

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Merrihew, 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 2019 Essex County Budget as follows:

From Human Services Committee:

1. From Office for the Aging, to increase revenues and appropriations in the amount of \$5,247.50, insurance recovery funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6772 42680	Insurance Recovery	\$5,247.50

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
67722 5230	Auto Equipment	\$5,247.50

2. From the Health Department, to increase revenues and appropriations in the amount of \$9,779.34, carryover of Recruitment and Retention funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4189 416013RR	Medicaid R&R	\$9,779.34

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41894 5487RR	Medicaid R&R	\$9,779.34

3. From the Health Department, to increase revenues and appropriations in the amount of \$3,176.18, from P4P DY3, Adirondack Health Institute (AHI) DSRIP

funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4189 43450DSR	DSRIP	\$3,176.18

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41894 54DSRIP	DSRIP	\$3,176.18

4. From the Health Department, to increase revenues and appropriations in the amount of \$224,180.75, unexpended 2018 DSRIP funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4189 43450DSR	DSRIP	\$224,180.75

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41894 54DSRIP	DSRIP	\$224,180.75

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO
TO BID OR RFP FOR VARIOUS SERVICES**

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

Upon the recommendation of 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 Purchasing Agent to go to bid or RFP for the following:

From Human Services Committee:

1. For the Mental Health Department - Bid and award for:
18 chairs in an amount not to exceed \$6,500.00;
Doors in an amount not to exceed \$15,000.00;
Carpet installation in an amount not to exceed \$25,000.00

From Ways and Means Committee:

1. For DPW -
Bid for furnishing and installing a temporary bridge at the Tahawus Road over Sanford Lake.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING ESSEX COUNTY TO ENTER
INTO A CONTRACT WITH RICHARD LIOTTA, PhD, AND
SUSAN FRASER, PsyD, FOR PSYCHIATRIC ASSESSMENTS
FOR COURT ORDERED 730 EVALUATIONS**

The following resolution was offered by Supervisor Harrington, 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 Essex County to enter into a contract with Richard Liotta, PhD and Susan Fraser, PsyD for psychiatric assessments for 730 evaluation services for court ordered evaluations, at the rate of \$250.00 per evaluation for Dr. Liotta; and \$150.00 per hour for Susan Fraser, PsyD, plus travel expenses, for the Mental Health Department, from budgeted funds; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute said contracts.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION OF APPRECIATION TO
LINDA L. BEERS
DIRECTOR OF ESSEX COUNTY HEALTH DEPARTMENT**

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

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

WHEREAS, the New York State Public Health Association (NYSPHA) has awarded Linda L. Beers, Director of Essex County Health Department, the Public Health Leadership award for her outstanding leadership qualities; and

WHEREAS, Linda came to the Essex County Health Department on November 1, 2010, as the Essex County Director of Children's Services and became the Director of the Health Department on October 3, 2011; and

WHEREAS, Linda currently provides internal leadership for the Children's Services, WIC, Home Care and Public Health Units; and

WHEREAS, she actively represents Essex County residents on a legislative level with her NYSACHO and NYSPHA engagement and is the Chairperson of the NYSACHO Maternal Child Health Committee; and

WHEREAS, Linda supported the initiation of the Essex County Public Health "Bridging the Gap" grant which facilitated the creation of the Essex County Heroin and Opioid Coalition (ECHO) and many other risk reduction initiatives; and

WHEREAS, Linda was instrumental in passing Tobacco 21 legislation in Essex county, making it a priority to reach out to community members, stakeholders, Board of Supervisors, New York State Department of Health and other county legislators and serves on the Governor's Tobacco Control Committee; and

WHEREAS, she spearheaded the Essex County Health Department's accreditation efforts, which will most likely result in Essex County becoming the first partial service county to be accredited; and

WHEREAS, Linda is on the Board of the New York State Health Foundation; and

WHEREAS, Linda continues to collaborate closely with the Essex County Department of Social Services and Essex County Mental Health Department to ensure strength in partnership led initiatives.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby offers its appreciation to Linda L. Beers, Director of Essex County Health Department for her dedication and sincere gratitude upon serving the residents of Essex County and congratulations upon receiving the New York State Public Health Association (NYSPHA) Public Health Leadership award for outstanding leadership qualities; and

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

This resolution was unanimously seconded and adopted.

