

**RESOLUTION APPROVING VARIOUS FEES ESTABLISHED BY  
THE BOARD OF ELECTIONS FOR INSPECTOR CHAIRS,  
INSPECTOR TRAINING AND POLL SITE COORDINATORS**

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.

**WHEREAS**, New York State Election Law provides for the payment for inspector chairs, inspector training and poll site coordinators;

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby approves the following fees fixed and established by the Essex County Board of Elections for the following positions:

1. Inspector Chairs - Fee for Inspector Chairs shall increase from \$10.00 per election to \$25.00 per election in addition to the \$10.00 per hour fee paid all inspectors together with mileage at the standard rate of travel in connection with the returning of election supplies bag.
2. Inspector Training - The board of inspector's training fees shall increase from \$25.00 to \$30.00 and mileage will be paid to those inspectors who travel in excess of 30 miles round trip to attend training classes.
3. Poll Site Coordinators - Poll Site Coordinators shall be paid \$10.00 per hour per election to assist the Board of Elections at certain selected poll sites situate within the larger districts in order to maintain order and to monitor electioneering the number and location of said Poll Site Coordinator shall be left to the sole discretion of the Essex County Board of Elections.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

Regular Board Meeting

**RESOLUTION APPROVING VARIOUS FEES ESTABLISHED BY  
THE BOARD OF ELECTIONS TO HIRE/PAY TOWN CLERKS FOR  
SETTING UP POLL SITES IN 2008**

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

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

**WHEREAS**, pursuant to legislation, it is the responsibility of the County Board of Elections to conduct and monitor all primary and general elections within the County; and

**WHEREAS**, many of these responsibilities previously rested with the Towns; and

**WHEREAS**, the Town Clerks of each Town had previously been responsible for setting up sites, overseeing the duties of the Inspectors and helping in additional ways to coordinate elections; and

**WHEREAS**, there continues to be a need for the Town Clerk to oversee the duties of the Inspectors and to help coordinate these elections.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the Board of Elections to pay Town Clerks for these services the sum of \$25.00 per each election District and per each primary or general election for the year 2008 to ensure that these elections can be properly

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 21**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING PAYMENT OF \$175.00 BY THE  
COUNTY TO LOCAL ENTITIES PROVIDING POLLING SITES FOR  
EACH ELECTION OR PRIMARY FOR 2008**

The following resolution was offered by Supervisor Dedrick, 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 approves the payment of \$175.00 to the various local entities for providing polling sites for each election for 2008.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 22**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING VERIZON TO PROVIDE A FEATURE  
ENHANCEMENT WHICH ALLOWS IDENTIFICATION OF CALLERS  
TO SPECIFIC OFFICES WITHIN THE PUBLIC SAFETY FACILITY  
AT A COST OF \$3,500 FOR SET-UP AND INSTALLATION, AS  
WELL AS \$20/MONTH PER 100 PHONES WITH SUCH FUNDS TO  
BE TRANSFERRED FROM THE CONTINGENCY ACCOUNT**

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

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

**WHEREAS**, it has been recommended by the Director of Emergency Services that it would be important and valuable for efficiency, emergency and locating purposes to subscribe to a telephone number identification feature with Verizon; and

**WHEREAS**, the cost of this feature will include an initial set up charge of \$3,500.00 with additional charges of \$20/month per 100 phones; and

**WHEREAS**, there are 158 phones located within the Public Safety facility.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby approves the purchase of an identification of telephone number/caller feature to the existing 158 phones located within the Essex County Public Safety Building at an installation cost not to exceed \$3,500.00 with an additional monthly cost of \$20.00 per 100 phones for the existing 158 users located in the Public Safety facility, which funds are to be transferred from the contingency account (19904-5487) to account number (36404-5423).

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

**AYES:** 1,776 votes  
**NOES:** 942 votes (Scozzafava, Politi, Connell)  
**ABSENT:** 125 votes (Ferebee, Canon)

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 1/22/08</i>	\$450,000.00
<i>Reduction Impact of this resolution:</i>	\$ 3,500.00
<i>FY2008 Contingent Account Balance:</i>	\$446,500.00

**Resolution No. 23**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AMENDING THE 2008 ESSEX COUNTY BUDGET**

The following resolution was offered by Supervisor French, 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 amends the 2008 Essex County Budget as follows:

1. From the Public Safety Committee:

(a) For the Emergency Services Department, increase revenues and appropriations as follows, in the amount of \$2,000.00 carry over of 2007 Local Emergency Planning Grant Monies into 2008.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3640-44389060	Federal Aid LEPC Grant	\$2,000.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
36404-5487	LEPC Grant	\$2,000.00

(b) For the Emergency Services Department, increase revenues and appropriations as follows, in the amount of \$4,528.55 carry over of 2007 State Advance Monies into 2008.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3640-43960	State Aid Emergency Disaster System	\$4,528.55

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
36402	Technical Equipment	\$4,528.55

(c) For the Emergency Services Department, increase revenues and appropriations as follows, in the amount of \$6,646.98 carry over of 2007 Local Enhanced Wireless Funds into 2008.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3900-433893	Local Wireless Grant	\$6,646.98

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
39004-5400911	Enhanced 911 Grant	\$6,646.98

(d) For the Emergency Services Department, increase revenues and appropriations as follows, in the amount of \$15,564.00 carry over of 2007 Homeland Security Account into 2008.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3645-449630	Homeland Security	\$15,564.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
36451 5130	Part-time wages	\$11,948.00
36454 5475	General Insurance	34.00
36454 5487	Misc. Expense	1,412.00
36458 5810	Retirement	1,197.00
36458 5820	Social Security	914.00
36458 5830	Worker's Compensation	60.00

