

**RESOLUTION OF APPRECIATION TO ELIZABETH LAWRENCE
AS MEMBER AND CHAIRPERSON OF THE ESSEX COUNTY
COMMUNITY SERVICES BOARD**

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

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

WHEREAS, Elizabeth Lawrence has served on the Essex County Community Services Board since January 2000; and

WHEREAS, Elizabeth Lawrence has served as Chairperson of the Essex County Community Services Board since January 2005; and

WHEREAS, Elizabeth Lawrence's leadership and advocacy created opportunities to improve the lives of the residents of Essex County; and

WHEREAS, Elizabeth Lawrence's work as a volunteer serves as a model for generations to follow; and

WHEREAS, Elizabeth Lawrence has consistently demonstrated dedication, commitment and sincerity in her role as Chairperson.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends their deep appreciation to Elizabeth Lawrence for her outstanding, unselfish and exemplary service as Chairperson of the Essex County Community Services Board.

This resolution was unanimously seconded and adopted.

**RESOLUTION REAPPOINTING JOHN P. O'NEILL TO THE
OFFICE OF ESSEX COUNTY COMMISSIONER OF SOCIAL
SERVICES FOR A FIVE YEAR TERM EFFECTIVE MARCH 9, 2012**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby reappoints John P. O'Neill, to the office of Essex County Commissioner of Social Services for a term of 5 years, effective March 9, 2012.

This resolution was unanimously seconded and adopted.

Resolution No. 17

February 6, 2012
Regular Board Meeting

**RESOLUTION INCREASING THE VACCINATION RATE CHARGED
BY THE PUBLIC HEALTH DEPARTMENT
FROM \$10.00 TO \$17.00 FOR 2012**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Public Health Department to increase the fee for vaccinations from \$10.00 to \$17.00 for 2012.

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

RESOLUTION INCREASING THE CHARGE FOR CERTIFIED HOME HEALTH AGENCY SKILLED NURSING VISITS FROM \$190 PER VISIT TO \$205 PER VISIT FOR 2012, AND TO INCREASE THE HOME HEALTH AIDE HOURLY RATES FROM \$50.00 PER HOUR TO \$55.00 PER HOUR FOR 2012, IN THE PUBLIC HEALTH DEPARTMENT

The following resolution was offered by Supervisor Boisen, 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 Public Health Department to increase the charge for CHHA Skilled Nursing visits from \$190.00 per visit to \$205.00 per visit, and the home health aide hourly rate from \$50.00 per hour to \$55.00 per hour, all effective January 1, 2012.

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

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

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

The following resolution was offered by Supervisor Connell, 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 Public Safety Committee:

_____ The 2011 Annual Report of the Board of Elections.

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

**RESOLUTION AUTHORIZING A DECREASE IN THE HOURLY
PAY FOR ELECTION FIELD TECHNICIANS PERFORMING
CERTAIN ELECTION DAY DUTIES FROM \$17.00 PER HOUR
TO \$14.22 PER HOUR**

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

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

WHEREAS, New York State Election Law provides that the Essex County Board of Supervisors approve the fee for payment of field technicians.

BE IT RESOLVED, that the Essex County Board of Supervisors authorizes a decrease in the hourly rate of pay for Field Technicians performing certain Election Day duties from \$17.00 per hour to \$14.22 per hour.

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 BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Connell, 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 2012 Essex County Budget as follows:

From the Public Safety Committee:

1. For Emergency Services Department to increase revenues and appropriations by \$1,546.86, to carry forward LEPC grant monies from 2011 to 2012, as follows:

