

**Resolution No. 225**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION PROMOTING DEPUTY SHERIFF**

**ERIC P. LOISELLE**

**TO SERGEANT IN THE ESSEX COUNTY SHERIFF'S DEPARTMENT**

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

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

**WHEREAS**, Eric Peter Loiseau passed the Sergeant's examination for Essex County, attaining the highest score of all persons taking the examination, prior to his tragic and untimely death on August 17, 2005; and

**WHEREAS**, Eric Peter Loiseau earned the rank of Sergeant, and Essex County Sheriff Henry Hommes would have promoted him to this important position in the Essex County Sheriff's Department based upon his exceptional merit and fitness for the position; and

**WHEREAS**, Essex County Sheriff Henry Hommes and this Board wish to posthumously promote Eric Peter Loiseau to the rank of Sergeant in the Essex County Sheriff's Department.

**BE IT RESOLVED** that the Essex County Board of Supervisors, upon recommendation and request of Essex County Sheriff Henry Hommes, hereby promotes Deputy Sheriff Eric Peter Loiseau to the rank of Sergeant in the Essex County Sheriff's Department.

This resolution was duly seconded by Supervisor \_\_\_\_\_, and adopted.

**Resolution No. 226**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**ERIC PETER LOISELLE**

**WHEREAS**, Deputy Sheriff Eric Peter Loiselle tragically passed away on August 17, 2005; and

**WHEREAS**, Eric Loiselle was a 1992 graduate of Minerva Central School and went on to earn 16 credit hours at Adirondack Community College; and

**WHEREAS**, Eric Loiselle served his country in the US Air Force from 1992 to 1996 refueling jets in Germany and Turkey, and proudly served in the Persian Gulf War; and

**WHEREAS**, Eric Loiselle was a truck driver for several companies including American Van Lines and Smiths Transport before finally coming to work for the Essex County Sheriff's Department as a Deputy Sheriff in June of 2001; and

**WHEREAS**, Deputy Loiselle had a strong sense of duty, community service and distinguished himself as a Deputy Sheriff within the Essex County Sheriff's Department and committed himself to excellence in all that he did; and

**WHEREAS**, Eric Loiselle enjoyed snowmobiling, camping and NASCAR, and loved life and loved those who shared his life; and

**WHEREAS**, Eric Loiselle was a loving husband, father, son, grandson, brother, uncle, neighbor and friend to all, 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 Deputy Sheriff Eric Peter Loiselle; 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 family of Eric Loiselle.

This resolution was unanimously seconded and adopted.

**Resolution No. 227**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION AMENDING THE 2005 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 2005 Essex County Budget as follows:

**1. From the Human Services Committee:**

(a) For the Office for the Aging, increase revenues (6772 4477280 - Federal Aid Title VII) and appropriations as follows in the total amount of \$1,318.24 from Title VII carry-over funds:

<b><u>Account No.</u></b>	<b><u>Account Description</u></b>		<b><u>Amount</u></b>
67724 5410	Office Supplies	\$	218.24
67724 5443	Travel		400.00
67724 5451	Training		400.00
67724 5475	General Insurance		300.00

(b) For the Office for the Aging, increase revenues (6772 4477295 - Federal Aid Title III E) and appropriations in the total amount of \$17,446.00 from Title III E carry-over funds as follows:

<b><u>Account No.</u></b>	<b><u>Account Description</u></b>		<b><u>Amount</u></b>
67721 5100	Wages - Full Time	\$	3,700.00
67728 5810	Retirement		397.00
67728 5820	Social Security		284.00
67728 5840	Disability Insurance		16.00

67724 54463E	Miscellaneous Contracts	7,000.00
67724 5487	Miscellaneous Other	1,049.00
67724 5426	Books & Periodicals	1,000.00
67724 5436	Advertising	2,000.00
67724 5400LIC	Licenses	2,000.00

**2. From the Regular Board Meeting:**

(a) For the Horace Nye Home, increase revenues (E8350 4E5062 - Distress Facility Funds) and appropriations (E83502 5E34 - Purchase of Major Equipment) in the amount of \$35,160.00, from \$69,250 to \$104,410, to pay for mold abatement and equipment removal.

