

**RESOLUTION ADOPTING AND APPROVING QUALITY
IMPROVEMENT REVIEWS AND POLICIES/PROCEDURES
FOR THE CERTIFIED HOME HEALTH AGENCY AND
PREVENTIVE SERVICES**

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

Upon the recommendation and approval 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, listed below are the policies and procedures which were submitted and approved by the Professional Advisory/Public Health Advisory Committee on September 6, 2011:

CERTIFIED HOME HEALTH AGENCY

- ◆ Quality Assurance Review for the 2nd Quarter of 2011 - [No Specific Action Required]

Policies and Procedures:

- ◆ [Revised] Pain Assessment Procedure
- ◆ [Revised] Tuberculosis Control Policy and Procedure
- ◆ [Revised] Case Management Procedure
- ◆ [Revised] Mandated Reporting Policy and Procedure
- ◆ [Revised] Billing and Collection Policy and Procedure
- ◆ [Revised] N95 Respiratory Mask Fit Testing Policy and Procedure
- ◆ [Revised] Duplicate Billing Policy and Procedure
- ◆ [Revised] Disposal of Needles and Other Sharps Policy and Procedure
- ◆ [Revised] Emergency Preparedness Plan Policy and Procedure
- ◆ [Revised] Emergency Phone Tree Policy and Procedure
- ◆ [Revised] Clinical Records Policy
- ◆ [Revised] Infection Control of VRE, MRSA, C. Diff Policy and Procedure
- ◆ [Revised] Hand Washing Procedure
- ◆ [Revised] Flu and Pneumonia Immunization Policy and Procedure
- ◆ [Revised] Patient Assessment and Plan of Care Policy and Procedure

- ◆ [Revised] Delegation of Authority Policy
- ◆ [Revised] Home Health Aide Health Concerns Procedure
- ◆ [Revised] Home Health Aide Supervision Procedure
- ◆ [Revised] Health Commerce System Policy and Procedure

- ◆ Aerosol Therapy Procedure
- ◆ Bladder Instillation and Irrigation Procedure
- ◆ Breathing Exercises Procedure
- ◆ Chest Physiotherapy Procedure
- ◆ Closed Urinary Drainage Management Procedure
- ◆ Gastrostomy Tube Care Procedure
- ◆ Gastrostomy Tube Feeding Procedure
- ◆ Incentive Spirometer Procedure
- ◆ Injection Procedure for Adolescents and Adults
- ◆ Intermittent Straight Catheterization: Female Procedure
- ◆ Intermittent Straight Catheterization: Male Procedure
- ◆ Metered Dose Inhaler Use Procedure
- ◆ Montgomery Straps Procedure
- ◆ Moving and Lifting Patients: Body Mechanics Procedure
- ◆ Nephrostomy Catheter Care Procedure
- ◆ Ostomy Care Procedure
- ◆ Ostomy Pouch Change Procedure
- ◆ Passive Range of Motion Exercises Procedure
- ◆ Prefilling Insulin Syringes Procedure
- ◆ Stump Wrapping Procedure
- ◆ Suctioning Procedure
- ◆ Support Devices: Care of Immobilized Patients Procedure
- ◆ Suppositories Procedure
- ◆ Telehealth Parameters Policy and Procedure
- ◆ Thromboembolitic (TED) Hose Procedure
- ◆ Topical Medications Procedure
- ◆ Tracheostomy Care: Inner Cannula Change and Nondisposable Cannula Care Procedure
- ◆ Transfer or Gait Belt Procedure
- ◆ Unna Boot Application Procedure
- ◆ Urinary Pouch for Females Procedure
- ◆ Urine Collection Procedure
- ◆ Administration of Intramuscular Injections to Infants and Children Procedure
- ◆ Administration of Subcutaneous Injections to Infants and Children Procedure
- ◆ Home Health Aide on the Job Training Procedure
- ◆ Home Health Aide Orientation Procedure
- ◆ Home Health Aide Request for Service Procedure
- ◆ Permissible Home Health Aide Activities Requiring on the Job Training
- ◆ Home Health Aide Scope of Tasks
- ◆ Patient Referral, Admission, and Discharge Policy and Procedure
- ◆ Billing Procedure
- ◆ Contracts Policy
- ◆ Abbreviations Policy and Procedure
- ◆ Performance Evaluation System Policy
- ◆ Probationary Period/Permanent Employees Policy
- ◆ Provision of Services for Patients/Clients with a Communication Barrier Procedure

- ◆ Use of Vehicles Policy
- ◆ Dress Code Policy
- ◆ Transitional Duty Program Policy
- ◆ Venipuncture Blood Sample Policy and Procedure
- ◆ Disciplinary Actions Policy
- ◆ On-Call Coverage Policy and Procedure
- ◆ Contents of Clinician's Bag
- ◆ Vehicle Accidents Reports Policy
- ◆ Computer Use Policy

[no designation=no change]

Chart Audit and Peer Review for 2nd Quarter 2011 - No specific action required.

