

Resolution No. 172

June 1, 2009
Regular Board Meeting

***RESOLUTION OF RECOGNITION AND CONGRATULATIONS TO
JOHN "JACK" WALDRON
FOR 60 YEARS OF SERVICE TO THE PORT HENRY VOLUNTEER
FIRE DEPARTMENT***

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, John "Jack" Waldron has been a volunteer fireman for 60 with the Port Henry Volunteer Fire Department; and

WHEREAS, John "Jack" Waldron has tirelessly, selflessly, conscientiously and with all degree of professionalism performed his duties as volunteer fireman and as past Chief of the Port Henry Volunteer Fire Department for sixty years, during which time he covered thousands of fire calls; and

WHEREAS, John "Jack" Waldron has set an example for all by his selfless, professional, civil and community dedication performing his duties for the good of the residents of Port Henry and Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors wishes to extend its sincere gratitude and appreciation to John "Jack" Waldron for his 60 years of dedicated service to the Port Henry Volunteer Fire Department and the residents of Essex County; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby directs its Clerk of the Board to forward a suitably embossed copy of this Resolution to John "Jack" Waldron.

This resolution was unanimously seconded and adopted.

Resolution No. 173

June 1, 2009
Regular Board Meeting

***RESOLUTION OF RECOGNITION AND ACHIEVEMENT FOR
LIANE F. COLBY, FIRE CHIEF OF THE LAKE PLACID
VOLUNTEER FIRE DEPARTMENT***

The following resolution was offered by Supervisor Politi, 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, Liane F. Colby was elected Fire Chief of the Lake Placid Volunteer Fire Department by her peers; and

WHEREAS, Liane F. Colby is the first female Fire Chief in 105 years of the Lake Placid Volunteer Fire Department; and

WHEREAS, Liane F. Colby is the first female Fire Chief in Essex County history.

BE IT RESOLVED, that the Essex County Board of Supervisors wishes to recognize Liane F. Colby as Fire Chief of the Lake Placid Volunteer Fire Department and congratulates her on her achievement; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby directs its Clerk of the Board to forward a suitably embossed copy of this Resolution to Liane F. Colby.

This resolution was unanimously seconded and adopted.

Resolution No. 174

June 1, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING BUDGET AMENDMENT IN THE
OFFICE FOR THE AGING, TO INCREASE REVENUES AND
APPROPRIATIONS BY \$1,800.00 THROUGH TRANSFER
FROM THE CONTINGENCY ACCOUNT, FOR PAYMENT OF
THE ANNUAL RSVP DINNER**

The following resolution was offered by Supervisors Douglas and 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the transfer of the sum of \$1,800.00 from the contingency account (19904-5487) for payment of the annual RSVP dinner to Account Number (67724-5487 RSVP).

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

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

	BUDGET IMPACT STATEMENT:	
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<i>Contingent Account Balance as of 4/6/09:</i>	\$345,280.77
<i>Reduction Impact of this resolution:</i>	\$ 1,800.00
<i>FY2009 Contingent Account Balance:</i>	\$343,480.77

**Resolution No. 175
AMENDED**

**June 1, 2009
Regular Board Meeting**

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Morrow, 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 2009 Essex County Budget as follows:

1. From the Human Services Committee

(a) For Mental Health Department, increase revenues and appropriations by \$5,068.00 - carry over of funds from 2008.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4322-4349230	State Aid	\$5,068.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
43224-5448	MH Shelt	\$5,068.00

(b) For the Public Health Department, increase revenues and appropriations by \$3,000.00 - HIV mini-grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4190.4160169	State Aid	\$3,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41904-5420	Printing	\$ 200.00
41904-5473	HIV testing	1,035.00
41904-5473	Medical Supplies	335.00
41904-5480	Educational materials	<u>1,430.00</u>
		\$3,000.00

2. From the Department of Public Works Committee

(a) For Department of Public Works, increase revenues and appropriations by \$259,031.24 - increase in CHIPS.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5010 4350110	Consolidated Highway Aid	\$259,031.24

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51124 5487	Highway Permanent Improvements	\$259,031.24
	Misc. Expense	

BE IT FURTHER RESOLVED, that the 2008 contract with Mountain Lakes Services will be amended to increase the same by \$5,068.00 and contract is authorized between Essex County and Hudson Headwaters for \$3,000.00 for HIV testing, education and medical supplies and further authorizing the County Chairwoman and/or County Manager to execute each contract.