RESOLUTION AMENDING RESOLUTION NO. 102 OF MAY 6, 2019, TO AMEND THE BUDGET AMENDMENT AMOUNTS IN THE HEALTH DEPARTMENT, \$1,358.00 AND \$3,671.25 (DSRIP FUNDS) TO \$0, AS THESE WERE PREVIOUSLY REQUESTED ON RESOLUTION NO. 40 OF MARCH 4, 2019 AND DUPLICATED

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

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

WHEREAS, this Board pursuant to Resolution No. 102 of May 6, 2019, authorizing Budget Amendments for various departments; and

WHEREAS, it is necessary to amend Resolution No. 102, as this was done on prior Resolution No. 40 of March 4, 2019.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends Resolution No. 102 of May 6, 2019, to change the Budget Amendment amounts to \$0.00, as follows:

1. From the Health Department, to decrease revenues and appropriations in the amount of \$1,358.00, from DSRIP funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4189 43450DSR	DSRIP	(\$1,358.00)

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41894 54DSRIP	DSRIP	(\$1,358.00)

2. From the Health Department, to decrease revenues and appropriations in the amount of \$3,671.25, from DSRIP funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4189 43450DSR	DSRIP	(\$3,671.25)

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41894 54DSRIP	DSRIP	(\$3,671.25)

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION ADOPTING AND APPROVING THE QUALITY
IMPROVEMENT REVIEWS AND POLICIES AND
PROCEDURES FOR THE HEALTH DEPARTMENT APPROVED
BY THE PUBLIC HEALTH ADVISORY COUNCIL (PHAC)
REVIEWED JUNE 4, 2019**

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.

WHEREAS, listed below are the policies and procedures and quarterly reports which were submitted and approved by the Professional Advisory/Public Health Advisory Committee for 2nd Quarter 2019:

Medical Director review of the following policies and/or procedures on June 4, 2019 by PHAC:

1. N - Public Health Asset Distribution (PHAD) Plan
2. A - R County Vehicle Policy and Procedure
3. A - R Exposure Prevention and Response Policy and Procedure
4. A - R Agency Policy Plan and Procedure Staff Requirements Policy and Procedure
5. R - Rabies Surveillance, Prevention and Control Policy and Procedure
6. R - Work Force Development Plan
7. A - R Automated External Defibrillator Policy and Procedure
8. A - R Building Use Policy and Procedure
9. A - R Dress Code Policy and Procedure
10. A - 24/7 Contact Capacity Policy and Procedure
11. A-NC RHIO, HIXNY
A - Adapted VNA Policies and Procedures
12. A-NC Labs and Specimens - Blood - Venipuncture
13. A-NC Labs and Specimens - Requisitions and Transportation
14. A-NC Labs and Specimens - CLIA Waived Testing
15. A-NC Labs and Specimens - Blood-Capillary Specimen
16. A-NC Hand Hygiene
17. A-NC Bag Technique
18. A-R Labs and Specimens - Sputum
19. A-R Labs and Specimens - Stool
20. A-R Governing Authority Policy and Procedure
21. R - Communicable Disease Policy and Procedure (combined with FBD)
22. R-AW Emergency Communications Policy and Procedure
23. R-AW Emergency Operations Policy and Procedure
24. NC Job Description Review Policy and Procedure

25. R - Inventory Policy and Procedure

AW = Agency wide; R= Revised; N= New; NC= No Change

- **Medical Director review of D & TC Public Health Essential Services and related Records/Reports for the 2nd Quarter of 2019 - No Specific Action Required.**

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts, adopts, approves, or places on file the herein above referenced Public Health Medical Director Policy/Procedure Review by the PHAC.