2. From Human Services Committee

(a) For the Office of Aging Department, increase revenues and appropriations by \$500.00 from unanticipated HICAP funds.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6772-4477290	Federal Aide HCIP Aging	\$500.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
67724-5400INV	Inventory	\$500.00

(b) For the Department of Social Services Department, increase revenues and appropriations by \$188,689 - Nutrition Education Pass Through Grant.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010-44611	Federal Aid - FS	\$118,689.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
60105-5COOP	Coop. Ext. FS	\$118,689.00

(c) For the Department of Social Services Department, increase revenues and appropriations by \$25,000.00 to increase food stamp outreach from grant.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010-44611	Federal Aid - Food Stamps	\$25,000.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
60101-5110	Regular Salary	\$5,491
60104-5400INV	Inventory	\$9,130
60104-5410	Office Supplies	\$803
60104-5420	Printing	\$200

60104-5423	Telephone	\$500
60104-5424	Postage	\$200
60104-5434	Contractual Fees	\$5,360
60104-5443	Travel Reimbursement	\$100
60104-5497	Mileage	\$200
60108-5810	Retirement	\$329
60108-5820	Social Security	\$420
60108-5850	Health Insurance	\$1,222
60108-5851	<u>Pharmacy</u>	<u>\$1,045</u>
	Total	\$25,000

(d) For the Department of Social Services Department, increase revenues and appropriations by \$23,506.00 from grant to provide transportation.

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010-44670	Federal Aid - Serv for Rec	\$23,506.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6070400-5400CST7	CST 7	\$23,506.00

3. From Finance Committee

(a) For the Sheriff's Department, to increase revenues and appropriations by \$30,000 from Live Scan Purchase Grant and authorizing the Purchasing Agent to purchase pursuant to the Essex County procurement policy fingerprint scanning equipment with such funds as follows:

**REVENUES**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3150 433897	Live Scan Purchase Grant (DCJS)	\$30,000.00

**APPROPRIATIONS**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31502 5260	Other Equipment	\$26,135.00
31504 5440	Misc Fees & Services	3,865.00

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 24**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION AUTHORIZING PAYMENT, DURING 2008, FROM  
LOCAL EMERGENCY PLANNING FUNDS, FOR PURCHASE OF A  
LUNCH FOR THE LOCAL EMERGENCY PLANNING COMMITTEE**

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

Upon the recommendation of the Public Safety 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 payment for a lunch for the Local Emergency Planning Committee during 2008 with funds to come from Local Emergency Planning funds.

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

<b>AYES:</b>	<b>2,182 votes</b>	
<b>NOES:</b>	<b>536 votes</b>	<b>(Douglas, Morency, Spooner, Preston)</b>
<b>ABSENT:</b>	<b>125 votes</b>	<b>(Ferebee, Canon)</b>

**Resolution No. 25**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION AUTHORIZING MICHAEL BADGER, ASSISTANT  
JAIL ADMINISTRATOR, TO CARRYOVER TEN (10) VACATION  
DAYS FROM 2007 INTO 2008**

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

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

**WHEREAS**, Michael Badger was promoted from a 12/hr a day employee of the Sheriff's Department to the management/confidential position of Assistant Jail Administrator in October of 2007, such position being based upon an eight hour day; and

**WHEREAS**, the resulting adjustment from a 12/hr to 8/hr day resulted in 10 additional days of vacation which could not be used prior to December 31, 2007 due to



the needs of the department.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes and allows Michael Badger, an employee of the Sheriff's Department, to carry over ten (10) vacation days, such days in excess of the maximum 30 days allowed for carry-over under policy manual Article 8, Section 8.03.

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

**Resolution No. 26**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION EXTENDING CONTRACTS WITH THE NEW YORK  
STATE BOARD OF ELECTIONS, CONTRACTS T00254, T002598  
AND T002656 WITH THE NEW YORK STATE BOARD OF  
ELECTIONS UNTIL MARCH 2009**

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

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

**WHEREAS**, in January of 2007 Essex County entered into three contracts with the New York State Board of Elections, to wit:

1. HHS Voting Access For Individuals with Disabilities for Polling Place Access Improvement - Grant amount \$5,905 bearing contract number T002598.
2. New York State Voter Access for Individuals with Disabilities Polling Place Access Improvement - Grant amount \$12,293 bearing contract number T002656 and
3. Voter Education/Poll Worker Training Program - Grant amount \$24,586 bearing contract number T002540; and

**WHEREAS**, each of these contracts is set to expire on March 31, 2008 and it is the desire of this Board to continue these contracts and establish a new termination date of March 31, 2009.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes its Chairman and/or its County Manager to execute extensions of each of the herein-above referenced contracts extending the term until March 31, 2009

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 27**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
JOHNNY PODRES**

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

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

**WHEREAS**, Johnny Podres, of Queensbury, New York, passed away on Sunday, January 13, 2008; and

**WHEREAS**, Johnny Podres was born on September 30, 1932 in Witherbee, New York, the son of Joseph and Anna (Glebus) Podres; and

**WHEREAS**, Johnny Podres grew up in Witherbee, New York and attended Mineville High School; and

**WHEREAS**, after graduating from Mineville High School, Johnny played briefly in the minor leagues in both Montreal and Kentucky and, in 1953 joined the famed Brooklyn Dodgers; and

**WHEREAS**, Johnny Podres played professional baseball for the Brooklyn and Los Angeles Dodgers, Detroit Tigers and the San Diego Padres and was a pitching coach with the Boston Red Sox, Minnesota Twins and Philadelphia Phillies; and

**WHEREAS**, during his long and illustrious professional baseball career, Johnny Podres led the Brooklyn Dodgers by winning two World Series games in 1955 including a final two hit shutout in the seventh game to defeat the New York Yankees; and