REVENUES

Account Number	Account Name	Amount
44389060	LEPC grant	\$1,546.86

APPROPRIATIONS

Account Number	Account Name	Amount
36404-5487LEPC	LEPC grant	\$1,546.86

2. For Sheriff Department to increase revenues and appropriations by \$129.42, for food rebate, as follows:

REVENUES

Account Number	Account Name	Amount
42701	Rebate	\$129.42

APPROPRIATIONS

Account Number	Account Name	Amount
31504.5452	Other supplies (food)	\$129.42

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

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

**RESOLUTION AUTHORIZING THE PURCHASE OF ESSEX
COUNTY'S SHARE OF THE MICROWAVE SYSTEM FOR THE
PUBLIC SAFETY RADIO SYSTEM IN THE AMOUNT OF
\$1,075,715.00 WITH FUNDS TO COME FROM THE RADIO
PROJECT**

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 the purchase of Essex County's share of the microwave system for the Public Safety Radio System in the amount of \$1,075,715.00 with funds to come from the Radio Project, and hereby authorizes the Chairman and/or County Manager to execute any and all contracts in this regard.

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 THE PURCHASE OF
EQUIPMENT FROM STATE CONTRACT FOR THE PUBLIC
SAFETY RADIO SYSTEM IN THE AMOUNT OF \$24,851.35,
WITH FUNDS TO COME FROM THE RADIO PROJECT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the purchase of equipment from State contract for the Public Safety Radio System in the amount of \$24,851.35, with funds to come from the Radio Project, and hereby authorizes the Chairman and/or County Manager to execute any and all contracts in this regard.

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

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

**RESOLUTION AUTHORIZING THE COMMUNITY RESOURCES
DEPARTMENT TO APPLY FOR AND ACCEPT A GRANT FOR
CHILD CARE FRAUD PREVENTION AND DETECTION, AT A
MAXIMUM OF \$40,000, NO LOCAL MATCH IS REQUIRED**

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

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

WHEREAS, the Essex County District Attorney's Office, the Department of Social Services and Community Resources is working together to apply for child care fraud prevention and detection in the amount of \$40,000.00 and no local match is required.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to apply for and accept a grant for Child Care Fraud Prevention and Detection, in the amount of \$40,000.00, no local match is required.

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

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

**RESOLUTION PETITIONING THE STATE LEGISLATURE TO
ASSIST MUNICIPALITIES WITH FUNDING IF STATE LAW
CHANGES THE AGE OF JUVENILES WITH RESPECT TO
CRIMINAL MATTERS**

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

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

WHEREAS, there has been proposed in the New York State Legislature new legislation that would increase the age of criminal responsibility from 16 to 18, thereby placing 16 and 17 year olds in the JD system rather than the criminal system; and

WHEREAS, the impact of this in most counties would be to double the current juvenile delinquent prosecutions in the County Attorney's office and will substantially increase the Family Court docket, as well as place additional burdens on the Probation and Social Services Departments; and

WHEREAS, if this legislation is to pass, it is anticipated that the costs associated with the prosecution of these additional 16 and 17 year olds as juvenile delinquents will double the costs to Essex County; and

WHEREAS, it does not appear that there are any State monies to help defer these significant costs; and

BE IT RESOLVED that in the event that legislation passes which would include 16 and 17 year olds into the juvenile delinquent system, the Essex County Board of Supervisors hereby petitions the NYS Legislature and the Governor of the State of New York to assist counties with State funding to help defer the significant increase in costs which will result from this legislation; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to immediately to send certified copies of this resolution to Governor Cuomo, Congressman Owens, Congressman Gibson, Senator Schumer, Senator Gillibrand, New York State Senate Majority Leader Dean Skelos, Senator Elizabeth O'C. Little, Senate Majority Leader John Sampson, Assemblywoman Teresa Sayward and Assemblywoman Janet Duprey.

This resolution was duly seconded by Supervisors Ferebee and Connell, and adopted, with Supervisor Montgomery-Corey abstaining.

**RESOLUTION AUTHORIZING THE COUNTY PURCHASING AGENT
TO SOLICIT A REQUEST FOR PROPOSALS AND ACCEPT
PROPOSALS AND AWARD A CONTRACT FOR A PHASE ONE
ENVIRONMENTAL EVALUATION OF THE HORACE
NYE NURSING HOME**

The following resolution was offered by Supervisor Politi, 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 authorizes the Purchasing Agent to solicit a Request for Proposals and accept proposals and award a contract for a Phase One Environmental Evaluation of the Horace Nye Nursing Home.