PREVENTIVE SERVICES

- ◆ Preventive Services Quality Improvement Report for the 2nd Quarter of 2011 - [No Specific Action Required]

Policies and Procedures:

- ◆ [N] Prenatal Care & Infant Mortality Services Plan
- ◆ [R] Public Health Guidance Policy and Procedure
- ◆ [R] MOMS Medicaid Application and Billing Policy and Procedure
- ◆ [R] Referral Process for Registered Dietician Services for MOMS and Postpartum Patients
- ◆ [R] Postpartum and Newborn Assessment Procedure
- ◆ [R] MOMS Medical Providers NYSDOH Memorandum of Understanding Policy Procedure
- ◆ Maternal Obstetric Medical Services (MOMS) Program Procedure
- ◆ Antepartum Services Policy and Procedure

[R = revised; N = new; no designation = no change]

D & TC (Preventive Services) records/reports for 3rd Quarter 2011 - no specific action required.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts, adopts, approves, or places on file the following herein above referenced Policies and Procedures for both the Certified Home Health Agency and Preventive Services.

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

**RESOLUTION AUTHORIZING PAYMENT OF \$33,576.00 TO
ORDA FOR 5311 OPERATING FUNDS FOR 2009 AND 2010**

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

Upon the recommendation and approval 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 of \$33,576.00 to ORDA for 5311 Operating Funding for 2009 and 2010 from funding received.

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

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

**RESOLUTION AUTHORIZING TO SURPLUS TWO VEHICLES
IN TRANSPORTATION DEPARTMENT - 2000 CHEVY LUMINA
(9165) AND 200 CHEVY LUMINA (7892), WITH FUNDS
RECEIVED TO GO INTO AN ACCOUNT FOR FUTURE
PURCHASES OF MOTOR POOL VEHICLES**

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

Upon the recommendation and approval 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 surplus of two vehicles in the Transportation Department, with funds received to go into an account for future purchase of motor pool vehicles.

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

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

**RESOLUTION AUTHORIZING EMERGENCY SERVICES
TO APPLY FOR AND ACCEPT A LOCAL ENHANCED WIRELESS 911
PROGRAM GRANT IN THE AMOUNT OF \$20,399.00**

The following resolution was offered by Supervisor Preston, 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 Emergency Services to apply for and accept a Local Enhanced Wireless 911 grant in the amount of \$20,399.00.

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

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

**RESOLUTION OF APPRECIATION TO BILL JAMES, PAUL OTENTI,
DALLAS MORRELL AND NORA MONTANARO FOR THEIR
PARTICIPATION ON THE STOP DWI VICTIM'S IMPACT PANEL**

The following resolution was offered by Supervisors Morrow and Boisen, 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, Bill James, Paul Otenti, Dallas Norrell and Nora Montanaro have spoken at numerous meetings of the Victim's Impact Panel of the Stop DWI Program for Essex County focusing on the prevention of drinking and driving in Essex County and sharing their stories of how their lives have been tragically altered by drinking and driving in hopes that their stories will spare some of the pain and suffering resulting from drinking and driving accidents and occurrences.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses their gratitude and appreciates Bill James, Paul Otenti, Dallas Morrel and Nora Montanaro for their contributions to the Victim's Impact Panel of the Essex County Stop DWI Program.

This resolution was unanimously seconded and adopted.

**RESOLUTION ACCEPTING, ADOPTING AND PLACING ON FILE
POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS**

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

Upon the recommendation and approval 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 accepts, adopts and/or places on file the following:

From the Economic Development/Planning/Publicity Committee:

_____The Essex County 2012 Stop DWI Plan.

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

**RESOLUTION OF APPRECIATION TO THE HUNGRY TROUT
FLY SHOP, JONES OUTFITTERS, AUSABLE RIVER 2 FLY
SHOP, WILEY'S FLIES AND THE TRI-LAKES CHAPTER OF
TROUT UNLIMITED FOR THEIR SUPPORT OF THE ESSEX
COUNTY FISH HATCHERY AND FOR THE DONATION OF
\$2,030.00, TO BE DEPOSITED INTO A RESERVE ACCOUNT**

The following resolution was offered by Supervisor Moses, 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 deepest and abiding appreciation to the Hungry Trout Fly Shop, Jones Outfitters, AuSable River 2 Fly Shop, Wiley's Flies and the Tri-Lakes Chapter of Trout Unlimited for their support of the Essex County Fish Hatchery their generous donation of \$2,030.00 to be deposited into a Reserve Account.

This resolution was seconded by Supervisors Preston and Montgomery-Corey and adopted, with Supervisor Douglas opposed.

