

**RESOLUTION ADOPTING RULES AND REGULATIONS OF
PROCEEDINGS OF THE ESSEX COUNTY BOARD OF SUPERVISORS**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts the following rules and regulations for its proceedings:

§1. ANNUAL ORGANIZATIONAL MEETING:

- A. Not later than the last meeting in December of each year, held pursuant to paragraph B of §2 hereof, the Board shall fix by resolution the date, time, and place for the organizational meeting of the Board for the next succeeding year, with the date thereof to be held not later than January 8th of such year.
- B. Provided that a quorum is present on the date so fixed, the Clerk of the last Board shall call the meeting to order, call the roll, and preside over the swearing in of new members, if any, and then the selection of a temporary chairman.
- C. The temporary chairman shall preside over the nomination and election of a Chairman of the Board for an annual term to expire at midnight on December 31st of that year, with the election of such Chairman to be by majority vote of the total number of members of the Board.
- D. Upon election, the Chairman shall then preside over the meeting, including
 - (1) the nomination and election of a Vice-Chairman, with the election of such Vice-Chairman to be by majority vote of the total number of members of the Board; and
 - (2) if required, the appointment for a new term of a Clerk of the Board, a County Attorney, a County Auditor, and such other county officers and officials as may be necessary.
- E. The Board may transact any and all such other and further business as it deems appropriate and over which it has jurisdiction.

§2. REGULAR MEETINGS:

- A. A regular meeting of the Board shall be held on the first Monday of each month, excluding the month of January, except that if the first Monday is a legal holiday then such regular meeting shall be held on the next succeeding

business day.

- B. In the month of December, there shall be an additional meeting of the Board held not earlier than the 20th day of the month, at which the Board shall consider and act upon all resolutions approved by committee during the month of December, as well as any and all other resolutions necessary for the proper wind up of the affairs of the County for that fiscal year. The provisions contained in paragraphs U and V of §4 and in §7 hereof need not be complied with in order for any resolution to be considered and acted upon at such meeting.
- C. Regular Meetings of the Board shall commence at 10:00 a.m.
- D. Notwithstanding the provisions of paragraphs A, B and C above, the Board may by resolution schedule a regular meeting at such other day and/or time as in its discretion it shall determine.
- E. The place of all regular meetings shall be at the Essex County Government Center, Elizabethtown, New York; except that the place of any meeting may be changed by resolution adopted by the affirmative vote of at least 3/4ths of the total membership of the Board.
- F. The Board may transact any and all business as may properly come before it at such meetings.
- G. Business at a regular meeting shall be transacted in the following order:
 - (1) Call to Order
 - (2) Salute to Flag
 - (3) Roll Call
 - (4) Introduction and Welcome of Guests
 - (5) Resolutions
 - (6) Other pertinent business
 - (7) Announcements
 - (8) Adjournment

§3. SPECIAL MEETINGS:

- A. A special meeting shall be held at the call of the Clerk of the Board:
 - (1) upon direction of the Chairman; or
 - (2) in the absence of the Chairman, upon direction of the Vice-Chairman, provided that, upon convening, a majority of the members of the Board pass a resolution ratifying such call; or
 - (3) written request signed by a majority of the members of the Board, stating the reason therefor.

- B. Except as provided in paragraph C below, no special meeting shall be convened and conducted unless notice thereof in writing stating the date, time, place and purpose of such meeting is served personally, by facsimile machine, and by first class mail upon each member by the Clerk of the Board at least 48 hours prior to the date fixed for such meeting.
- C. Notwithstanding the provisions of paragraph B above, any member may waive the service of the notice for a special meeting by signing a written waiver thereof.
- D. No business may be transacted at a special meeting other than that specified in the notice of meeting.
- E. The place of all special meetings shall be at the Essex County Government Center, Elizabethtown, New York; except that the place of the meeting may be changed by resolution adopted by the affirmative vote of at least 3/4ths of the total membership of the Board.
- F. Business at a special meeting shall be transacted in the following order:
 - (1) Call to Order
 - (2) Salute to Flag
 - (3) Roll Call
 - (4) Reading of Purpose of Special Meeting
 - (5) Resolution Ratifying Call of Meeting (if necessary, where meeting called by Vice-Chairman)
 - (6) Introduction and welcome of guests
 - (7) Consideration, Discussion and Action Upon Resolution(s) and/or Local Law(s) related to purpose of Special Meeting
 - (8) Announcements
 - (9) Adjournment

§4. REGULAR/SPECIAL MEETING RULES OF PROCEDURE:

- A. The Chairman of the Board shall preside over all regular and special meetings of the Board, except that in the absence of the Chairman the Vice-Chairman shall preside. In the absence of both the Chairman and the Vice-Chairman at any meeting of the Board of Supervisors, the members present and voting, by majority (non-weighted) vote of such members, shall select a member of the Board to serve as acting Chairman who shall have and exercise all the powers and duties of the Chairman at the meeting over which he/she is called to preside.
- B. The Chairman shall preserve order, and shall decide all questions of order subject to appeal to the Board.