**WHEREAS**, Johnny Podres was named the Most Valuable Player of the 1955 World Series; and

**WHEREAS**, Johnny Podres was also recognized in 1955 as Sports Illustrated's Sportsman of the Year; and

**WHEREAS**, Johnny Podres was inducted into the Brooklyn Dodgers Hall of Fame in 1985, the Polish American Sports Hall of Fame, Capital District Baseball Hall of Fame, Glens Falls Baseball Hall of Fame and Lake Placid Olympic Hall of Fame; and

**WHEREAS**, Johnny Podres was a true gentlemen who was always accessible and willing to meet and speak with fans, especially in his home town of Witherbee; and

**WHEREAS**, Johnny Podres frequently returned to Witherbee, Moriah and Essex County enjoying its people and its fishing; and

**WHEREAS**, Johnny Podres could well be regarded as the most famous professional athlete to hail from Essex County; and

**WHEREAS**, Johnny Podres was respected and revered not only as a baseball great but as a true gentlemen; and

**WHEREAS**, Johnny Podres is survived by his wife Joanie of 41 years son, Joe and his wife Tricia, son, John Jr.; brothers Tom and Walter and many nieces and nephews; and

**WHEREAS**, Johnny Podres was a loyal and devoted husband, son, father, brother, grandfather, uncle, coach and loyal and good friend who will be sorely missed but never forgotten;

**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 Johnny Podres; and

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

This resolution was unanimously seconded and adopted.

**Resolution No. 28**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION OPPOSING THE CLOSURE BY THE NEW YORK  
STATE DEPARTMENT OF CORRECTIONS OF  
CAMP GABRIELS MINIMUM-SECURITY PRISON  
IN FRANKLIN COUNTY**

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

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

**WHEREAS**, the New York State Department of Corrections has announced that the minimum-security prison located at Camp Gabriels in the Town of Brighton is slated for closure in January of 2009; and

**WHEREAS**, the closure of Camp Gabriels will result in the loss of 186 jobs and the displacement of the employees and their families from Camp Gabriels and the Town of Brighton; and

**WHEREAS**, Camp Gabriels is an integral part of the Town of Brighton economic and social infrastructure and, if closed, will have a devastating impact upon the economy, community, schools and businesses in and around the Camp; and

**WHEREAS**, Camp Gabriels has, over the years, provided invaluable community service to the various towns surrounding the Camp and it is estimated that approximately 104,000 hours of community service was done regionally by inmates of Camp Gabriels in 2007 which spared Town work crews roughly \$800,000.00 worth of minimum wage work; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby strongly opposes the closure of the minimum-security prison located at Camp Gabriels in Franklin County and requests that Camp Gabriels be removed from the closure list and that it continue to operate as a minimum-security prison and to provide the Town of Brighton and surrounding communities with the economic, social and community benefits and security which it has for so long given; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be sent to Governor Eliot Spitzer; Senate Majority Leader Joseph L. Bruno; Assembly Speaker Sheldon Silver; Senator Elizabeth O'C. Little; Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey

This resolution was unanimously seconded and adopted.

**Resolution No. 29**

**February 4, 2008**  
**Regular Board Meeting**

### **RESOLUTION AUTHORIZING RATES FOR FUNERAL DIRECTORS**

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 and Means Committee of this body, and the same appearing proper and necessary.

**WHEREAS**, the Essex County Board of Supervisors has deemed it necessary to provide for additional monies to funeral homes and funeral home directors for picking up and transporting bodies

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the following rates for funeral homes and funeral directors for picking up and transporting bodies;

1. Fee for individually handled call - \$150
2. Fee for removal of a body - \$300
3. Fee for body bags - \$75/per bag
4. Fee for transportation of a body - \$2.00/per mile
5. Fee for returning from having delivered a body - current IRS rate for unloaded mile which at the present is 50.5 cents per mile

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 30**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
BEVERLY LEON**

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

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

**WHEREAS**, Beverly Leon passed away on December 31, 2007; and

**WHEREAS**, Beverly Leon was born on January 6, 1948, the daughter of Charles and Shirley (O'Dell) Call; and

**WHEREAS**, Beverly Leon worked many jobs throughout her life, including Saranac Lake General Hospital and Trudeau Institute; and

**WHEREAS**, Beverly Leon is survived by her six sons and three daughters-in-law; Louis and Sue Leon, Albert Leon, Jason Leon, Nicholas and Christina Leon, Joshua Kilburn, and Donovan and Erin Leon; six grandchildren, Brook, Eric, Zachary, Alexandera, Elizabeth and Louis Leon, III; and

**WHEREAS**, Beverly Leon is also survived by her mother, Shirley Call; and eight sisters and two brothers; and

**WHEREAS**, Beverly Leon was a loving daughter, mother, grandmother, sister, aunt, niece and friend who will be sorely missed but never forgotten; and

**WHEREAS**, Beverly Leon was the mother of Albert Leon and Nicholas Leon, both Essex County Deputy Sheriffs; 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 Beverly Leon; 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 Leon family.

This resolution was unanimously seconded and adopted.

**Resolution No. 31**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE APPOINTMENT  
OF NOEL H. MERRIHEW, III TO THE ESSEX COUNTY  
COMMUNITY SERVICES BOARD  
FOR A TERM EFFECTIVE  
FEBRUARY 1, 2008 THROUGH DECEMBER 31, 2008**

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 makes the following appointment:

1. The appointment of Noel H. Merrihew, III to the Essex County Community Services Board, for the term February 1, 2008 through December 31, 2008.

This resolution was seconded by Supervisor Morency and adopted.

