

**RESOLUTION AUTHORIZING APPOINTMENTS TO
BOARDS, COMMITTEES AND/OR COUNCILS**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the following appointments:

From the Human Services Committee:

1. Appointing Edie Poland as a member of the Essex County Community Services Board (CSB), for the term September 1, 2016 through December 31, 2017.
2. Appointing Edie Poland as a member of the CSB Developmental Disabilities Subcommittee, for the term September 1, 2016 through December 31, 2016.

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

**RESOLUTION RECOGNIZING THE
MONTH OF SEPTEMBER, 2016
AS SUICIDE PREVENTION MONTH AND
THE WEEK OF SEPTEMBER 5-11, 2016
AS NATIONAL SUICIDE PREVENTION WEEK**

The following resolution was offered Supervisors Monty and Harrington, 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.

WHEREAS, suicide is the tenth (10th) leading cause of death in the United States and the second leading cause of death among youths aged 15 to 24 years old; and

WHEREAS, the suicide rate in Essex County has been two times higher than the rate for the rest of New York State during the past ten years; and

WHEREAS, suicide has a devastating impact upon families, communities and businesses; and

WHEREAS, suicide can be prevented by early recognition and appropriate intervention; and

WHEREAS, it is important that all citizens and communities learn about the warning signs for suicide and how to connect individuals in crisis with assistance and care; and

WHEREAS, recognizing Suicide Prevention Week and September as Suicide Prevention Month will increase knowledge of the factors that offer protection from suicidal behaviors and promote wellness and recovery for all citizens of Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors does hereby proclaim the month of September as "Suicide Prevention Month in Essex County" and September 5-11, 2016, as "National Suicide Prevention Week in Essex County" to increase awareness and knowledge so that all citizens and communities learn about the warning signs and connect those individuals in crisis to the accessible services that offer protection from suicidal behaviors and promote wellness and recovery for all citizens of Essex County.

This resolution was unanimously seconded and adopted.

Resolution No. 227

September 6, 2016
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY OFFICE FOR
THE AGING TO HOLD A PUBLIC HEARING IN THE MONTH OF
OCTOBER, ON THE PROPOSED 2017-2018 STATE FISCAL YEAR
ANNUAL UPDATE**

The following resolution was offered by Supervisor Monty, 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 Essex County Office for the Aging to hold a Public Hearing to be held in the month of October, on the proposed 2017-2018 State Fiscal Year annual update.

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

**RESOLUTION AMENDING RESOLUTION NO. 251 OF SEPTEMBER 6, 2011,
WEIGHTS AND MEASURES 2011 DEVICE FEE SCHEDULE, TO INCLUDE AN
UPDATE TO THE FEE SCHEDULE PROVIDED BY THE NEW YORK STATE
WEIGHTS AND MEASURES REGULATION PART 220.3 SCALE FEES**

The following resolution was offered by Supervisor Tyler, 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 amends Resolution No. 251 of September 6, 2011, for proposed Essex County Weights and Measures 2011 Device Fee Schedule, to include an update to the fee schedule provided in the New York State W&M Regulation - NYCRR Part 220.3 in accordance with Agriculture and Markets Law §181 and placed on file with the Clerk of the Board and the Essex County Treasurer; and

BE IT FURTHER RESOLVED, that except as herein amended above, all terms and conditions of the existing Resolution No. 251 of September 6, 2011, shall remain in full force and effect.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Scozzafava, 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 2016 Essex County Budget as follows:

From Public Safety Committee:

1. From the Emergency Services Department to increase revenues and appropriations in the amount of \$216,708.00, from NYSEG share of capital portion of radio project, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42397	NYSEG	\$216,708.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
H30214 5422	Task #06-3	\$216,708.00

2. From the Emergency Services Department to increase revenues and appropriations in the amount of \$166,248.00, 2015-16 PSAP operations grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3020 44967	PSAP	\$166,248.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
30202	Other Equipment	\$166,248.00

3. From the Public Defenders Office to increase revenues and appropriations in the amount of \$63,832.00, year one of three year Indigent Legal Services grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1170 43089010	Indigent Legal Services	\$63,832.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
11704 5110	Regular Wages	\$48,251.00
11704 5497	Mileage	7,500.00
11704 5426	Lexis Nexis	4,581.00
11704 5400INV	Technology	<u>3,500.00</u>
		\$63,832.00

From the DPW Committee:

1. From the Department of Public Works to increase revenues and appropriations in the amount of \$399,000.00, from Highway unexpended fund balance, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
DM 3909	Highway	\$399,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51302 5240	Hwy Equipment	\$399,000.00

BE IT FURTHER RESOLVED, in accordance with Resolution No. 65 of March 7, 2016.