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

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

Resolution No. 27

**February 6, 2012
Regular Board Meeting**

**RESOLUTION AUTHORIZING TO SOLICIT QUOTES FOR TITLE
WORK ON THE HORACE NYE HOME**

The following resolution was offered by Supervisor Politi, 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 authorizes to solicit quotes for title work on the Horace Nye Home.

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

AYES: 2412 votes
NOES: 431 votes (Boisen, Scozzafava, Moore)
ABSENT: 0 votes

**RESOLUTION AUTHORIZING THE CORRECTION OF THE 2012
TOWN AND COUNTY TAX ROLLS ON ONE PARCEL IN THE
TOWN OF ELIZABETHTOWN**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes that the 2012 Town and County Tax Rolls for the Town of Elizabethtown be corrected by reducing the assessed value on Account No. 5979908407, Tax Map No. 55.84-3-18.100, assessed to Jeffrey and Cynthia Langford, from \$346,000.00 to \$174,000.00, due as a result of this clerical error and that the same be charged back to the appropriate taxing authorities.

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

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

**RESOLUTION AUTHORIZING THE CORRECTION OF THE 2012
TOWN AND COUNTY TAX ROLLS ON ONE PARCEL IN THE
TOWN OF SCHROON**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes that the 2012 Town and County Tax Rolls for the Town of Schroon corrected by deleting the school relevy on Account No. 695J105601, Tax Map No. 156.12-3-17.000, assessed to Edward and Christine Beaudoin; and by adjusting the amount of taxes due as a result of this clerical error and that the same be charged back to the appropriate taxing authorities.

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

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

**RESOLUTION AMENDING RESOLUTION NO. 9 OF JANUARY, 3,
2012, ENTITLED RESOLUTION ADOPTING AN INVESTMENT
POLICY AND DESIGNATING DEPOSITORIES FOR COUNTY
FUNDS**

The following resolution was authorized 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 Board of Supervisors hereby amends Resolution No. 9 of January 3, 2012, by increasing the maximum deposit allowed from \$15 million to \$20 million.

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 AUTHORIZING TO CHANGE THE HOURS OF THE
FINANCE DEPUTY POSITION IN THE TREASURERS OFFICE
FROM 35 HOURS TO 40 HOURS AND AMENDING RESOLUTION
NO. 411 OF DECEMBER 27, 2011, TO CHANGE THE SALARY OF
THE FINANCE DEPUTY**

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

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

BE IT RESOLVED that the Board of Supervisors hereby authorizes changing the Finance Deputy position in the Treasurer's Office from 35 hours per week to 40 hours per week; and

BE IT FURTHER RESOLVED, that this Board hereby amends Resolution No. 411 of December 27, 2011, to increase the salary of the Finance Deputy to \$48,000.00 to reflect the change from 35 hours per week to 40 hours per week.

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 APPRECIATION AND COMMENDATION TO
ESSEX COUNTY SHERIFF'S DEPUTIES, THE ESSEX COUNTY
SHERIFF, THE NEW YORK STATE POLICE AND THE FIRE
DEPARTMENTS OF PORT HENRY, MINEVILLE/WITHERBEE
AND MORIAH FOR THE EXEMPLARY ACTION TAKEN DURING
THE JANUARY 1, 2012 FIRE ON MAIN STREET IN PORT HENRY**

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

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

WHEREAS, in the early morning hours of January 1, 2012, Essex County Sheriff's Deputies William Allen and Erin MacDougal, as well as New York State Police Troopers Scott A. Tart and Michael P. Flaherty responded to a structure fire and vehicle fire in Port Henry; and

WHEREAS, upon arrival, they were notified by Dispatch to be alert for a vehicle that had driven recklessly and dangerously through the fire scene, running over fire hoses, ladders and past barricades; and