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

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

The following resolution was offered by Supervisor Monty, 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 accepts, adopts and/or places on file the following:

Human Services Committee:

1. The 2018 Essex County Public Health Annual Report.

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT
TO ADIRONDACK HEALTH FOR THE USE OF COUNTY
ROADWAYS FOR THE 2019 ANNUAL NURSING 5K RUN
EVENT, SCHEDULED FOR SUNDAY, SEPTEMBER 22, 2019,
UPON THE EXECUTION OF A PERMIT AND
THE ISSUANCE OF INSURANCE**

The following resolution was offered by Supervisor Depo, 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.

WHEREAS, the Adirondack Health 2019 Annual Nursing 5K Run Event will take place within Essex County on Sunday, September 22, 2019; and

WHEREAS, the organizers of the event have requested the use of certain County roadways for the event, which roadways will either be closed or partially closed for all or a portion of the race.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its Superintendent of Public Works and County Chairman and/or County Manager to execute a Permit authorizing the use of County Roads on Sunday, September 22, 2019, subject to the terms and conditions approved by the County Attorney and upon the execution of a permit and the issuance of insurance.

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT
TO GMBC TOURING FOR THE USE OF COUNTY ROADWAYS
FOR THE 2019 WILLSBORO WANDERER BIKE RIDE EVENT,
SCHEDULED FOR SUNDAY, JULY 7, 2019,
UPON THE EXECUTION OF A PERMIT AND
THE ISSUANCE OF INSURANCE**

The following resolution was offered by Supervisor Depo, 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.

WHEREAS, GMBC Touring will sponsor the 2019 Willsboro Wanderer Bike Ride will take place within Essex County on Sunday, July 7, 2019; and

WHEREAS, the organizers of the event have requested the use of certain County roadways for the event, which roadways will either be closed or partially closed for all or a portion of the race.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its Superintendent of Public Works and County Chairman and/or County Manager to execute a Permit authorizing the use of County Roads on Sunday, July 7, 2019, subject to the terms and conditions approved by the County Attorney and upon the execution of a permit and the issuance of insurance.

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

**RESOLUTION AUTHORIZING CONTRACT
AMENDMENTS/CHANGE ORDERS TO THE DEPARTMENT OF
PUBLIC WORKS CONTRACTS**

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

Upon the recommendation of the Public Works Department, 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 an amendment or change order to the following DPW contracts:

1. Atlantic Testing Laboratories, in the amount of \$9,527.50, for subsurface investigation services for at the Essex County Fish Hatchery to include soil probes and observation wells, bearing Contract No. DPW-20-0015, with funds to come from the Northern Borders grant funds.

From Ways and Means Committee:

1. JFP Enterprises, bearing Contract No. DPW-20-0018, in the amount not to exceed \$8,622.00, for the installation of a tempered glass and aluminum curtain wall security barrier on top of the existing transaction counter in the Treasurer's Office, from budgeted funds.
2. Atlantic Testing Laboratories, in the amount not to exceed \$6,290.00, for construction material services associated with Interbrook Road over Johns Brook Bridge replacement project in the Town of Keene, bearing Contract No. DPW-20-0015, from bridge bond funds.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the above referenced change orders; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute the same upon the approval of the County Attorney.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE THE MASS
TRANSPORTATION CAPITAL PROJECT AGREEMENT
BEARING COMPTROLLER'S CONTRACT NO. C004120, FOR
THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31,
2022, WITH NEW YORK STATE DEPARTMENT OF
TRANSPORTATION IN THE AMOUNT OF \$1,031,528.00,
FEDERAL AND STATE 5311 GRANT 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.