From the Personnel Committee:

1. From the County Clerk's Office to increase revenues and appropriations in the amount of \$22,401.00, New York State Archives LGRMIF grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1460LGR	LGRMIF	\$22,401.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
14604 5440LGR	LGR	\$22,401.00

From the Ways & Means Committee:

1. From the Transportation Department to increase revenues and appropriations in the amount of \$41,234.00, Accelerated Transit Capital (ATC) funding grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
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5631 43597 NYS ATC \$41,234.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
35117 5230	Auto Equipment	\$41,234.00

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE CHAIRMAN OR COUNTY
MANAGER TO EXECUTE A SERVICES AGREEMENT WITH
MOTOROLA SOLUTIONS IN THE AMOUNT OF \$179,823.36,
FOR THE PUBLIC SAFETY BUILDING RADIO
COMMUNICATIONS SYSTEM FOR THE TERM APRIL 1, 2016
THROUGH MARCH 31, 2017, WITH FUNDS TO COME FROM
THE RADIO PROJECT**

The following resolution was offered by Supervisor Miga, 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 Chairman or County Manager to execute a services agreement with Motorola Solutions, bearing Contract No. S00001024433, in the amount of \$179,823.36, for the contract term April 1, 2016 through March 31, 2017, for the Public Safety Building Radio Communications System, with funds to come from the Radio Project.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE EMERGENCY SERVICES
DEPARTMENT TO PURCHASE A MOTOROLA GTR8000
SPARE RADIO FROM WELLS COMMUNICATIONS, FROM
NEW YORK STATE CONTRACT PT67405, IN THE AMOUNT
OF \$14,980.00, 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 Emergency Services Department to purchase, from State Contract PT67405, a Motorola GTR8000 spare base radio, in the amount of \$14,980.00, with funds to come from the Radio Project.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
EMERGENCY SERVICES DEPARTMENT TO APPLY FOR AND
ACCEPT A GRANT FROM NEW YORK STATE DIVISION OF
HOMELAND SECURITY PUBLIC SAFETY ANSWERING POINT
(PSAP) FOR FY2016-2017 IN THE AMOUNT OF \$166,000.00**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Emergency Services Department to apply for and accept a grant from the NYS Division of Homeland Security PSAP for FY2016/17, in the amount of \$166,000.00; and

BE IT FURTHER RESOLVED, that the County Chairman and/or County Manager hereby authorized to execute all paperwork for the above referenced grant.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
PURCHASING AGENT TO GO TO BID FOR AN ENGINEERING
STUDY TO INSTALL A 48 VOLT POWER SUPPLY AT THE
ANGIER HILL RADIO SITE**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Purchasing Agent to go to bid for an engineering study to install a 48 volt power supply at the Angier Hill radio site.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

RESOLUTION APPROVING THE ISSUANCE BY THE ESSEX CAPITAL RESOURCE CORPORATION OF CERTAIN TAX-EXEMPT QUALIFIED 501(C)(3) REVENUE BONDS TO FINANCE A PROJECT FOR THE ADIRONDACK MEDICAL CENTER D/B/A ADIRONDACK HEALTH, IN THE TOWN OF NORTH ELBA, COUNTY OF ESSEX, NEW YORK

The following resolution was offered by Supervisor Politi, 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, pursuant to Section 1411 of the New York Not-For-Profit Corporation Law (the “Act”), the Board of Supervisors of County of Essex, New York (the “Board of Supervisors”) has heretofore appointed the Chairperson and members of the Essex County Capital Resource Corporation, a local development corporation and a local authority (the “Corporation”), acting on behalf of the County of Essex, New York (the “County”) and has duly caused to be filed in the office of the Secretary of the State of New York the certificate of incorporation of the Corporation; and