WHEREAS, the vehicle was located as it was turning around to head back to the scene; and

WHEREAS, Deputy MacDougal began pursuit and was joined by Troopers Tart and Flaherty and Deputy Allen; and

WHEREAS, as the vehicle approached the fire scene, these officers blocked the vehicle on all sides preventing the driver from entering the scene and endangering fire fighters who were working to put out the fire; and

WHEREAS, through the quick action of these officers, numerous fire fighters and emergency personnel were spared injury and/or possible death; and

BE IT RESOLVED, that the Board of Supervisors hereby appreciates and commends the Essex County Sheriff Deputies, Essex County Sheriff, New York State Police, and the Fire Departments from Port Henry, Mineville/Witherbee and Moriah for their immediate response to this structure fire; and

BE IT FURTHER RESOLVED, that this Board extends their appreciation and recognition to Sheriff Deputy William Allen, Sheriff Deputy Erin MacDougal, New York State Trooper Scott Tart and New York State Trooper Michael P. Flaherty for their quick and decisive actions which prevented serious injury to the firefighters and emergency personnel.

This resolution was unanimously seconded and adopted.

**RESOLUTION URGING OUR FEDERAL AND STATE
REPRESENTATIVES TO PROHIBIT THE USE, POSSESSION
AND SALE OF ANY FORM OF SYNTHETIC MARIJUANA OR
SYNTHETIC CANNABINOIDS**

The following resolution was offered by Supervisor Blades, 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, there exists a new epidemic in this Country, this State and within Essex County concerning the use and abuse of synthetic cannabinoids or synthetic marijuana; and

WHEREAS, many people, especially teenagers, are now experimenting with these synthetic drugs which often mimic the effects of marijuana; and

WHEREAS, the abuse may be as dangerous and life threatening as documented abuse of known dangerous and illegal substances; and

WHEREAS, the substances are marketed and sold as Spice, K2, Stinger and Skunk in legal retail outlets as “herbal incense” and labeled “not for human consumption”, to mask their intended purpose and avoid FDA regulatory oversight of the manufacturing process; and

WHEREAS, the use of synthetic cannabinoids or synthetic marijuana has increased significantly in the past two years and the Federal Administration has been working during this time with Federal, Congressional, State, local and non-governmental partners to establish policies and legislation to address these abuses and dangers and to spread the word to communities across the country about the tremendous health risk posed by these substances.

BE IT RESOLVED, the Essex County Board of Supervisors strongly urges our Federal, State and local representatives to investigate the composition, sale and use of these synthetic cannabinoids and to prohibit the use, possession and sale of any form of synthetic cannabinoids or synthetic marijuana which poses a health risk or danger to the public and to enact appropriate legislation making the use, possession and sale of synthetic cannabinoids illegal; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to immediately to send certified copies of this resolution to Congressman Owens, Congressman Gibson, Senator Schumer, Senator Gillibrand, New York State Senate Majority Leader Dean Skelos, Senator Elizabeth O’C. Little, Senate Majority Leader John Sampson, Assemblywoman Teresa Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF APPRECIATION TO SUZANNE (SUZIE) DUBAY
UPON HER RETIREMENT FROM ESSEX COUNTY**

The following resolution was offered by Supervisor Blades, 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, Suzanne (Suzie) Dubay began employment with the County of Essex Department of Public Health in 1980 as a registered nurse; and

WHEREAS, Suzie Dubay has graciously, competently and with professionalism performed her duties in the Public Health Department; and

WHEREAS, the Essex County Board of Supervisors wishes to extend its deep and abiding appreciation to Suzie Dubay for her dedication and service to Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby extend their most heartfelt appreciation to Suzie Dubay for her dedication and service to Essex County and upon her retirement from Essex County Public Health Department and wishes her continued success and best wishes in her future endeavors.

This resolution was duly unanimously seconded and adopted.