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

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

**RESOLUTION OPPOSING LEGISLATIVE REVISIONS TO THE
EMPIRE ZONE PROGRAM**

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

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

WHEREAS, Chapter 57 of the Laws of 2009, amended certain provisions of the Tax Law and the General Municipal Law effecting the Empire Zone's program which effect tax payers claiming Empire Zone (EZ) credits, including Qualified Empire Zone Enterprise (QEZE) credits under the tax law for tax years beginning on or after January 1, 2008; and

WHEREAS, these new regulations require each Empire Zone's certified business to obtain an Empire Zone Retention Certificate (EZRC) and this requirement is retroactive to January 1, 2008; and

WHEREAS, for those Empire Zone certified businesses who have filed their 2008 tax return, this poses a huge problem which will negatively effect business operations and may mean interest payments assessed, credits disallowed and the taxes owed; and

WHEREAS, a major concern of this Board is the retroactive nature of the re-certification/de-certification standards back to January 1, 2008, wherein business certification will not be recognized until a new retention certificate is received preventing businesses from claiming their EZ tax credits on 2008 returns until the retention certificate is received and an amended return is filed. Any business which filed its 2008 returns on time will have EZ tax credits disallowed and any underpayment resulting from a disallowance will be subject to interest at 7.5% compounded daily from April 15th until paid; and

WHEREAS, the retroactive nature of these regulations back to January 1, 2008 will make any decertification effective for that date causing companies to lose their credits retroactively, thereby placing an unfair and undo financial burden on Essex County businesses participating in the program and may well have a chilling effect on our ability to attract businesses from out of state.

BE IT RESOLVED, that the Essex County Board of Supervisors opposes the amendment of certain provisions of the Tax Law and General Municipal Law effecting the Empire Zone's Program as contained in Chapter 57 of the Laws of 2009, which relate to the retroactive nature of the re-certification/de-certification standards back to January 1, 2008, which would prevent businesses from claiming their EZ Tax Credits on 2008 returns until a retention certificate is received and an amended return is filed and those provisions which make the de-certification effective for tax years beginning on or after January 1, 2008 thereby causing businesses to lose their credits retroactively as these re-certification/de-

certification standards will place an unfair and undo financial burden on Essex County businesses; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O’C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 177

June 1, 2009
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO HORNBECK BOATS OF
OLMSTEDVILLE FOR ASSISTING THE FISH HATCHERY IN
FIBERGLASSING THE STOCKING TANKS**

The following resolution was offered by Supervisor McSweeney, 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 extends their deepest appreciation to Hornbeck Boats of Olmstedville for their donated services in fiberglassing the tanks on the stocking truck at the Fish Hatchery.

This resolution was unanimously seconded and duly adopted.

Resolution No. 178

June 1, 2009
Regular Board Meeting

**RESOLUTION INVITING PRESIDENT BARACK OBAMA TO THE
SEPTEMBER 19, 2009, FESTIVAL OF NATIONS EVENT
PLANNED FOR THE REDEDICATION OF THE LIGHTHOUSE TO
BE HELD AT THE CROWN POINT STATE HISTORIC SITE**

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

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

WHEREAS, as part of the Quadricentennial celebration, an event is planned on September 19, 2009, to rededicate the memorial lighthouse and Rodin sculpture at the Crown Point State Historic Site; and

WHEREAS, in 1909, President Taft attended a ceremony in Crown Point and one in Vermont and the Quadricentennial committee would like to extend an invitation from Essex County to President Obama to attend the rededication 100 years after President Taft.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends an invitation to President Obama to attend the rededication of the memorial lighthouse at the Crown Point State Historic Site on September 19, 2009; and

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby authorized to forward a certified copy of this resolution to President Barack Obama.

This resolution was unanimously seconded, and duly adopted.

Resolution No. 179

June 1, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO DOTTIE WEHNAU
OF CORNELL COOPERATIVE EXTENSION ON RECEIVING HER
MASTERS DEGREE FROM SUNY PLATTSBURGH IN DIABETES
EDUCATION**

The following resolution was offered by Supervisor Dedrick, 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 extends its congratulations to Dottie Wehnau of Cornell Cooperative Extension for receiving her Masters Degree from SUNY Plattsburgh in diabetes education.

This resolution was unanimously seconded and adopted.