WHEREAS, to accomplish its stated purposes, the Corporation is authorized and empowered under the Act to issue its qualified 501(c)(3) revenue bonds to finance the cost of the acquisition, construction, reconstruction and equipping of one or more “projects” (as defined in the Act), to acquire, construct, reconstruct and equip said projects or to cause said projects to be acquired, constructed, equipping and installation of one or more projects or to cause said projects to be acquired, constructed, equipped and installed, and to issue bonds or other evidence of indebtedness to finance said projects; and

WHEREAS, Adirondack Medical Center d/b/a Adirondack Health, a New York not-for-profit 501(c)(3) corporation organized and existing under the laws of the State of New York (the “Company”), has presented an application to the Corporation, a copy which is on file at the office of the Corporation, requesting that the Corporation consider undertaking: (i) to issue its tax-exempt multi-modal 501(c)(3) revenue bonds in one or more issues or series in the principal amount not to exceed \$10,500,000 (the “Bonds”) in order to finance the project described in the following paragraph (the “Project”); (ii) to cause the Project to be acquired, constructed, equipped and installed; and

WHEREAS, the Project consists of the following: (A) the financing and refinancing of a project consisting of (i) the acquisition, construction, equipping and installation of a new Medical Fitness Center to be constructed on the Hospital’s Uihlein Campus, located on Old Military Road (County Route 35) in the Town of North Elba, New York, with a total square footage of 41,275 square feet, including a 12,000 square foot rehabilitation/medical fitness center that will service rehabilitation patients and include a three lane lap pool, offices, exam rooms, a part-time emergency department, a small medical imaging suite and a small clinical laboratory (collectively, the “Facility”), (ii) the acquisition and installation in the Facility of various machinery, equipment and furnishings (the “Equipment”), and (iii) certain costs of issuance (clauses (i), (ii), and (iii) are hereinafter collectively referred to as the “Project”); and

WHEREAS, the Board of Supervisors has been advised by the Corporation that the Corporation proposes to issue, subsequent to the adoption of this resolution, its tax-exempt qualified 501(c)(3) revenue bonds, from time to time, in principal amounts sufficient to fund all or a portion of the costs of (i) the acquisition, constructing, equipping and

installation of the Project, together with incidental costs in connection therewith and (ii) the payment of certain costs of issuance to finance the Project; and

WHEREAS, the Project will constitute a qualified non-for-profit medical and health care facility and the Bonds will constitute “qualified 501(c)(3) bonds” pursuant to Section 145) of the Internal Revenue Code of 1986, as amended (the “Code”). Accordingly, the Corporation has prepared and published a notice of public hearing in compliance with Section 147(f) of the Code; and

WHEREAS, the Corporation conducted said public hearing on August 8, 2016 and, upon the receipt of terms of financing from the underwriter or purchaser of the Bonds, will adopt a bond resolution authorizing the Bonds; and

WHEREAS, the Board of Supervisors has received notice from the Corporation that it is the preliminary determination of the Corporation that the Project will not have a “significant impact on the environment” within the meaning of Article 8 of the Environmental Conservation Law of the State of New York; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Essex, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income pursuant to the applicable provisions of the Code, the Board of Supervisors, as the elected legislative body of Essex County, New York, for purposes of Section 147(f) of the Code, hereby approves the issuance by the Corporation of the Bonds, provided that the Bonds, and the premium, if any, and interest thereon, shall be special obligations of the Corporation and shall never be a debt of the State of New York, the County of Essex nor any political subdivisions thereof (other than the Agency), and neither the State

of New York, the County of Essex nor any political subdivisions thereof (other than the Agency) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

This resolution was duly seconded by Supervisor Miga, and adopted upon a roll-call

vote as follows:

AYES:	2239	votes	
NOES:	0	votes	
ABSENT:	682	votes	(Giordano, Gilliland, Marnell)

I, **JUDITH A. GARRISON**, Clerk of the County Board of Supervisors of the County of Essex, New York (the "County"),

HEREBY CERTIFY as follows:

1. A regular meeting of the Board of Supervisors of the County of Essex was duly held on September 6, 2016, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of the Board of Supervisors of the County.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Supervisors of the County who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the seal of the Board of Supervisors of the County, this ___ day of September, 2016.