**RESOLUTION OF CONGRATULATIONS AND RECOGNITION
OF ACHIEVEMENT TO DAVID R. CARR OF CROWN POINT, NEW YORK
AND TICONDEROGA ELKS LODGE 1494, FOR BEING ELECTED AS NATIONAL
GRAND EXALTED RULER OF THE BENEVOLENT AND PROTECTIVE ORDER
OF ELKS OF THE USA FOR 2011-2012**

The following resolution was offered by Supervisors Malaney and Kosmider, 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, at its national convention in Phoenix, Arizona on July 21, 2011, David R. Carr of Ticonderoga Elks Lodge 1494, was elected as national Grand Exalted Ruler of the Benevolent and Protective Order of Elks of the U.S.A. for 2011-2012; and

WHEREAS, David R. Carr is the third New York State Elks Association member to have become national president to lead the nearly 900,000 members of the 2,034 lodges throughout our country; and

WHEREAS, David R. Carr was initiated into Whitehall, New York Lodge No. 1491 in February 1975. He became active with the Youth Activities Committee and served as the Lodge Organist and Chaplain. He transferred his membership to the Ticonderoga, New York Lodge in 1978. Here, he served as Lodge Chaplain, Esquire, and Organist and was active on many committees and fundraising activities. He proceeded through the chairs and served as Exalted Ruler in 1989, PER Association Chairman in 1990, and Lodge Trustee from 1988 to 2005. He served as Lodge Editor and Public Relations Chairman from 1988 to 2004 and was District Editor and Public Relations Chairman from 1993 to 1996; and

WHEREAS, David R. Carr served the New York State Elks Association as State Vice President in 1990–1991, as Community Activities Chairman from 1995 to 1997, as State Editor from 1997 to 2002, as State Secretary from 1999 to 2009, and as State President in 2009–2010. He introduced the Dictionary Project to the New York State Elks Association in September 2003; and

WHEREAS, David R. Carr served the Grand Lodge as District Deputy in 1994–1995, as a member of a Grand Lodge Steering Committee, as a Lodge Trustee

Chairman from 2002 to 2010, and as a member of the Board of Grand Trustees from 2006 to 2010; and

WHEREAS, David R. Carr was instrumental in introducing the Dictionary Project program to New York state and then to the national level in 2004. This outstanding program helps to promote literacy by putting dictionaries in the hands of third-graders across the nation; and

WHEREAS, David R. Carr has served as a member or officer of several conservation organizations and has served on the hospital board, school board, and board of fire commissioners. He is also a member of the volunteer fire company, Kiwanis Club, Knights of Columbus, Jaycees, US Coast Guard auxiliary, and is a founding member of the Department of Homeland Security. In 2008, he was awarded President Bush's USA Freedom Corps Volunteer Service Award by then GER Paul Hesel; and

WHEREAS, The Order of Elks has developed into one of the nation's greatest organizations, providing service to our nation's youth, victims of disaster, veterans, children and adults with disabilities and those in need in our communities.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby congratulates and recognizes the achievement of David R. Carr of Crown Point and Ticonderoga Elks Lodge 1494 for being elected as National Grand Exalted Ruler of the Benevolent and Protective Order of Elks of the USA for 2011-2012.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING PAYMENT OF \$25,638.80 TO SERKIL AND
\$25,778.90 TO FRANKLIN COUNTY FOR REMOVAL OF FLOOD RELATED DEBRIS,
TO BE PAID FROM THE FLOOD ACCOUNT**

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

Upon the recommendation of the 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 payment of \$25,638.80 to Serkil and payment of \$25,778.90 to Franklin County for the emergency removal of flood-related debris, to be paid from the Flood Account; and

BE IT FURTHER RESOLVED, that FEMA will reimburse Essex County and bill back to towns for their share of the 12-1/2%.

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

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

**RESOLUTION AUTHORIZING THE PURCHASE OF 7 ROLL-OFF CONTAINERS
FOR SOLID WASTE FROM WASTE EQUIPPED MANUFACTURING COMPANY, TO
BE PAID FROM BUDGETED FUNDS AT A COST NOT TO EXCEED \$55,758.00**

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

Upon the recommendation of the 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 Chairman and/or County Manager to execute a contract for the purchase of 7 roll-off containers for Solid Waste from budgeted funds at a cost not to exceed \$55,758.00, upon the approval of the County Attorney.

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

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

**RESOLUTION AUTHORIZING RAGNAR EVENTS TO RENT THE ESSEX COUNTY
FAIRGROUNDS AS A STAGING AREA FOR THE RAGNAR RELAY ON
SEPTEMBER 28, 29, 2012**

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

Upon the recommendation of the 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 Ragnar Events to rent the Essex County Fairgrounds as a staging area for the Ragnar Relay to be held on September 28, 29, 2012, and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Chairman and/or County Manager to execute a contract with Ragnar Events, upon approval of the County Attorney.