- C. All questions relating to the priority of business shall be decided by the Board without debate.
- D. Any member desiring to speak or to present any subject matter, shall raise his/her hand and address the chair, and shall not further proceed until recognized by the Chairman and awarded the floor.
- E. No non-member of the Board may speak or present any subject matter for consideration without first having been granted the courtesy of the floor upon motion adopted by the Board; except that the Clerk of the Board, the County Manager, and the County Attorney may speak on any matter before the Board or present any subject matter for consideration upon being recognized by the Chairman and awarded the floor.
- F. No debate shall be in order until the pending question shall be stated by the Chairman or read by the Clerk.
- G. Unless otherwise authorized and permitted by the Chairman, no member shall speak more than once on any question until every member choosing to speak shall have spoken.
- H. Upon any call to order by the Chairman, each member shall take his/her seat and remain there until the pending question or point raised is determined by vote of the Board.
- I. At the request of any member, each member present shall vote upon the pending question unless he/she be excused from voting by the Board or has a direct interest in the results thereof.
- J. A roll call vote on any resolution shall be had upon:
 - (1) the request of any member;
 - (2) the direction of the Chairman;
 - (3) when otherwise required by law; and
 - (4) on all resolutions which appropriate or require the expenditure of funds.
- K. All questions shall be decided by a majority vote of the total weighted voting power of the Board, unless otherwise required by law or these rules and regulations.
- L. The Chairman of the Board shall have the right to vote in all cases without relinquishing the chair.
- M. A motion to adjourn or to table shall always be in order, and shall be decided without debate.

- N. A motion to reconsider a matter already decided or determined by the Board during its current session may only be made by a member who voted on the prevailing side when such matter was previously decided or determined, but the same may be seconded and voted upon by any member, and adopted upon majority vote. For the purposes of a motion to reconsider, a member who was absent from the meeting where the matter was previously decided or determined shall be considered to have voted "no" on such matter.
- O. No business shall be transacted by the Board, except to recess or adjourn, while any committee is in session at work.
- P. If requested by any member, the report of any committee, or the items of any bill included in such report, shall be read by the Clerk of the Board.
- Q. Except as otherwise provided in the rules and regulations of this Board, Roberts Rules of Order shall govern and apply to all situations.
- R. The County Attorney is hereby designated to be the parliamentarian.
- S. A motion once made and seconded may be withdrawn at any time prior to the taking of a vote thereon.
- T. None of the rules and regulations herein may be suspended during any meeting of the Board except by the unanimous vote of the members present and voting at such meeting, and any suspension so authorized shall expire automatically upon adjournment of such meeting.
- U. At a regular meeting of the Board, no resolution shall be presented to, considered by, or acted upon by, the Board unless the same has first been approved by the Ways and Means Committee in accordance with the provisions contained in §7 hereof entitled "RESOLUTIONS - PROCEDURE"; except that the Board may consider and act upon a resolution that has not been so approved only after a motion to introduce a resolution from the floor has been duly made and seconded, and passed by the affirmative vote of 2/3rds of the total number of members of the Board.
- V. All resolutions approved by the Ways and Means Committee for action by the Board at a regular meeting shall be in writing, and the Clerk shall furnish copies thereof to each supervisor by emailing and mailing the same by first class mail on or before the Wednesday immediately prior to a regular meeting or the third day prior to any adjourned meeting.
- W. All resolutions to be acted upon at a special meeting shall relate solely to the business to be transacted at such meeting as specified in the notice of such

meeting, and shall be on the desks of the members prior to such meeting being called to order. The Board may consider and act upon a resolution that has not been so placed upon the desks of the members provided that the substance of the proposed resolution relates to the business specified in the notice of meeting and a motion to introduce such resolution from the floor has been duly made and seconded, and passed by the affirmative vote of 2/3rds of the total number of members of the Board.

- X. Any supervisor may request that a resolution presented at a regular or special meeting be laid over until the next meeting of the Board, be it regular, special or adjourned, and if approved by a majority of the total weighted voting power of the Board such resolution shall not be voted upon at the meeting when presented except where a statute prescribes a date on or before which the Board is required to adopt such a resolution.
- Y. No political caucus shall be called or permitted to be held during any regular or special meeting of the Board of Supervisors, including any recess period thereof.