**Resolution No. 32**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING PAYMENT, DURING 2008, FROM  
BUDGETED FUNDS, FOR REFRESHMENTS FOR FOSTER  
PARENT TRAINING AND ATTENDANCE OF DSS STAFF AT THE  
FOSTER PARENT RECOGNITION DINNER**

The following resolution was offered by Supervisor Merrihew, 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 authorize payment, during 2008, from budgeted funds, for refreshments for foster parent training and attendance and DSS staff at the foster parent recognition dinner.

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

<b>AYES:</b>	<b>2,426 votes</b>	
<b>NOES:</b>	<b>292 votes</b>	<b>(Douglas, Morency)</b>
<b>ABSENT:</b>	<b>125 votes</b>	<b>(Ferebee, Canon)</b>

**Resolution No. 33**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING PAYMENT, DURING 2008, FROM  
BUDGETED FUNDS, FOR LUNCH COSTS TO LOCAL VENDORS  
FOR ANNUAL HEAP FUEL/DEALER LUNCHEON**

The following resolution was offered by Supervisor Scozzafava, 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 payment, during 2008, from budgeted funds, for lunch costs to local vendors for annual HEAP fuel/dealer luncheon.

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

**AYES: 1,809 votes**  
**NOES: 909 votes** (Douglas, Scozzafava, Dobie, Morency, Spooner, Preston)  
**ABSENT: 125 votes** (Ferebee, Canon)

***Resolution No. 34***

***February 4, 2008***  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID FOR THE DISMANTLING OF THE MODULAR JAIL AND RELOCATING THE BUILDING TO THE DPW FACILITY**

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

Upon the recommendation of the Space 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 County Purchasing Agent to go to bid and/or procure services in accordance with the Essex County Purchasing Policy for the dismantling of the modular jail and its relocation to the Department of Public Works facility.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes** (Ferebee, Canon)

***Resolution No. 35***

***February 4, 2008***  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID OR PROCURE SERVICES ACCORDING THE ESSEX COUNTY PURCHASING POLICY FOR THE DEMOLITION OF THE OLD JAIL, SEQRA REVIEW AND ANY AND ALL OTHER NECESSARY MUNICIPAL, STATE AND FEDERAL PERMITS AND AUTHORIZATIONS**

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



Upon the recommendation of the Space 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 County Purchasing Agent to go to bid and/or procure services according to the Essex County Purchasing Policy relative to the demolition of the old Jail, SEQRA Review and all other necessary municipal, state and federal permits and authorizations.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 36**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE RE-APPOINTMENT OF DAVID  
HOLLAND AND KARL TERIELE TO THE SOIL AND WATER  
BOARD OF DIRECTORS  
FOR A THREE YEAR TERM (January 1, 2008 - December 31, 2011)**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby re-appoints David Holland and Karl Teriele to the Soil and Water Board of Directors each for a three-year term beginning January 1, 2008 and ending on December 31, 2011.

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

**Resolution No. 37**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE POSITION OF  
WIC PROGRAM COORDINATOR  
TO BE PAID AT THE RATE OF \$24.32/HOUR FOR 2008  
AND TO IDENTIFY SUCH POSITION AND HOURLY RATE  
IN THE TABLE FOR UNGRADED POSITIONS  
WITHIN THE UNION CONTRACT**

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

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

**WHEREAS**, the Department of Public Health needs to fill the WIC Program Coordinator position as the incumbent is now retiring; and

**WHEREAS**, as the WIC Program Coordinator will be required to have an R.N. license and to work with and oversee R.N.s, it is necessary to increase the hourly salary from \$18.00 per hour to \$24.32 per hour in order to prevent any inequity between the hourly rate paid the WIC Program Coordinator and an RN.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the position of WIC Program Coordinator to be paid at the rate of \$24.32 per hour for 2008 and to identify such position and hourly rate in the table for ungraded positions with the Union Contract.

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

**AYES:           2,718 votes**  
**NOES:            0 votes**  
**ABSENT:        125 votes           (Ferebee, Canon)**

**Resolution No. 38**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION APPROVING THE 2008 ALLOCATION PACKAGE  
FOR YOUTH DEVELOPMENT DELINQUENCY PROGRAMS AND  
SPECIAL DELINQUENCY PREVENTION PROGRAMS MONIES FOR  
YOUTH SERVICES IN ESSEX COUNTY**

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

Upon the recommendation of the Finance 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 approves the 2008 allocation package for Youth Development Delinquency Programs and Special Delinquency Prevention Programs monies for Youth Services in Essex County.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 39**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING A PRELIMINARY MEETING WITH  
CLINTON AND FRANKLIN COUNTIES TO INVESTIGATE THE  
POSSIBILITY OF MERGING THEIR COMMUNITY COLLEGES**

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

Upon the recommendation of the Finance 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 Chairwoman of the Board to contact Clinton and Franklin Counties and arrange for a preliminary meeting to investigate the possible merger of North Country Community College and Clinton Community College.

This resolution was seconded by Supervisor Morency, and adopted.

**Resolution No. 39**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING A PRELIMINARY MEETING WITH  
CLINTON AND FRANKLIN COUNTIES TO INVESTIGATE THE  
POSSIBILITY OF MERGING THEIR COMMUNITY COLLEGES**

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

Upon the recommendation of the Finance 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 Chairwoman of the Board to contact Clinton and Franklin Counties and arrange for a preliminary meeting to investigate the possible merger of North Country Community College and Clinton Community College.

This resolution was seconded by Supervisor Morency, and adopted.

**Resolution No. 40**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION IN SUPPORT OF IMPROVEMENTS TO AND  
DEVELOPMENT OF WATER AND WASTEWATER  
TREATMENT SYSTEMS**

The following resolution was offered by Supervisors Merrihew and Connell, who moved its adoption.

