

**RESOLUTION APPROVING RATES FOR ELECTION
INSPECTORS AND CUSTODIANS WITH THE COUNTY
RESPONSIBLE FOR PAYMENT**

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

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

WHEREAS, rates need to be set for election inspectors and custodians involved in handling the elections at town offices.

BE IT RESOLVED that the Essex County Board of Supervisors hereby approves the rates for election inspectors and custodians with the County responsible for payment as follows:

1. Election Inspectors to be paid \$10.00 per hour
2. Election Inspectors to be paid \$25.00 plus travel for training sessions
3. Custodians to be paid same as last year by Towns
4. Election Inspectors Chairperson to be paid \$10.00 extra

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

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

**RESOLUTION SUPPORTING A BILL IN THE SENATE WHICH PROVIDED FOR
BROADER RANGE OF LIABILITY PROTECTION TO FIRE DEPARTMENTS**

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

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

WHEREAS, a Senate Bill is presently being proposed giving fire departments a broader range of liability protection in situations involving connecting auxiliary power to a residence or business during a disaster.

BE IT RESOLVED that the Essex County Board of Supervisors hereby supports any State Senate

Bill which would grant a broader range of liability protection to fire departments and their personnel.

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'Connell; Senate Minority Leader David A. Paterson; Assembly Speaker Sheldon Silver; Assembly Minority Leader James N. Tedisco; and Assembly Members Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted.

Resolution No. 143

June 6, 2006
Regular Board Meeting

RESOLUTION - ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

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

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

WHEREAS, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management, it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

BE IT RESOLVED that the Essex County Board of Supervisors does hereby approve the adoption of the National Incident Management System to be utilized for all incident management in the County of Essex; and

BE IT FURTHER RESOLVED that this shall take effect immediately.

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

Resolution No. 144

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE WELLS MEMORIAL LIBRARY
ON THEIR 100TH ANNIVERSARY -
APRIL 26, 2006**

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

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

WHEREAS, the Wells Memorial Library located in Upper Jay, New York has celebrated its 100th Anniversary as a charter memorial library which opened on April 26, 1906 and the Essex County Board of Supervisors would like to commend and congratulate them on the library services they have provided for the residents and visitors of Upper Jay and Essex County for the last 100 years.

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates the Wells Memorial Library on their 100th Anniversary as a charter memorial library as of April 26, 2006.

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 Wells Memorial Library.

This resolution was unanimously seconded and adopted.

Resolution No. 145

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE
A SUPPLEMENTAL AGREEMENT TO THE MARCH 7, 2005 AGREEMENT
WITH THE TOWN OF LEWIS WITH REGARDS TO CERTAIN CONSTRUCTION
AND MAINTENANCE OF A TOWN WATER DISTRICT**

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

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

WHEREAS, it is necessary for a supplemental agreement to be executed supplementing the March 7, 2005, agreement with the Town of Lewis relative to certain construction and maintenance of the Town Water District, which supplemental agreement would include, but be not limited to, an agreement wherein the Town of Lewis would allow the County to use the master meter already in place on the top of Stowersville Road and have billing then determined by deducting the actual meter usages of all present and future users on that line, and that the County would be receptive to being billed the differences for those metered amounts.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman of the Board to execute this Supplemental Agreement to the Agreement dated March 7, 2005, with the Town of Lewis.

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

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

Resolution No. 146

June 6, 2006
Regular Board Meeting

RESOLUTION AUTHORIZING THE EMERGENCY PURCHASE OF HYDRAULIC TRUCK SCALES FOR THE TOWN OF NORTH ELBA TRANSFER STATION, AT A COST OF \$34,628.00, AUTHORIZING THE TRANSFER OF FUNDS FROM THE SOLID WASTE EQUIPMENT RESERVE ACCOUNT AND AMENDING THE BUDGET ACCORDINGLY

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

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

WHEREAS, the scales that service the Town of North Elba Landfill are no longer functioning and need to be replaced; and

WHEREAS, the cost of repairing the present scales is prohibitive and there are no immediately available rental or alternative options available for the weighing of loads which come into the landfill; and

WHEREAS, the present situation is an unforeseen occurrence effecting public property which requires immediate action and can not await competitive bidding as there is no way to be able to determine the weight of refuse currently coming in which results in the loss of money to the County; and

WHEREAS, the County can not wait the six to eight weeks required for competitive bidding and purchase of a new hydraulic truck scale as it is losing money every day by virtue of the fact that this is the busiest time of year for the landfill and many contractyors in the area are aware that there are no scales and are overloading their trucks; and

WHEREAS, it has been determined that an emergency situation exists pursuant to Section 103(4) of the General Municipal Law arising from this unforeseen occurrence which effects public buildings and property requiring immediate action which can not await competitive bidding; and

WHEREAS, it has been determined that it will be necessary for an emergency purchase of hydraulic truck scales for the Town of North Elba Transfer Station, at a cost of \$34,628.00, with the funds to come from the solid waste equipment reserve account (423761) with the budget to be amended accordingly.

BE IT RESOLVED that the Essex County Board of Supervisors hereby ratifies and authorizes the emergency purchase of hydraulic truck scales for the Town of North Elba Transfer Station, at a cost of \$34,628.00, with the funds to come from the solid waste equipment reserve account (423761) and amending the budget accordingly.

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

AYES: 2843 votes

NOES: 0 votes
ABSENT: 0 votes

Resolution No. 147

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING A THREE YEAR RENEWAL OF WEBSense
ENTERPRISE LICENSES AT A COST OF \$10,290.00 FROM BUDGETED
FUNDS IN THE INFORMATION SYSTEMS DEPARTMENT**

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

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

WHEREAS, the Information Systems Department received a three year price quote of \$10,290.00 for their Websense monitoring license and would like to take advantage of the savings associated with entering into such three year license renewal with Websense.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a three year renewal of Websense Enterprise Licenses at a cost of \$10,290.00 from budgeted funds in the Information Systems Department.