§5. STANDING AND SPECIAL COMMITTEES:

- A. There shall be 8 standing committees of the Board as follows, with the Ways & Means Committee to consist of all members of the Board and all other committees to consist of not more than 9 members:
 - (1) Ways & Means..... 18
 - (2) Human Services..... 9
 - (3) Public Safety..... 9
 - (4) Public Works..... 9
 - (5) Finance..... 9
 - (6) Economic Development..... 9
 - (7) Personnel 9
 - (8) Legislative..... 9
- B. The Board may create special committees from time to time by resolution, specifying the powers, duties, and term of existence of such committee as well as the number of its members.
- C. Members of all standing committees shall be appointed by the Chairman of the Board from the members of the Board, with such appointments to be made not later than 7 days following the organizational meeting in January of each year.
- D. Members of all special committees shall be appointed by the Chairman of the Board from the members of the Board not later than 7 days following the adoption of the resolution creating such committee.

- E. Vacancies on all standing and special committees shall be filled by the Chairman of the Board from the members of the Board.
- F. The Chairman of the Board shall be an ex-officio member of each standing and special committee, but shall not be entitled to vote unless:
 - (1) he/she is also a regular member of such committee; or
 - (2) there are insufficient members of the committee present to make a quorum and his/her presence will constitute a quorum, and in such event he/she shall be entitled to vote on all matters before such committee meeting to the same extent as though he/she were a regular member of such committee.
- G. Notwithstanding any of the foregoing, the Chairman may appoint persons not members of the Board:
 - (1) as members of intergovernmental and advisory committees, and the persons so appointed shall have the right to vote on matters before such committees whenever the rules thereof so provide; and
 - (2) as non-voting members of any standing or special committee.
- H. All standing and special committees are authorized to accept the advice and counsel of county officers/ employees and citizens not members of the Board.
- I. The first member appointed to each committee shall be and act as Chairman of such committee, and the second member appointed to each committee shall serve as the Vice Chairman of such committees to act in the absence of said Chairman. Notwithstanding the foregoing, the Chairman of the Board may designate two members to act as Co-Chairman of a committee in lieu of appointing one to act as Chairman and the other to act as Vice-Chairman.
- J. The meetings of each committee shall be held at the call of the Clerk of the Board upon:
 - (1) direction of the Chairman of such committee; or
 - (2) written request signed by a majority of the members of such committee clearly stating the day, hour, place and purpose of such meeting, and provided that a copy of such request shall have been served in person, by facsimile machine, or by first class mail, to the Chairman of such committee and the Chairman of the Board at least three (3) days prior to the day of the requested committee meeting.
- K. Notwithstanding the provisions of paragraph J above, the meeting of the Ways and Means Committee shall be held at 10:00 am on the last Monday of each month, or on such other day and/or time as the Chairman of said

committee and the Chairman of the Board shall jointly determine; except that there shall be no meeting of the Ways and Means Committee in the month of December unless otherwise scheduled in accordance with paragraph J above.

§6. COMMITTEE MEETING RULES OF PROCEDURE:

- A. No request for a resolution of the Board shall be presented to, considered by, or acted upon by, any committee other than those submitted in accordance - with the provisions contained in §7 hereof entitled "RESOLUTIONS - PROCEDURE".
- B. Except as provided in §5, paragraph F, only members of a committee shall be entitled to vote on matters coming before such committee, but any non-member shall be entitled to speak and enter into debate at such committee meeting.
- C. A quorum of the Ways & Means Committee shall consist of 10 members, and a quorum of any other committee shall be 5 members.
- D. All motions acted upon by any committee shall be decided by a majority vote of the total membership of such committee, with each member having one vote.
- E. Each member of the Board, whether or not appointed to serve on a committee, shall be paid from county funds their actual and necessary expenses incurred in attending the meetings of such committee.
- F. The Chairman of the committee shall preside over all meetings of such committee, except that in the absence of the committee Chairman the committee Vice-Chairman shall preside. In the absence of both the committee Chairman and the committee Vice-Chairman at any committee meeting, the members present and voting, by majority vote, shall select one of its members to serve as acting Chairman who shall have and exercise all the powers and duties of the committee Chairman at the meeting over which he/she is called to preside.
- G. The Chairman of the committee shall preserve order, and shall decide all questions of order subject to appeal to the committee.
- H. The Chairman of the committee shall have the right to vote in all cases without relinquishing the chair.
- I. Any committee member, or non-member supervisor, desiring to speak or present any subject matter at a committee meeting shall raise his/her hand,

address the chair, and shall not further proceed until recognized by the committee Chairman and awarded the floor.