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

**WHEREAS**, many communities within Essex County have aged and antiquated water and waste water treatment systems which are in need of replacement and/or repair; and

**WHEREAS**, the cost and expense to these towns for the replacement or repair of these systems is exorbitant and can not be met without grants and aid from State and Federal sources; and

**WHEREAS**, coupled with the huge expense associated with replacement and repair of these systems, Essex County communities also must deal with the Adirondack Park Agency and other zoning entities which adds to the cost of the installation of this valuable infrastructure; and

**WHEREAS**, in addition to these impediments, the population of these Essex County communities is such that repayment on long term debt is often high because of the small number of property owners who can be taxed for repayment; and

**WHEREAS**, because of these costs, it is imperative that State and Federal funding continue and be increased in order to provide for the health, safety and well-being of the citizens of these communities and provide safe and potable water.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby requests support and funding for improvements and development to water and waste water facilities located within Essex County and within the Adirondack Park

This resolution was unanimously seconded and adopted.

**Resolution No. 41**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION ADDRESSING THE INCREASED  
TRANSPORTATION NEEDS OF ESSEX COUNTY RESIDENTS**

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

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

**WHEREAS**, the residents and businesses of Essex County, by virtue of demographics and the current economic climate, are severely and disproportionately impacted by the increased transportation needs of residents to get to and from work and to obtain goods and services, affordable housing concerns, increased costs of energy, and the lack of communications infrastructure; and

**WHEREAS**, in addition to these impediments, because almost 50% of all property located within Essex County is State Forest Preserve land and the remaining property is regulated by the Adirondack Park Agency, economic and personal growth within Essex County is more difficult than in other urban and rural counties throughout the State.

**BE IT RESOLVED**, that the Essex County Board of Supervisors, recognizing these problems, hereby urges the Governor and the New York State Legislature to provide any and all assistance, funding and grants to help Essex County residents, and especially elderly Essex County residents, with the increased cost of transportation, affordable housing, energy costs and assistance with the communications infrastructure; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Governor Eliot Sptizer, New York State Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver; Senator Elizabeth O'C. Little; and Assemblywomen Teresa R. Sayward and Janet Duprey

This resolution was unanimously adopted, as amended.

**RESOLUTION IN SUPPORT OF THE SENATE SPONSORED  
BRIDGE AND ROAD INVESTMENT AND DEDICATED FUND  
GUARANTEED ENFORCEMENT (BRIDGE) REFORM ACT**

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

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

**WHEREAS**, the New York State Senate passed legislation during a recent special session sponsored by Senator Thomas Libous, Chairman of the Senate Transportation Committee, to address the deficit in the State's Dedicated Highway and Bridge Trust Fund (DHBTF) by directing more funding to bridge and road construction and repair; and

**WHEREAS**, this legislation, entitled "The Bridge and Road Investment and Dedicated Fund Guarantee Enforcement Reform Act" amends the State Finance Law to create a five year phase-out of non bridge and road expenses; and

**WHEREAS**, the Bridge Reform Act aims to clean up Dedicated Fund by removing DOT snow and ice removal expenses and DMV operational expenses so that money can be used to fix roads and bridges; and

**WHEREAS**, NYSCHSA strongly supports this Bill to ensure the long-term fiscal integrity of this important local highway funding source and is urging the Assembly to pass the measure as well;

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby wholeheartedly supports the Bridge and Road Investment and Dedicated Fund Guarantee Enforcement (Bridge) Reform Act as passed by the New York Senate and hereby strongly urges the New York State Assembly and the Governor of the State of New York to pass this Bill; and

**BE IT FURTHER RESOLVED**, that a certified copy of this shall go to Governor Eliot Spitzer, New York State Senate Majority Leader Joseph L. Bruno; Assembly Speaker Sheldon Silver; Senator Elizabeth O'C. Little; and Assemblywomen Teresa R. Sayward and Janet Duprey and New York State Transportation Commissioner Astria Glynn

This resolution was seconded by Supervisor Morency, and adopted.

**RESOLUTION IN SUPPORT OF PUBLIC HEALTH PREPAREDNESS  
INFRASTRUCTURE AND ACTIVITIES REGARDLESS OF FEDERAL  
GRANT FUNDING**

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

Upon the recommendation of the Legislative 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 requests from its State and Federal representatives support and aid for public health preparedness, infrastructure and activities regardless of Federal Grant Funding

This resolution was seconded by Supervisor Merrihew, and adopted.

**Resolution No. 44**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION REQUESTING FINANCIAL ASSISTANCE FOR A  
NEW RADIO COMMUNICATION SYSTEMS IN ESSEX COUNTY**

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

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

**WHEREAS**, the present emergency radio communication system servicing the residents of Essex County is vintage 1950 and is in danger of failing to operate at any time; and

**WHEREAS**, the County has commissioned an engineer to report on the viability and cost involved in the replacement of the existing radio communication system with a new, state-of-the-art system providing appropriate coverage for Essex County; and

**WHEREAS**, if the present antiquated system is not replaced, Essex County will soon be without a radio communication system and will not be able to adequately provide for police, fire, ambulance, emergency services, and disaster communication within and without the County; and

**WHEREAS**, because of the increasing danger associated with terrorism it is imperative that Essex County have a modern radio communication system sufficient to provide for its needs; and

**WHEREAS**, it has been estimated that the cost for a replacement radio system will approach and, may exceed 9 million dollars; and

**WHEREAS**, Essex County relies upon its real property tax and sales taxes for income to support the day to day operations of the County and these sources are insufficient to pay for a new radio system or any bond that might be given; and

**WHEREAS**, the County is in dire need of funds for the implementation and creation of this new radio communication system in order to provide appropriate police, fire, ambulance, emergency services, and anti-terrorism coverage.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby urgently requests financial assistance from the State of New York and the Federal Government for the purchase of this new radio communication system in order to protect the health, safety and general welfare of the citizens of Essex County, the State of New York and the United States; and

**BE IT FURTHER RESOLVED**, a certified copy of this resolution be forwarded to United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives Kirsten Gillibrand and John M. McHugh; Governor Eliot Spitzer, New York State Senate Majority Leader Joseph L. Bruno; Assembly Speaker Sheldon Silver; Senator Elizabeth O’C. Little; and Assemblywomen Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded, and adopted.