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

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

Resolution No. 148

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO TO BID AND
AWARD TO THE HIGHEST RESPONSIBLE BIDDER, A CONTRACT FOR A
TIMBER SALE IN THE TOWN OF CROWN POINT, USING THE PAY AS YOU
CUT METHOD**

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

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

WHEREAS, there has been substantial damage and blow down of timber on Essex County property in Crown Point and it has been recommended by a forester that, due to the large amount of damage and blow down on the property, it would be advisable to go to bid using the pay as you cut method instead of the usual lump sum bid from bidders.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Purchasing Agent to go to bid and award to the highest responsible bidder, a contract for a timber sale in the Town of Crown Point, using the pay as you cut method.

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

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

Resolution No. 149

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING THE REFUND OF INTEREST AND MAIL FEE IN
THE AMOUNT OF \$28.90 - PROPERTY IN THE TOWN OF CHESTERFIELD**

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

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

WHEREAS, a resident of the Town of Chesterfield did not receive his tax bill which was misplaced and was charged interest and penalties and the same should be refunded to this resident from the Town of Chesterfield as the Town actually received the interest and penalties.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the refund of interest and mail fee in the amount of \$28.90 regarding property in the Town of Chesterfield.

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

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

Resolution No. 150

June 6, 2006
Regular Board Meeting

**RESOLUTION OPPOSING ASSEMBLY BILL NO. 11284, AN ACT TO AMEND
THE REAL PROPERTY TAX LAW IN RELATION TO PERSONAL NOTICE TO A
REAL PROPERTY OWNER OF THE COMMENCEMENT OF A FORECLOSURE
PROCEEDING**

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

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

WHEREAS, there has been introduced in the New York State Assembly, Assembly Bill No. 11284 seeking amendment to the Real Property Tax Law, in relation to the provision of additional personal notice to a real property owner of the commencement of a foreclosure proceeding and certain provisions relative to the entry of a default judgment; and

WHEREAS, the provision of personal notice to a real property owner of the commencement of a foreclosure proceeding would include an additional requirement to send a second notice by certified mail if the first notice was unclaimed together with a notice to be posted on the subject property.

BE IT RESOLVED that the Essex County Board of Supervisors hereby opposes New York State Assembly Bill No. 11284 as the additional mailing and posting requirements would be costly to the residents of the County including those residents who have paid their taxes in a timely manner; and

BE IT RESOLVED that the Clerk of the Essex County Board of Supervisors is hereby authorized and directed to send certified copies of this Resolution to Senator Elizabeth O'C Little, Assemblywoman Teresa Sayward and Assemblymember Chris Ortloff.

This resolution was unanimously seconded and adopted.

Resolution No. 151

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO MICHAEL DISKIN ON RECEIVING
THE NEW YORK STATE COUNTY FINANCE OFFICIAL OF THE YEAR AWARD
AND TO CAROLYN KARCHER ON RECEIVING THE NEW YORK STATE
COUNTY TREASURER'S PRESIDENT'S AWARD**

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

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

WHEREAS, Michael Diskin, Essex County Treasurer, has received the County Finance Official of the Year Award for his diligent service to Essex County at both the state and national levels working on behalf of County Treasurers and Finance Officers; and

WHEREAS, Carolyn Karcher, Deputy Essex County Treasurer, has received the New York State County Treasurer's President's Award which is awarded to an individual who has done long and meritorious service on behalf of the association and is recognized for their work.

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates and commends Michael Diskin on receiving the New York State County Finance Official of the Year Award and Carolyn Karcher on receiving the New York State County Treasurer's President's Award.

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 Michael Diskin and Carolyn Karcher.

This resolution was unanimously seconded and adopted.

Resolution No. 152

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASE OF TEN GENERATORS FOR
THE EMERGENCY SERVICES DEPARTMENT AT A COST OF \$7,490.00 WITH
SUCH AMOUNT TO BE TRANSFERRED FROM THE CONTINGENCY
ACCOUNT AND AMENDING THE BUDGET ACCORDINGLY**

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

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

WHEREAS, it is necessary for the Emergency Services Department to purchase ten generators for

the benefit of residents of Essex County in case of emergency.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Purchasing Agent to purchase ten generators at a cost of \$7,490.00 with said amount being transferred from the contingency account (Account #19904-5487) into Emergency Services (Account #36404-5400), and to amend such revenue and appropriation account in said department.

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:	
Contingent Account Balance as of 05/01/06:	\$402,994.75
Reduction Impact of this resolution:	\$7,490.00
FY2006 Contingent Account Balance:	\$395,504.75

Resolution No. 153

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE DISTRICT
ATTORNEY'S OFFICE, TO INCREASE
REVENUES AND APPROPRIATIONS BY \$12,804.00 FROM A 2005 VIOLENCE
AGAINST WOMEN GRANT**

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

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

WHEREAS, the District Attorney's Office budget needs to be amended to increase revenues and appropriations by the sum of \$12,804.00 from a 2005 Violence Against Women Grant.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2006 Budget of the District Attorney (Dept. 1165) by increasing revenues (43032 - Stop Violence Against Women) and appropriations in the sum of \$12,804.00 from a 2005 Violence Against Women Grant.

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 OF CONGRATULATIONS TO BEVERLY COLE, A FACILITY AIDE AT THE HORACE NYE HOME, ON BEING SELECTED AS THE RECIPIENT OF THE NEW YORK ASSOCIATION OF HOMES AND SERVICES FOR THE AGING 2006 LONG TERM CARE EMPLOYEE OF DISTINCTION AWARD

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

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

WHEREAS, Beverly Cole, a Facility Aide at the Horace Nye Home, has been selected to receive the New York Association of Homes and Services for the Aging 2006 Long Term Care Employee of Distinction Award; and

WHEREAS, the purpose of the award is to provide patients, residents and other employees with the opportunity to recognize those individuals who have demonstrated a willingness to make personal sacrifices to improve the lives of others.