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

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

**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 2011 Essex County Budget as follows:

From the Public Works Committee:

1. For DPW, to increase revenues and appropriations by \$2,192.55, for sale of scrap bridge material, as follows:

REVENUES

Account Number	Account Name	Amount
51304 2650	Sale of Scrap	\$2,192.55

APPROPRIATIONS

Account Number	Account Name	Amount
51304 5240	Highway and Street Equipment	\$2,192.55

From the Ways and Means Committee:

1. For the Department of Social Services, to increase revenues and appropriations by \$3,470.00, for administrative funding to process HEAP applications, as follows:

REVENUES

Account Number	Account Name	Amount
6010 44641135	Federal Aid - HEAP Admin.	\$3,470.00

APPROPRIATIONS

Account Number	Account Name	Amount
60101 5110	Salaries - Regular	\$3,223.00
60108 5820	Social Security	<u>247.00</u>
		\$3,470.00

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

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

**RESOLUTION INTRODUCING PROPOSED LOCAL
LAW NO. 3 OF 2011 ENTITLED "A LOCAL LAW TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW §3-C"**

The following resolution was offered by Supervisor Moses, 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby introduces proposed Local Law No.3 of 2011 entitled "A Local To Override the Tax Levy Limit Established in General Municipal Law §3-c," reading and provided as follows:

"ESSEX COUNTY LOCAL LAW NO. 3 OF 2011"

A Local Law To Override the Tax Levy Limit Established in General Municipal Law §3-c.

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

Section 1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Essex pursuant to General Municipal Law §3-c, and to allow the County of Essex to adopt a budget for the fiscal year 2012 that requires a real property tax levy in excess of "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Board of Supervisors to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Board of Supervisors.

Section 3. Tax Levy Limit Override - Budget Authorization.

The Board of Supervisors of the County of Essex hereby overrides the tax levy limit for Essex County for 2012 and authorizes Essex County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2012 that requires a tax levy that is greater than the tax levy limit calculated for 2012 pursuant to §3-c of the General Municipal Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, form or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on the 5th day of December, 2011, at 6:00 p.m. in the evening of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors will publish a notice of such hearing in the designated County newspaper at least five days prior to said hearing.

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

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

**RESOLUTION OPPOSING THE CLOSURE OF THE
DEPARTMENT OF MOTOR VEHICLES TESTING
SITE IN ELIZABETHTOWN, NEW YORK**

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.

WHEREAS, the Essex County Clerk, on October 5, 2011, received a letter from Tim Lennon, Deputy Commissioner of Operations for the New York State Department of Motor Vehicles, stating that the State would like to remove motor vehicle testing from its site in Elizabethtown.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strong opposes the closing of the Motor Vehicle testing site in Elizabethtown as it is the only site in the North and Central portion of the County and to remove the same would cause extreme inconvenience and extend travel time for constituents taking Motor Vehicle tests.

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be immediately forwarded to Barbara J. Fiala, Commissioner for the New York State Department of Motor Vehicles, and Tim Lennon, Deputy Commissioner of Operations for the New York State Department of Motor Vehicles.

This resolution was unanimously seconded and adopted.

**RESOLUTION INTRODUCING PROPOSED LOCAL
LAW NO. 4 OF 2011 ENTITLED "A LOCAL LAW TO
AUTHORIZING ENCLOSURE OF ADDITIONAL
INFORMATION WITH REAL PROPERTY TAX BILLS"**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby introduces proposed Local Law No.4 of 2011 entitled "Local Law to Authorize Enclosure of Additional Information with Real Property Tax Bills," reading and provided as follows:

**"LOCAL LAW AUTHORIZING ENCLOSURE OF ADDITIONAL
INFORMATION WITH REAL PROPERTY TAX BILLS"**

Be it enacted, by the Board of Supervisors of the County of Essex, as follows:

Purpose

It is the intent of this local law to provide a legal mechanism to ensure that citizens receive accurate tax bill information and are aware of the New York State Medicaid Mandate on an annual basis.

Section 1. Annual Property Tax Bill Data

The County of Essex is hereby authorized to identify the portion of each annual property tax bill dedicated to NYS Medicaid Mandate within the taxing purpose section of each County Real Property tax bill.

Section 2. Procedure

The procedure required by this Local Law shall be carried out in addition to, and in accordance with, other annual tax billing procedures existing within the County of Essex.

Section 3. Effective Date

This Local Law shall become effective upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on the 28th day of November, 2011, at 9:45 o'clock in the forenoon of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors will publish a notice of such hearing in the designated County newspaper at least five days prior to said hearing.

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

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

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID
VILLAGE AND SCHOOL TAXES, AND ALL ROAD, WATER,
SEWER AND GARBAGE RENTS ON THE 2012 TAX LEVY**

The following resolution was offered by Supervisor Moses, 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, 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 2012 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 2011-2012 Village and School Taxes, and 2011 Road, Water, Sewer and Garbage rents remaining unpaid be relevied upon the 2012 tax roll; and

BE IT FURTHER RESOLVED that payments for 2011-12 School Taxes which are mailed and contain a postmark as of November 30, 2011, 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 Morency and Boisen, and adopted upon a roll-call vote as follows:

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

**RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT
CHHA VEHICLE DESTROYED DURING THE FLOOD, USING
INSURANCE RECOVERY FUNDS AND FEMA FUNDS**

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 authorizes the purchase of a replacement CHHA vehicle which was destroyed during the August flooding, using insurance recovery funds and FEMA funds.

