

RESOLUTION AUTHORIZING THE APPOINTMENT OF STEVE VALLEY TO THE MENTAL HEALTH SUB-COMMITTEE, FOR A TERM BEGINNING 11/1/08 THROUGH 12/31/09

The following resolution was offered by Supervisor Blades, 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 Steve Valley to the Mental Health Sub-Committee, for a term beginning November 1, 2008 through December 31, 2009.

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

RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

The following resolution was offered by Supervisor Morency, 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 Human Services Committee

- (a) For the Department of Mental Health, increase revenues and appropriations by \$60,000.00 - from a grant awarded from the Office of Alcohol and Substance Abuse Services for problem gambling prevention initiative.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4250 44490093	OASIS	\$60,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42504 5408	Prevention Team	\$60,000.00

(b) For the Transportation Department, increase revenues and appropriations by \$20,000.00 - increase in Section 5311 Operating Assistance funds.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
56304 5436	Public Transportation Advertising	\$20,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5630 43089122	5311 Public Transit	\$20,000.00

2. From the Department of Public Works Committee

(a) For the DPW - Highway, increase revenues and appropriations by \$9,402.54 - from the sales of tires to Serkil.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5130 4265520	Sale of Parts & Labor	\$9,402.54

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51304.5464	Hwy vehicle repairs & parts	\$9,402.54

(b) For the DPW - Buildings and Grounds, increase revenues and appropriations by \$146,525.00 - State Aid Unified Court System, authorize Courthouse renovations and authorize Purchasing Agent to bid and award renovations.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1620 43389023	State Aid Unified Court	\$146,525.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
16204 5285	Building Construction	\$146,525.00

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 321

November 3, 2008
Regular Board Meeting

**RESOLUTION ADOPTING AND APPROVING QUALITY
ASSURANCE REVIEW FOR THE CERTIFIED HOME HEALTH
AGENCY AS WELL AS POLICIES AND PROCEDURES FOR
PREVENTIVE SERVICES**

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

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

WHEREAS, Dr. Richard McKeever, Medical Director has reviewed the Certified Home Health Agency reports for chart audit conducted on May 20, 2008 and adverse events for the fourth quarter of 2007 (10/07 - 12/07) and has issued his report dated August 26, 2008; and

WHEREAS, Dr. Richard McKeever, Medical Director has also reviewed CHHA policies and procedures and has issued a report dated August 24, 2008.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves and accepts the Medical Director's review and reports dated August 28, 2008 and August 24, 2008 respectively relative to chart audit and adverse events and Essex County Public Health Department Medical Director Policy and Procedures.

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

Resolution No. 322

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE EXTENSION OF THE
CONTRACT WITH JACK VENESKY AND ASSOCIATES FOR
PREPARATION AND CERTIFICATION OF THE CERTIFIED HOME
HEALTH AGENCY MEDICARE/MEDICAID COST REPORT
(JANUARY 1, 2009 - DECEMBER 31, 2009), SUBJECT TO THE
APPROVAL OF THE COUNTY ATTORNEY**

The following resolution was offered by Supervisor Morency, 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.

WHEREAS, Essex County has entered into a contract with Jack Venesky and Associates, MISC-08-0004, dated September 19, 2005,

BE IT RESOLVED, that the Essex County Board of Supervisors hereby agrees to extend contract MISC-08-0004 previously entered into between the parties on September 19, 2005 for preparation and certification of the Certified Home Health Agency Medicaid/Medicare cost report from January 1, 2009 through December 31, 2009.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 323

*November 3, 2008
Regular Board Meeting*

**RESOLUTION AUTHORIZING A BUDGET TRANSFER OF
\$5,000.00 FROM CONTINGENCY ACCOUNT INTO
TRANSPORTATION DEPARTMENT, TO COVER
REPAIRS/MAINTENANCE OF BUSES**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the transfer of \$5,000.00 from the contingency account #19904-5487 to the Transportation Department Account #56304 5441 for repairs and maintenance of buses.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 10/06/08 :</i>	\$297,391.10
<i>Reduction Impact of this resolution:</i>	\$ 5,000.00
<i>FY2008 Contingent Account Balance:</i>	\$292,391.10