WHEREAS, Essex County has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code for a project described as Section 5311 - Capital 2018, in the amount of \$1,031,528.00, bearing Comptroller's Contract No. C004120 for the period January 1, 2017 through December 31, 2022; and

WHEREAS, pursuant to Highway Law §80(1) NYSDOT may, in accordance with State appropriations therefore, use federal aid for the purchase of buses or any other passenger equipment, the construction of exclusive or preferential bus passenger loading areas and facilities (including shelters) and for any mass transit purpose as is allowed by federal law respecting such funds; and

WHEREAS, the State has appropriated or reappropriated federal aid monies for the project(s) Essex County Transportation Department and the State of New York are entering into an agreement which authorizes the undertaking of the project and payment of the Federal and State Shares for the project.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairperson and/or the County Manager to execute the following:

1. Any and all Agreements between Essex County Transportation Department and the State of New York for the above named Project;
2. Any and all Agreements between Essex County Transportation Department and any third party subcontractors necessary to complete the Project;

3. Any and all Agreements between Essex County Transportation Department and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors certifies through this resolution that the estimated local share (10%) of \$75,797.00 is committed to this Project from Transportation Reserve Accounts and other Transportation Revenues.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE
CONTRACT OF SALE WITH STEWART'S SHOPS CORP.
REDUCING THE SALE PRICE BY THE AMOUNT OF
\$19,450.00, FOR THE CONSTRUCTION OF SIDEWALKS AND
LANDSCAPING AND FURTHER AUTHORIZING THE COUNTY
CHAIRMAN OR COUNTY MANAGER TO EXECUTE ANY AND
ALL DOCUMENTS TO EFFECTUATE SAID AMENDMENT**

The following resolution was offered by Supervisor DeLoria, 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 an amendment to the contract of sale with Stewart's Shops Corp., to reduce the sale price of the property by \$19,450.00, for the construction of sidewalks and landscaping; and

BE IT FURTHER RESOLVED, that the County Chairman and/or the County Manager are hereby authorized to execute any and all documents to effectuate said amendment.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
TREASURER TO PAYOFF THE DEVELOPMENT AUTHORITY
OF THE NORTH COUNTRY (DANC) GRANT/LOAN IN THE
AMOUNT OF \$176,981.54 ON OR BEFORE JULY 1, 2019, AND
FURTHER AUTHORIZING A BUDGET AMENDMENT AND
BUDGET TRANSFER IN THE AMOUNT OF \$1,642.00 TO BE
TRANSFERRED FROM HIGHWAY FUND FOR THE
PROMISSORY NOTE INTEREST PAYMENT**

The following resolution was offered by Supervisor Morrow, 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 Essex County Treasurer to payoff the Development Authority of the North Country (DANC) grant/loan in the amount of \$176,981.54, regarding the Frontier Town Project, such payment to be made on or before July 1, 2019; and

BE IT FURTHER RESOLVED, that the following Budget Amendments and Transfers are hereby authorized:

An increase in revenues and appropriations in the amount of \$1,642.00, to transfer funds from the Highway Fund to the General Fund to be used for the Promissory Note interest payment to DANC for the Frontier Town Project, as follows:

REVENUES

<u>ACCOUNT NO.</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1620 45031	Project #17-7 - Frontier Town	\$1,642.00

APPROPRIATIONS

<u>ACCOUNT NO.</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
16204 5610	Project #17-7 - Frontier Town	\$1,642.00

A Budget Transfer to transfer funds to the Frontier Town Project from the unappropriated balance in the County Road Fund, as follows:

BUDGET TRANSFER

From

Fund D 3909 Project #17-7 Nutrition Bldg \$1,642.00

To

Fund D 9908 599011 Project #17-7 Transfer to General Fund \$1,642.00

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE ANY AND ALL
EASEMENTS AND RIGHTS OF WAY RELATED TO THE GULF
BROOK PROJECT IN THE TOWN OF KEENE AND ALL
ASSOCIATED DOCUMENTS NECESSARY TO EFFECTUATE
PAYMENT TO THE PROPERTY OWNERS AND TO
AUTHORIZE PAYMENT TO THE PROPERTY OWNERS IN AN
AMOUNT UP TO \$14,000.00, AS WELL AS RATIFYING ANY
AND ALL EASEMENTS AND RIGHTS OF WAY GIVEN AND
ALREADY PAID**

The following resolution was offered by Supervisor Depo, 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 County Chairman or County Manager to execute any and all easements and rights-of-way of several property owners for the Gulf Brook Project in the Town of Keene and associated documents necessary to effectuate payment to the property owners; and