**Resolution No. 45**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION ENDORSING JOHN WHITELEY AS A MEMBER OF  
THE GOVERNOR’S COMMISSION ON PROPERTY TAX REFORM**

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

Upon the recommendation of the Tax Option Sub-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 wholeheartedly endorses John Whiteley as a member of the Governor’s Committee on Property Tax Reform and hereby authorizes the Clerk of the Board of Supervisors to send a certified copy of this resolution to Governor Eliot Spitzer, New York State Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O’C. Little; Assembly Speaker Sheldon Silver; and Assemblywomen Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded, and adopted.



**Resolution No. 46**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION IN SUPPORT OF SENATE BILL S1053A AND  
ASSEMBLY BILL A1575A, THE GALEF-LITTLE MIDDLE CLASS  
CIRCUIT BREAKER BILL**

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

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

**WHEREAS**, Senator Elizabeth Little and Assemblywoman Sandra Galef have proposed a Middle Class Circuit Breaker Bill in the Senate and Assembly which would provide for replacement of the Middle Class Star Program with a Middle Class Circuit Breaker Program targeting aid to those who are most over burdened by their real property tax bills; and

**WHEREAS**, the Essex County Board of Supervisors is ever cognizant of the increased burden that real property tax bills have on those on the middle class and those who are most over burdened by these taxes.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby whole heartedly endorses and supports Senate Bill S1053A and Assembly Bill A1575A entitled The Galef-Little Middle Class Circuit Breaker Bill; and

**BE IT FURTHER RESOLVED**, a copy of this resolution be forwarded to Governor Eliot Spitzer, New York State Senate Majority Leader Joseph L. Bruno; Assembly Speaker Sheldon Silver; Senator Elizabeth O'C. Little; and Assemblywomen Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded, and adopted.

**Resolution No. 47**

**February 4, 2008**  
**Regular Board Meeting**

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

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

Upon the recommendation of the respective committees 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 makes the following appointments:

1. Appointing Robert Dedrick to the IDA Board to replace Anthony Glebus.
2. Appointing Roby Politi to the Occupancy Tax Advisory Committee.

This resolution was duly seconded by Supervisor Dobie, and adopted with Supervisors Politi and Dedrick abstaining.

**Resolution No. 48**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION OF APPRECIATION TO ANTHONY GLEBUS FOR  
HIS WORK ON THE IDA BOARD**

The following resolution was offered by Supervisor Scozzafava, 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**, Anthony Glebus, Supervisor for the Town of Lewis has for many years diligently and professionally acted as a member of the Essex County Industrial Development Agency Board; and

**WHEREAS**, Anthony Glebus has provided invaluable contribution and intelligent input and has selflessly and competently served as a member of the Industrial Development Agency; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby extends its deepest appreciation to Anthony Glebus for his outstanding and exemplary public service to the Essex County Industrial Development Agency and to the people of Essex County; and

**BE IT FURTHER RESOLVED**, that the Clerk of this Board is hereby directed to forward a suitably embossed copy of this resolution to Anthony Glebus.

This resolution was unanimously seconded, and adopted.

**Resolution No. 49**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AMENDING RESOLUTION NO. 360 OF 2005 AND  
SCHEDULING A PUBLIC HEARING ON A PROPOSED  
INCREASE IN THE INCOME ELIGIBILITY CEILING FOR REAL  
PROPERTY TAX EXEMPTION TO PERSONS 65 YEARS OF AGE  
OR OLDER PURSUANT TO REAL PROPERTY TAX LAW  
SECTION 467 FROM \$22,000 TO \$25,000**

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

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

**WHEREAS**, pursuant to Resolution No. 360, adopted on December 5, 2005, this Board increased the maximum income eligibility level for persons 65 years of age or older to be entitled to a real property tax exemption pursuant to RPTL §467 from \$16,500 to \$22,000; and

**WHEREAS**, this Board desires to consider increasing the income eligibility ceiling to \$25,000 pursuant to Real Property Tax Law §467, subdivision 3; and

**WHEREAS**, subdivision 1 of §467 requires that a public hearing be conducted prior to the adoption of any resolution amending an existing resolution providing such exemption.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby schedules a public hearing on February 11, 2008 at 9:30 a.m., on the proposed amendment to Resolution No. 360 of December 5, 2005 to increase the maximum income eligibility level for persons 65 years of age or older to be entitled to a real property tax exemption pursuant to RPTL §467 from \$22,000 to \$25,000.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 50**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE  
ESSEX COUNTY BOARD OF SUPERVISORS TO SIGN A**

**RECEIPT AND RELEASE IN THE MATTER OF THE ESTATE  
OF FAYLENE LEROUX ACKNOWLEDGING THE RECEIPT OF  
\$490,714.78 AND DIRECTING THAT SAID RECEIPT AND  
RELEASE BE DELIVERED TO THE EXECUTOR OF THE  
ESTATE**

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

Upon 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 its Chairman to execute a receipt and release in the matter of the Judicial Accounting of Faylene Leroux acknowledging receipt of the sum of \$490,714.78 on behalf of the Horace Nye Nursing Home; and

**BE IT FURTHER RESOLVED**, that this receipt and release be delivered to the Executor of the estate.

This resolution was unanimously seconded, and adopted.