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates and commends Beverly Cole for her exemplary work and on being selected to receive the New York Association of Homes and Services for the Aging 2006 Long Term Care Employee of Distinction 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 Beverly Cole.

This resolution was unanimously seconded and adopted.

RESOLUTION AUTHORIZING A BUDGET AMENDMENT AT THE HORACE NYE HOME TO INCREASE REVENUES AND APPROPRIATIONS BY \$12,000.00 FOR EMERGENCY SEPTIC WORK, AND AUTHORIZING THE TRANSFER OF THE \$12,000.00 FROM THE CONTINGENCY ACCOUNT

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, the Horace Nye Home needs funds for work to clean up and help alleviate the septic emergency at the Horace Nye Home and also for repairs to the tank.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2006 Budget of the Horace Nye Home by increasing revenues and appropriations (#E82204 5E76 - water & sewage) and transferring the sum of \$12,000.00 to Account #E82204 5E76 from the contingency account.

This resolution was duly seconded by Supervisor Seney and Supervisor Glebus, 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 05/01/06:	\$395,504.75
Reduction Impact of this resolution:	\$12,000.00
FY2006 Contingent Account Balance:	\$383,504.75

Resolution No. 156

June 6, 2006
Regular Board Meeting

RESOLUTION AUTHORIZING THE WRITE-OFF OF A BAD DEBT IN THE PUBLIC HEALTH DEPARTMENT IN THE AMOUNT OF \$40,496.75, AN UNCOLLECTIBLE PRIVATE PAY, FROM JULY 2002 THROUGH JANUARY 2003

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

Upon the recommendation and 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 an uncollectible bad debt in the amount of \$40,496.75, an uncollectible private pay, from July 2002 through January 2003.

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

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

Resolution No. 157

June 6, 2006
Regular Board Meeting

RESOLUTION OF APPRECIATION AND THANKS TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION, THE FORT MILLER COMPANY AND LUCK BROTHERS FOR THE JOB DONE IN THE WILMINGTON NOTCH

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

Upon the recommendation and 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 commends the New York State Department of Transportation, The Fort Miller Company and Luck Brothers for their professional and timely reconstruction of that portion of New York State Route 86 locally known as the Wilmington Notch and for their having completed the job ahead of schedule with minimal interference and inconvenience to the residents and visitors of Essex County; 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 New York State Department of Transportation, The Fort Miller Company and Luck Brothers.

This resolution was duly unanimously seconded and adopted.

Resolution No. 158

June 6, 2006
Regular Board Meeting

**RESOLUTION SUPPORTING THE NOMINATION OF JOHNNY
PODRES TO THE LAKE PLACID
OLYMPIC HALL OF FAME**

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

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

WHEREAS, Johnny Podres, a native son of Witherbee, Essex County, New York, and a graduate of Mineville High School, was a professional baseball player having played for the Brooklyn Dodgers and was a pitching coach with the Boston Red Sox, Minnesota Twins and Philadelphia Phillies; and

WHEREAS, Johnny Podres was the 1955 World Series Most Valuable Player having shut out the mighty New York Yankees two to nothing in game 7 of the World Series leading the Brooklyn Dodgers to their first World Series victory; and

WHEREAS, Johnny Podres posted 148 wins in 15 years, four shutout innings in two all-star game appearances and a 4-1 record in 6 World Series Starts; and

WHEREAS, Johnny Podres has always been proud of his northern New York roots and continues to live in Mineville; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby wholeheartedly and unanimously nominates Johnny Podres as a candidate for induction into the Lake Placid Hall of Fame and asks that the induction committee consider Johnny's accomplishments both to the baseball world and to the Olympic region as well as the fact that he is a gentleman and a man of character.

This resolution was duly unanimously seconded and adopted.

Resolution No. 159

June 6, 2006
Regular Board Meeting

**RESOLUTION RECOMMENDING ARTHUR J. DOUGLAS TO THE
LAKE PLACID OLYMPIC HALL OF FAME**

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

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

WHEREAS, Arthur (Art) J. Douglas served as a member of the Essex County Board of Supervisors and Town of Jay Supervisor from 1966 to 1972 having also served as Essex County Chairman of the Democratic Party and Chairman of numerous committees on the Essex County Board of Supervisors; and

WHEREAS, Arthur J. Douglas was instrumental in helping to secure the funding through the late Hon. Robert J. Kennedy for the many improvements needed to the Olympic facilities in Lake Placid and to enhance future bids to the National and International Olympic Committees by Lake Placid. Mr. Douglas was also instrumental in bringing the Kennedy International Memorial Winter Games to Lake Placid in the late 1960's; and

WHEREAS, Arthur J. Douglas owned and operated the Village Inn Restaurant and Bar in AuSable Forks, New York, for many years until his untimely death, having sponsored numerous baseball, softball and bowling teams in the AuSable Forks area; and

WHEREAS, Arthur J. Douglas was the father of Thomas A. Douglas who also served on the Essex County Board of Supervisors and as Supervisor of the Town of Jay from 1972 through 1980 and again from 1998 through 2000 and is the grandfather of Randall T. Douglas, the present Supervisor of the Town of Jay; and

WHEREAS, Arthur J. Douglas was an untiring proponent of Essex County and the Olympic Region continuously and selflessly promoting the attributes of this area.

BE IT RESOLVED that the Essex County Board of Supervisors hereby nominates Arthur J. Douglas as a candidate for induction into the Lake Placid Hall of Fame and unanimously urges the Hall of Fame to accept his name as a 2006 inductee into its prestigious ranks.

This resolution was duly unanimously seconded and adopted.