**RESOLUTION IN SUPPORT OF SENATE BILL S.1884 AND
HOUSE BILL HR.3627 - SCHOOL ACCESS TO EMERGENCY
EPINEPHRINE ACT**

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

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

WHEREAS, Senate Bill S.1884 and House Bill HR.3627 are currently before the United States Senate and the House; and

WHEREAS, S.1884 and HR.3627 seek legislation that would encourage states to adopt laws requiring schools to have on hand “stock” epinephrine auto-injectors - meaning epinephrine that is not prescribed specifically to a single student but can be used for any student and staff member in an anaphylactic emergency; and

WHEREAS, nearly 6 million American children have potentially life-threatening food allergies. Schools need to be prepared to treat allergic reactions in the event a student’s personal epinephrine auto-injector isn’t available or the student is having a reaction for the first time; and

WHEREAS, the School Access to Emergency Epinephrine Act is not a controversial bill. It is endorsed by the Food Allergy & Anaphylaxis Network, the American Academy of Allergy, Asthma & Immunology, the American Academy of Pediatrics, and the National Association of School Nurses. On average it will cost a school just over \$100 to have epinephrine available to prevent a fatality from anaphylaxis.

BE IT RESOLVED that the Essex County Board of Supervisors hereby wholeheartedly supports Senate Bill S.1884 and House Bill HR.3627 with regards to the School Access to Emergency Epinephrine Act;

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Congressman William Owens, Congressman Chris Gibson, Senator Charles Schumer, Senator Kirsten Gillibrand, New York State Senate Majority Leader Dean Skelos; Senator Elizabeth O’C. Little; and Senate Minority Leader John Sampson.

This resolution was unanimously seconded and adopted.

Resolution No. 36

February 6, 2012
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO MARY KAY
TULLOCH ON HER APPOINTMENT TO THE NORTH
COUNTRY COMMUNITY COLLEGE BOARD OF TRUSTEES**

The following resolution was offered by Supervisor Bartley, 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 congratulates Mary Kay Tulloch on her appointment to the North Country Community College Board of Trustees by Governor Cuomo.

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

**RESOLUTION OF CONGRATULATIONS TO
BRODY DOUGLASS
OF AUSABLE VALLEY CENTRAL SCHOOL
BOYS VARSITY BASKETBALL TEAM FOR
SCORING HIS 1000TH POINT**

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

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

WHEREAS, Brody Douglass has been a four-year starter with the AuSable Valley Central School Boys Varsity Basketball team and has played an integral role in the success of the AuSable Valley Boys Varsity Basketball program over the past years; and

WHEREAS, Brody Douglass is a multifaceted and complete player who is not only a constant offensive threat but is also a proficient rebounder, passer and defender; and

WHEREAS, currently, Brody Douglass is averaging twenty points a game and has led his team to a 13-0 record; and

WHEREAS, this Board has recently learned that Brody Douglass has scored his 1000th point as a Varsity basketball player with the AuSable Valley Boys Varsity Basketball Team.

BE IT RESOLVED that the Essex County Board of Supervisors and its County Attorney hereby congratulate Brody Douglass of AuSable Valley Central School Boys Varsity Basketball Team for scoring his 1000th point as a Varsity Basketball Player and further wishes him continued success during the remainder of the 2011-2012 basketball season.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID
AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF
A TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFORE**

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

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

WHEREAS, a Project for the Bridge Replacement of BIN 3301800, Plank Road over Mill Brook, Essex County, P.I.N. 1757.59 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Essex desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design and Right of Way Incidentals Phases.

NOW, THEREFORE, the Essex County Board of Supervisors, duly convened does hereby

RESOLVE, that the Board hereby approved the above-subject project; and it is hereby further

RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County of Essex to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Right of Way Incidentals Phases work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$268,914.00 (Two hundred sixty eight thousand nine hundred fourteen dollars and no cents) is hereby appropriated from **H52424 5445** and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED that the additional sum of \$33,178.00 (Thirty three thousand one hundred seventy eight dollars and no cents) has already been appropriated from **H52424 5445** and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Essex County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that the Chairman of the Board of Supervisors or DPW Superintendent of the County of Essex be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Essex with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution take effect immediately.