(SEAL)

JUDITH A. GARRISON
Clerk of the Board of Supervisors of the
County of Essex, New York

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD BID, IN
ACCORDANCE WITH RESOLUTION NO. 192 OF JULY 5, 2016,
TO TAYLOR RENTAL IN THE AMOUNT OF \$31,000.00,
FOR TWO (2) DIGITAL INFORMATIONAL SIGNS, FROM BUDGETED FUNDS**

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

Upon the recommendation of the DPW 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 award bid to Taylor Rental for two (2) digital informational signs in the amount of \$31,000.00, in accordance with Resolution No. 192 of July 5, 2016, from budgeted funds.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE HEALTH AND SAFETY DEPARTMENT TO
ACCEPT AN OCCUPATIONAL SAFETY AND HEALTH HAZARD ABATEMENT
BOARD GRANT IN THE AMOUNT OF \$5,405.00,
FOR COUNTY AND TOWN SAFETY TRAINING
FOR THE PERIOD OF AUGUST 1, 2016 THROUGH JULY 31, 2017**

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

Upon the recommendation of the DPW 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 Health and Safety Department to accept an Occupational Safety and Health Hazard Abatement Board grant in the amount of \$5,405.00, for County and Town Safety Training, for the period of August 1, 2016 through July 31, 2017; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute any documents for the above-referenced grant.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE HIRING OF A TEMPORARY FULL-TIME
EMPLOYEE IN THE FISH HATCHERY DEPARTMENT**

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

Upon the recommendation of the DPW 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 hiring of a Temporary Full-Time Fish Hatchery Technician, Grade 8, at the hourly rate of (hired prior to 2009) \$16.85/hour and (hired after 2009) of \$15.17/hour.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD RFP TO ARCHITECTURAL ENGINEERING DESIGN ASSOCIATES FOR ARCHITECTURAL SERVICES ON THOSE PROJECTS UNDER \$20,000.00 INDIVIDUALLY ONLY AND TO BE PAID AT THE HOURLY RATE BY TITLE, FROM BUDGETED FUNDS; AND AUTHORIZING CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT FOR THE SAME

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

Upon the recommendation of the DPW 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 award RFP to Architectural Engineering Design Associates for architectural services on those projects under \$20,000.00 individually only, to be paid at the hourly rate by title, from budgeted funds; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are authorized to execute a contract for the same.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION URGING GOVERNOR CUOMO TO SIGN INTO LAW
PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/ A.10706)**

The following resolution was offered by Supervisor Tyler, 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, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State; and

WHEREAS, the New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832]; and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010; and

WHEREAS, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties and creating an unequal system of justice in the remaining counties of the State; and

WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, relieving the taxpayers of Essex and the other counties of the State and New York City to fund this State mandate; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Senator Betty Little, Assemblyman Dan Stec, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the Chief Defenders Association of New York (CDANY), and the New York State Association of Counties (NYSAC).

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE ESSEX COUNTY CLERK'S OFFICE TO ACCEPT
A GRANT FROM THE NEW YORK STATE ARCHIVES LOCAL GOVERNMENT
RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) IN THE AMOUNT OF
\$22,401.00, FOR THE IMAGING OF TAX ROLLS; AND FURTHER AUTHORIZING
THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT FOR THE
SAME**

The following resolution was offered by Supervisor Tyler, 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 Essex County Clerk's Office to accept a grant from the NYS Archives Local Government Records Management Improvement Fund (LGRMIF) in the amount of \$22,401.00, for the imaging of tax rolls; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute a contract for the above-referenced grant.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
MARGARET "PEG" SCHNEIDER**

The following resolution was offered by Supervisor Gardner, 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, Margaret "Peg" Schneider of Willsboro, New York peacefully passed away at her home on August 12, 2016, with her children and grandchildren at her side; and

WHEREAS, Margaret "Peg" Schneider was born in Allentown, Pennsylvania on December 28, 1932, the daughter of Bruce and Hannah Cunningham; and

WHEREAS, Margaret "Peg" Schneider was married Kenneth Schneider and together raised five children; and

WHEREAS, Margaret "Peg" Schneider was a real estate broker and became a legal secretary having finished her career at Prisoner's Legal Services; and

WHEREAS, Margaret "Peg" Schneider was always involved with her church and local theater but family was most important and her home was the gathering place for all events; and