Resolution No. 160

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE SHERIFF'S
DEPARTMENT, TO INCREASE
REVENUES AND APPROPRIATIONS BY \$60,000.00
FROM A NARCOTICS GRANT**

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

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

WHEREAS, the Sheriff's Department needs to increase revenues and appropriations by the sum of \$60,000.00 relative to a narcotics grant.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2006 Sheriff's Department Budget in the sum of \$60,000.00 from a narcotics grant by increasing revenues (43325 OIT) and appropriations as follows:

Account #31101 5120 OIT - \$22,860.00
Account #31104 5440 OIT - \$9,130.00
Account #31102 5260 OIT - \$10,390.00
Account #31102 5400 OIT - \$15,203.00
Account #31102 5410 OIT - \$2,417.00

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

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

Resolution No. 161

June 6, 2006
Regular Board Meeting

**RESOLUTION URGING NEW YORK STATE DEPARTMENT OF
TRANSPORTATION TO RE-ENGINEER AND RECONSTRUCT ROUTE 22 IN
WILLSBORO TO ROUTE 9 IN CHESTERFIELD**

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

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

WHEREAS, New York State Route 22, as the same extends from the Town of Willsboro to US Route 9 in the Town of Chesterfield, is constructed upon an old concrete surface and needs to be completely re-engineered and reconstructed; and

WHEREAS, the simple repair of this road will not be sufficient to insure that it is a safe and lasting roadway. There are numerous springs along Route 22 with inadequate drainage which must be properly re-engineered in order for the road to be lasting and safe; and

WHEREAS, although there are monies allocated for the repair of this roadway, the simple repair will not be enough to insure the safety of the motoring public as the condition of the road is such that it must be completely re-engineered and reconstructed; and

WHEREAS, by letter dated May 23, 2006, the Hon. Robert A. Ashline has informed NYS Department of Transportation Planning and Program Management Division of his concerns and these concerns are those of the full Essex County Board of Supervisors.

BE IT RESOLVED that the Essex County Board of Supervisors hereby urges the New York State Department of Transportation to take a close and detailed look at New York State Route 22 and to have the roadway completely re-engineered and reconstructed so as to increase the safety of the motoring public and save taxpayers of the State of New York and the County of Essex money that might otherwise be spent on temporary repairs; and

BE IT FURTHER RESOLVED that the Clerk of the Essex County Board of Supervisors is hereby authorized and directed to immediately send a certified copy of this Resolution to the New York State Department of Transportation.

This resolution was unanimously seconded adopted.

Resolution No. 162

June 6, 2006
Regular Board Meeting

**RESOLUTION IN OPPOSITION TO AN EMINENT DOMAIN PROCEEDING
AGAINST THE BEZON BAIT SHOP IN THE VILLAGE OF PORT HENRY BY
THE NEW YORK STATE DEPT. OF TRANSPORTATION**

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

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

WHEREAS, there is currently an eminent domain proceeding against property upon which the Bezon Bait Shop is located in the Village of Port Henry, Essex County, New York; and

WHEREAS, it appears that there is no justifiable reason for the taking of this property by the State of New York and that it is an unfair, arbitrary and capricious taking and should not occur.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its opposition to the eminent domain proceeding currently being brought against Bezon's Bait Shop; and

BE IT FURTHER RESOLVED that a copy of this Resolution be delivered to the appropriate State or Federal entity involved in these proceedings as well as Senator Elizabeth O'C Little and Assemblywoman Theresa Sayward.

This resolution was unanimously seconded and adopted.

Resolution No. 163

June 6, 2006
Regular Board Meeting

**RESOLUTION AMENDING RESOLUTION NO. 136 OF MAY 1, 2006
TO STATE THAT THE TOTAL BURIAL COSTS INCLUDES THE
COST OF THE VAULT**

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

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

WHEREAS, New York State Law requires counties to be financially responsible for the burial of indigent residents, and authorizes counties to establish reasonable allowances therefor, and Essex County has not modified its maximum allowances since adoption of Resolution No. 37 of 1989, and the allowances then set are presently insufficient in amount.

BE IT RESOLVED that the Essex County Board of Supervisors hereby establishes the following maximum amounts to be contributed by Essex County towards the costs of burials for indigent deceased residents, and amends Resolution No. 136 of 2006 accordingly:

Burial:

1. Children under 6 months and stillborn - \$500 plus grave opening
2. Children 6 months to less than 5 years of age - \$1,000 plus grave opening
3. 5 years of age to adult - \$2,750 plus grave opening

Grave Opening: Actual cost - plus economy vault for all of 1, 2 3 above

Cremation: Applicable burial rate plus the actual cost of cremation

Mileage: \$.50 per mile for travel outside a 30 mile radius of the funeral home

Combination of Funeral and Cremation: Actual cost.

Oversize Casket: Where special circumstances require an oversized casket, an additional allowance of up to \$200 provided the same is pre-approved.

Burial Plot and Winter Storage Fee: At cost, if required.

Standard or economy vault: In addition to the above charges, the County of Essex agrees to pay the wholesale cost of standard or economy vault.

Copies of vault bills and checks shall accompany all requests for payment, and

BE IT FURTHER RESOLVED that this Resolution has been passed to clarify that the County of Essex has always and will continue to pay the cost of a standard or economy vault.

BE IT FURTHER RESOLVED that all these matters contained in this Resolution shall be retroactive to January 1, 2006.