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

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

Resolution No. 39

**February 6, 2012
Regular Board Meeting**

**RESOLUTION AUTHORIZING PAYMENT TO PERMA FOR THE
FIRE/AMBULANCE GROUP PLAN 2012 ANNUAL CONTRIBUTION**

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

Upon 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 payment to PERMA for the Fire and Ambulance Group Plan 2012 Annual Contribution in the amount of \$304,369.00.

This resolution was seconded by Supervisor Morency, and duly 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 Blades, who moved its adoption.

Upon 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 amends the 2012 Essex County Budget for the Public Health Department, to increase revenues and appropriations by \$24,440.00 - Community Health Grant by transferring 2011 unappropriated into fiscal year 2012 to insure completion of the grant funding, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4199 4340191	Community Health Grant / Creating Healthy Places Grant	\$24,440.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41994.5400INV	Misc Fees - Inventory	15,000.00
41994.5410	Office Supplies	1,440.00
41994.5452	Other Supplies	<u>8,000.00</u>
		\$24,440.00

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 REQUESTING THE NEW YORK STATE DEPARTMENT
OF TRANSPORTATION TO COMPLETE THE REHABILITATION OF
THAT SECTION OF ROUTE 22 THAT IS LOCATED IN THE TOWN OF
CHESTERFIELD AND WILLSBORO AS PLANNED BY THE NEW YORK
STATE HIGHWAY PROGRAM OF 2009**

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

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

WHEREAS, in 2009, the New York State Department of Transportation designated and undertook to rehabilitate a portion of Route 22 located in the Towns of Chesterfield and Willsboro; and

WHEREAS, this section of Route 22 is vital to the residents of each town and has been recognized as an "All American Road" by the Federal Government and by New York State as a Scenic Route, Lake to Lock Passage, as well as a bicycle route; and

WHEREAS, this section of Route 22 is barely passable and is in need of repair and rehabilitation.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby requests that the New York State Department of Transportation complete the rehabilitation of that section of Route 22 located in the Towns of Chesterfield and Willsboro as designated to be repaired in the 2009 NYS Highway Program; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor Andrew Cuomo, Senator Elizabeth O'C. Little, Assemblywoman Teresa Sayward, New York State Transportation Commissioner Joan McDonald, and New York State DOT Regional Director Mary Ivy.

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

**RESOLUTION AUTHORIZING PAYMENT OF \$5,735.26 TO FRANKLIN COUNTY
FOR REMOVAL OF FLOOD RELATED DEBRIS, TO BE PAID FROM THE FLOOD
ACCOUNT**

The following resolution was offered by Supervisor Ferebee, 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 payment of \$5,735.26 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 Supervisor Morrow, and adopted upon a roll-call vote as follows:

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

**RESOLUTION REQUESTING INTRODUCTION OF HOME RULE
LEGISLATION TO ALLOW ESSEX COUNTY TO IMPOSE AN
ADDITIONAL 1% PERCENT RATE OF SALES AND COMPENSATING
USE TAXES FOR THE PERIOD BEGINNING DECEMBER 1, 2012 AND
ENDING NOVEMBER 30, 2013**

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

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

WHEREAS, Essex County's budget for fiscal year 2010 saw a precipitous increase in appropriations and a significant loss of revenues from all sources due to:

- ▶ a steady decline in sales tax in 2009 from \$24 million in 2008 to \$22 million in 2009
- ▶ a loss of revenues from all sources which caused our unreserved fund balance to drop by \$4.1 million dollars during the April 2009 to April 2010 time frame
- ▶ Increase in health insurance premiums

WHEREAS, Essex County's budget for 2012 has resulted in:

- Essex County's budget for fiscal year 2012 required an override of the Tax Cap provisions and resulted in a 10.54% increase in the tax levy for the year 2012
- Project sales tax revenue for 2012 is \$23,900,000, is still below the actual 2008 sales tax revenue of \$24,425,052
- Sales tax revenue for 2011, one quarter percent of our 3.75% or approximately \$1.5 million was returned to the town as an additional revenue source to them. For 2012, the towns within Essex County were all able to meet the tax cap provision based upon the additional revenue from the County

- Since 2008, the County has lost nearly \$4 million in revenue from all sources including state and federal funds
- The County's New York State Retirement contributions in 2008, was \$1,797,993 and has increased to \$4,078,447 in 2012, which represents \$2,280,454 in additional cost to the County.
- The County, since 2008, has eliminated nearly 60 employees (out of a workforce of 600 employees) through retirement incentives, elimination of positions and the layoff of employees, but despite these eliminations, the County had an increase of 8.6% in the tax levy for 2011 and 10.54% for 2012.
- The County's Employee Health Insurance premiums since 2007, have increased from \$7,475,439 to \$8,955,208, despite the elimination of nearly 10% of the County's workforce.
- The County's fund balance of \$20,400,000 in 2008 has declined to a balance of \$12,400,000 starting 2012, or a drop of \$8 million over this period. The current level of fund balance will not be sufficient to prevent even higher double digit increases to the tax levy for 2013 and beyond.
- The County has been unable to control or sustain the significant increases in cost at the County-owned nursing home, which is currently on the market for private sale. Additionally, the County is considering the sale of its' CHHA program of visiting nurses in an effort to reduce its overall budget shortfalls.

WHEREAS, it is anticipated that an additional 1/4% increase in our County sales tax would generate over \$1.5 million dollars in badly needed revenue necessary to offset these costs; and

WHEREAS, 46 of 57 counties currently have implemented sales tax percentages that are at 4% or higher. Essex County's current 3 3/4% is not adequate to offset these significant increases in the property tax; and

WHEREAS, Essex County already does not impose sales tax on residential home energy products and has no intention of imposing sales tax thereon should it be allowed by home rule legislation to increase its local sales tax amount by one quarter of one percent; and

WHEREAS, all additional income to be derived from the one quarters of one percent sales tax increase will go directly to reduce the real property tax levy; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests that the State Legislature introduce home rule legislation allowing Essex County to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the 3% rate already authorized for the period beginning December 1, 2012 and ending November 30, 2013.

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Minority Leader Brian Kolb, Assembly Speaker Sheldon Silver; Senator Elizabeth O’C. Little; and Assembly Members Teresa R. Sayward and Janet Duprey.

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 OF CONGRATULATIONS TO
TARA GALUSHA OF MINERVA WHO WAS NAMED A 2012
TEEN EXCELLENCE AWARD WINNER BY THE GLENS FALLS
POST STAR**

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

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

WHEREAS, Tara Galusha of Minerva was named as one of the 2012 Teen Excellence Award winners by the Glens Falls Post Star; and

WHEREAS, Tara Galusha is a senior at Minerva Central School and is an outstanding student and athlete; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates Tara Galusha as a winner of the 2012 Teen Excellence Award by the Glens Falls Post Star and further wishes her success in her future endeavors.

This resolution was unanimously seconded and duly adopted.

RESOLUTION ADOPTING A HOME RULE REQUEST FOR THE ENACTION AND ADOPTION BY THE NYS ASSEMBLY OF NYS ASSEMBLY BILL 150-B AND FOR ENACTION AND ADOPTION BY THE NYS SENATE OF NYS SENATE BILL NO. 344-B AUTHORIZING THE COUNTY OF ESSEX TO IMPOSE AN ADDITIONAL ONE PERCENT RATE OF SALES AND COMPENSATING USE TAXES FOR THE PERIOD BEGINNING DECEMBER 1, 2012, AND ENDING NOVEMBER 30, 2013.