Resolution No. 180

June 1, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASE OF A
FOREMAN'S MAINTENANCE TRUCK, FROM STATE
CONTRACT, IN AN AMOUNT NOT TO EXCEED \$52,000.00,
FROM BUDGETED FUNDS; AUTHORIZING THE PURCHASE OF
A MECHANIC'S CRANE, FROM STATE CONTRACT, IN AN
AMOUNT NOT TO EXCEED \$10,000.00, FROM BUDGETED
FUNDS; AUTHORIZING THE PURCHASE OF A POST HOLE
DRIVER, NOT TO EXCEED \$3,000.00, FROM BUDGETED FUNDS**

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

Upon the recommendation of the Department of Public Works 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 purchase of a foreman's maintenance truck, in an amount not to exceed \$52,000.00; the purchase of a mechanics crane, in an amount not to exceed \$10,000.00 and the purchase of a post hole driver, in an amount not to exceed \$3,000.00 from state contract, all from budgeted funds and further authorizing the execution of a contract relative thereto by the County Chairperson and/or County Manager.

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

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

Resolution No. 181

June 1, 2009
Regular Board Meeting

**RESOLUTION WITHDRAWING FROM THE JUNE 3, 2009
AUCTION, A PARCEL OF PROPERTY LOCATED IN THE TOWN
OF WESTPORT, PARCEL NUMBER 66.65-1-2.00 AND TO SELL
THIS PROPERTY TO IRVING BORDEN, SR. FOR \$100.00**

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.

WHEREAS, Essex County is the owner of a piece of property located in the Town of Westport bearing Tax Map No. 66.65-1-2.00 and currently has placed this property in the inventory for the upcoming June 3, 2009 auction; and

WHEREAS, this property has approximately 52 feet of road frontage however, substantially tapers to 10 feet in width and drops off into a ravine and no building can be built on the property because of its size; and

WHEREAS, Essex County has, on three different occasions, sold this property at tax auction only to receive it back for non-payment of taxes; and

WHEREAS, Essex County is desirous of selling this property to the adjoining neighbor for the amount of \$100.00 in order to prevent the property from coming back once again for non-payment of taxes and to place the property back on the tax rolls.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby directs the withdrawal from the June 3, 2009 auction of the property located in the Town of Westport, bearing Tax Map No. 66.65-1-2.00, and the sale of said property to the adjoining property owner, Irving Borden, Sr. for \$100.00 with the provision of the property such that no principal dwelling may be separately situate on the property.

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

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

Resolution No. 182

June 1, 2009
Regular Board Meeting

RESOLUTION URGING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO MAKE REPAIRS TO THE CASCADE LAKES ROAD IN THE TOWN OF KEENE AND ROUTE 86 IN THE TOWNS OF JAY AND WILMINGTON FOR THE SAFETY OF THE TRAVELING PUBLIC, AS WELL AS FOR THE IRONMAN EVENT AND OTHER EVENTS INVOLVING THESE HIGHWAYS

The following resolution was offered by Supervisors Politi and Ferebee, 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 the Cascade Lakes Road in the Town of Keene needs substantial remediation and repairs in order to provide safe passage for the traveling public as well as provide a safe roadway for the participants in the Ironman Triathlon; and

WHEREAS, because of the substandard and deplorable condition of Route 86 between Jay and Wilmington there exists a safety issue and there is the possibility for injury or property damage to the traveling public and to Ironman contestants; and

WHEREAS, the Ironman Triathlon generates approximately \$10 million of revenue for our region of which Essex County receives \$375,000 in sales tax revenue; and

WHEREAS, because of the extremely poor condition of these roadways there is the possibility that the Ironman Triathlon will relocate outside of Essex County and conduct their event in another area.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby strongly urges the New York State Department of Transportation to make these roadways safe for the traveling public and to the participants of the Ironman triathlon competition; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New York State Department of Transportation, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward.

This resolution was unanimously seconded, and duly adopted.

Resolution No. 183

June 1, 2009
Regular Board Meeting

**RESOLUTION REQUESTING THE NEW YORK STATE POLICE
CONTINUE TO PROVIDE POLICE PERSONNEL FOR THE
IRONMAN TRIATHLON EVENT AT NO EXPENSE**

The following resolution was offered by Supervisor Politi, 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 New York State Police have, in the past, provided personnel for traffic direction and crowd control for the annual Ironman Triathlon event at no charge; and

WHEREAS, it has come to the attention of this Board that the New York State Police have decided they need to be paid for personnel who supervise the event which may jeopardize the continuation of the event in Essex County due to increased costs to the organizers; and

WHEREAS, the Ironman Triathlon generates approximately \$10 million of revenue for the region.