**RESOLUTION AUTHORIZING A BUDGET TRANSFER OF
\$12,500.00 FROM CONTINGENCY ACCOUNT INTO
TRANSPORTATION DEPARTMENT,
TO COVER DIESEL FUEL**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the transfer of \$12,500.00 from the contingency account #19904-5487 to the Transportation Department Account #56304 5442 for increased diesel fuel costs.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 10/06/08 :	\$292,391.10
Reduction Impact of this resolution:	\$ 12,500.00
FY2008 Contingent Account Balance:	\$279,891.10

**RESOLUTION ACCEPTING AND PLACING ON FILE THE 2009
MARKETING PLAN OF THE LAKE PLACID/ESSEX COUNTY
VISITOR'S BUREAU**

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

Upon the recommendation of the Economic Development 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 and places on file the 2009 Marketing Plan of the Lake Placid/Essex County Visitor's Bureau.

This resolution was seconded by Supervisor Jackson, and adopted.

Resolution No. 326

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING A TRANSFER OF \$1,500.00
FROM THE CONTINGENCY ACCOUNT TO THE LAKES TO
LOCKS PROGRAM**

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

Upon the recommendation of the Economic Development 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 transfer of \$1,500.00 from contingency account (19904-5487) into the Lakes to Locks Program Account (80204 5440 - Misc. Fees & Services) to match a federal grant award.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 10/6/08:</i>	\$279,891.10
<i>Reduction Impact of this resolution:</i>	\$ 1,500.00
<i>FY2008 Contingent Account Balance:</i>	\$278,391.10

Resolution No. 327

November 3, 2008
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO STEWART SHOPS AND
MOUNTAIN LAKES PBS FOR THEIR SUPPORT OF THE
LAKES TO LOCKS PASSAGE PROGRAM**

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

Upon the recommendation of the Economic Development 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 extends its sincere appreciation to Stewart Shops and Mountain Lakes PBS for their support, aid and assistance in the helping to develop the Lakes to Locks videos and allowing these videos to be run in their venues.

This resolution was unanimously seconded and adopted.

Resolution No. 328

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING AN INCREASE IN THE LIMIT FOR
THE BOARD OF SUPERVISORS CREDIT CARD FROM
\$5,000 TO \$10,000**

The following resolution was offered by Supervisor Canon, 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, often times when reserving hotel rooms and making other reservations for Supervisors the costs exceed the current \$5,000.00 credit card limit; and

WHEREAS, it is necessary to increase the limit on the existing Board of Supervisors credit card so there are no problems with reservations and the purchase of services,

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes an increase in the limit for the Board of Supervisors credit card from its current level of \$5,000.00 to \$10,000.00.

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

AYES: **2,456** votes
NOES: **0** votes
ABSENT: **387** votes **(Dedrick)**

Resolution No. 329

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID
VILLAGE AND SCHOOL TAXES, AND ALL ROAD, WATER,
SEWER AND GARBAGE RENTS ON THE 2008 TAX LEVY**

The following resolution was offered by Supervisor Scozzafava, 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.

WHEREAS, the Supervisors of the several towns within Essex County have transmitted to the Clerk of the Board the amounts of unpaid road, water, sewer and garbage rents on the 2008 tax rolls; and

WHEREAS, the several Village and School Districts within Essex County have transmitted to the Essex County Treasurer the amounts of unpaid Village and School taxes, duly verified and certified as provided by Real Property Tax Law Sections 1330 and 1440; and

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs that the amounts of 2008-09 Village and School Taxes, and 2008 Road, Water, Sewer and Garbage rents remaining unpaid be relevied upon the 2008 tax roll; and

BE IT FURTHER RESOLVED that payments for 2008-09 School Taxes which are mailed and contain a postmark as of November 30, 2008, shall be deemed to have been actually received by the County Treasurer prior to 5:00 p.m. on said date, provided such payments shall have been tendered by certified check, cashier's check, money order, or cash only.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 330

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING A TRANSFER OF \$1,000.00
FROM THE CONTINGENCY ACCOUNT TO COVER SUPREME
COURT WITNESS FEES**

The following resolution was offered by Supervisor Merrihew, 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 transfer of \$1,000.00 from contingency account (19904-5487) into the Supreme Court Witness Fees Account No. 11354 5432 to cover witness fees.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

BUDGET IMPACT STATEMENT:

Contingent Account Balance as of 10/6/08:	\$278,391.10
Reduction Impact of this resolution:	\$ 1,000.00
FY2008 Contingent Account Balance:	\$277,391.10

Resolution No. 331

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ENTRY INTO AN
ELECTRIC CO-OPERATIVE PURCHASING AGREEMENT
WITH ERIE COUNTY FOR THE
JOINT PURCHASE OF ELECTRICITY**

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.