**Resolution No. 51**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION REQUESTING THE COUNTY ATTORNEY SEND  
A LETTER TO THE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION DIRECTING THAT THEY HAVE THE  
NATIONAL PARK SERVICE ABIDE BY THE NATIONAL  
ENVIRONMENTAL POLICY ACT AND INCLUDE ESSEX  
COUNTY IN THE PLANNING OF THE NORTH COUNTRY  
SCENIC TRAIL**

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

Upon 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 requests and authorizes the County Attorney to send a letter to the Department of Environmental Conservation directing that they have the National Park Service abide by the National Environmental Policy Act and include Essex County in the planning of the North Country Scenic Trail.

This resolution was unanimously seconded, and adopted.

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH  
CLINTON COUNTY AS THE BACKUP PSAP FOR THE  
EMERGENCY SERVICES 911 SYSTEM IN THE EVENT OF  
DISASTER, CATASTROPHE OR SYSTEM OVERLOAD**

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

Upon 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 its Chairwoman and/or County Manager to execute a contract with Clinton County to provide for a reciprocal arrangement whereby Clinton County will serve as a backup PSAP for Essex County and Essex County will serve as a backup PSAP for Clinton County in the event of emergency, disaster, catastrophe or system overload upon approval of said contract by the County Attorney.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO  
JOIN WITH OTHER COUNTY ATTORNEY'S AND INTERESTED  
PARTIES IN THE LEGAL CHALLENGE TO THE DILLENBURG  
VS. STATE OF NEW YORK ACTION TO HIRE AN ATTORNEY  
TO REPRESENT THE PARTIES IN AN AMOUNT NOT TO  
EXCEED \$5,000 AND FURTHER AUTHORIZING THE  
TRANSFER OF \$5,000 FROM CONTINGENCY ACCOUNT  
INTO THE COUNTY ATTORNEY'S ACCOUNT TO PAY ESSEX  
COUNTY'S SHARE**

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

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

**WHEREAS**, the Supreme Court, Chautauqua County, on November 14, 2007 rendered a decision in the matter of John C. Dillenburg, III, v. the State of New York, et. al. declaring the current system for the payment by the State of New York of taxes on state

owned lands to Counties, Municipalities, School Districts and Special Districts to be unconstitutional; and

**WHEREAS**, this Decision and Order, if upheld, will financially cripple any and all Counties, Municipalities, School Districts and Special Districts located within the Forest Preserve or those where the State of New York has substantial land holdings by cutting off any and all state payment of taxes on these properties; and

**WHEREAS**, the County of Essex is comprised of more than 50% Forest Preserve lands and will suffer a devastating blow to its financial stability and viability if these state tax payments are to discontinue; and

**WHEREAS**, various counties affected by this decision have determined that the best course of action is to hire one attorney to represent all of their interests in appealing or in any other way challenging the Dillenburg decision;

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the County Attorney to join with other County Attorneys and interested parties in the legal challenge to the Dillenburg v. State of New York action, to hire an attorney to represent the parties in an amount not to exceed \$5,000.00 and further authorizes the transfer of \$5,000.00 from contingency account (19904-5487) into the County Attorney's account (14204-5433) to pay Essex County's share

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

**AYES:**           2,718 votes  
**NOES:**            0 votes  
**ABSENT:**       125 votes           (Ferebee, Canon)

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 1/22/08:</i>	\$446,500.00
<i>Reduction Impact of this resolution:</i>	\$ 5,000.00
<i>FY2008 Contingent Account Balance:</i>	\$441,500.00

**Resolution No. 54**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION AMENDING SECTION 13.02 D. OF THE POLICY  
MANUAL SO AS TO INCLUDE THE DISTRICT ATTORNEY'S  
OFFICE IN THE LIST OF INDIVIDUALS AUTHORIZED TO  
TAKE COUNTY VEHICLES HOME**

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

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

**WHEREAS**, the Essex County Personnel Policy Manual contains specific provisions regarding the individuals allowed to take a County vehicle home on a daily basis due to the nature of their duties.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby amends section 13.02 D. of the Personnel Policy Manual to include the District Attorney's office in the list of certain department heads/individuals to whom this provisions applies, with said office being added as D. (6) of that section and the current D. (6) will be renumbered, as follows:

*13.02 Use and operation of County Vehicles*

- D. Authorization is hereby granted for the following individuals to take County vehicles home on a daily basis due to the nature of their duties:*
- (1) Highway Department*
    - (a) Superintendent of Highways;*
    - (b) Personnel assigned by the Superintendent in writing to patrol County roads.*
  - (2) Public Health Nursing Services*
    - (a) All nurses, upon approval of the Director of Public Health Nursing Services.*
  - (3) Sheriff's Department*
    - (a) Essex County Sheriff*
    - (b) Narcotics personnel*
  - (4) Emergency Preparedness/Civil Defense*
    - (a) Emergency Preparedness/Fire Coordinator*
  - (5) Weights and Measures*
    - (a) Director of Weights and Measures*
  - (6) District Attorney's Office**
    - (a) Investigator**