BE IT RESOLVED, that the Essex County Board of Supervisors are hereby requests that the New York State Police reevaluate their decision to be paid for their personnel involved in the Ironman Triathlon event and that the State Police continue to provide their personnel for traffic, crowd control and other purposes for no fee in order to insure that the Ironman Triathlon continues to take place in Essex County; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New York State Police, Senator Elizabeth O’C. Little, Assemblywoman Teresa Sayward and Janet Duprey.

This resolution was unanimously seconded, and duly adopted.

Resolution No. 184
TABLED

June 1, 2009
Regular Board Meeting

**RESOLUTION TO ACCEPT THE PROPOSAL SUBMITTED BY
SQUIRES, SANDERS & DEMPSEY FOR BOND COUNSEL
SERVICES AND AUTHORIZING A CONTRACT FOR SUCH
SERVICES**

The following resolution was offered by Supervisor Morency, 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 County of Essex has solicited RFPs relative to bond counsel services for the County; and

WHEREAS, the County Manager’s office and County Purchasing Agent have recommended that the County contract with Squires, Sanders & Dempsey for bond counsel in the amount of \$11,000 yearly, as set forth in their proposal.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts the and awards the contract for bond counsel to Squires, Sanders & Dempsey pursuant to the terms of the submitted proposal which delineates an \$11,000 year cap and further authorizes the County Chairperson and/or County Manager to execute a contract upon review and acceptance by the County Attorney.

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

AYES: 1619 votes
NOES: 1224 votes (Merrihew, Douglas, Ferebee, Blades, McSweeney, Canon, Morency, Dedrick, Spooner)
ABSENT: 0 votes

Resolution No. 185

June 1, 2009
Regular Board Meeting

**RESOLUTION ACCEPTING THE PROPOSAL AND AWARDING
THE CONTRACT TO HAROFF AUCTIONS AND REALTY, INC.
FOR INTERNET REAL PROPERTY AUCTION SERVICES
INCLUDING TAX FORECLOSURE SALES**

The following resolution was offered by Supervisor Morency, 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, the Essex County Board of Supervisors hereby accepts the proposal and awards the bid to Haroff Auctions and Realty, Inc. for internet real property auction services for County real property sales including tax foreclosure properties designated by the County and authorizes its County Chairperson and/or County Manager to enter into a contract pursuant to the terms and conditions of the proposal whereby the consideration for said services would be a ten (10) percent buyer premium with an additional 1.5% advertising fee for a total of 11.5% if payment is made by cash, certified check or bank check or an 11% buyers premium together with a 1.5% additional advertising fee in the amount of 12.5% to be paid in the event that credit cards are used.

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

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

Resolution No. 186

*June 1, 2009
Regular Board Meeting*

**RESOLUTION ACCEPTING THE PROPOSAL OF NORTH
COUNTRY LABOR RELATIONS ASSOCIATES AND AWARDING
THE CONTRACT FOR LABOR CONSULTANT**

The following resolution was offered by Supervisor Blades, 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 accepts the proposal of North Country Labor Relations Associates and hereby awards the contract to North Country Labor Relations Associates and authorizes its County Chairperson and/or County Manager to execute a contract, the terms of which are to be \$90 per hour together with additional payments for expenses as set forth in the submitted proposal.

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

AYES:2492 votes
NOES: 351 votes (Scozzafava)
ABSENT: 0 votes

Resolution No. 187

June 1, 2009
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO ALL MILITARY UNITS
SERVING THE UNITED STATES OF AMERICA**

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

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

WHEREAS, Essex County is cognizant of the dedication, sacrifice and bravery of the men and women of our United States military serving in Iraq, Afghanistan and other parts of the world; and

WHEREAS, Essex County recognizes that many of the brave men and women of our armed forces are daily placed in harms way and that many suffer injury and death in the defense and protection of the security, liberties and freedoms which we all enjoy; and

WHEREAS, these brave men and women selflessly perform dangerous undertakings which often go unnoticed and undocumented and deserve the highest and utmost recognition; and