WHEREAS, it has come to the attention of this Board that it would be beneficial to the tax payers of the County of Essex to enter into an Electric Co-operative Purchasing Agreement with Erie County.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Manager or Chairperson to enter into an Electric Co-operative Purchasing Agreement with Erie County incident to the joint purchase of electricity by Erie County and Essex County under such terms and conditions as approved by the County Attorney; and

BE IT FURTHER RESOLVED, that this purchase does not require competitive bidding as Essex County will be buying under existing Erie County contract pursuant to General Municipal Law §103(3) which permits a municipal corporation to make or contract for services through another County which has purchased these services under the competitive bidding laws of the State of New York.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 332

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY MANAGER TO
EXECUTE A CONTRACT BETWEEN THE UNITED STATES
MARSHALL SERVICE AND ESSEX COUNTY FOR THE HOUSING
OF INMATES IN OUR COUNTY JAIL**

The following resolution was offered by Supervisor Morrow, 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.

WHEREAS, the United States Department of Justice is desirous of securing the use of up to 40 beds at the Essex County Jail located in Lewis, New York for federal prisoners; and

WHEREAS, the United States Department of Justice, the U.S. Marshall Service and Essex County are desirous of entering into an agreement whereby up to 40 beds will be reserved for use by the United States Department of Justice for federal inmates;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Manager to execute a Detention Services Intergovernmental Agreement with the United States Department of Justice for the use of up to 40 beds situate in the Essex County Jail at a per diem rate of \$98.00 together with a guard/transportation hourly rate of \$26.58/hour and upon such other and additional conditions and terms as approved by the County Attorney.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 333

November 3, 2008
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
WILLIAM DUKETTE**

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, William Dukette passed away on Saturday, October 11, 2008; and

WHEREAS, William Dukette was born in Mineville on April 30, 1917, the son of Katherine (Donahue) Dukette; and

WHEREAS, William Dukette owned Dukette, Inc. in Mineville for more than 40 years; was a 4th degree member of the Knights of Columbus; and was a Town of Moriah Tax Assessor for 22 years; and

WHEREAS, William Dukette was predeceased by his wife of 53 years, Win (Prew) Dukette; and his sister Katherine (Dukette) Brewster; and

WHEREAS, William Dukette is survived by his daughter and son-in-law Linda and Edward Callahan; his son and daughter-in-law, William J. And Lorraine Dukette; his granddaughter and husband, Tricia and Ray DeBlois; two great-grandchildren, Patrick and Lauren DeBlois; and several nieces and nephews; and

WHEREAS, William Dukette was a loving husband, father, grandfather, brother, uncle, and 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 William Dukette; 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 Dukette family.

This resolution was unanimously seconded and adopted.

Resolution No. 334

November 3, 2008
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JANIS G. GOFF**

The following resolution was offered by Supervisor Connell, 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, Janis G. Goff passed away on Saturday, October 18, 2008; and

WHEREAS, Janis G. Goff was born in Westport, New York on December 30, 1928, the daughter of John and Ruth Gough; and

WHEREAS, Janis G. Goff was salutatorian of the class of 1946 and was the deputy clerk of the Essex County Board of Supervisors for many years; she was a past member of the Eastern Star; and

WHEREAS, Janis G. Goff was predeceased by her husband Robert Goff, Sr.; and

WHEREAS, Janis G. Goff is survived by her daughter and son-in-law, Gail and Leo Drinkwine, her son and daughter-in-law, Gary and Tina Goff; her daughter and fiancé Gwen Carpenter and Chip Pierce; and son Robert R. Goff, Jr. and his wife Valorie; and

WHEREAS, Janis G. Goff is survived by 11 grandchildren; 10 great-grandchildren; and several special nieces and nephews; and

WHEREAS, Janis G. Goff is also survived by her brother, Olon Gough and her sister Merrice Wyant; and

WHEREAS, Janis G. Goff was predeceased by her parents; a brother, William Gough; a sister Merie Walker; her brother and sister-in-law Richard and Mary Goff; and

WHEREAS, Janis G. Goff was a loving daughter, mother grandmother, sister, aunt and friend who will be sorely missed but never forgotten; and

WHEREAS, Janis G. Goff's daughter, Gwen Carpenter, is a long-time employee for the Essex County Department of Social Services.