(b) For the Department of Social Services, increase revenues (6010 43610 - State Aid - Administration) and appropriations as follows for the prevention of detention placements and PINS services funding in the total amount of \$40,000:

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Total</u></b>
60101 5110	Salaries & Wages - Reg.	\$ 23,350.00
60108 5820	Social Security	2,000.00
60104 5434	SS Contractual Fees Act.	9,750.00
60104 5497	Mileage	4,900.00

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

**AYES: 2314 votes**  
**NOES: 0 votes**  
**ABSENT: 529 votes (Moses, Dedrick)**

**Resolution No. 228**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION APPROPRIATING FUNDS FROM THE CONTINGENT  
ACCOUNT FOR TRANSFER TO THE 2005 ESSEX COUNTY BUDGET**

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

Upon the recommendation of the 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 appropriates the following sums from the contingent account (Account No. 19904-5487) for transfer to the 2005 Essex County Budget:

**1. From the Public Safety Committee:**

(a) The sum of \$7,885.00 to the Essex County Emergency Services Budget as follows, for the purchase of an Accident and Health Insurance Policy:

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
34104 5475	General Insurance	\$ 1,357.00
45404 5475	General Insurance	\$ 169.00
36404 5487HAZ	HAZMAT Team	\$ 4,663.00
36404 5475RACES	RACES	\$ 1,696.00

**2. From the Finance/Tax Reduction/Mandate Relief Committee:**

(a) The sum of \$20,000.00 to the 2005 Essex County Assigned Counsel Budget (11714 5403DI) to cover expenses.

**3. From the Regular Board Meeting:**

(a) The sum of \$3,117.00 to the Essex County Board of Supervisors Budget (10104 5487 - Miscellaneous) to pay the balance of the funeral bill for Deputy Sheriff Eric Loiselle.

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

**AYES: 2314 votes**  
**NOES: 0 votes**

**ABSENT:**      **529 votes (Moses, Dedrick)**

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<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 9/06/05:</i>	\$ 331,206.00
<i>Reduction Impact of this resolution:</i>	31,002.00
<i>FY2005 Contingent Account Balance:</i>	\$ 300,204.00

**Resolution No. 229**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING CONTRACTS**

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

Upon the recommendation of the respective 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 authorizes and directs the Chairman of the Board to enter into and execute the following:

**1. From the Human Services Committee:**

- (a) For the Horace Nye Home:
- (1) a contract with Royal Care Pharmacy for pharmacy services; and
  - (2) a contract with Edgeco Environmental in the total amount of \$35,160.00 for mold abatement (\$24,360) and laundry room equipment removal (\$10,800), to be paid from budgeted funds (Purchase of Major Equipment).

**2. From the Public Safety Committee:**

- (a) A "Scheduled Volunteer" endorsement from PERMA at a pro-rated cost for coverage 08/01/05 through 12/31/05 of not more than \$3,000 with such funds to come from existing 2005 workers' compensation self-insurance plan funds.
- (b) An Accident and Health Insurance Policy to cover Essex County Deputy Fire Coordinators, RACES team members and Hazmat team members for the period of 09/01/05 through 12/31/05.

**3. From the Regular Board Meeting:**

- (a) For the Department of Public Works, Solid Waste Division, extend the existing contract with Serkil, LLC, for an additional five (5) year term on the same terms and conditions.

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

**AYES: 2314 votes**  
**NOES: 0 votes**  
**ABSENT: 529 votes (Moses, Dedrick)**

**Resolution No. 230**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION AUTHORIZING MILEAGE REIMBURSEMENT  
FROM GRANT FUNDS TO AN EMPLOYEE IN THE PUBLIC  
HEALTH DEPARTMENT FOR MARCH, APRIL AND MAY, 2005**

The following resolution was offered by Supervisor Jackson, 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 the payment of mileage reimbursement from grant funds to Marcie Lee in the Public Health Department for March, April and May, 2005 in the amount of \$695.38.