WHEREAS, among these courageous and brave units are the 10th Mountain Division of Watertown, New York and the AFOSI of Pope Air Force Base; and

WHEREAS, Essex County wishes to go on record and to convey to each and every one of our military personnel serving in Iraq, Afghanistan and overseas in the protection and defense of our liberties and way of life, our most sincere and utmost appreciation, respect and admiration for their sacrifices and all of their good work.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends, on behalf of all the residents of Essex County, its most sincere appreciation, respect and admiration, to the men and women of the United States Armed Forces serving in Iraq, Afghanistan and abroad for their dedication, sacrifice and good work in the defense of the United States of America and in helping to assure and protect the liberties and security which we all enjoy; and

BE IT FURTHER RESOLVED, that special appreciation and thanks is extended to James C. Gallagher and the 10th Mountain Division deployed from Fort Drum, Watertown, New York currently serving in Afghanistan and to Airman Maurice Withrow and the Air Force Office of Special Investigations deployed from Pope Air Force Base in North Carolina to Iraq; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the United States Department of Army, United States Department of Navy, United States Department of

Marines, United States Department of Air Force, United States Coast Guard, the 10th Mountain Division in Watertown, New York, Air Force Office of Special Investigations stationed at Pope Air Force Base, North Carolina, Airman Maurice Withrow and James C. Gallagher.

This resolution was unanimously seconded and adopted.

Resolution No. 188

June 1, 2009
Regular Board Meeting

RESOLUTION ADOPTING THE COUNTY OF ESSEX POLICIES AND PROCEDURES FOR DETERMINING VENDOR RESPONSIBILITY

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

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

WHEREAS, General Municipal Law Section 103 and the Essex County Procurement and Purchasing Policy mandate that the purchase of goods and/or services be undertaken pursuant to requests for quotes, RFPs and bid solicitations; and

WHEREAS, the law mandates that awards to any and all contracts for goods and services be made to the lowest, responsible bidder; and

WHEREAS, it is necessary for the Policy to be put in place relative to the determination of responsibility of all vendors who seek to provide services and contract with Essex County and this Board is desirous of implementing such Policies and Procedures.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts Essex County's Policies and Procedures for Determination of Vendor Responsibility, a copy of which is attached and made a part hereof, and further authorizes its Purchasing Agent, County Manager and County Attorney to adhere to these policies and procedures in making a determination relative to vendor responsibility.

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

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

Resolution No. 189

June 1, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JAMES SCOZZAFAVA**

The following resolution was offered by Supervisors Morency and Morrow, 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, James Scozzafava, cousin of Hon. Thomas R. Scozzafava, passed away on May 25, 2009, with his family by his side; and

WHEREAS, James Scozzafava is survived by Cheryl (Turek) his wife and best friend of 40 years, his two daughters, Christine Scozzafava Wilson and her husband Jamie Wilson, and Carrie Scozzafava Langey and her husband Michael Langey; together with his three grandchildren, Carl James Wilson, Sydney Rose Langey and Samuel Patrick Langey; and

WHEREAS, Jim Scozzafava was born on November 7, 1940 at the Albany Medical Center, the son of the late John F. and Kathryn (Gill) Scozzafava; and

WHEREAS, Jim Scozzafava graduated from Mount Assumption Institute and attended Albany Business College and later worked with his father, John in the family business, Port Henry Oil Company which he later successfully ran for more than 50 years; and

WHEREAS, Jim Scozzafava was an active member and resident of the Town of Moriah as well as the County of Essex. He was president of the Town of Moriah Republican Committee and Second Vice-President of the Essex County Republican Committee, was a member of the Knights of Columbus and life-time member of the Port Henry Fire Department; and

WHEREAS, Jim Scozzafava is the cousin and close friend of Thomas R. Scozzafava, long-time Supervisor of the Town of Moriah; and

WHEREAS, Jim Scozzafava was a loving husband, father, grandfather, brother, uncle, cousin 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 the County Attorney hereby express and extend their deepest sympathy and condolences to the family of James Scozzafava; 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 Scozzafava family.

This resolution was unanimously seconded and adopted.

Resolution No. 190

June 1, 2009
Regular Board Meeting

**RESOLUTION WITHDRAWING FROM THE JUNE 3, 2009
AUCTION, A PARCEL OF PROPERTY LOCATED IN THE TOWN
OF ST. ARMAND , PARCEL #9 ON ROOSEVELT STREET**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby directs the withdrawal from the June 3, 2009 auction of the property located in the Town of St. Armand, being parcel #9 on Roosevelt Street in Bloomingdale due to the property being split and is unsettled at this time.