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 Janis G. Goff; 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 Goff family.

This resolution was unanimously seconded and adopted.

**RESOLUTION REQUESTING THAT THE ATTORNEY
GENERAL'S OFFICE AMEND SECTION 339Y OF THE REAL
PROPERTY TAX LAW TO SPECIFICALLY EXCLUDE SECOND
HOME OWNERS**

The following resolution was offered by Supervisor Politi, 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, Section 339Y of the Real Property Tax Law provides a built in subsidy for condominium owners which values condominiums by an income approach which invariably makes the assessment for condominiums less than if the condominiums were assessed as single family or multiple family dwellings;and

WHEREAS, Section 339Y of the Real Property Tax Law has created an unfair and inequitable system of assessment, assessing condominium owners and single family and multifamily dwelling owners arbitrarily and unfairly; and

WHEREAS, because of the lower assessments, Section 339Y of the Real Property Tax Law permits many cities, towns and villages in New York State who have an abundance of condominiums are suffering a loss of legitimate real property tax revenues which they can ill afford during these pressing economic times.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby requests the Attorney General's Office to look in to the legality of Section 339Y of the Real Property Tax Law and to seek to amend Section 339Y of the Real Property Tax Law to specifically exclude second home condominium owners and second homeowners.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN
PROPERTY ACQUIRED BY ESSEX COUNTY BY TAX SALE
PROCEEDINGS LOCATED OFF THE BREEZY ACRES ROAD, IN
THE TOWN OF NORTH ELBA, TO WILLIAM SHEEFER, A FAMILY
MEMBER, CONDITIONED UPON THE EXPIRATION OF THE 14
DAY PERIOD SET FORTH IN RESOLUTION 312 OF OCTOBER 1,
2007 FOR THE OWNER TO REPURCHASE AND SUBJECT TO
ALL TERMS AND CONDITIONS OF RESOLUTION NO. 312 OF
OCTOBER 1, 2007**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the repurchase of certain property acquired by Essex County by tax sale proceedings located off Breezy Acres Road, in the Town of North Elba by William Sheefer, a family member, conditioned upon the expiration of the 14 day period set forth in Resolution No. 312 of October 1, 2007 for the owner to repurchase and subject to all terms and conditions of Resolution No. 312 of October 1, 2007. Said property is designated as Tax Map Number 32.014-1-11.000 and is listed on the List of Delinquent Taxes for the year 2004 filed on January 28, 2005 as Account Number 675J113011.

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

AYES:	2,456	votes	
NOES:	0	votes	
ABSENT:	387	votes	(Dedrick)

Resolution No. 337

November 3, 2008
Regular Board Meeting

**RESOLUTION TO APPLY FOR AND ACCEPT A COMMERCIAL
MOTOR VEHICLE OPERATOR SAFETY TRAINING GRANT**

The following resolution was offered by Supervisor Merrihew, 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, it has come to the attention of this Board that there exists a Northern New York State Commercial Motor Vehicle Operator Safety Training Grant for the promotion of the safe operation of commercial motor vehicles and to assist eligible entities who train current and future operators in the safe operation of commercial motor vehicle operators; and

WHEREAS, said grant is in the amount of \$1,000,000 and includes \$200,000 in matching funds and will be shared by government partners, municipal partners and public education partners located in Clinton and Essex County's with the lead applicant to be Clinton, Essex, Washington, and the Warren County Board of Cooperative Education Services; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the application and acceptance of the Commercial Motor Vehicle Operators Safety Training Grant as herein above set forth and the partnering with the Government, Municipal and Public Education partners as set forth in the draft grant documents.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 338

November 3, 2008
Regular Board Meeting

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO PROVIDE MOTOROLA WITH A LETTER OF INTEND RELATIVE TO THE PURCHASE OF NECESSARY FREQUENCIES WHICH MAY BE REQUIRED BY THE COUNTY AS IDENTIFIED WITHIN THE MOTOROLA P25 DIGITAL CONVENTIONAL MULTICAST SYSTEM PROPOSAL DATED OCTOBER 14, 2008. THE LETTER OF INTENT SHALL NOT LEGALLY BIND THE PURCHASE OF THESE FREQUENCIES BY THE COUNTY AND SHALL BE PREPARED AND APPROVED BY THE COUNTY ATTORNEY