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

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

WHEREAS, Assembly Bill 150-B and Senate Bill No. 344-B have been introduced in the NYS Assembly and NYS State Assembly respectively each entitled "An Act to Amend the Tax Law, in Relation to Authorizing the County of Essex to Impose an Additional One Percent of Sales and Compensating Use Tax"; and

WHEREAS, the purpose of this legislation is to authorize Essex County to impose an additional one percent rate of sales and compensating use taxes (the combination of the existing three quarter percent rate and a new one quarter percent rate) for the period beginning December 1, 2012, and ending November 30, 2013; and

WHEREAS, Essex County needs to adopt a Home Rule Request for such necessary legislation to be considered and enacted.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby adopts a Home Rule Request requesting enactment of Assembly Bill 150-B and Senate Bill No. 344-B authorizing Essex County to impose an additional one percent rate of sales and compensating use taxes for the period beginning December 1, 2012, and ending November 30, 2013; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby declares that a necessity exists for the enactment of such legislation as the County does not have the legal authority to enact this legislation by Local Law and because of the current economic climate this increase is to offset the increased Budget deficit; and

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

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

AYES: **3771 votes**
NOES: **145 votes (Connell)**
ABSENT: **0 votes**

**RESOLUTION OF CONGRATULATIONS TO
THE BLOOMINGDALE VOLUNTEER FIRE DEPARTMENT ON
THE CELEBRATION OF THEIR 100TH ANNIVERSARY**

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

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

WHEREAS, the Bloomingdale Volunteer Fire Department is celebrating 100 years of volunteer service.

BE IT RESOLVED, the Essex County Board of Supervisors hereby expresses its deep appreciation to the Bloomingdale Volunteer Fire Department for its exemplary service and congratulates it upon its 100th anniversary of voluntary service.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION AUTHORIZING TO HIRE A CARPENTER, ON A
TEMPORARY BASIS, AT THE RATE OF \$30/HOUR, TO
COMPLETE WORK IN THE ESSEX COUNTY SURROGATE'S
COURT ROOM**

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

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

WHEREAS, recent renovation was completed in the Surrogate's Courtroom and it was determined by the Office of Court Administration and the Judge that the architectural design of the bench, witness area and handicapped access all need to be modified due to safety issues; and

WHEREAS, the OCA has set aside \$21,000 to complete the modification work which would require a skilled finished craftsman to complete the work by end of March.

BE IT RESOLVED, the Essex County Board of Supervisors hereby authorizes to hire the carpenter that did the work previously, as a temporary employee, at the rate of \$30/hour to complete safety modifications in the Essex County Surrogate's Courtroom.

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

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

**RESOLUTION DETERMINING NO NEGATIVE IMPACT ON THE ENVIRONMENT
AND PREPARING A FULL ENVIRONMENTAL ASSESSMENT FORM FOR
NEGATIVE DECLARATION ON THE REPLACEMENT OF OTIS LANE BRIDGE AND
RE-ALIGNMENT OF OTIS LANE**

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

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

WHEREAS, the County of Essex has prepared plans and studies for construction and the replacement of existing structurally deficient Otis Bridge with new single lane bridge at the same location on Otis Lane; and

WHEREAS, as lead agency, Essex County has prepared a Full Environmental Assessment Form dated February 6, 2012; and

WHEREAS, Essex County has determined that the only project impacts are as follows:

- Construction on land where the depth of the water table is less than three feet is determined to be small to moderate impact.
- There will be temporary impacts associated with construction activities on the Boquet River determined to be small to moderate impact.
- The proposed action will generate some noise during construction determined to be small to moderate impact.
- There may be public controversy relating to potential adverse environment impacts.

WHEREAS, after examining all project information and evaluating any and all environmental impacts, this Board has determined that the project will not result in any large or important impacts and therefore will not have any significant impact on the environment.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby determines that the Otis Bridge Project as hereinabove stated will not result in any large and important impacts and, therefore, is a project which will not have a significant impact on the environment, and therefore a negative declaration is determined and prepared.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 0 votes
ABSTAIN: 106 votes (Bartley)