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

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

Resolution No. 191

June 1, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH NORTH
COUNTRY LABOR RELATIONS REGARDING PUBLIC HEALTH
MATTERS IN AN AMOUNT NOT TO EXCEED \$3,600, WITH THE
FUNDS TO PAID FROM THE CONTINGENCY ACCOUNT**

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, Essex County has authorized a contract with North Country Labor Relations for labor consulting work which contract contains the parameters, conditions, consideration and method of payment for all labor related work which North Country Labor Relations performs; and

WHEREAS, Essex County is desirous of authorizing North Country Labor Relations to provide labor consulting work with respect to current Public Health Department matters, in an amount not to exceed \$3,600.00 from funds to be paid from Contingency Account 19904-5487 pursuant to master contract to Account Number 40104 5434.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a contract with North Country Labor Relations relative to current Public Health matters in an amount not to exceed \$3,600.00, with the funds to be paid from the Contingency Account, with the terms and conditions to mirror and be the same as that contained in the contract between Essex County and

North Country Labor Relations for labor relations work subject to any additional terms and conditions as required by the County Attorney.

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

AYES:2382 votes
NOES: 461 votes (Scozzafava, Connell)
ABSENT: 0 votes

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 4/6/09:	\$343,480.77
Reduction Impact of this resolution:	\$ 3,600.00
FY2009 Contingent Account Balance:	\$339,880.77

Resolution No. 192

June 1, 2009
Regular Board Meeting

RESOLUTION OPPOSING THE RECENT POLICY OF THE NEW YORK STATE DIVISION OF PAROLE TO REQUIRE COUNTY'S AND PROPERTY TAXPAYERS TO PICK UP THE COST OF HOUSING STATE PAROLE VIOLATORS AND STATE-READY INMATES

The following resolution was offered by Supervisor Politi, 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 strongly opposes the recent policy of the New York State Division of Parole to require County's and property taxpayers to pick up the cost of housing state parole violators and state-ready inmates.

This resolution was unanimously seconded and duly adopted.

Resolution No. 193

June 1, 2009
Regular Board Meeting

RESOLUTION - AUTHORIZATION TO INCREASE THE CASH DRAWER/PETTY CASH FUND IN THE TICONDEROGA DMV FROM \$50.00 TO \$150.00

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the an increase in the cash drawer/petty cash fund in the Ticonderoga DMV from \$50.00 to \$150.00.

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

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

Resolution No. 194

June , 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO
ENTER INTO AN AGREEMENT ON BEHALF OF ESSEX COUNTY
WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR
THE 2009 COMPREHENSIVE PLAN FOR YOUTH SERVICES TO INCLUDE YOUTH
RECREATION PROGRAMS, YOUTH SERVICE PROGRAMS, YOUTH INITIATIVE
PROGRAMS, AND SPECIAL DELINQUENCY PREVENTION PROGRAMS AS
PROVIDED
FOR IN THE 2009 ESSEX COUNTY BUDGET**

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

BE IT RESOLVED that the Chairman of this Board is hereby authorized to enter into an agreement on behalf of Essex County with the New York State Office of Children and Family Services for the 2009 Comprehensive Plan for Youth Services to include Youth Recreation Programs, Youth Service Programs, Youth Initiatives Programs, and Special Delinquency Prevention Programs as provided for in the 2009 Essex County Budget, and that he/she be further authorized to contract with the various municipalities and other contract agencies for programs as hereafter listed:

ADMINISTRATION - STATE AID	\$	35,489.00
ADMINISTRATION - LOCAL MATCH		35,489.00
RECREATION - STATE AID	\$	16,623.00
RECREATION - LOCAL MATCH		16,623.00
YOUTH SERVICES - STATE AID	\$	14,931.00
YOUTH SERVICES - LOCAL MATCH		14,931.00
YOUTH INITIATIVES - STATE AID	\$	5,773.00
YOUTH INITIATIVES - LOCAL MATCH		5,773.00
SPECIAL DELINQUENCY PREVENTION PROGRAMS	\$	11,228.00
TYPE "A" STATE AID		
TYPE "B" STATE AID		4,505.00