WHEREAS, Margaret "Peg" Schneider is survived by her husband, Kenneth Schneider, her sons, Scotty (Linda) Schneider and Randy Schneider; her daughters, Sue Neilly, Anne (Scott) Marcotte and Meg Schneider; grandchildren, Donna (John) Pearson, Hannah (Kyle) Jacques, Allison Neilly, Sam Marcotte, Adam Schneider, Ryan Schneider, Nikki Schneider, Rachel Schneider and Austin Ferris; as well as two great granddaughters, Emma and Layla Jacques; and

WHEREAS, Margaret "Peg" Schneider was a loving daughter, wife, mother, grandmother, great-grandmother, sister, aunt, cousin and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors, Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Margaret "Peg" Schneider; 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 Schneider family.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE NEW YORK STATE
DEFERRED COMPENSATION PLAN TO OFFER ROTH
DESIGNATED CONTRIBUTIONS FOR ESSEX COUNTY
EMPLOYEES**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the New York State Deferred Compensation Plan to offer Roth Designated Contributions for Essex County employees.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

Resolution No. 243
Amended

September 6, 2016
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
GO OUT TO RFP TO CONDUCT TITLE SEARCHES FOR
FORECLOSED PROPERTIES FOR THE TAX YEARS 2013,
2014 AND 2015, WITH THE COST TO COME FROM THE
GENERAL FUND**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to go out to RFP to conduct title searches for foreclosed properties for the tax years 2013, 2014 and 2015, with the cost to come from the General Fund.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
AWARD BID TO BURKE EXCAVATION IN THE AMOUNT OF
\$48,390.00, FOR ASBESTOS ABATEMENT AND BUILDING
DEMOLITION AT THE ESSEX COUNTY FISH HATCHERY, FROM
BUDGETED FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to award bid to Burke Excavation in the amount of \$48,390.00, for asbestos abatement and building demolition at the Essex County Fish Hatchery, from budgeted funds; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute a contract for the same.

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

AYES: 2138 votes
NOES: 101 votes (Preston)
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING A CONTRACT WITH THE
NATIONAL COUNCIL FOR BEHAVIORAL HEALTH AND MTM
SERVICES, AS SOLE PROVIDERS, FOR COLLABORATIVE
DOCUMENTATION TRAINING IN THE ESSEX COUNTY
MENTAL DEPARTMENT, IN THE AMOUNT OF \$8,000.00 PLUS
TRAVEL COSTS FOR ON-SITE TRAINING, FROM BUDGETED
FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes to contract with the National Council for Behavioral Health and MTM Services, a sole provider, for collaborative documentation training in the Essex County Mental Health Department, in an amount of \$8,000.00 plus travel costs for on-site training, from budgeted funds; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute a contract for the same.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE PUBLIC HEALTH
DEPARTMENT TO APPLY FOR AND ACCEPT A GRANT
FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY
HEALTH OFFICIALS (NACCHO) IN THE AMOUNT OF
\$14,000.00, AND AUTHORIZING THE CHAIRMAN OR COUNTY
MANAGER TO EXECUTE THE SAME**

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

Upon the recommendation of the 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 Essex County Public Health Department to apply for and accept a grant from the National Association of County and City Health Officials (NACCHO), in the amount of \$14,000.00; and

BE IT FURTHER RESOLVED, that this Board further authorizes the Chairman and/or County Manager to execute the same.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE PUBLIC HEALTH
DEPARTMENT TO APPLY FOR AND ACCEPT A THREE YEAR
GRANT FROM LINKING INTERVENTIONS FOR TOTAL
POPULATION HEALTH (LIFT) IN THE TOTAL AMOUNT OF
\$500,000.00, AND AUTHORIZING THE CHAIRMAN OR
COUNTY MANAGER TO EXECUTE THE SAME**

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

Upon the recommendation of the 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 Essex County Public Health Department to apply for and accept a three year grant from Linking Interventions for Total Population Health (LIFT) in the amount of \$500,000.00; and