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

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

**RESOLUTION AUTHORIZING AN INCREASE IN THE RATES FOR
PHYSICAL AND OCCUPATIONAL THERAPY IN CHHA FOR 2012
FROM \$125.00 TO \$190.00 FOR PHYSICAL THERAPY AND TO
\$150.00 FOR OCCUPATIONAL THERAPY**

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 authorizes the rate increase for 2012 Physical and Occupational Therapy in CHHA from \$125.00 to \$190.00 for PT and \$150.00 for OT.

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

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

RESOLUTION SETTING THE TIMES FOR THE PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 3 OF 2011 FOR DECEMBER 5TH, 2011 AT 6:00 P.M.; THE PUBLIC HEARING ON THE PROPOSED 2012 COUNTY BUDGET FOR DECEMBER 5, 2011 AT 6:30 P.M.; AND THE REGULAR BOARD MEETING FOR DECEMBER 5, 2011 AT 7:00 P.M.

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby sets the times for the Public Hearing on Proposed Local Law No. 3 of 2011 for December 5, 2011 at 6:00 p.m.; and

BE IT RESOLVED, that this Board hereby schedules a Public Hearing on the Proposed 2012 Essex County Budget for December 5, 2011 at 6:30 p.m.; and

BE IT FURTHER RESOLVED, that this Board changes the time of the Regular Board Meeting from 10:00 A.M. to 7:00 P.M.

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

**RESOLUTION CALLING FOR THE ALLOCATION OF
REVENUES FROM THE NEW YORK STATE PUBLIC
SAFETY SURCHARGE TO COUNTIES TO SUPPORT 9-1-1
AND PUBLIC SAFETY COMMUNICATIONS**

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

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

WHEREAS, the State of New York imposes a \$1.20 surcharge on all wireless telephones, which in 2010 raised over \$200 million, and for which these funds were intended to be spent on 9-1-1 operations to help first responders to communicate and respond to emergencies; and

WHEREAS, the \$1.20 surcharge should be imposed on any communications device capable of connecting to 9-1-1; and

WHEREAS, the State of New York has historically allocated only 6 percent of these funds to counties who are responsible for the operations of 9-1-1 centers; and

WHEREAS, the 2010-2011 New York State Budget designated an additional \$20 million in grants from the cellular surcharge to fund county regional communication projects, and \$45 million in the 2011-12 budget, however this amount is still a meager percentage of the total amount collected in this fund; and

WHEREAS, Counties are in dire need of this funding, and urge the Office of Interoperable and Emergency Communications to award these funds as soon as possible; and

WHEREAS, Counties and other municipalities are the actual providers of 9-1-1 services to the people of New York State and incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes such as Next Generation 9-1-1 (NG 911), which is estimated to take 10 years to implement at a cost of approximately \$22 billion in New York State; and

WHEREAS, Counties have demonstrated their ability to work together to form regional partnerships and collaborate in the development and expansion of their public safety systems; and

WHEREAS, New York State's practice of raiding these funds makes counties ineligible for federal funding, including \$42 million in wireless Next Generation 9-1-1

funding, and \$58 million from the Department of Transportation; and

WHEREAS, the collection of the cell phone surcharges; past, present, and future, are solely intended for maintenance and operations of the 60 plus county 911 centers in New York State.

BE IT RESOLVED, that the Essex County Board of Supervisors urges the State of New York to allocate the fullest amount of these funds permissible under law to counties so that 9-1-1 centers and emergency service personal can make the necessary investments in their systems to support the emergency communications needs in their communities; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors commends the Office of Interoperable and Emergency Communications for their attentiveness to the new grant program, and further urges the swift and thoughtful dispersal of funds allocated to the counties; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors requests that the New York State Attorney General Eric Schneiderman investigates this improper distribution of monies intended for 911 centers; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to the Governor Cuomo, Senators Charles E. Schumer and Kirsten E. Gillibrand, Senate President Pro Tempore Dean G. Skelos, Assembly Speaker Sheldon Silver, Attorney General Eric Schneiderman, and all others deemed necessary and proper.

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

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

**RESOLUTION NAMING ESSEX COUNTY THE SPONSORING
MUNICIPALITY FOR A NEWLY SUBMITTED GRANT REQUEST TO THE
NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT
AUTHORITY ON BEHALF OF THE ADIRONDACK NORTH COUNTRY
ASSOCIATION**

The following resolution was offered by Supervisor Montgomery-Corey, who moved its adoption.