- J. Persons who are not members of a committee, other than non-member supervisors, may speak or present any subject matter for consideration only upon first being recognized by the committee Chairman and awarded the floor.
- K. A motion to adjourn or to table shall always be in order, and shall be decided without debate.
- L. A motion to reconsider a matter already decided or determined by a committee during its current session may only be made by a member who voted on the prevailing side when such matter was previously decided or determined by such committee, but the same may be seconded and voted upon by any member, and adopted upon majority vote. For the purposes of a motion to reconsider, a member who was absent from the meeting where the matter was previously decided or determined shall be considered to have voted "no" on such matter.
- M. A motion once made and seconded may be withdrawn at any time prior to the taking of a vote thereon.
- N. All reports of committees shall be in writing and filed with the Clerk of the Board, together with all papers and materials relating thereto.
- O. Except as otherwise provided in the rules and regulations of this Board, Roberts Rules of Order shall govern and apply to all situations.
- P. No political caucus shall be called or permitted to be held during any committee meeting, including any recess period thereof."

§7. RESOLUTIONS - PROCEDURE:

- A. All requests for resolutions shall be in writing and on a form prescribed and provided by the Clerk of the Board; and every such request shall contain a statement of the budget impact which would result from the adoption thereof, including the total expenditure of funds and the budget account number(s) from which such funds will be withdrawn.
- B. Except as provided in paragraph C below, each request for resolution shall be filed with the Clerk of the Board not later than 5 business days prior to the meeting of the committee(s) having jurisdiction to consider and act on such request. Requests received by the Clerk of the Board less than 5 business days prior to the meeting of the committee(s) having jurisdiction to consider

and act thereon shall be placed on the agenda for the next month's meeting of such committee(s).

- C. Notwithstanding the provisions of paragraph B above, any member of the Board of Supervisors may file a request with the Clerk by 9:30 am of the day on which a meeting of the Ways and Means Committee is scheduled where [1] such request could not have been timely made to the appropriate committee(s), and [2] action on such request by the Board is necessary at its next regular meeting.
- D. The Clerk of the Board shall furnish a copy of each request to each member of the committee which will consider the same at least 3 business days prior to the committee meeting by mailing such copies by first class mail or by delivery in person.
- E. The Clerk of the Board shall attach copies of each request form to the agenda for the committee meeting at which such request is to be considered.
- F. Each resolution request approved by a committee shall be forwarded by the Clerk of the Board to the Ways and Means Committee, or to any other committee having prior jurisdiction thereof, for consideration and action.
- G. All resolutions approved by a committee other than the Ways and Means Committee, and all requests for resolution filed with the Clerk as provided in paragraph C above, and which are proposed to be presented for consideration and action at the next regular Board meeting shall be presented to the Ways and Means Committee for action.
- H. All resolution requests approved by the Ways and Means Committee shall be presented at the next regular Board meeting for action.

§8. BILLS AND CLAIMS:

All bills and claims to be audited shall be filed with the County Auditor according to the schedule determined by that office. No bill or claim for which an encumbrance is required to be furnished to the County Treasurer shall be audited or allowed unless an encumbrance shall be filed with the County Auditor.

§9. ADOPTION OF COUNTY BUDGET:

- A. The public hearing on the tentative budget shall be held on the last Monday of November, commencing at 9:30 a.m., or at such other time or on such other date as the Board shall set by resolution.
- B. At any regular or special meeting of the Board held, following the public

hearing on the tentative budget, for the purposes of considering the tentative county budget, revising the tentative budget, and/or adopting and implementing the county budget for the next fiscal year, the provisions contained in paragraphs U and V of §4 and in §7 hereof need not be complied with in order for any resolution to be considered and acted upon at such meeting.

§10. PUBLIC HEARINGS

A. The Chairman of the Board shall have the power, and is hereby delegated the authority, to schedule public hearings for matters under consideration or to be considered by the Board or by any standing or special committee thereof.

B. The Chairman of the Board, the Chairman of the standing or special committee having jurisdiction thereof, or the Chairman's designee, shall preside over public hearings.

C. No quorum shall be required in order to convene or conduct a public hearing.

§11. PROCLAMATIONS

The Chairman of the Board shall have the power, and is hereby delegated the authority, to issue official proclamations on behalf of this Board and the County including, but not limited to Proclamations of Congratulations and Condolences.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION APPOINTING THE CLERK OF THE BOARD
OF SUPERVISORS AND THE ADMINISTRATOR OF THE
ESSEX COUNTY SELF INSURANCE PLAN**

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

BE IT RESOLVED that pursuant to County Law §475 the Essex County Board of Supervisors hereby appoints Judith A. Garrison to the office of Clerk of this Board of Supervisors, to serve during the life of this Board effective January 1, 2014 at the annual salary for 2014 of \$58,530.00; and

BE IT FURTHER RESOLVED that Judith A. Garrison be and she is hereby appointed as Administrator of the Essex County Self Insurance Plan.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