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

**AYES:           2314 votes**  
**NOES:           0 votes**  
**ABSENT:       529 votes   (Moses, Dedrick)**



**Resolution No. 231**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING APPLICATION FOR  
AND ACCEPTANCE OF GRANT FUNDS**

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

Upon the recommendation of the committees indicated, 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 following:

**1. From the Human Services Committee:**

(a) For the Public Health Department, apply for and accept a mini-grant from the Greater Adirondack Perinatal Network.

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

**AYES: 2314 votes**  
**NOES: 0 votes**  
**ABSENT: 529 votes (Moses, Dedrick)**

**Resolution No. 232**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE WRITE-OFF OF BAD  
DEBTS IN THE PUBLIC HEALTH DEPARTMENT**

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 and directs the Public Health Department to write-off uncollectible bad debts in the amount of \$78,523.07 from 2002-2003; and

**BE IT FURTHER RESOLVED** that this Board hereby authorizes the County Attorney to attempt to collect \$22,979.00 in private pay collections.

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

**AYES: 2208 votes**  
**NOES: 106 votes (Morency)**  
**ABSENT: 529 votes (Moses, Dedrick)**

**Resolution No. 233**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY  
FROM THE BOQUET VALLEY AMERICAN LEGION FOR A  
VETERAN'S CEMETERY PURSUANT TO COUNTY LAW §222**

The following resolution was offered by Supervisor Connell, 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.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the acquisition of property from the Boquet Valley American Legion for a Veteran's Cemetery pursuant to County Law §222.

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

**Resolution No. 234**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION OPPOSING THE LONG-TERM COST TO COUNTIES FOR  
IMPLEMENTING THE HELP AMERICA VOTE ACT**

The following resolution was offered by Supervisor Seney, 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.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby opposes the long-term cost to Counties for implementing the Help America Vote Act; 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 Supervisor Connell, and adopted, with Supervisors Morency and Scozzafava being opposed.

**Resolution No. 235**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION ESTABLISHING PHYSICAL STANDARDS FOR DEPUTY  
FIRE AND EMS COORDINATORS, FIRE INVESTIGATORS, AND FOR  
RACES TEAM MEMBERS, AND PROVIDING FOR INDEMNIFICATION  
OF THE HOME DISTRICT FROM INSURANCE COST INCREASES  
RESULTING FROM INJURIES TO TEAM MEMBERS**

The following resolution was offered by Supervisor Jackson, 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.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby establishes physical standards for Deputy Fire Coordinators, Fire Investigators, Deputy EMS Coordinators, and RACES Team Members as follows:

- all Deputy Fire Coordinators and Deputy EMS Coordinators shall meet the physical fitness/condition standards required of firefighters;
- Fire Investigators shall meet the higher physical fitness/condition standards required of members of the Hazmat Team (i.e., interior firefighter SCBA standards);
- all RACES Team Members shall meet the same physical fitness/condition standards required of all new County employees;
- all coordinators, investigators and team members shall submit to annual physical examinations to ensure that they meet the applicable standards and are physically able to perform their respective County duties, and a true and complete copy of the report of such annual physical shall be furnished to the Administrator of the County's Self-Insurance Plan;
- a coordinator, investigator or team member who suffers from any disability, illness or injury which may adversely affect his/her ability to perform his/her County duties shall immediately inform the Administrator of the County's Self-Insurance Plan of such disability, illness or injury, and shall not be authorized or permitted to return to duty until such time as he/she has been examined by his/her physician and the Administrator receives a written report of said examination and a written statement from the physician stating that

the physician is aware of the applicable physical standards required and that the person is physically able to return to unrestricted duty and fully perform his/her County duties.

**AND BE IT FURTHER RESOLVED** that Essex County shall indemnify and hold harmless the home district from any insurance cost increases resulting from injury to a member of the Essex County arising out of their performance of their duties on behalf of the County.

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

**AYES:**            **2314 votes**  
**NOES:**            **0 votes**  
**ABSENT:**        **529 votes (Moses, Dedrick)**

**Resolution No. 236**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING DISTRIBUTION AND USE OF THE  
ESSEX COUNTY HEALTH AND SAFETY MANUAL AS A  
TEMPLATE FOR ESSEX COUNTY TOWNS AND VILLAGES**

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

Upon the recommendation of the DPW 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 the distribution of the Essex County Health and Safety Manual to Essex County Towns and Villages for their use as a template.