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

WHEREAS, the Adirondack North Country Association is applying for a grant to provide funds for implementation of specific projects that provide the greatest opportunities for achieving carbon reductions, energy efficiency savings, and renewable energy deployment; and

WHEREAS, the Adirondack North Country Association does not qualify for the application as a non-profit organization and is requesting Essex County to be the sponsoring municipality; and

WHEREAS, Essex County would oversee the administration of these funds, the County would bear no expense and if approved the Office of Community Resources would set up corresponding revenue and appropriation accounts to allow pass through funding to the Adirondack North Country Association.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes Essex County as the sponsoring agency for the New York State Energy Research and Development Authority on behalf of ANCA.

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

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

**RESOLUTION AUTHORIZING A ONE YEAR CONTRACT WITH
RICHARD DINOLFO, CPA FOR AUDITING SERVICES FOR
FISCAL YEAR ENDING 2011**

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

Upon the recommendation 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 a one-year contract with Richard Dinolfo, CPA, for auditing services for fiscal year ending 2011, at an annual cost of \$68,000, from 2011 budgeted funds; and

BE IT FURTHER RESOLVED, that this Board further authorizes the Chairman and/or County Manager to execute said agreement, upon the approval of the County Attorney.

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

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

**RESOLUTION OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT
TO DANA PECK ON THE OCCASION OF HIS 90TH BIRTHDAY AND AS THE TOWN
OF WILMINGTON ASSESSOR FOR FORTY YEARS**

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

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

WHEREAS, Dana Peck was born in Wilmington, New York on November 2, 1921, the eldest son of John and Eleanor Peck; and

WHEREAS, Dana Peck is a graduate of AuSable Forks High School; and

WHEREAS, Dana Peck enlisted in the U.S Army where he worked as a Radar Technician ; and returned to Wilmington after he left the military; and

WHEREAS, Dana Peck worked many years of his life in the ski business, first at Paleface Ski Facility and after its closing continuing to work at the Whiteface Ski Facility, where he retired in the 1990's; and

WHEREAS, Dana Peck has been a Town Assessor in the Town of Wilmington for 40 years; and

WHEREAS, Dana Peck is a very dedicated family man and has been married for 67 years to the love of his life, Jane Peck, and together they have raised three sons; and have three daughters-in-law, three grandsons, three granddaughters and three great-grandchildren; and

WHEREAS, Dana Peck has been an active member of the Church of the Nazarene in Wilmington for over 72 years; and

WHEREAS, Dana Peck is an avid gardener and continues to keep active in his large garden and is very generous by giving away many vegetables throughout the growing season.

BE IT RESOLVED, that the Essex County Board of Supervisors and the County of Essex hereby extends its deep appreciation and sincere congratulations and best wishes to Dana Peck upon the occasion of his 90th birthday; 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 Dana Peck.

This resolution was unanimously seconded and adopted.

Resolution No. 327

**November 7, 2011
Regular Board Meeting**

**RESOLUTION AUTHORIZING REIMBURSEMENT OF
\$168.00 TO BRANDON BOUTELLE, PUBLIC DEFENDER,
FOR TRAVEL EXPENSES**

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

Upon the recommendation 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 reimbursement of \$168.00 for travel expenses to Brandon Boutelle, Public Defender, for travel to town court(s).

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

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

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ALTHEA A. MILLER**

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

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

WHEREAS, Althea A. Miller of Hazen Road, Au Sable Forks, New York passed away on October 22, 2011; and

WHEREAS, Althea A. Miller was born on June 26, 1939 in Black Brook, New York, the daughter of Louis (aka Sharrile) and Eva (Rushia) Sharrow; and

WHEREAS, Althea A. Miller graduated from Au Sable Forks High School in 1956 and in 1960 married the love of her life, Gerald S. (Lefty) Miller; and

WHEREAS, Althea A. Miller was a proficient bookkeeper holding positions at Feek Pharmacy, J&J Rogers Company, JCEO in Plattsburgh and, from 1974 through 2000, secretary to the Supervisor of the Town of Jay and bookkeeper for the Town of Jay; and

WHEREAS, as a bookkeeper and, more particularly as an employee of the Town of Jay, Althea A. Miller exhibited the highest degree of competency, professionalism, integrity and dependability as a public employee; and

WHEREAS, Althea A. Miller was a member of the Catholic Daughters of America, American Legion Auxiliary Post 504 and Au Sable Forks High School Alumni Association; and

WHEREAS, most important to Althea was spending time with her family, especially her grandchildren.

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 and most sincere sympathy and condolences to the family of the Althea A. Miller ; 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 Miller family.

This resolution was unanimously seconded and adopted.

Resolution No. 329

**November 7, 2011
Regular Board Meeting**

**RESOLUTION REQUESTING AN RFP ON PRIVATIZATION OF
THE STOCKING FISH AT THE ESSEX COUNTY FISH HATCHERY**

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

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

BE IT RESOLVED, that the County Purchasing Agent is hereby authorized to issue a Request for Proposal relative to the privatization of the stocking of fish at the Essex County Fish Hatchery and to provide this Board with an enumeration of the RFPs received.