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

AYES: 2657 votes
NOES: 0 votes
ABSENT: 186 votes (Douglas)

Resolution No. 164

June 6, 2006
Regular Board Meeting

**RESOLUTION URGING THE SUPERINTENDENT OF THE
NEW YORK STATE POLICE TO SUSPEND THE ENACTMENT OF
THE POLICY REQUIRING STATE TROOPERS TO NO LONGER
PLEA BARGAIN TRAFFIC TICKETS UNTIL SUCH TIME AS THE
FINE DISTRIBUTION SYSTEM FOR THESE TICKETS HAS BEEN
REFORMED SO THAT THE COUNTY AND LOCAL COURTS
RECEIVE A PERCENTAGE OF THESE FINES**

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

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

WHEREAS, the County and the various Towns located within the Towns have been informed by the New York State Police that they will enact a new policy effective September 1, 2006, wherein Uniformed New York State Troopers will not longer be permitted to plea bargain or discuss Uniform Traffic Tickets with Defendant motorists; and

WHEREAS, the County of Essex respectfully requests that the New York State Police suspend the date of the enactment of this policy in order to give the County sufficient time to implement the necessary budget adjustments which will be necessary and to permit the Essex County District Attorney to accept the new responsibility of plea bargaining Uniform Traffic Tickets and until such time as the fine distribution system is reformed so that the County and Local Courts receive a percentage of such fines collected by those Courts for administrative purposes; and

WHEREAS, the County of Essex also respectfully requests that some of the revenues generated from the Uniform Traffic Tickets be delivered to Essex County and the local Towns in order to help provide for the increased costs of staff and administration relative to the Office of the District Attorney.

BE IT RESOLVED that the Essex County Board of Supervisors hereby respectfully requests that the New York State Police suspend the date of the enactment of this new plea bargaining policy regarding Uniform Traffic Tickets to permit the Essex County District Attorney to accept the new responsibility of plea bargaining Uniform Traffic Tickets and in order to give the County sufficient time to implement the necessary budget adjustments which will be necessary; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby respectfully requests that the fine distribution system be reformed such that the County and Towns receive a percentage of such fines collected in order to provide for the additional costs involved; and

BE IT FURTHER RESOLVED that the Clerk of the Essex County Board of Supervisors is hereby directed to forward a certified copy of this Resolution to the New York State Police and Glen Valley, lead counsel of the New York State Police.

This resolution was duly seconded by Supervisor Jackson, and adopted, as amended.

Resolution No. 165

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO MAXWELL NASON AND MICHAEL
NASON FOR OBTAINING THE EAGLE SCOUT AWARD**

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

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

WHEREAS, Maxwell Nason and Michael Nason are residents of Saranac Lake, Town of North Elba; and

WHEREAS, Maxwell Nason and Michael Nason are both entitled to receive Scouting's Highest Honor, the rank of Eagle Scout and these Eagle Scout recipients must prove their love for God, dedication to country and concern for fellow human beings.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby extend their heartfelt congratulations to Maxwell Nason and Michael Nason on a job well done and all their accomplishments as Boy Scouts and for having received the highest honor of Scouting, the Eagle Scout Award; and

BE IT FURTHER RESOLVED that this Resolution shall be spread upon the minutes of the Board of Supervisors, with a suitably embossed copy thereof to be forwarded to both Maxwell Nason and Michael Nason.

This resolution was unanimously seconded and adopted.

Resolution No. 166

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING A 2006 BUDGET AMENDMENT -
APPROPRIATING \$46,168.00 FROM DESIGNATED FUND BALANCE
FOR TRANSFER TO VARIOUS DEPARTMENT ACCOUNTS TO BE EXPENDED
TO BLUE SHIELD FOR THE 80/20 CALL-OUT BILL**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a budget amendment and appropriates the sum of \$46,168.00 from Designated Fund Balance, Account #3501, for transfer to the various department accounts listed below, with the same to be expended to Blue Shield for the 80/20 call-out bill:

<u>Description</u>	<u>Fund</u>	<u>Acct. Grp</u>	<u>Acct #</u>	<u>From</u>	<u>To</u>
Health Ins.	A	10108	5850	241,632	246,434
Health Ins.	A	10408	5850	30,319	30,497

Health Ins.	A	11658	5850	93,605	94,138
Health Ins.	A	11858	5850	5,720	6,075
Health Ins.	A	13208	5850	25,245	25,423
Health Ins.	A	13258	5850	81,514	82,224
Health Ins.	A	13558	5850	85,395	85,928
Health Ins.	A	14118	5850	31,166	31,522
Health Ins.	A	14308	5850	48,575	49,503
Health Ins.	A	16208	5850	133,151	134,927
Health Ins.	A	31108	5850	98,753	99,825
Health Ins.	A	31508	5850	369,561	369,956
Health Ins.	A	36408	5850	34,670	34,848
Health Ins.	A	40108	5850	522,211	524,526
Health Ins.	A	43208	5850	212,666	213,807
Health Ins.	A	60108	5850	971,762	979,096
Health Ins.	A	73108	5850	53,010	53,905
Health Ins.	A	67728	5850	106,849	107,027
Health Ins.	A	14508	5850	32,893	33,820
Health Ins.	A	87208	5850	30,012	30,584
Health Ins.	D	99008	5850	326,268	332,398
Health Ins.	EF	E83508 5E18		1,262,708	1,277,390

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. 167

June 6, 2006
Regular Board Meeting

RESOLUTION AUTHORIZING THE TERMINATION OF CONTRACT HNH-04-0011 DATED JANUARY 1, 2004, AND AS AMENDED BY CONTRACT HNH-04-0011-A AND CONTRACT HNH-04-0011-B ENTERED INTO BETWEEN ESSEX COUNTY AND MORRISON MANAGEMENT SPECIALISTS, INC. FOR BREACH OF CONTRACT AND FAILURE TO PROPERLY PROVIDE FOOD, PROPER MENUS AND TIMELY RECIPES FOR THE HORACE NYE NURSING HOME AND JAIL

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

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

WHEREAS, the County has entered into a Contract with Morrison management Specialists, Inc., which Contract was dated January 1, 2004, and bears Contract No. HNH-04-0011 and said Contract has been amended pursuant to Contract Nos. HNH-04-0011-A and HNH-04-0011-B; and

WHEREAS, during the past several months, there have been numerous and repeated deficiencies relative to provision of food items to Horace Nye and the County Jail resulting in extreme shortages and unavailability of food and, in some instances, resulting in too much food being ordered which has caused inconsistencies and confusion relative to the provision

of food to the residents; and

WHEREAS, Deborah Gifford and Peggy Duran have documented these deficiencies and have advised this Board that they are of such an extent that they can no longer be tolerated.