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

**Resolution No. 237**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION APPROVING THE PROPOSED ESSEX COUNTY EMPIRE  
ZONE LOCATIONS IN THE TOWNS OF SCHROON, JAY, WILMINGTON,  
TICONDEROGA, CHESTERFIELD, THE VILLAGE OF PORT HENRY AND  
THE TOWN OF NORTH HUDSON (AS NEEDED)**

The following resolution was offered by Supervisor Douglas, 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 approves the new Empire Zone locations recommended by the Moriah-Port Henry-Essex County Empire Zone in the Towns of Schroon, Jay, Wilmington, Ticonderoga, Chesterfield, Village of Port Henry and North Hudson (as needed).

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



**Resolution No. 238**

**September 6, 2005  
Regular Board Meeting**

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

The following resolution was offered by Supervisor Kelly, 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 makes the following appointments:

**1. From the Economic Development/Planning/Publicity Committee:**

(a) To the Occupancy Tax Advisory Committee: reappoint Robert Lilly for a five year term.

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

**Resolution No. 239**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION OF APPRECIATION TO**

**TED BLAZER**

**FOR EXEMPLARY AND OUTSTANDING SERVICE TO  
THE PEOPLE OF ESSEX COUNTY AS PRESIDENT AND  
CHIEF EXECUTIVE OFFICER OF THE OLYMPIC  
REGIONAL DEVELOPMENT AUTHORITY**

The following resolution was offered by Supervisor \_\_\_\_\_, 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.

**WHEREAS**, Ted Blazer has served as the President and CEO of the Olympic Regional Development Authority (ORDA) since January, 1996; and

**WHEREAS**, ORDA is a critical component of the Essex County tourism-based economy, having an operating budget of \$25 million, employing up to 1200 employees, and generating millions of dollars in revenue through the year-round operation of five venues – Whiteface Mountain, Gore Mountain, the Olympic Center, the MacKenzie-Intervale Ski Jumping Complex, and the Verizon Sports Complex; and

**WHEREAS**, during his stewardship of the Olympic Regional Development Authority, Ted Blazer oversaw \$60 million in capital improvements to the five ORDA venues, and secured world-class events such as the 1997 US Ski Team Gold Cup, the 2000 Winter Goodwill Games, numerous winter sport World Cup and World Championship events, and for three years the ESPN Great Outdoor Games; and

**WHEREAS**, due to the leadership and vision of Ted Blazer, ORDA and the Lake Placid community each enjoy unprecedented status in the world of international sports, demonstrating time and again an unparalleled ability to host and conduct international events even on a moment's notice; and

**WHEREAS**, Ted Blazer worked tirelessly to insure the continued operation of, and improvement to, the ORDA venues despite State budget limitations; and

**WHEREAS**, Ted Blazer has made remarkable, significant and lasting contributions to the People of Essex County through his exemplary and outstanding service as the President and Chief Executive Officer of the Olympic Regional Development Authority.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Essex County Board of Supervisors hereby extend, for themselves and for the People of Essex County, their deep and abiding appreciation to Ted Blazer for his exemplary and outstanding public service to the People of Essex County and the State of New York as President and Chief Executive Officer of the Olympic Regional Development Authority.

This resolution was duly seconded by Supervisor \_\_\_\_\_, and adopted.

**Resolution No. 240**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION URGING THE STATE LEGISLATURE TO  
INCREASE THE HEAP ALLOTMENTS FOR THIS HEAP SEASON  
DUE TO THE RISING FUEL COSTS**

The following resolution was offered by Supervisor Dobie, 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 urges the State Legislature to increase the HEAP allotments for this season due to the rising fuel costs; 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; President George W. Bush; United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives John E. Sweeney and John M. McHugh; Senate Majority Leader Bill Frist, M.D.; Senate Minority Leader Harry Reid; Speaker of the House Dennis J. Hastert; House Minority Leader Nancy Pelosi; and Bruce Bowdy, HEAP Director, 40 North Pearl Street, Albany, NY 12243.