- (b) **District Attorney and Assistant District Attorney's as needed; other office personnel upon approval of the DA in writing.**
- (7) County Manager, upon approval of the Chairman of the Board and provided that the vehicle is not otherwise in use or required by appropriate County officials.
- (8) Except as provided in paragraph (a) above, no County employee who has received authorization to operate and use a County vehicle shall take such vehicle to his/her private residence overnight without the written approval of the Chairman of the Essex County Board of Supervisors, which written approval shall be granted only after consultation with the appropriate department head and the Chairperson of the appropriate committee. Approval for the taking of a County vehicle to a private residence overnight shall only be granted upon a written justification for such use, and stating that the employee shall take all necessary precautions and measures to safeguard the vehicle and prevent it from being used or operated contrary to these regulations.
- (9) County vehicles shall be driven only to and from the assigned employee's place of residence to his/her work site. No subsidiary trips (e.g. grocery store) shall be allowed.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 55**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION URGING THE GOVERNOR AND THE NEW YORK STATE  
 LEGISLATURE TO PROVIDE GREATER STATE COMMITMENT AND  
 FUNDING TO A NEW BRIDGE AND CULVERT PROGRAM AND TO THE  
 CHIPS AND MARCHISELLI PROGRAMS**

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

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

**WHEREAS**, the State of New York and its various Counties need a new bridge and culvert program to ensure the safety of locally maintained infrastructure; and

**WHEREAS**, all Counties need more funding for Chips and Marchiselli programs; and

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby urges the Governor and the New York State Legislature to establish a new bridge and culvert program to ensure the safety of locally maintained infrastructure; and

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby urges the Governor and the New York State Legislature to provide greater State commitment and funding



to Chips and Marchiselli programs; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be forwarded to Governor Eliot Spitzer, New York State Senate Majority Leader Joseph L. Bruno; Assembly Speaker Sheldon Silver; Senator Elizabeth O'C. Little; and Assemblywomen Teresa R. Sayward and Janet Duprey..

This resolution was unanimously seconded, and adopted.

**Resolution No. 56**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION SUPPORTING THE NO CHILD LEFT INSIDE ACT  
OF 2007 - HR3036 AND S198**

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

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

**WHEREAS**, United State Senate Bill S198 and House of Representative Bill 3036 entitled No Child Left Inside Act of 2007 have been proposed as amendments to the No Child Left Behind Act Re-authorization Bill; and

**WHEREAS**, the No Child Left Inside Act of 2007 seeks to provide funding for alternative high school physical education programs designed to provide opportunities for non-traditional recreational pursuits such as archery, fly fishing, tennis, hiking and other positive life long recreational skills; and

**WHEREAS**, as everyone is not a gifted runner, hitter or jumper, and there exist other non-traditional sports which students may enjoy, excel at and showcase their abilities, this Board acknowledges the importance of this legislation to the overall education of our young people.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby wholeheartedly supports HR3036 and S198 entitled the, No Child Left Inside Act of 2007, as an amendment to the No Child Left Behind Act and strongly supports its enactment and its being signed into law.

**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 Kirsten Gillibrand and John M. McHugh; Senate Majority Leader Harry Reid; Senate Minority Leader Mitch McConnell; Speaker of the House Nancy Pelosi; and House Minority Leader John Boehner.

This resolution was unanimously seconded and adopted.

**Resolution No. 57**

**February 4, 2008**  
**Regular Board Meeting**

**RESOLUTION CANCELLING AND WAIVING INTEREST,  
PENALTIES AND OTHER CHARGES PURSUANT TO REAL  
PROPERTY TAX LAW, SECTION 1182**

The following resolution was offered by Supervisor Morrow, 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 adopts, pursuant to RPTL Section 1182, this resolution to cancel interest, penalties and other charges against the following property contingent upon the owner paying any base amounts due on any of the taxes by February 28, 2008:

**Town of Wilmington**

<b><u>Name</u></b>	<b><u>Tax Map #</u></b>	<b><u>Account #</u></b>	<b><u>Year</u></b>	<b><u>Cancelled</u></b>	<b><u>Amt. To be</u></b>
Douglas W. Furman & Emily A. Schmitt	16.2-1-8.121	745J188007		07-08	\$161.64

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

**Resolution No. 58**

**February 4, 2008  
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PAYMENT OF \$25,000.00  
FROM CONTINGENCY TO THE TRAVELERS INDEMNITY  
COMPANY, SUCCESSOR IN INTEREST BY MERGER TO GULF  
INSURANCE COMPANY AS THE DEDUCTIBLE OR SELF-  
INSURED RETENTION WITH RESPECT TO THE SETTLEMENT  
OF THE MATTER OF GLORIA MORSE, AS ADMINISTRATRIX OF  
THE ESTATE OF DAVID J. MORSE AGAINST THE COUNTY OF  
ESSEX, ET. AL. VENUED IN THE UNITED STATES DISTRICT  
COURT NORTHERN DISTRICT OF NEW YORK**

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

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

**WHEREAS**, the County of Essex and various of its departments were sued for wrongful death and pain and suffering in the matter entitled Gloria Morse, as Administratrix of the Estate of David J. Morse against the County of Essex, et. al., venued in the United

States District Court, Northern District of New York; and

**WHEREAS**, the parties stipulated to a settlement of this matter in the amount of \$100,000.00; and

**WHEREAS**, the sum of \$100,000.00 was paid by Travelers Indemnity Insurance Company to the Estate of David J. Morse and all appropriate releases and stipulations were executed; and

**WHEREAS**, the deductible/self-insured retention endorsement on the County's insurance policy included a reimbursement of indemnity and/or expenses for payments up to the deductible or self-insured limit of \$25,000.00.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the payment of \$25,000.00 to the Travelers Indemnity Company, successor and interest by merger to Gulf Insurance Company as and for the self-insured retention amount under its policy and directs that a check be immediately remitted in this regard.

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

**AYES: 2,718 votes**  
**NOES: 0 votes**  
**ABSENT: 125 votes (Ferebee, Canon)**

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 1/22/08:</i>	\$441,500.00
<i>Reduction Impact of this resolution:</i>	\$ 25,000.00
<i>FY2008 Contingent Account Balance:</i>	\$416,500.00