BE IT FURTHER RESOLVED, it is hereby authorized to issue payment to the property owners in an amount up to \$14,000.00; and

BE IT FURTHER RESOLVED, this Board ratified all easements and rights-of-way given and payments already executed and paid.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

Resolution No. 180

July 1, 2019
Regular Board Meeting

**RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING
ON THE PROPOSED 2019-20 NORTH COUNTRY COMMUNITY
COLLEGE OPERATING BUDGET TO BE HELD ON
JULY 1, 2019, AT 9:30 A.M.**

The following resolution was offered by Supervisor Tyler, 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 a Public Hearing to be held on Monday, July 1, 2019, at 9:30 a.m. on the proposed 2019-2020 North Country Community College Operating Budget.

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

**RESOLUTION AUTHORIZING THE OFFICE OF REAL PROPERTY
TAX SERVICES TO CONTINUE THE CONTRACT FOR
ASSESSING SERVICES FOR A TWO CONSOLIDATED
ASSESSING PROGRAM (CAP) WITH THE TOWNS OF
ELIZABETHTOWN AND WESTPORT FOR A TERM BEGINNING
OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2025,
UNDER THE SAME TERMS AND CONDITIONS AS THE EXISTING
CONTRACT AND ANY OTHER TERMS REQUIRED BY THE
COUNTY ATTORNEY**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes to continue the contract for assessing services for a two consolidated assessing program (CAP) with the Towns of Elizabethtown and Westport for a term beginning October 1, 2019 through September 30, 2025, under the same terms and conditions as the existing contract and any other terms required by the County Attorney; and

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

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

Resolution No. 182

July 1, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN TO
EXECUTE CHAMPLAIN NATIONAL BANK ACCOUNT
AUTHORIZED SIGNATURES FOR THE ESSEX COUNTY
SOCIAL SERVICES DEPARTMENT**

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

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

WHEREAS, this Board has been advised by the Essex County Department of Social Services - Support Collections Unit that due to personnel changes they are required to revise their bank signature cards for the accounts of the Essex County Social Services Department - Support Collections Unit at Champlain National Bank.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Chairman to execute the attached hereto Government Authorization Resolutions of Champlain National Bank for the accounts of the Essex County Social Services Department - Support Collections Unit, and hereby accepts all terms and conditions set forth in the attached Resolutions/Authorizations.

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

GOVERNMENT AUTHORIZATION RESOLUTION

By: _____
(Government Entity)

(Address)

(City, State and Zip Code)

A. I, _____, certify that I am the Clerk of the Board of Supervisors of _____ County, N.Y, Federal I.D. number _____, and that the following is a correct copy of resolutions adopted at a meeting of the Board of Supervisors of _____ County duly and properly called and held on _____, 20_____. These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

B. BE IT RESOLVED THAT,

- (1) Champlain National Bank is designated as a depository for funds of _____ County.
- (2) This Resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by Champlain National Bank.
- (3) All transactions, if any, with respect to any deposits or withdrawals by or on behalf of this County with Champlain National Bank prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (4) Any of the persons named below, so long as they act in a representative capacity as agents of this County, are authorized to make any and all contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with Champlain National Bank, concerning funds deposited in Champlain National Bank, moneys borrowed from Champlain National Bank or any other business transacted by and between this County and Champlain National Bank subject to any restrictions stated below.
- (5) Any and all prior resolutions adopted by the Board of Supervisors of this County and certified to Champlain National Bank as governing the operation of this County's account(s), are in full force and effect unless supplemented or modified by this authorization.
- (6) The County acknowledges and agrees that Champlain National Bank may rely on alternative signature and verification codes issued to or obtained from any Agent named on this Resolution. The term "alternative signature and verification codes" includes but is not limited to, facsimile signatures on file with the Bank, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this Resolution, (or that are filed separately by the County with the Bank from time to time) the Bank is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The County authorizes each Agent to have custody of the County's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Bank shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

