE LEGISLATURE TO ADOPT
HOME RULE LEGISLATION AUTHORIZING ESSEX COUNTY TO WAIVE
THE RESIDENCY REQUIREMENT IN PUBLIC OFFICERS LAW SECTION
3 FOR THE OFFICE OF ESSEX COUNTY MANAGER**

The following resolution was offered by Supervisor Merrihew, 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 requests that the State Legislature introduce and adopt home rule legislation authorizing Essex County to waive the residency requirement in Public Officers Law section 3 for the office of Essex County Manager.

This resolution was duly seconded by Supervisors Dedrick and Moses, and **tabled** upon a roll-call vote as follows:

AYES: 1559 votes

**NOES: 1178 votes (Merrihew, Scozzafava, Canon, Moses,
Dedrick, Ashline)**

ABSENT: 106 votes (Morency)