Resolution No. 3

January 6, 2014
Organizational Meeting

RESOLUTION APPOINTING A COUNTY ATTORNEY

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

BE IT RESOLVED that pursuant to County Law §500, the Essex County Board of Supervisors hereby appoints Daniel T. Manning, III to the office of Essex County Attorney, to serve for the life of this Board at the annual salary of \$131,551.17 for 2014.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

RESOLUTION APPOINTING A COUNTY AUDITOR

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

BE IT RESOLVED that pursuant to County Law §600, the Essex County Board of Supervisors hereby appoints Brenda Sullivan to the office of Essex County Auditor, to serve for the life of this Board at the annual salary of \$58,367.94 for 2014.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

RESOLUTION APPOINTING A PURCHASING AGENT

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

BE IT RESOLVED that pursuant to County Law §625, the Essex County Board of Supervisors hereby appoints Linda Wolf to the office of Essex County Purchasing Agent, to serve for the life of this Board at the annual salary of \$75,100.45 for 2014.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION AUTHORIZING COMPENSATION FOR THE
SUPERVISORS OF ESSEX COUNTY**

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

BE IT RESOLVED that, pursuant to County Law §200, the Supervisors of Essex County shall each be paid an annual salary of \$17,508.35 for services rendered to the County as members of the Board of Supervisors; and

BE IT FURTHER RESOLVED that the Chairman shall receive and be paid as compensation for services as Chairman of the Board, the annual salary of \$22,508.35; and

BE IT FURTHER RESOLVED that the Budget Liaison Officer shall receive and be paid as compensation for services as Budget Liaison Officer, the annual salary of \$19,508.35; and

BE IT FURTHER RESOLVED that such salaries are to be paid by the Essex County Treasurer in the same manner as other County salaries.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

Resolution No. 7

January 6, 2014
Organizational Meeting

**RESOLUTION DESIGNATING OFFICIAL
NEWSPAPERS FOR 2014**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby designates the Times of Ti, the Plattsburgh Press Republican, the Adirondack Daily Enterprise and the Glens Falls Post Star as the official newspapers of Essex County pursuant to Section 214 of the County Law for the publication of all local laws, notices, and other matters required by law to be published; and

BE IT FURTHER RESOLVED, and said newspapers are also hereby designated as the newspapers in which concurrent resolutions of this Board, election notices and the official canvass are to be published; and

BE IT FURTHER RESOLVED that news releases from various county departments, as occur from time-to-time, shall be sent to these newspapers in a sincere effort to keep all of the residents of the County fully informed on the activities of Essex County Government.

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

**RESOLUTION ORDERING THE CONFINEMENT
OF DOGS TO PROTECT THE DEER HERD**

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

WHEREAS, it has been determined by this Board of Supervisors, and substantiated by the New York State Department of Environmental Conservation, that the deer population in Essex County is suffering from severe depredation due to dogs attacking, chasing or worrying deer; and

WHEREAS, it is the duty of this Board of Supervisors to protect the natural resources of this County from unnecessary depredation, a duty that this Board has conscientiously accepted over the years.

BE IT RESOLVED pursuant to Section 122 of the Agriculture and Markets Law, that this Essex County Board of Supervisors hereby orders, that all dogs in the County shall be securely confined during the period of time beginning with the required publication of this notice and ending on May 1, 2014; and

BE IT FURTHER RESOLVED, that, pursuant to such law, if any dog shall kill or cripple any deer, the owner of such dog shall be subject to a civil penalty in the amount of \$100 for the first deer killed or crippled and \$150 for each additional deer so killed or crippled, to be recovered in an action brought by the Commissioner of Environmental Conservation.

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

**RESOLUTION ADOPTING AN INVESTMENT POLICY AND
DESIGNATING DEPOSITORIES FOR COUNTY FUNDS**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts the following investment policy, effective January 1, 2014:

§1. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on behalf of Essex County or on behalf of any other entity or individual.

§2. OBJECTIVES

The primary objectives of Essex County's investment activities are, in priority order:

- (a) to conform with all applicable federal, state and other legal requirements (legal);
- (b) to adequately safeguard principal (safety);
- (c) to provide sufficient liquidity to meet all operating requirements (liquidity);
and
- (d) to obtain a reasonable rate of return (yield).

§3. DEFINITIONS

For the purposes of this policy, the following terms shall have the definitions and meanings ascribed to them in §10 of the General Municipal Law:

- 1. Bank
- 2. Eligible Letter of Credit
- 3. Eligible Securities
- 4. Eligible Surety Bond
- 5. Local Government
- 6. Public Deposits
- 7. Public Funds
- 8. Trust Company

§4. DELEGATION OF AUTHORITY

The responsibility for administration of the investment program is delegated to the Essex County Treasurer, who shall establish written procedures for the operation of the investment program consistent with the provisions of this resolution. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information, and shall regulate the activities of subordinate employees.