BE IT RESOLVED that the Essex County Board of Supervisors does hereby authorize the County Attorney to contact Morrison Management Specialists, Inc. and to terminate the Contract with them pursuant to Contract.

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

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

Resolution No. 168

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS
TO REPLACE THE BRIDGE AT THE FISH HATCHERY CROSSING RAINY
BROOK, AT A COST NOT TO EXCEED \$60,000.00, AND APPROPRIATING
SUCH AMOUNT FROM THE CONTINGENT ACCOUNT**

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

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

WHEREAS, the Fisheries Department had advised that the bridge at the Fish Hatchery crossing Rainy Brook is an extreme safety risk and is in need of replacement.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Department of Public Works to replace the bridge at the Fish Hatchery crossing Rainy Brook, at a cost not to exceed \$60,000.00; and

BE IT FURTHER RESOLVED, that the sum of \$60,000 be hereby appropriated from the contingency account (Account No. 19904-5487) for transfer to the Fisheries budget and amending such budget by increasing appropriations by \$60,000 (Account #87202 5216 - Renovation & Repair).

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

AYES: 2843 vote
NOES: 0 vote
ABSENT: 0 vote

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 05/01/06	\$ 383,504.75
Reduction Impact of this resolution:	60,000.00
FY2006 Contingent Account Balance:	\$ 323,504.75

Resolution No. 169

June 6, 2006
Regular Board Meeting

RESOLUTION APPROPRIATING THE SUM OF \$50,000.00 FROM THE 2005 UNAPPROPRIATED AND UNEXPENDED FUND BALANCE FOR TRANSFER TO THE PUBLIC DEFENDER'S BUDGET AND AMENDING THE BUDGET ACCORDINGLY

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

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

WHEREAS, unanticipated 2005 revenue in the amount of \$102,452.00 was received in March 2006 with such amount being split between the Public Defender's office and Defense of Indigent's; and

WHEREAS, the 2006 Public Defender's budget needs to be amended by appropriating the amount of \$50,000.00 from the 2005 unappropriated and unexpended fund balance relative to the need for a part time Public Defender to handle justice court overloads.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2006 Public Defender's budget by appropriating \$50,000.00 from unappropriated and unexpended fund balance (Account 3909), and amending the budget as follows:

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>From</u>	<u>To</u>
11704 5432	Witness Fees	\$2,000.00	\$12,000.00
11701 5130	PT Wages	\$62,142.00	\$102,142.00

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

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

Resolution No. 170

June 6, 2006
Regular Board Meeting

RESOLUTION OF CONGRATULATIONS TO THE TICONDEROGA BOYS VARSITY BASEBALL TEAM ON WINNING THE CVAC DIVISION II CHAMPIONSHIP AND SECTION 7 CLASS C CHAMPIONSHIP

The following resolution was offered by Supervisor Dedrick, 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 of Supervisors is pleased to learn that the Ticonderoga Boys Varsity Baseball Team has won the CVAC Division II Championship and Section 7 Class C Championship.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Ticonderoga Boys Varsity Baseball Team on winning the CVAC Division II Championship and Section 7 Class C Championship

This resolution was unanimously seconded and adopted.

Resolution No. 171

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE TICONDEROGA GIRLS
VARSITY SOFTBALL TEAM ON WINNING THE CVAC DIVISION II
CHAMPIONSHIP**

The following resolution was offered by Supervisor Dedrick, 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 of Supervisors is pleased to learn that the Ticonderoga Girls Varsity Softball Team has won the CVAC Division II Championship.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Ticonderoga Girls Varsity Softball Team has won the CVAC Division II Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 172

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE TICONDEROGA BOYS
TRACK AND FIELD TEAM ON WINNING THE CVAC DIVISION II AND SECTION
7 CHAMPIONSHIP**

The following resolution was offered by Supervisor Dedrick, 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 of Supervisors is pleased to learn that the Ticonderoga Boys Track and Field Team has won the CVAC Division II and Section 7 Championship.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Ticonderoga Boys Track and Field Team has won the CVAC Division II and Section 7 Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 173

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THEODORE MCCONLEY ON
BEING AWARDED THE JUBILEE MEDAL FROM THE RUSSIAN FEDERATION**

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, Theodore McConley is a resident of Mineville, was recently honored at the Mineville VFW on Memorial Day as he was a Navy gunner during WW II on supply ships and was also just recently awarded the Jubilee Medal from the Russian Federation.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate Theodore McConley on being awarded the Jubilee Medal from the Russian Federation, 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 Theodore McConley.

This resolution was unanimously seconded and adopted.

Resolution No. 174

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD AND COUNTY
ATTORNEY TO NEGOTIATE THE PURCHASE OF A PIECE OF PROPERTY IN
THE TOWN OF ELIZABETHTOWN AS A POSSIBLE SITE FOR A NEW
NURSING HOME**

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

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

WHEREAS, the County has been seriously exploring the expansion of the Horace Nye Nursing home;
and

WHEREAS, property located behind the Essex County parking lot which adjoins Stewart's Ice Cream Shop might be a possible site for such expansion.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes its Chairman and County Attorney to negotiate the purchase of property adjacent to the Essex County parking lot as a possible future site for expansion of the Horace Nye Nursing Home.

This resolution was duly seconded by Supervisor Morency and Supervisor Canon, and adopted.

Resolution No. 175

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE CROWN POINT GIRLS
SOFTBALL TEAM ON WINNING THE SECTION 7 CHAMPIONSHIP,
UNDEFEATED IN CLASS D**

The following resolution was offered by Supervisor French, 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 of Supervisors is pleased to learn that the Crown Point Girls Softball Team has won the Section 7 Championship, undefeated in Class D.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Crown Point Girls Softball Team on winning the Section 7 Championship, undefeated in Class D.