E. This County agrees to the terms and conditions of any account agreement properly opened by any authorized representative(s) of this County, and authorizes Champlain National Bank, at any time, to charge this County for all checks, drafts, or other orders, for the payment of money, that are drawn on Champlain National Bank, regardless of by whom or by what means the facsimile signature(s) may have been affixed so long as they resemble the facsimile signature specimens in section C. (or the facsimile signature specimens that this County files with Champlain National Bank from time to time) and contain the required number of signatures for this purpose. In the case of electronic orders for payment initiated through NetTeller® Cash Management, the use of

a password is deemed to be the equivalent of an authorized signature and thus the _____ authorizes the Bank to charge the _____ for electronic orders for payment.

C. If indicated, any person listed below (subject to any expressed restrictions) is authorized to:

Name and Title (if used)	Signature	Facsimile Signature (if used)
(A) _____	_____	_____
(B) _____	_____	_____
(C) _____	_____	_____
(D) _____	_____	_____
(E) _____	_____	_____
(F) _____	_____	_____

Indicate (A), (B), (C) (D), (E), and/or (F):

- _____ (1) Exercise all powers listed in items 2 through 8 below.
- _____ (2) Open any deposit or checking account(s) in the name of this County.
- _____ (3) Endorse checks and/or orders for the payment of money and withdraw funds on deposit with Champlain National Bank.
Number of authorized signatures required for this purpose _____.
- _____ (4) Execute all documents and agreements, as well as modification thereto, pertaining to deposit relationship with Champlain National Bank.
Number of authorized signatures required for this purpose _____.
- _____ (5) Execute all documents and agreements, as well as modifications thereto, that pertain to internet banking (NetTeller®) participation with Champlain National Bank. This includes internet-based
 - _____ Automated Clearing House participation
 - _____ Wire transfer participation
 - _____ Cash management participation
 - _____ Bill payment participation
 Number of authorized signatures for these purposes _____.
- _____ (6) Execute all documents and agreements, as well as modification thereto, that pertain to Automated Clearing House participation with Champlain National Bank.
Number of authorized signatures required for this purpose _____.
- _____ (7) Execute all documents and agreements, as well as modification thereto, that pertain to Funds Transfer Authorization Agreement.
Number of authorized signatures required for this purpose _____.
- _____ (8) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this Financial Institution.
Number of authorized persons required to gain access and to terminate this lease _____.

D. BE IT FURTHER RESOLVED THAT,

- (1) The County hereby holds the Bank harmless from any liability or loss resulting from a Telephone Authorization by any person who purports to be the person authorized in the Funds Transfer Authorization and Agreement.
- (2) The County hereby holds the Bank harmless from any liability or loss for any authorization given by any of the persons authorized under this Resolution.

E. I further certify that the Board of Supervisors of _____ County has, and at the time of adoption of this Resolution had, full power and lawful authority to adopt the foregoing Resolution and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name on _____, 20____.

Clerk

Attest by Chairman, Board of Supervisors

(Attach copy of Meeting Minutes)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
AWARD BIDS, ISSUE CONTRACTS OR PURCHASE ORDERS**

The following resolution was offered by Supervisor Politi, 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 Purchasing Agent to award bids and issue contracts or purchase orders for the following:

1. To purchase from Motorola, pursuant to New York State Contract, 21 APX 4000 travel charger, 3 APX 4000 VHF model 2 portables and 6 APX 8500 All Band High 100 watt mobile radios, in an amount of \$33,088.50, to be paid from SICG4 funds.
2. Issue contract with Motorola, pursuant to New York State Contract, for installation of Interop stations with antennas, at an hourly rate of \$188.00, not to exceed \$85,728.00, to be paid from SICG6 grant funds, upon the approval of the County Attorney.
3. To purchase, pursuant to New York State Contract, and award mini-bid for a Chevrolet Tahoe SSV 4WD, in an amount of \$41,099.21, from Cappellino Chevrolet, Inc., for the Emergency Services Department/E911 Department, from budgeted funds and authorizing budget amendments, as necessary.