§5. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in Essex County Government to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§6. DIVERSIFICATION

It is the policy of Essex County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

§7. INTERNAL CONTROLS

All funds received by any officer or employee of Essex County shall be handled and managed in compliance with the County's cash management policy.

The Essex County Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

§8. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies up to the maximum amounts set forth below are:

	<u>Name of Depository</u>	<u>Maximum Deposit Amount</u>
1.	NBT Bank Lake Placid, NY	\$ 20,000,000.00
2.	Champlain National Bank Westport, NY, & Elizabethtown, NY	\$20,000,000.00
3.	Glens Falls National Bank and Trust Co. Schroon Lake, NY, Ticonderoga, NY, & Port Henry, NY	\$20,000,000.00
4.	TD Bank Keeseville, NY	\$20,000,000.00
5.	JP Morgan Chase Bank Albany, NY	\$20,000,000.00
6.	Adirondack Bank Lake Placid, NY	\$20,000,000.00
7.	Community Bank, N.A. Saranac Lake, NY, Lake Placid, NY, Newcomb, NY and Tupper Lake, NY	\$20,000,000.00

§9. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law §10, all deposits of Essex County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by a pledge of (a) eligible securities, (b) eligible surety bonds, and/or (c) eligible letters of credit, with an aggregate "market value" as provided by General Municipal Law §10 equal to the aggregate amount of deposits.

§10. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable Essex County to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the

name of Essex County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to Essex County or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, Essex County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide Essex County a perfected interest in the securities.

§11. PERMITTED INVESTMENTS

As authorized by General Municipal Law §11, the Essex County Board of Supervisors authorizes the County Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- (a) special time deposit accounts;
- (b) certificates of deposit;
- (c) obligations of the United States of America;
- (d) obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- (e) obligations of the State of New York;
- (f) obligations issued pursuant to Local Finance Law §24.00 or 25.00 (with the approval of the State Comptroller) by any municipality, school district or district corporation other than Essex County;
- (g) obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments;
- (h) certificates of participation (COPs) issued pursuant to General Municipal Law §109-b;
- (i) obligations of Essex County, but only with any monies in a reserve fund established pursuant to General Municipal Law §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of Essex County within such times as the proceeds will be needed to meet expenditures or purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of Essex County within two (2) years of the date of purchase.

§12. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

Essex County shall maintain a list of financial institutions and dealers approved for investment purposes and shall establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which Essex County conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Chairman of the Board of Supervisors or the County Treasurer. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Essex County Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

§13. PURCHASE OF INVESTMENTS

The Essex County Treasurer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Essex County Board of Supervisors.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Essex County Board of Supervisors.

All purchased obligations, unless registered or inscribed in the name of Essex County, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to Essex County by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law §10.

The custodial agreement shall provide that securities held by a bank or trust company, as agent of and custodian for, Essex County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the

receipt and release of the securities. Such agreement shall include all provisions necessary to provide Essex County a perfected interest in the securities.

§14. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

1. All repurchase agreements must be entered into subject to a Master Repurchase Agreement;
2. Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers;
3. Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America;
4. No substitution of securities will be allowed;
5. The custodian shall be a party other than the trading partner.

§15. ELECTRONIC AND WIRE TRANSFER OF FUNDS

The Essex County Treasurer and his/her Deputy Treasurers are authorized to transfer County funds to and/or from any of the designated depositories set forth in §8 of this policy, as well as to/from any State or Federal Agency or Department, by electronic or wire transfer whenever the best interests of Essex County shall be promoted thereby; and the Chairperson and Clerk of this Board be and they hereby are authorized to certify to any such depository, agency and department that the Treasurer and/or Deputy Treasurers are so empowered.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION PURSUANT TO REAL PROPERTY TAX LAW
§554 AND §556 DELEGATING TO THE ESSEX COUNTY
AUDITOR THE AUTHORITY TO APPROVE CORRECTIONS TO
THE TAX ROLLS OF NOT MORE THAN \$2,500.00, AND THE
PAYMENT OF REFUNDS DUE AS A RESULT OF SUCH
CORRECTIONS**

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

BE IT RESOLVED that pursuant to Real Property Tax Law §554, subdivision 9, and §556, subdivision 8, the Essex County Board of Supervisors hereby delegates to the Essex County Auditor the authority to approve and authorize corrections to the tax rolls of not more than \$2,500.00, and to authorize payment of refunds due as a result of such corrections; and