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

**Resolution No. 241**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION APPROVING SIGNATORIES  
FOR THE HORACE NYE HOME  
PATIENT TRUST FUND ACCOUNTS**

The following resolution was offered by Supervisor Ashworth, 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 elimination of Ann Tesar and Cheryl Drinkwine from the Essex County Horace Nye Patient Trust Fund Account at the Champlain National Bank and adding the names of Susan Neill and Karen Coolidge; and

**BE IT FURTHER RESOLVED** that the Chairman of this Board be and he hereby is authorized to execute any and all documents necessary to carry out this resolution.

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

**Resolution No. 242**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION AUTHORIZING AND DIRECTING THE INFORMATION  
SYSTEMS DEPARTMENT TO CONTINUE TO SUPPORT AND  
IMPLEMENT IN-HOUSE SOFTWARE PROGRAMMING FOR USE BY  
THE ESSEX COUNTY BOARD OF ELECTIONS IN COMPLYING WITH  
NEW YORK STATE BOARD OF ELECTIONS REQUIREMENTS**

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

Upon the recommendation of the Personnel/Administration 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 Information Systems Department to continue to support and implement in-house software programming for use by the Essex County Board of Elections to comply with the requirements of the New York State Board of Elections.

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

**Resolution No. 243**

**September 6, 2005**  
**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 French, 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 the following all in accordance with the Essex County Purchasing Policy (Resolution No. 320-97):

**1. From the Personnel/Administration Committee:**

(a) Accept the proposal from J. Hogan Refrigeration & Mechanical Company, Inc. to install a back-up redundant air conditioning unit in the computer server room at a price of \$6,431.00 with the funds to come from 2005 budgeted funds.

(b) Purchase Scott Radio Communications and Radio Clips for the Hazmat Team at a cost of \$5,789.40 from budgeted funds.

**2. From the Regular Board Meeting:**

(a) Award a contract to Brockway Mechanical Systems, Inc., the low bidder, to retube the boiler at the Horace Nye Home for \$51,300, to be paid from 2005 budgeted funds.

(b) Contract for the use of a temporary boiler at a cost of \$8,500/mo. plus such additional amounts as necessary for installation thereof, to be paid from 2005 budgeted funds.

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

AYES: 2314 votes  
NOES: 0 votes  
ABSENT: 529 votes (Moses, Dedrick)

**Resolution No. 244**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING ACCEPTANCE OF CLASS ACTION  
SETTLEMENTS ARISING OUT OF INSURANCE COMMISSIONS**

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

Upon the recommendation of the Personnel/Administration 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 acceptance of the class action settlement arising out of the insurance commission litigation against Aon Corporation, as well as the settlement of a second class action lawsuit if and when approved, and the Chairman of this Board is authorized to execute any and all required settlement documents in connection therewith.

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

**AYES: 2314 votes**  
**NOES: 0 votes**  
**ABSENT: 529 votes (Moses, Dedrick)**



**Resolution No. 245**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION APPROVING CONSOLIDATION OF SERVICES  
BETWEEN THE EMPIRE ZONE OFFICE AND THE IDA OFFICE**

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

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief 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 approves the consolidation of services between the Empire Zone Office and the IDA Office.

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

**Resolution No. 246**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING A NON-INTEREST  
BEARING CHECKING/TRUST ACCOUNT  
IN THE COUNTY CLERK'S OFFICE**

The following resolution was offered by Supervisor Connell, 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 the establishment and opening of a non-interest bearing checking/trust account in the County Clerk's Office for the collection of fines of integrated domestic violence court; and

**BE IT FURTHER RESOLVED** that this Board hereby certifies the checking account in the County Clerk's Office; and

**BE IT FURTHER RESOLVED** that this resolution shall remain in effect until such time as the same is amended or repealed by subsequent resolution of the Board of Supervisors.

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

**Resolution No. 247**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION REQUESTING HOME RULE LEGISLATION  
AMENDING NEW YORK TAX LAW §261 SO AS TO AUTHORIZE  
ESSEX COUNTY TO USE ADDITIONAL MORTGAGE TAX REVENUE  
TO PAY THE COST OF THE NEW JAIL & PUBLIC SAFETY FACILITY**

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

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief 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 requests legislation amending New York Tax Law §261 so as to authorize Essex County to use additional mortgage tax revenue to pay the cost of the New Jail & Public Safety Facility; 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 Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted.