This resolution was unanimously seconded and adopted.

Resolution No. 176

June 6, 2006
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT AMENDMENT AND EXTENSION
AGREEMENT WITH CRANDELL ASSOCIATES THROUGH DECEMBER 31,
2006**

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

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

WHEREAS, Essex County and Crandell Associates entered into an Amendment and Extension Agreement dated January, 2004, relative to engineering and design work for the new Essex County Jail/Public Safety Facility; and

WHEREAS, said Agreement was extended through December 31, 2005; and

WHEREAS, because of additional design work which is needed at the facility over and above that of the original Contract, it will be necessary to amend the existing Contract and extend the same through December 31, 2006.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes an extension of the existing Contract through December 31, 2006, together with an increase in the Contract and hereby authorizes the County Attorney to forward to Crandell Associates the amended Contract for signature; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby authorizes its Chairman to execute said Contract.

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

Resolution No. 177

June 6, 2006
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE WESTPORT-MORIAH-
ELIZABETHTOWN-KEENE GIRLS TRACK TEAM ON WINNING THE SECTION
7 CHAMPIONSHIP FOR THE THIRD YEAR IN A ROW**

The following resolution was offered by Supervisor Connell, 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 of Supervisors is pleased to learn that the Westport-Moriah-Elizabethtown-Keene Girls Track Team has won the Section 7 Championship for the third year in a row.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Westport-Moriah-Elizabethtown-Keene Girls Track Team on winning the Section 7 Championship for the third year in a row.

This resolution was unanimously seconded and adopted.

Resolution No. 178

June 6, 2006
Regular Board Meeting

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2006,
AMENDING LOCAL LAW NO. 1 OF 1981, RELATIVE TO THE COUNTY'S
SELF-INSURANCE PLAN AND THE APPORTIONMENT
OF EXPENSES AMONG THE PARTICIPANTS AND AMENDING LOCAL LAW
NO. 3 OF 1959, RELATIVE TO ENTRY AND WITHDRAWAL INTO THE PLAN**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby introduces proposed Local Law No. 3 of 2006 entitled "Local Law No. 3 of the year 2006 - a local law amending Local Law No. 1 of 1981, Section 1, Paragraph C, the annual estimate of expenses apportioned among the participants and amending Local Law No. 3 of 1959, Section B, entry and withdrawal into the plan, as follows:

ESSEX COUNTY LOCAL LAW NO. 3 of 2006

A local law amending Local Law No. 1 of 1981, the annual estimate of expenses apportioned among the participants and amending Local Law No. 3 of 1959, Section B, entry and withdrawal into the plan, as follows:

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

SECTION 1.

Section 1, paragraph C of Local Law No. 3 of 1959, as amended by Local Law No. 1 of 1981, shall be amended to read:

The annual estimated expenses shall be apportioned among the participants based upon the following three factors:

A. 50% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants on the basis of claims paid over the previous five (5) completed years of claims and shall be calculated based upon the following;

1. The Administrator of the Plan shall compile and certify the dollar amount of claims for all participants based upon the previous (5) completed years of claims attributable to such participant.
2. The percentage of claims for each participant shall be determined by dividing the five (5) year claims totals of each participant into the aggregate five (5) year claims total.
3. Each participants contribution amount attributable to Claims Experience shall be determined using the following formula; multiply 50% of the estimated amount needed to operate the plan by the percentage of claims as determined in Section 1,

Subsection A-2 above.

- B. 25% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants on the basis of budgeted payroll for the current year and shall be calculated based upon the following;
1. The Administrator of the Plan shall compile and certify the dollar amount of participants payroll based upon adopted budgets as submitted yearly to the Clerk of the Board.
 2. The percentage of payroll for each participant shall be determined by dividing the payroll totals of each participant into the aggregate payroll total.
 3. Each participants contribution amount attributable to payroll shall be determined using the following formula; multiply 25% of the estimated amount needed to operate the plan by the percentage of payroll as determined in Section 1, Subsection B-2, above.
- C. 25% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants as follows;
1. Shares for the towns shall be apportioned among them based upon simple majority weighted votes as determined every ten years by population census, and shall be calculated based upon percentage of weighted vote.
 2. The percentage of weighted vote for each town shall be determined by dividing the simple majority weighted votes of each town into the aggregate simple majority weighted vote total.
 3. The County as an entity does not have weighted votes, therefore the County apportionment for Section 1, Subsection C, shall be set at 75% of the amount determined necessary for Section 1, Subsection C.
- Note: The 75% amount was arrived at based upon the principle that the County's experience and payroll ratio is generally in the 70% plus range, with the most likely growth in these areas at the County level.
4. The Town participant share shall be determined using the following formula; use the amount determined for Section 1, Subsection C., subtract the County's 75% share, then multiple by the percentage of weighted vote as determined in Section 1, Subsection C-2, above.

SECTION 2.

Section B of Local Law No. 3 of 1959 shall be amended to read: (new text underlined)

B. ENTRY AND WITHDRAWAL

Participants as defined in subdivision A hereof, other than the County of Essex, shall be admitted as of January 1st following the date of application for participation, but not prior to January 1, 1961; provided, that a certified copy of resolution of the governing body of the applicant shall be filed with the Committee by the preceding July 1st.

A participant may withdraw from the plan effective at the end of a fiscal year by filing with the Committee by the preceding July 1st notice of such withdrawal. The assessment percentage for such participant shown in the last annual estimate and apportionment of costs shall be applied to the amount of the plan's outstanding liabilities at the date of withdrawal, to produce the amount payable by the participant.

The amount payable by a participant upon withdrawal shall be collected in full, or in such installments and at such date as the Board of Supervisors may determine.