BE IT FURTHER RESOLVED that in the event that the Essex County Auditor shall deny in whole or in part the correction of the tax rolls, the Auditor shall transmit to the Board of Supervisors for its review and disposition the written report of the investigation and recommendation of the County Director of Real Property Tax Services, together with both copies of the application and the reasons that the County Auditor denied the correction; and

BE IT FURTHER RESOLVED that where the recommendation of the County Director of Real Property Tax Services is to deny the application, or the correction requested is in an amount in excess of \$2,500.00, the County Director of Real Property Tax Services shall transmit the written report of the investigation and recommendation, together with both copies of the application, to this Board for its review and disposition; and

BE IT FURTHER RESOLVED that on or before the 15th day of each month, the Essex County Auditor shall submit a report to the Board of Supervisors of the corrections processed by the Auditor during the preceding month, and such report shall indicate the name of each recipient, the location of the property, and the amount of the correction approved.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

Resolution No. 11

January 6, 2014
Organizational Meeting

**RESOLUTION CHANGING THE DATE OF THE FEBRUARY 2014
REGULAR MEETING
FROM FEBRUARY 3rd TO FEBRUARY 6TH**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby changes the date for the February 2014 Regular Meeting of this Board from Monday, February 3rd to Thursday, February 6th, in order to avoid a conflict with the NYSAC Conference on February 3-5, 2014.

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

**RESOLUTION AMENDING RESOLUTION NO. 425 OF DECEMBER
30, 2013, AUTHORIZING CONTRACTS FOR INSURANCE
COVERAGE IN 2014**

The following resolution was offered by Supervisor Ferebee, 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 Resolution No. 425 of December 30, 2013, to add the following payments which were inadvertently omitted from the resolution:

- Fire and Ambulance Group Plan contribution payment of \$319,585.00, which includes 2% discount for paying on time;
- Annual payment to PERMA, which will save 2% when paying on time.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE
2014 ESSEX COUNTY BUDGET, TO INCREASE APPROPRIATIONS
AND ESTIMATED REVENUES IN THE AMOUNT OF \$775,430.00,
FOR THE SALE OF THE HORACE NYE HOME THROUGH
JANUARY 31, 2014, DUE TO A DELAY IN CLOSING DATE**

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 amends the 2014 Essex County Budget as follows:

1. Increase appropriations for the sale of the Horace Nye Home through January 31, 2014, due to a delay in the closing date, and increase estimated revenues by \$775,430.00, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
See Attached List of Accounts		\$775,430.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
See Attached List of Accounts		\$775,430.00

2. Increase appropriations by \$128,888.00 from Account A3909 un-appropriated fund balance to Account #99004 59904 transfer to Enterprise Health.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN
AND/OR COUNTY MANAGER TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING WITH CSEA
INCIDENT TO EXTENDING CERTAIN BENEFITS TO
COUNTY EMPLOYEES WHO ARE EMPLOYED AT THE
HORACE NYE HOME AFTER THEIR SEVERANCE FROM
EMPLOYMENT WITH ESSEX COUNTY**

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to enter into a MOU with CSEA incident to extending certain benefits to County employees who are employed at the Horace Nye Home after their severance from employment with Essex County, as follows:

1. This agreement is contingent upon the sale of the Horace Nye Nursing Home real property and physical building to Essex Land Associates LLC and the sale of all physical assets and other assets to Essex Operations Associates, LLC, and should either of these sales not occur, this agreement shall be rendered null and void.
2. Provided, and on condition that these sales occur, all current union employees working at the Horace Nye Home that would otherwise be entitled to longevity during the year of the takeover shall be paid their entire longevity pay and longevity pay shall be prorated. Employees shall not be given any longevity for periods of time during which they did not work after the sale.
3. Upon the sale and transfer of the real property and the assets to the Horace Nye Nursing Home, all employees will receive lay off notices and shall no longer be employed by Essex County at the nursing home.
4. The County shall provide County health insurance until the first of the month after the date of sale unless the new purchasers offer health insurance for this period, in which case the County shall not be obligated to pay additional health insurance premiums. Employees shall continue to pay their contribution to any health insurance which the County provides. Thereafter, they may avail themselves of COBRA coverage as provided by law.
5. The County shall pay employees for all vacation days that are on the books at the time of closing up to thirty (30) days and, for the year 2014, shall

- prorate and pay vacation time. No employee shall be paid more than a cumulative amount of thirty (30) days vacation time up to the sale or transfer.
6. Essex County agrees to pay out all Compensation Time to employees upon the sale.
 7. Employees shall be held harmless for any frontloaded sick, vacation or personal time which they may have used.
 8. Unless otherwise modified, except as provided herein, upon the transfer of the real property and assets, of the Horace Nye Home, the terms and conditions of the Collective Bargaining Agreement entered into between the parties of January 1, 2012 through December 31, 2015, shall be of no longer force and effect except those provisions which relate to layoff and recall (Article 20) and retirement benefits (Articles 30 and 31).
 9. This agreement shall be effective immediately.
 10. This agreement constitutes the entire agreement between the parties; and there are no other agreements, either written or oral, between the parties pertaining to the work/services or the funds encompassed by this agreement.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ANNE PULSIFER**