This resolution was duly seconded by Supervisors Merrihew and Morency, with Supervisor Hatch opposed, and adopted.

**RESOLUTION OF ENDORSEMENT FOR A NORTHERN NEW
YORK VETERANS MEMORIAL CEMETERY AT CAMP GABRIELS
NEW YORK**

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

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

WHEREAS, Robert St. Maur, Chief Master Sergeant Retired, United States Air Force, has been actively promoting a veterans cemetery in the North Country and is seeking Essex County's support for a New York State Veterans Cemetery to be located at Camp Gabriels, in Gabriels, New York; and

WHEREAS, there are approximately 43,000 veterans in the North Country area who are deserving of a cemetery to honor their service to the United States and the nearest national cemetery is located in Saratoga, New York, in excess of 100 miles from our veterans; and

WHEREAS, a veterans cemetery located in Franklin County would provide the veterans of the North Country a place to be buried near a community that they and their families have resided in for many years; and

WHEREAS, Camp Gabriels is owned by New York State and would be an ideal location for a North Country Veterans Cemetery.

BE IT RESOLVED, that the Essex County Board of Supervisors strongly supports the placement of a New York State Veterans Cemetery at Camp Gabriels, located in Gabriels, New York, and encourages Governor Cuomo, Congressman Owens, Senator Schumer, Senator Gillibrand, Senator Little, Assemblywoman Sayward and Assemblywoman Duprey to support this very worthwhile endeavor so that the veterans of the north country can be honored by their family and friends without the additional burden and stress of traveling over 100 miles to do so; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Cuomo, Congressman Owens. Senator Schumer, Senator Gillibrand, Senator Little, Assemblywoman Sayward and Assemblywoman Duprey.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE CHAIRMAN AND/OR COUNTY
MANAGER TO EXECUTE A REAL ESTATE BROKERAGE
AGREEMENT WITH MARCUS AND MILLICHAP FOR THE SALE
AND/OR LEASE OPTION OF THE HORACE NYE NURSING
HOME ON TERMS AND CONDITIONS ACCEPTABLE TO THE
BOARD OF SUPERVISORS AND THE COUNTY ATTORNEY**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to enter into a real estate brokerage agreement with Marcus & Millichap for the sale and/or lease option for the Horace Nye Home on terms and conditions acceptable to this Board and the County Attorney.

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

AYES: 2871 votes
NOES: 1045 votes (Morrow, Boisen, Scozzafava, Dobie, Hatch)
ABSENT: 0 votes

**RESOLUTION AUTHORIZING THE EXECUTION OF A
SUBORDINATION AGREEMENT RELATIVE TO PROPERTY
OWNED BY DEAN P. SMITH LOCATED AT 3396 NYS ROUTE 9
AND 73 IN KEENE, NEW YORK SUBORDINATING THE LIEN OF
ESSEX COUNTY IN THE AMOUNT OF \$8,400.00 TO THE
MORTGAGE OF COMMUNITY BANK IN THE PRINCIPAL SUM OF
\$111,000.00**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to execute a Subordination Agreement relative to property owned by Dean P. Smith located at 3396 NYS Routes 9 and 73 in Keene, New York subordinating the lien of Essex County in the amount of \$8,400.00 to the mortgage of Community Bank in the principal sum of \$111,000.00.

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 ACCEPTING THE MORTGAGE TAX REPORT

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 property and necessary.

WHEREAS, this board is in receipt of the semiannual Mortgage Tax Report, showing amounts to be credited to each tax district of the county of the money collected during the preceding six months ending September 30, 2011.

BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amount so credited as appropriated by the Clerk of the Board, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts, in accordance with the report, as follows:

<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>	<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>
Chesterfield		North Elba	
Town	9,396.39	Town	81,660.75
Village (Keeseville)	771.73	Village (Lake Placid)	29,209.64
Crown Point	5,113.34	Village (Saranac Lake)	3,103.81
Elizabethtown	10,159.75	North Hudson	2,113.74
Essex	6,541.13	St. Armand	
Jay	11,664.22	Town	10,089.44
Keene	21,879.09	Village (Saranac Lake)	818.81
Lewis	5,299.28	Schroon	29,233.18
Minerva	2,915.93	Ticonderoga	28,399.46
Moriah		Westport	5,105.96
Town	8,105.05	Willsboro	18,867.69
Village (Port Henry)	1,582.74	Wilmington	15,187.95
Newcomb	1,544.34	TOTAL:	\$308,763.42

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

Resolution No. 334

November 7, 2011
Regular Board Meeting

**RESOLUTION AUTHORIZING PAYMENT OF \$4,000.00 TO CVS CAREMARK FOR
ACTUARIAL SERVICES**

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

Upon the 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 payment of \$4,000.00 to CVS Caremark for Actuarial Services.