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute contracts or purchase orders for the above referenced, upon the approval of the County Attorney.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE ANY AMENDMENTS TO THE NORTH COUNTRY BEHAVIORAL HEALTH CARE COLLABORATIVE (NC-BHCC) MEMBERSHIP AGREEMENT AND MEMORANDUM OF UNDERSTANDING NUMBER MH-20-0008 BETWEEN COORDINATED CARE SERVICES INC., ESSEX COUNTY MENTAL HEALTH AND NORTHWINDS INTEGRATED HEALTH NETWORK IPA UPON REVIEW AND APPROVAL OF THE COUNTY ATTORNEY

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

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

WHEREAS, October 1, 2018, this Board authorized membership in the North Country Behavioral Health Care Collaborative (NC-BHCC) and the execution of a NC-BHCC membership agreement (Resolution No. 308); and

WHEREAS, there is now a necessity to amend the hereinabove referenced agreement.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to execute any amendments to the NC-BHCC membership agreement and to execute any amendments and all other necessary documents relative to Essex County Mental Health/Essex County Community Services becoming a member and participating in the North Country Behavioral Health Care Collaborative (NC-BHCC); and

BE IT FURTHER RESOLVED, that this Board further authorizes the execution by the County Chairman or County Manager of a Memorandum of Understanding Number MH-20-0008, between Coordinated Care Services Inc., Essex County Mental Health and Northwinds Integrated Health Care Network IPA, Inc. (NWIHN) participation agreement allowing Essex County and its facilities to participate and market health care services of 2 Payors, enter into any Payor contract on Essex County's behalf subject to Essex County's election to opt in to any such Payor contract, upon the review and approval of the County Attorney.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION OF DISAPPOINTMENT AND CONCERN
RELATIVE TO THE LACK OF ACTION BY THE NEW YORK
STATE LEGISLATURE MAKING APPOINTMENTS TO FILL
THE ADIRONDACK PARK AGENCY**

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

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

WHEREAS, Essex County is one of two counties wholly situate within in the Adirondack Park; and

WHEREAS, there are open seats and expired terms currently on the Adirondack Park Agency Board which is causing undue hardships to residents and to the economies of the towns in Essex County; and

WHEREAS, the New York State Legislature has been slow in filling these seats with their lack of action due in part to certain environmental groups and the Adirondack Council posing feigned objections to the professionalism and careers of non-media appointees and objecting that the individuals have too much experience and too much collaboration with local governments; and

WHEREAS, these actions have stymied and thwart the appointment of qualified individuals solely because they have experience and have collaborated, at times, with local governments which is an insult to these qualified individuals and is nothing more than political posturing which has served to deprive Essex County of proper and full representation on the Adirondack Park Agency Board.

BE IT RESOLVED that the Essex County Board of Supervisors hereby voices its extreme disappointment and concern relative to the lack of action on behalf of the New York State Legislature in making appointments to fill the Adirondack Park Agency Board with competent and professional individuals and has served to damage the relationship between Essex County, the Adirondack Park Agency and various environmental groups involved to the detriment of the citizens of Essex County and the State of New York; and

BE IT FURTHER RESOLVED, that this resolution be forwarded to: Governor Andrew Cuomo, Senator Elizabeth O'C. Little and Assemblyman Dan Stec.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
SAMUEL R. VENNER**

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

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

WHEREAS, Samuel R. Venner of Schroon Lake, New York passed away on June 15, 2019, and

WHEREAS, Samuel R. Venner was born in Ticonderoga, New York on January 4, 1942, the son of Samuel and Elizabeth Venner; and

WHEREAS, Samuel R. Venner served in the U.S. Army Reserve in the 625th Engineers in Elizabethtown, New York from 1961 until his honorable discharge in 1967; and

WHEREAS, in 1967, Sam began working for the Town of Schroon Highway Department, and in 1985 was elected Superintendent of the Highway Department having held the position with honor and dignity until his retirement in 1996; Sam was also a former member of the Essex County and the New York State Superintendent of Highways Associations; and