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

WHEREAS, Anne Pulsifer passed away on January 5, 2014; and

WHEREAS, Anne Pulsifer was born in Elizabethtown, New York on July 26, 1956, the daughter of Barney and Rose Anna (LeClair) Mousseau; and

WHEREAS, Anne Pulsifer worked for Essex County Department of Public Works - Buildings and Grounds having started in 1987; and

WHEREAS, Anne Pulsifer was known as "Auntie Anne" by her many nieces and nephews; was an avid gardener and had a special love for her flower beds; enjoyed spending time with her 10 grand dogs; loved to see the sunrise on the beach and had a smile and laugh that will never be forgotten; and

WHEREAS, Anne Pulsifer is survived by her husband of 39 years, Donald Pulsifer, Sr.; one daughter and son-in-law, Chrissy and Joe Olsen; one son, Donald Pulsifer, Jr.; her mother, Rose Anna Mousseau; and

WHEREAS, Anne Pulsifer is also survived by five brothers and sisters-in-law; Dan and Kristen Mousseau, Paul and Donna Mousseau, Jeffery and Linda Mousseau, Curtis and Holly Mousseau and Eric and Jennifer Mousseau; one sister and brother-in-law, Lori and Tom Wildey; and several nieces, nephews and cousins; and

WHEREAS, Anne Pulsifer was predeceased by her father, Barney Mousseau and her brother, Donald Mousseau; and

WHEREAS, Anne Pulsifer was the beloved wife of Donald Pulsifer, Sr., a long-time employee for the Essex County Department of Public Works; and

WHEREAS, Anne Pulsifer was a loving daughter, wife, mother, sister, aunt, cousin and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Anne Pulsifer; 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 Pulsifer family.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE ISSUANCE AND EXECUTION
BY THE COUNTY CHAIRMAN AND/OR COUNTY MANAGER OF AN
\$800,000.00 BOND ANTICIPATION NOTE
AT A RATE OF NO GREATER THAN 3%**

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

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

WHEREAS, pursuant to Resolution No. 219 dated July 1, 2013, the Essex County Board of Supervisors hereby authorized the issuance of up to \$5,500,000 aggregate principal amount serial bonds of the County of Essex, State of New York, pursuant to the local finance law, to finance the costs of the acquisition of land for the mitigation of flood damaged properties in and for the County; and

WHEREAS, said \$5.5 million serial bond resolution delegates the authority to issue Bond Anticipation Notes; and

WHEREAS, pursuant to said authority, this Board is desirous of authorizing the execution of an \$800,000.00 BAN for the purposes of providing funding for the Buyout properties until such time as the County of Essex receives FEMA Buyout monies.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes, in accordance with the hereinabove referenced Resolution No. 219 dated July 1, 2013, the issuance and execution of up to an \$800,000.00 BAN by the Essex County Chairman and/or County Manager and, as previously provided, by the Essex County Treasurer for the purposes of use for the purchase of Buyout properties which monies will be reimbursed upon the receipt of FEMA grant monies.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION AUTHORIZING A CONTRACT RENEWAL WITH
THE LANCASTER GROUP, LLC**

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to execute a contract renewal with The Lancaster Group, LLC for billing services at the Horace Nye Home to extend the term of the contract through March 31, 2014; and the cost for such services shall be as follows: \$8,000.00 per month for January, February and March; \$6,000.00 for the month of April; and \$4,000.00 for month of May.

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

AYES: 2886 votes
NOES: 0 votes
ABSENT: 35 votes (Canon)

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
VERNON B. FEREBEE**

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

WHEREAS, Vernon Bridgeman Ferebee passed away on December 26, 2013; and

WHEREAS, Vernon Bridgeman Ferebee was the beloved brother of William Ferebee, Vice-Chairman of the Essex County Board of Supervisors; and

WHEREAS, Vernon Bridgeman Ferebee is survived by two daughters, Danielle Basham and Samantha Ferebee; two sons, Adam and Timothy Ferebee; 8 grandchildren, one sister, Patty Ferebee and one brother, Hon. William Ferebee, Supervisor of the Town of Keene and a member of this Body; and

WHEREAS, Vernon Bridgeman Ferebee was a loving son, father, grandfather, brother, uncle and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Vernon Bridgeman Ferebee; 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 Ferebee family.

This resolution was unanimously seconded and adopted.