Section One: State Aid Reimbursable Amounts for Municipally Funded Recreation Programs (No County Advances Involved)

(Total = \$15,833.00)

1. Town of Chesterfield.....	\$ 790.00
2. Town of Crown Point.....	790.00
3. Town of Elizabethtown.....	790.00
4. Town of Essex.....	790.00
5. Town of Jay	790.00
6. Town of Keene.....	790.00
7. Town of Lewis.....	790.00
8. Town of Minerva.....	790.00
9. Town of Moriah.....	1,200.00
10. Village of Port Henry.....	383.00
11. Town of Newcomb.....	790.00
12. Town of North Elba.....	1,200.00
13. Town of North Hudson.....	790.00
14. Town of St. Armand.....	790.00
15. Town of Schroon.....	790.00
16. Town of Ticonderoga.....	1,200.00
17. Town of Westport.....	790.00
18. Town of Willsboro.....	790.00
19. Town of Wilmington.....	790.00

Section Two: State Aid Reimbursable Amounts for Municipally Funded Recreation Programs

(Total = \$ 790.00)

1. Village of Saranac Lake, Sponsored by the Essex County Youth Bureau.....	\$ 790.00
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BE IT FURTHER RESOLVED, that the sum of \$ 16,623.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organization.

Section Three: State Aid Reimbursable Amounts for Municipally Funded Youth Service Programs

(Total = \$ 5,375.00)

1. Town of Crown Point.....	\$ 425.00
2. Town of Elizabethtown.....	1,000.00
3. Ticonderoga Youth Center.....	1,950.00
4. Westport.....	400.00
4. Paine Memorial Library.....	400.00
5. Wilmington Youth Center.....	400.00

- 6. Finding Magic Keys..... 400.00
- 7. Schroon Lake Library Prog..... 400.00

Section Four: State Aid Reimbursable Amounts for County Contracted Youth Services Programs

(Total = \$ 9,556.00)

- 1. Schroon Lake Enrichment Programs, Sponsored by the Schroon Lake Central School 1,933.00
- 2. Arts Trek, Sponsored by the Ticonderoga Festival Guild, Inc 1,934.00
- 3. Etown Counselors in Training Program, Noel Merrihew. 1,245.00
- 4. 4-H Advantage After School 1,250.00
Cornell Cooperative Extension
- 5. The Getaway, Sponsored by the Saranac Lake Youth Center, Inc. 1,250.00
- 6. Holidays Are For Sharing, Sponsored by Committee for Economic Improvement 757.00
- 7. Families First, Sponsored by Families First of Essex County 750.00
- 8. Elizabethtown/Lewis Summer School Elizabethtown/Lewis Central School 437.00

BE IT FURTHER RESOLVED, that the sum of \$ 14,931.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organizations.

Section Five: State Aid Reimbursable Amounts for County Contracted Youth Initiatives Programs

(Total = \$ 5,773.00)

- 1. Youth Conservation Corps - YCC, Sponsored by The Town of St. Armand \$ 1,500.00
- 2. Youth Conservation Corps - YCC, Sponsored by

- the Town of Moriah 1,500.00
- 3. Small Group Support - Substance Abuse TEAM,
Doug Terbeek 1,000.00
- 4. Thomas Shipman Sr. Youth Center,
Sponsored by The Town of North Elba 1,348.00
- 5. Positive Consequences for Positive Choices,
Sponsored by Substance Abuse Team 425.00

BE IT FURTHER RESOLVED, that the sum of \$5,773.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organizations.

Section Six: State Aid Reimbursable Amounts for County Contracted Special Delinquency Prevention Programs - Type "A" Monies

(Total = \$11,228.00)

- 1. Moriah Summer Success Program, Sponsored by
Moriah Central School 5,365.00
- 2. Moriah Youth Conservation Corps, Sponsored by
the Town of Moriah 4,227.00
- 3. Adirondack Experience Program, Sponsored by
St. Francis Academy (no County monies involved) 1,636.00

Section Seven: State Aid Reimbursable Amounts for County Contracted Special Delinquency Prevention Programs - Type "B" Monies

(Total = \$4,505.00)

- 1. Adirondack Experience Program, Sponsored by
St. Francis Academy (no County monies involved) 4,505.00

BE IT FURTHER RESOLVED that the sum of \$15,733.00 be received from the New York State Office of Children and Family Services at 100% reimbursement by the above organizations.