**Resolution No. 248**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE SALE OF  
COUNTY OWNED REAL PROPERTY**

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

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief 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 the sale of County owned real property as follows:

<u>Town</u>	<u>Sold To:</u>	<u>Tax Map #</u>	<u>Account #</u>	<u>Amount</u>
Minerva	Robert Thul	154.2-1-39.000	645J101004	\$ 500.00
Moriah	John Neggia	86.73-6-1.000	655J112610	\$ 1,000.00
Moriah	Beneficial Homeowner Service Corporation	86.82-2-6.00	655J111409	\$ 1,742.77
Schroon	Robert Hevern	146.16-2-13.100	695J178646	\$ 855.00

**AND BE IT FURTHER RESOLVED** that the purchasers shall each be solely responsible for payment of all unpaid village and school taxes levied in and after January 1, 2005.

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

**AYES: 2314 votes**  
**NOES: 0 votes**  
**ABSENT: 529 votes (Moses, Dedrick)**

**Resolution No. 249**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**JOHN M. NOLAN**

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

**WHEREAS**, John M. Nolan, the former Highway Superintendent for the Town of Chesterfield, passed away on July 30, 2005; and

**WHEREAS**, John Nolan was employed by the Town of Chesterfield Highway Department for 37 years, the last 15 of those years proudly serving as the Highway Superintendent until his retirement in 2003; and

**WHEREAS**, John Nolan was a 25 year member of the Keeseville Volunteer Fire Department and served as an EMT and as an EMT and CPR trainer for several years; nad

**WHEREAS**, John Nolan was a loving father, grandfather, brother, uncle, neighbor and friend to all, who will be 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 John Nolan; 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 family of John Nolan.

This resolution was unanimously seconded and adopted.

**Resolution No. 250**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO  
THE FAMILY OF ELFRIEDE BUCK**

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

**WHEREAS**, Elfriede Buck, the mother of Frederick H. Buck, the Superintendent of the Essex County Department of Public Works, passed away recently; and

**WHEREAS**, Elfriede Buck was a loving and devoted mother, grandmother and great-grandmother, whose memory will be cherished by her family and friends.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby express and extend their deepest sympathy and condolences to the family of Elfriede Buck; 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 Buck family.

This resolution was unanimously seconded and adopted.

**Resolution No. 251**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING AMENDMENTS TO THE PUBLIC  
HEALTH DEPARTMENT OPERATING CERTIFICATES**

The following resolution was offered by Supervisor Jackson, 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 amendment of the Essex County Public Health Department's Article 36 operating certificate so as to add "Nutrition Services" thereto; and

**BE IT FURTHER RESOLVED** that this Board also authorizes the amendment of the Department's Article 28 operating certificate so as to add "Dental Services" thereto.

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

**Resolution No. 252**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO THOMAS RICHARDSON  
OF UPPER JAY FOR OBTAINING  
THE EAGLE SCOUT AWARD**

The following resolution was offered by Supervisor \_\_\_\_\_, 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**, Thomas Richardson is a resident of the Town of Jay; and

**WHEREAS**, Tom is entitled to receive Scouting's highest honor, the rank of Eagle Scout; and

**WHEREAS**, to earn the rank of Eagle Scout you must earn a total of at least 21 badges, 12 of which are Eagle Merit Badges, you must spend 6 months as a youth leader in your troop demonstrating leadership and do service projects that would benefit your community, school or church; and

**WHEREAS**, being an Eagle Scout requires the scout to master scouting skills, outdoor knowledge, render leadership services, practice citizenship & ethical behavior of the highest order; and

**WHEREAS**, Thomas Richardson has more than fulfilled all of the necessary requirements to receive scouting's highest honor, Eagle Scout.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby extend their heartiest congratulations to Thomas Richardson on a job well-done and for all of his accomplishments as a Boy Scout and for receiving the Eagle Scout Award; 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 Thomas Richardson.

This resolution was duly seconded by Supervisor \_\_\_\_\_, and adopted.