A participant may re-enter the plan provided that such participant has a minimum of five (5) completed years of claims experience with another carrier which can be provided to the committee for formula purposes. Such requirement effectively prohibits a participant from re-entering the plan until a minimum of five completed years of claims from another carrier have been documented.

It shall be the responsibility of the participant requesting to re-enter the plan to obtain from it's previous

carrier such five years claims experience totals and to provide those numbers to the plan administrator.

The participant requesting to re-enter the plan shall be responsible for any outstanding liabilities it may have generated while outside the County Self-Insurance Plan.

A certified copy of resolution of the government body of the applicant to re-enter the Plan shall be filed with the Plan Administrator by the preceding July 1st.

SECTION 3.

This Local Law shall take effect immediately upon filing with the Office of the New York State Secretary of State.

AND BE IT FURTHER RESOLVED that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on the 19th day of June, 2006, at 9:30 o'clock in the forenoon of that day, to hear any and all persons concerning the same.

AND BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors publish a Notice of such Hearing in the designated County newspapers at least five (5) days prior to said Hearing.

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

AYES: 1821 votes
NOES: 1022 votes (French, Scozzafava, Seney)
ABSENT: 0 votes

Resolution No. 179

June 6, 2006
Regular Board Meeting

RESOLUTION SUPPORTING SEEKING FUNDING FOR THE ADIRONDACK COMMUNITY ACTION PROGRAMS AFTER SCHOOL PROGRAM IN WILLSBORO

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

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

WHEREAS, the Adirondack Community Action Programs, Inc. (ACAP) has operated an After School Program for the past several years in Willsboro funded by a grant from the Office of Children and Families; and

WHEREAS, such grant ended in 2005 and the program was not refunded and ACPA is seeking support for funding this vital program.

BE IT RESOLVED that the Essex County Board of Supervisors hereby supports seeking funding to continue this vital program.

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to appropriate State and Federal officials.

This resolution was unanimously seconded and adopted.

Resolution No. 180

June 6, 2006
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF SHAWN PAUL COARDING

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

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

WHEREAS, Shawn Paul Coarding passed away unexpectedly on May 31, 2006, and is survived by his parents, Paul and June Lynn Coarding; one sister, Danielle Parrotte; and his grandparents, Frances Walton and Joyce and Graydon Cairl. He was predeceased by his grandfather, Clayton C. Walton; and

WHEREAS, Shawn Paul Coarding was born April 29, 1982, in Saranac Lake. He graduated from Lake Placid High School in 2000, State University at Delhi in 2002 and State University at Plattsburgh with a B.S. degree in Hotel management with honors in 2004. He was working at Mirror Lake Inn in Lake Placid as a front desk supervisor; and

WHEREAS, Shawn Paul Coarding was a loving son, brother, grandson and friend who will be sorely missed but never forgotten; and

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 Shawn Paul Coarding ; 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 the Shawn Paul Coarding.

This resolution was unanimously seconded and adopted.

Resolution No. 181

June 6, 2006
Regular Board Meeting

RESOLUTION ADOPTING A HOME RULE REQUEST FOR ADOPTION BY THE NEW YORK STATE ASSEMBLY OF ASSEMBLY BILL NO. 9616-C AND FOR ADOPTION BY THE NEW YORK STATE SENATE OF SENATE BILL NO. 6388-C AMENDING THE NYS TAX LAW SO AS TO AUTHORIZE ESSEX COUNTY TO IMPOSE AN ADDITIONAL MORTGAGE TAX OF .25 FOR EACH \$100.00 AND TO AMEND NYS TAX LAW SECTION 261 TO PROVIDE THAT THESE ADDITIONAL TAX MONIES, AFTER THE PAYMENT OF ALL EXPENSES RELATIVE TO THE COUNTY AND COURT FACILITY PROJECTS, BE USED FOR ALL EXPENSES INCURRED BY THE COUNTY FOR COUNTY CORRECTIONAL AND PUBLIC SAFETY FACILITY PROJECTS

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

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

WHEREAS, by Resolution No. 276 adopted on October 3, 2005, the Essex County Board of Supervisors amended Resolution No. 247 of 2005 as follows:

1. Requesting amendment of New York Tax Law Section 261 so as to authorize Essex County to use additional mortgage tax revenue to pay the costs of a new jail and public safety facility once the bonds for the Court House are paid off, and
2. Requesting an amendment of the Tax Law amending the rate of additional mortgage tax so as to immediately increase the same from 1% to 1.25%, and

WHEREAS, by Resolution dated April 3, 2006, the Essex County Board of Supervisors passed a Resolution seeking Home Rule Request for the adoption of Senate Bill No. 6388-B and Assembly Bill No. 9616-B; and

WHEREAS, there have been certain changes to this legislation resulting in Senate Bill No. 6388-C and Assembly Bill No. 9616-C, each of which have been introduced in their respective Houses and the County needs to adopt a Home Rule Request for such necessary legislation to be considered and enacted.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts a Home Rule Request requesting enactment of Senate Bill No. 6388-C and Assembly Bill No. 9616-C amending the NYS Tax Law so as to authorize Essex County to impose an additional mortgage tax of .25% for each \$100.00 and to amend NYS Tax Law Section 261 to provide that these additional tax monies, after the payment of all expenses incurred by such County for County Office and Court Facility Projects, be used for all expenses incurred by the County for the County Correctional and Public Safety Facility Projects; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors declares that a necessity exists for the enactment of such legislation as the County does not have the legal authority to enact this legislation by local law even though many other Counties in the State have such authority; and

BE IT FURTHER RESOLVED that the Clerk of this Board be and is hereby authorized and directed to immediately execute all required Home Rule Request documents and to immediately forward the same to Senator Elizabeth O'C. Little and Assembly Member Teresa R. Sayward.

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

AYES: 3916	votes
NOES: 0	votes
ABSENT: 0	votes