BE IT FURTHER RESOLVED that the Chairman of this Board of Supervisors be and he hereby is authorized to enter into an agreement for the sixteenth year of the Comprehensive Youth Services Plan, above described, with the New York State Office of Children and Family Services, on behalf of Essex County, which specifies Recreation, Youth Services, Youth Initiatives, and Special Delinquency Prevention Programs eligibility allocations to municipalities, community organizations, and the Essex County Youth Bureau and which will qualify the County for state reimbursement for Youth Programs in accordance

with the level of funding provided for counties engaged in Comprehensive Planning for Youth Services.

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

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

Resolution No. 195

June 1, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING VENDOR SITE ACCESS AGREEMENTS
RELATIVE TO POTENTIAL TOWER AND FACILITY SITES INVOLVED IN THE
NEW P25 DIGITAL CONVENTIONAL MULTICAST RADIO SYSTEM BY THE
COUNTY CHAIRPERSON AND/OR COUNTY MANAGER UPON APPROVAL BY
THE COUNTY ATTORNEY**

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

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

WHEREAS, Essex County is currently involved in the implementation and construction of a new P25 digital conventional multicast radio system to replace Essex County's antiquated 1950s radio system; and

WHEREAS, incident to the construction of this system, it will be necessary to pay licenses or other interest in land for the placement of radio towers, radio equipment, infrastructure and other devices; and

WHEREAS, in order to visit prospective sites and evaluate the same, it is necessary to enter into site access agreements with various real property owners which will allow Essex County to conduct surveys, geotechnical soil borings, analysis, environmental audits, boundary surveys, radio propagation studies and other related tests, as well as the inspection of the site in order to determine whether the site is proper; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to enter into any site access agreements relative to investigation of sites and the conduct of surveys, geotechnical soil borings and analysis, environmental audits, boundary surveys, radio propagation studies and other such tests and inspections of each individual site upon review and approval of said agreement by the County Attorney.

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

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

Resolution No. 196

June 1, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRPERSON
AND/OR THE COUNTY MANAGER TO SIGN A MEMORANDUM OF
UNDERSTANDING WITH IPRO, FOR A THREE YEAR TERM FROM
AUGUST 2008 TO JULY 31, 2011, FOR REVIEW AND EVALUATION
OF STATE MEDICAID PAYMENTS AND REIMBURSEMENT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to sign a memorandum of understanding with IPRO for a three year term from August 2008 through July 31, 2011, for review and evaluation of state medicaid payments and reimbursement.

This resolution was seconded by Supervisors Merrihew and Dedrick, and duly adopted.

Resolution No. 197
DEFEATED

June 1, 2009
Regular Board Meeting

**RESOLUTION TO ACCEPT THE RFP AS SUBMITTED BY
AUCTIONS INTERNATIONAL FOR PERSONAL PROPERTY
INTERNET AUCTIONS**

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 accepts the RFP as submitted by Auctions International for personal property auctions.

*This resolution was seconded by Supervisors Preston and Morency, and **defeated** upon a roll-call vote as follows:*

AYES: 520 votes (French, Merrihew, Jackson, Douglas)
NOES: 2323 votes (Morrow, Ferebee, Blades, McSweeney, Scozzafava, Canon, Politi, Dobie, Moses, Morency, Dedrick, Connell, Spooner, Preston)

ABSENT: 0 votes

Resolution No. 198

**June 1, 2009
Regular Board Meeting**

**RESOLUTION TO ACCEPT THE PROPOSAL AS SUBMITTED BY
HAROFF AUCTIONS AND REALTY, INC. FOR PERSONAL
PROPERTY INTERNET AUCTIONS AND AWARDING THE
CONTRACT**

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 accepts the proposal of Haroff Auctions and Realty, Inc. for person property internet auctions and hereby awards the contract to Haroff Auctions and Realty, Inc. and authorizes the County Chairperson and/or County Manager to execute a contract, the terms and conditions of which are set forth in the proposal.

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

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

Resolution No. 199

**June 1, 2009
Regular Board Meeting**

**RESOLUTION AUTHORIZING TO TERMINATE THE CONTRACT
WITH KIMBALL ASSOCIATES**

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 authorizes its County Attorney to immediately contact Kimball Associates and seek the termination of the current contract between Kimball Associates and Essex County relative to engineering, procurement, clerk of the works and design.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)