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

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

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ALBERT R. MONTANARO, JR.**

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

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

WHEREAS, Albert R. Montanaro, Jr., Au Sable Chasm, New York passed away on October 23, 2011; and

WHEREAS, Albert R. Montanaro, Jr. was born on July 26, 1935 in Gloversville, New York, the son of Albert R. And Dorothea (Parks) Montanaro, Sr.; and

WHEREAS, Albert R. Montanaro, Jr. served as an airman in the U.S. Air Force; after discharge attended Southern Illinois University, Central Michigan University and University of Missouri with a teaching degree and taught at Plattsburgh State for nearly 50 years; and

WHEREAS, Albert R. Montanaro, Jr. was a loving son, father, husband, 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 and most sincere sympathy and condolences to the family of the Albert R. Montanaro, Jr.; 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 Montanaro family.

This resolution was unanimously seconded and adopted.

RESOLUTION AUTHORIZING CONTRACT WITH TDI SEPTIC SERVICE TO PUMP OUT AND CLEAN SIDEWALLS OF 13 - 2,000 GALLON SEPTIC TANKS AT HORACE NY HOME AT A COST OF \$6,700.00, FROM BUDGETED FUNDS

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

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

WHEREAS, as a result of an inspection conducted by NYS Department of Environmental Conservation and the NYS Rural Water Association, it was determined that the 13 - 2,000 gallon seepage pits at Horace Nye Home be pumped and cleaned in order that it is not required to be pumped every month.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to execute a contract with TDI Septic Service to pump out and clean the 13 - 2,000 gallon seepage pits at HNH at a cost not to exceed \$6,700.00, with such funds to come from budgeted funds (Account #E822045E63) and upon the approval of the County Attorney.

This resolution was duly seconded by Supervisors Boisen and Montgomery-Corey, and adopted upon a roll-call vote as follows:

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

**RESOLUTION TO CANCEL PENALTIES, INTEREST AND OTHER
CHARGES IN THE AMOUNT OF \$533.75 ON A PARCEL OF
PROPERTY IN THE TOWN OF ELIZABETHTOWN**

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

Upon the 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 cancellation of penalties, interest and other charges in the amount of \$533.75 on a parcel of property in the Town of Elizabethtown, Tax Map # 55.84-5-2.000.

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

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

**RESOLUTION OF THANKS AND APPRECIATION TO
CONGRESSMAN GIBSON AND CONGRESSMAN OWENS AND
THE NEW YORK CONGRESSIONAL DELEGATION FOR
CONTINUANCE OF THE FORMULA FOR THE HOME ENERGY
ASSISTANCE PROGRAM**

The following resolution was offered by Supervisor Montgomery-Corey, who moved its adoption.

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its thanks and appreciation to Congressman Gibson and Congressman Owens and the New York State Congressional Delegation for the continuance of the formula for the Home Energy Assistance Program (HEAP) which is so vitally needed by the residents of the County of Essex; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Congressman Gibson and Congressman Owens and the New York Congressional Delegation.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JOHN T. (JACK) RAFFERTY**

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

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

WHEREAS, John T. Rafferty of Crown Point, New York passed away on November 2, 2011; and

WHEREAS, John T. Rafferty was born in Ticonderoga, New York on June 11, 1939, the son of Lewis and Elizabeth (Thatcher) Rafferty; and

WHEREAS, John T. (Jack) Rafferty served in the U.S. Marine Corps.; and worked at Ticonderoga International Company until his retirement in 1999; and

WHEREAS, John T. (Jack) Rafferty is survived by his wife Jacqueline (Cole) Rafferty, and their two children, Clay and Jennifer Rafferty and Torri and Marc Potter; three grandchildren, Chance, Swade and Cole Potter; and

WHEREAS, John T. (Jack) Rafferty loved spending time with his family and friends and most importantly his grandchildren and his faithful companion "Bosco" ;and

WHEREAS, John T. (Jack) Rafferty was a loving son, father, husband, 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 and most sincere sympathy and condolences to the family of the John T. (Jack) Rafferty; 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 Rafferty family.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING APPLICATION TO THE FEDERAL
EMERGENCY MANAGEMENT AGENCY FOR PROPERTY
ACQUISITION IN ESSEX COUNTY**

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

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

WHEREAS, the County of Essex is willing to act as applicant relative to the perspective buy-out of properties severely damaged and destroyed by the hurricane and flood events of this year; and

WHEREAS, it has been determined that the best way for the buy-out process to occur is for the County of Essex to be the applicant for the buy-out process applying for the same on behalf of the various towns affected.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Chairman and/or Essex County Manager to execute any and all applications and paperwork necessary and required by the Federal Emergency Management Agency (FEMA) for property acquisition and buy-out, structure demolition and relocation, if necessary, on behalf of the towns and villages in Essex County affected by the most recent round of flooding.

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