**Resolution No. 253**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**ADRIAN CLARENCE EDMONDS**

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

**WHEREAS**, Adrian Clarence Edmonds, builder, real estate developer, civic leader, author, historian and lifelong resident of the Town of Keene passed away on August 23, 2005 at the age of 96; and

**WHEREAS**, Adrian Edmonds began his service to the Town of Keene in 1927 while he was a junior in high school by joining the Keene Valley Fire Department where he became its chief in 1951-52 and remained a member throughout his life; and

**WHEREAS**, Adrian Edmonds also served the Town of Keene as a member of the Town Board from 1941 through 1961, served as a Justice of the Peace from 1951-1961 and as an Assessor from 1964-1990; and

**WHEREAS**, Adrian Edmonds was a loving father, grandfather, great grandfather, neighbor and friend to all, 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 Adrian Clarence Edmonds; 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 family of Adrian Edmonds.

This resolution was unanimously seconded and adopted.

**Resolution No. 254**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO  
THE FAMILY OF RITA DUQUETTE HADJO**

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

**WHEREAS**, Rita Duquette Hadjo, the mother of Dr. Gail Rogers Rice, the President of North Country Community College in Saranac Lake, passed away on August 30, 2005 at her home; and

**WHEREAS**, Rita Hadjo was a life-long resident of Saranac Lake and a loving and devoted mother, grandmother, great grandmother, sister, neighbor and friend whose memory will be cherished by her family and friends.

**BE IT RESOLVED**, that the members of the Essex County Board of Supervisors hereby express and extend their deepest sympathy and condolences to the family of Rita Duquette Hadjo; 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 family of Rita Duquette Hadjo.

This resolution was unanimously seconded and adopted.

**Resolution No. 255**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**BRIAN T. CARPENTER**

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

**WHEREAS**, Brian T. Carpenter was tragically killed in an automobile accident on August 30, 2005 at the age of 16; and

**WHEREAS**, Brian was a junior honor student at Moriah Central School, a member of the National Honor Society, Student Council, and a member of the varsity basketball and golf teams;

**WHEREAS**, Brian will be remembered for his quick wit and never ending ability to make others laugh, and he worked hard at everything he did and was quick to lend a hand to others; and

**WHEREAS**, Brian was an avid fisherman, a New York Giants fan, and loved to spend time with his family; and

**WHEREAS**, Brian Carpenter was a loving son, brother, grandson, nephew, cousin, neighbor and friend to all, 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 Brian T. Carpenter; 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 Carpenter family.

This resolution was unanimously seconded and adopted.

**Resolution No. 256**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**NORMAN E. "JIM" MERO**

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

**WHEREAS**, Norman E. "Jim" Mero passed away on August 31, 2005 after a short illness; and

**WHEREAS**, Norman E. "Jim" Mero was the father of James Mero, the fire investigator who passed away earlier this year while on duty; and

**WHEREAS**, Jim was a life member of the Willsboro Fire Department and a retired Town of Willsboro employee;

**WHEREAS**, Jim proudly served in the Air Force from 1953 to 1957; and

**WHEREAS**, Jim was a loving husband, father, brother, uncle, neighbor 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 Norman E. "Jim" Mero; 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 Mero family.

This resolution was unanimously seconded and adopted.

**Resolution No. 257**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**JOHN FLOYD WORSHAM, III**

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

**WHEREAS**, John Floyd Worsham, III was tragically killed in an automobile accident on August 26, 2005 at the age of 20; and

**WHEREAS**, John was employed by Kubricky Construction of Glens Falls as a pipe layer; and

**WHEREAS**, John enjoyed skateboarding, fishing, hiking and his many friends; and

**WHEREAS**, John Worsham was a loving son, brother, grandson, nephew, cousin, neighbor 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 John Floyd Worsham, III; 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 Worsham family.

This resolution was unanimously seconded and adopted.

**Resolution No. 258**

**September 6, 2005  
Regular Board Meeting**

**RESOLUTION CONTESTING THE DENIAL OF FEDERAL FUNDS  
FOR DAMAGES SUSTAINED IN THE JUNE 6-18, 2005 FLOOD  
EMERGENCY, AND URGING GOVERNOR PATAKI TO APPEAL**

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.