BE IT FURTHER RESOLVED, that this Board further authorizes the Chairman and/or County Manager to execute the same.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
PURCHASING AGENT TO GO TO BID AND AWARD FOR A
PORTACOUNT PRO MODEL 8038 OR COMPARABLE N95 MASK
FITTING MACHINE FOR THE PUBLIC HEALTH DEPARTMENT, IN
AN AMOUNT NOT TO EXCEED \$16,000.00, FROM BUDGETED
FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Purchasing Agent to go to bid and award for a Portacount Pro Model 8038 (or comparable) N95 mask fitting machine for the Public Health Department, in an amount not to exceed \$16,000.00, from budgeted funds; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute documents for the same.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE PURCHASE OF A KONICA
MINOLTA BIZHUB C368 MULTI-FUNCTION PRINTER IN THE
ESSEX COUNTY SHERIFF'S DEPARTMENT, IN THE AMOUNT
OF \$6,445.85, FROM BUDGETED FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the purchase of a Konica Minolta BizHub C368 multi-function printer in the Essex County Sheriff's Department, in the amount of \$6,445.85, from budgeted funds.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE TRANSPORTATION
DEPARTMENT TO APPLY FOR AND ACCEPT A NEW YORK
STATE DEPARTMENT OF TRANSPORTATION ACCELERATED
TRANSIT CAPITAL (ATC) FUNDING GRANT IN THE AMOUNT OF
\$41,234.00**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Transportation Department to apply for and accept a NYS DOT Accelerated Transit Capital (ATC) funding grant in the amount of \$41,234.00.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
RFP FOR MATERIALS TO BUILD A POLE BARN IN
TRANSPORTATION DEPARTMENT TO HOUSE THE ESSEX
COUNTY BUSES**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to RFP for materials to build a pole barn in the Transportation Department to house the County buses, with funds to come from the ATC grant.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE SUBMISSION OF
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION -
HOME BUYER ASSISTANCE PROGRAM FOR FISCAL YEAR
2016**

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.

WHEREAS, Essex County has identified housing and assistance low/moderate income homebuyers, as its most severe community development need; and

WHEREAS, the proposed program area is hereby defined as having many low/moderate income families and many substandard houses for sale, with substandard being defined as:

- A structure or dwelling unit which has one or more major structural defects, but can still be repaired for a reasonable amount; and

WHEREAS, the only affordable means of financing a program designed to meet these needs is to secure funding from the New York State Office of Community Renewal Community Development Block Grant (CDBG) Program; and

WHEREAS, due to the sparsely populated character of the proposed program area, with homes scattered over a large geographical area, a non-target methodology is to be employed to assist only low and moderate income persons.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman to sign and submit an application for fiscal year 2016 to the New York State Office of Community Renewal for a community development program for home purchase assistance, housing rehabilitation and/or wells and septic improvements and to act in connection with the submission of the application and to provide such additional information as may be required for Home Buyer Assistance Program; and

BE IT FURTHER RESOLVED, that the Housing Assistance Program of Essex County, Inc. will perform administrative services as a sub-recipient for the County of Essex; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors has adopted the following:

- Citizen Participation Plan
- Residential Anti-Displacement and Relocation Assistance Plan
- Excessive Force Policy
- Lead Based Paint Plan
- Housing Rehabilitation Program Policy and Procedures

all of which are on file at the office of Housing Assistance Program of Essex County (HAPEC).

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
DEPARTMENT OF PUBLIC WORKS TO APPLY FOR AND
ACCEPT MULTIPLE GRANTS FROM THE BRIDGE NY
PROGRAM, IN AN AMOUNT OF \$10.4 MILLION FOR 2016-2017**

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 Department of Public Works to apply for and accept multiple grants from the Bridge NY Program for FY2016-2017, for 4 Bridge Projects and 4 Culvert Projects, in an amount of \$10.4 million; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute all grant applications and grant contracts for the above referenced grants.

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

AYES: 2239 votes
NOES: 0 votes
ABSENT: 682 votes (Giordano, Gilliland, Marnell)

**RESOLUTION OF APPRECIATION AND CONGRATULATIONS
TO
LANITA CANAVAN
ESSEX COUNTY TREASURER'S OFFICE
FOR THIRTY YEARS OF DEDICATED SERVICE**

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

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

WHEREAS, Lanita Canavan began working for Essex County on June 2, 1986, in the Treasurer's Office as an Account Clerk; and

WHEREAS, Lanita Canavan has dedicated 30 years of service to Essex County; and

WHEREAS, Lanita Canavan is currently Payroll Specialist and continues to work in the Essex County Treasurer's Office; and

WHEREAS, the Essex County Board of Supervisors wishes to congratulate Lanita Canavan on her accomplishments and continued service to Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates and commends Lanita Canavan for her 30 years of dedicated service to Essex County; 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 Lanita Canavan.

This resolution was unanimously seconded and duly adopted.