The following resolution was offered by Supervisor Merrihew, 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, as part of its proposal relative to the Essex County P25 Digital Conventional Multitask system, Motorola has offered to Essex County four pair of frequencies at a charge of \$495,600; and

WHEREAS, Motorola has apprised Essex County that there are private, commercial entities who are interested in the purchase of these frequencies; and

WHEREAS, Motorola has further advised that in order to hold these frequencies for Essex County a letter of intent is necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Manager to provide Motorola with a letter of intent relative to the purchase of any necessary frequencies which may be required by the County as identified within the Motorola P25 digital conventional multicast system proposal dated October 14, 2008 provided, and on condition, that the letter of intent shall not legally

bind the purchase of these frequencies by Essex County, will not be considered a contract and further provided that the terms of said letter of intent be prepared by and approved by the County Attorney.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

AMENDED
Resolution No. 349

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE REPURCHASE OF REAL
PROPERTY IN THE VILLAGE OF PORT HENRY FOR ALL BACK
TAXES TOGETHER WITH INTEREST, PENALTIES AND OTHER
CHARGES**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorize the sale of real property located in the Village of Port Henry described on the 2008 tax rolls as Tax Map Number 97.64-1-44.000 to Anthony F. Ruch for all back taxes together with interest penalties and premiums and further authorizes its County Manager to execute a deed transferring this property; and

BE IT FURTHER RESOLVED, prior to the execution and delivery of said deed an affidavit be obtained from the predecessor in interest and grantor of Ruch stating that this property was erroneously left out of the original deed into Ruch and that it was the intention of this property to be conveyed to Ruch with the conveyance of the adjoining common property.

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

AYES: 2,392 votes
NOES: 64 votes (McSweeney)
ABSENT: 387 votes (Dedrick)

WITHDRAWN
Resolution No. 350

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE SALE OF PROPERTY IN THE
TOWN OF MORIAH PREVIOUSLY OWNED BY REPUBLIC STEEL
FOR ALL BACK TAXES PLUS INTEREST AND PENALTIES**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the sale of property in the Town of Moriah previously owned by Republic Steel for all back taxes plus interest and penalties to Rhodia Inc. which property is described on the 2008 Town of Moriah Tax Rolls as Tax Map Number 97.9-1-9.000 for all back taxes plus interest penalties and premiums.

This resolution was seconded by Supervisor Merrihew, and withdrawn.

Resolution No. 351

November 3, 2008
Regular Board Meeting

**RESOLUTION RESCINDING RESOLUTION NO. 260 OF
SEPTEMBER 2, 2008 - AMENDING RESOLUTION NO. 117 OF
5/2/05 PROVIDING FOR INSTALLMENT PAYMENTS OF REAL
PROPERTY TAXES PURSUANT TO REAL PROPERTY TAX LAW
§928-a TO ALLOW FIVE EQUAL INSTALLMENT PAYMENTS
RATHER THAN FOUR INSTALLMENTS PAYMENTS OF TAX**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby rescinds Resolution No. 260 of September 2, 2008 - *amending Resolution No. 117 of 5/2/05*

providing for installment payments of real property taxes pursuant to real property tax law §928-a to allow five equal installment payments rather than four installment payments of tax.

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

AYES: 2,456 votes
NOES: 0 votes
ABSENT: 387 votes (Dedrick)

Resolution No. 352

November 3, 2008
Regular Board Meeting

**RESOLUTION URGING THE GOVERNOR AND STATE
LEGISLATURE TO REDUCE STATE SPENDING WITHOUT
SHIFTING COSTS FOR STATE PROGRAMS TO COUNTY
GOVERNMENT**

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

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

WHEREAS, Counties in New York have long served as principal partner in administering the State's most critical programs in areas such as health, human services and public protection; and

WHEREAS, as part of administering these programs, the State mandates that counties fund a significant portion of these programs through the county budget; and

WHEREAS, these State mandates are the root cause of high property taxes at the county level; and