**WHEREAS**, during the period of June 6-18, 2005, portions of Essex County were devastated by torrential rains resulting in widespread flooding and the destruction of public roads and highways; and

**WHEREAS**, in order to make emergency repairs to damaged County roads, this Board of Supervisors issued local finance obligations of up to \$1.5 million to insure that public safety services such as fire, ambulance, first-aid and police could be furnished to County residents; and

**WHEREAS**, affected towns and the State of New York have also expended hundreds of thousands of dollars to make emergency repairs to their respective roads and bridges so as to reopen their public roads and insure that public safety services can be furnished to the public; and

**WHEREAS**, Essex County cannot financially absorb the repair costs as it is faced with significant and substantial financial problems, including

- construction of a new 120-bed jail facility mandated by the State of New York at a cost to Essex County taxpayers of approximately \$35 million, the first payment on the bonds issued by the County to finance this project being due in 2006 in the amount of \$2,625,873.75 which represents a 19.38% increase over the County's 2005 real property tax levy
- the County's net share of Medicaid (\$7.5 million) now represents more than fifty percent of the County's 2005 tax levy, and operating expenses for all other *existing* County programs, departments and agencies continue to increase annually, and
- the County's only sources of revenue to pay the above-referenced expenses are real property taxes; and

**WHEREAS**, the Federal Emergency Management Agency has denied Federal funding to Essex County, to New York State, and to four other counties similarly affected by the flooding; and

**WHEREAS**, it is the sense of this Board that such denial is wrong, not based upon the facts, and should be appealed by the State of New York immediately.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby contests the denial of Federal funds for damages sustained in the June 6-18, 2005 flood emergency, and urges Governor Pataki and the State of New York to immediately appeal such denial; 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: President George W. Bush; United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives John E. Sweeney and John M. McHugh; Senate Majority Leader Bill Frist, M.D.; Senate Minority Leader Harry Reid; Speaker of the House Dennis J. Hastert; and House Minority Leader Nancy Pelosi; 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 Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted.

**Resolution No. 259**

**September 6, 2005**  
**Regular Board Meeting**

**RESOLUTION SUPPORTING IMMEDIATE SUSPENSION OF  
FEDERAL AND STATE TAXES ON GASOLINE**

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

**WHEREAS**, due to the drastic increases in gasoline prices of approximately one dollar since May of this year Federal and State revenues from excise, sales and other taxes on gasoline have exceeded budget estimates; and

**WHEREAS**, the retail price to consumers for a gallon of regular unleaded gasoline includes approximately 50 cents in Federal and State taxes, consisting of Federal Excise Tax of 18.4 cents, State Petroleum Business Tax of 15.2 cents, State Excise Tax of 8.05 cents, and State Sales Tax of approximately 10.8 cents; and

**WHEREAS**, many residents of Essex County, as well as throughout the State and Nation, must travel considerable distances for work, to attend school, and to purchase necessary food; and

**WHEREAS**, it is the sense of this Board that consumers need immediate relief from the Federal and State taxes on gasoline.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby supports the immediate suspension of Federal and State taxes on gasoline; 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: President George W. Bush; United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives John E. Sweeney and John M. McHugh; Senate Majority Leader Bill Frist, M.D.; Senate Minority Leader Harry Reid; Speaker of the House Dennis J. Hastert; House Minority Leader Nancy Pelosi; 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 Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted.



**Resolution No. 260**

**September 6, 2005**  
**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 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 approves, subject to compliance with the applicable provisions of the Essex County Civil Service Rules and Regulations, the current CSEA contract and the Personnel Policy Manual, the creation and filling of two (2) part-time (19 hrs/wk) Caseworker Assistant (Grade 8) positions in the Department of Social Services contingent upon said positions (a) being paid solely from PINS Detention Prevention grant funds received by DSS and/or Probation and (b) automatically being abolished when such grant funds either cease to be received or are insufficient to pay the entire costs of such positions (including benefit costs, if any).

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

**AYES: 2314 votes**  
**NOES: 0 votes**  
**ABSENT: 529 votes (Moses, Dedrick)**