WHEREAS, the enacted budget for State Fiscal Year 2008-09, included an across the board 2 percent reduction that affected over 100 county programs; and

WHEREAS, the majority of the programs affected by this across the board reduction are State mandated, thus, significantly limiting a county's ability to mitigate the fiscal burden of this State action; and

WHEREAS, as State policy makers continue to address looming State budget deficits it is critical that they draw a clear distinction between "cuts" in State funding and simple cost shifting that requires counties to fund a larger share of state mandated services ;and

WHEREAS, as experienced managers who must balance their own budgets, county officials understand and support the need for spending restraint, especially in difficult times; and

WHEREAS, counties believe that it is preferable to restructure and eliminate unnecessary and wasteful spending than to implement across the board reductions without examining the merits of each program and service; and

BE IT RESOLVED, that the Essex County Board of Supervisors calls on the Governor and State Legislature to reduce State spending without shifting the costs for State programs to county government; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors believes that by working together, the State and its counties can fashion program efficiencies and changes that provide real, timely, and mutual fiscal benefit, while minimizing the impact on taxpayers; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor David A. Paterson; New York State Senate Majority Leader Dean G. Skelos; Senator Elizabeth O'C. Little; Assembly Speaker Sheldon Silver; Assembly Minority Leader James N. Tedisco; and Assembly Members Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded and adopted.

Resolution No. 353

November 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH LONG LAKE
AND HAMILTON COUNTY RELATIVE TO THE PROVISION OF
E911 SERVICES**

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.

WHEREAS, an agreement has finally been developed between the Town of Long Lake, Essex County and Hamilton County relative to the provision by Essex County to Long Lake for land based E-911 services and the Local Enhanced Wireless 911 services; and

WHEREAS, Essex County agrees to provide to the Town of Long Lake land line and E-911 emergency telephone service and Enhanced Wireless E-911 services in certain designated areas contained in said agreement; and

WHEREAS, said agreement is to be for a one year period from January 1, 2008 and December 31, 2008 with renewals pursuant to mutual agreement; and

WHEREAS, the Town of Long Lake shall pay to the County of Essex the following consideration:

- (a) An annual fee in the amount \$3,000 per year to cover administrative, operating and maintenance costs. It is understood that for the year 2008 this annual fee will be waived.
- (b) For services relative to initialing, naming, numbering and addressing of buildings and private properties - \$30 per hour per employee
- (c) For telephone company, in-house data costs up to \$40 a month
- (d) A one-time installation charge for Verizon and Frontier RTNA Lines in the amount of \$3,362.96
- (e) Monthly reoccurring rental charges due Verizon and Frontier in the total amount of \$415.37 if one line is used or \$857 a month per month if two lines are used.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the entry into a contract with Town of Long Lake and Hamilton County for the provision by Essex County of E-911 services under the terms and conditions as herein above set forth and upon any further terms and conditions be necessary to be included by the County Attorney and further authorizes its County Chairwoman and/or County Manager to execute said contract on behalf of the County.

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

AYES: 2,350 votes

NOES: 0 votes

ABSENT: 493 votes (Morency, Dedrick)

**RESOLUTION OF CONGRATULATIONS TO THE YOUTH
BUREAU ON BEING CHOSEN “HONORS EMPLOYER” DURING
NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH**

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, it is the sense of this Board to recognize the achievements of those who have substantially contributed to the vitality of Essex County; and

WHEREAS, Governor David Paterson has proclaimed October as “National Disability Employment Awareness Month”; and

WHEREAS, our own Essex County Youth Bureau has been designated “Honors Employer” in recognition of its outstanding interaction with student interns; and

WHEREAS, this department provides career opportunities and vocational advancement to local residents, and in so doing, lifts work place barriers giving students the opportunity to enjoy financial independence through gainful and rewarding summer employment; and

WHEREAS, it is with great pleasure that this Board acknowledges the contributions of the Essex County Youth Bureau and its Director, Joseph Provoncha, to our local students and society at large.

BE IT RESOLVED, that the Essex County Board of Supervisors pauses in its deliberations to commend the Essex County Youth Bureau on being recognized for their outstanding interaction with student interns; and

BE IT FURTHER RESOLVED, that a copy of this Resolution, suitably embossed, be forwarded to the Essex County Youth Bureau.

This resolution was unanimously seconded and adopted.