WHEREAS, Sam was a 25 year member of the Schroon Lake Volunteer Fire Department, a former member of BPO Elks Lodge #1494 of Ticonderoga and the Town of Schroon Lions Club, a member of American Legion Post #982, and Schroon Lake Community Church; and

WHEREAS, Sam was an avid golfer and a member of the Schroon Lake Golf Course where he and his brother, Fred, could be seen nearly every morning at 6:30 a.m. playing their 9 hole round; and

WHEREAS, Sam was predeceased by the love of his life and his wife of 49 years, Barbara Bump Venner; and

WHEREAS, Sam is survived by his daughters, Vicki (Roger) Belleville and Valerie (Craig) DeZalia; his brother, Fred (Patricia) Venner and his grandchildren, Naomi, Katherine, Derek, Dawson, Brett, Cara and Christy; and his great-grandchildren, Gabryell, Brooke, Landon and Jayce; his dear friend, Patricia Fero and family; several nieces,

nephews and cousins; and

WHEREAS, Samuel R. Venner was a loving husband, son, father, grandfather, great grandfather, brother, uncle 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 Samuel R. Venner; 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 Venner family.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONGRATULATIONS TO THE
TICONDEROGA CENTRAL SCHOOL BOYS VARSITY
BASEBALL TEAM FOR WINNING THE 2019 SECTION VII,
CLASS C CHAMPIONSHIP; THE NYSPHSAA CLASS C
REGIONAL CHAMPIONSHIP AND THE NYSPHSAA CLASS C
CHAMPIONSHIP**

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

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

WHEREAS, this Board of Supervisors is pleased to learn that the Ticonderoga Central School Boys Varsity Baseball Team has won the 2019 Section VII, Class C Championship; the New York State Public High School Athletic Association (NYSPHSAA) Class C Regional Championship and the NYSPHSAA Class C State Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the 2019 Ticonderoga Central School Boys Varsity Baseball Team, their coaches and staff for their outstanding accomplishments including, but not limited to, earning the title of 2019 Section VII, Class C Championship; the NYSPHSAA Class C Regional Championship and the NYSPHSAA Class C State Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING A PAYMENT TO OFFICE OF
MEDICAID INSPECTOR GENERAL IN THE AMOUNT OF
\$127,820.44, FOR THE ESSEX COUNTY HEALTH
DEPARTMENT HOME HEALTH UNIT CONTESTED PRIOR
CLAIMS MADE FROM SEPTEMBER 2016 THROUGH JUNE
2017, AND AUTHORIZING A BUDGET TRANSFER**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a payment in the amount of \$127,820.44 to the Office of Medicaid Inspector General for Essex County Health Department Home Health Unit contested prior claims made from September 2016 through June 2017, from budgeted funds; and

BE IT FURTHER RESOLVED, that a Budget Transfer is hereby authorized for the above-referenced payment, as follows:

BUDGET TRANSFER

From: A 3909 General Fund \$127,820.44

To
Fund A 41894 5487PY CHHA \$127,820.44

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

AYES: 2158 votes (Harrington, Merrihew, Jackson, Depo, Wilson, McNally, DeLoria, Politi, DeZalia, Marnell, Winemiller, Giordano, Tyler, Gilliland)
NOES: 307 votes (Morrow, Monty)
ABSENT: 456 votes (Scozzafava, Preston)

RESOLUTION AUTHORIZING THE PURCHASE OF FINANCIAL SOFTWARE FROM TYLER TECHNOLOGIES IN THE AMOUNT NOT TO EXCEED \$1.3 MILLION AND AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO ENTER INTO A CONTRACT AND EXECUTE ANY AND ALL OTHER DOCUMENTATION FOR THE PURCHASE

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the purchase of finance software from Tyler Technologies in the amount not to exceed \$1.3 million for the upgrade to Essex County's computer system, with the first year cost of \$483,152.00, to be taken from the 2019 unallocated unreserved fund balance and the remainder of the total cost to be included over the remaining four (4) years in the appropriate budget year; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to enter into a contract and execute any and all other documentation for the purchase,

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION OF APPRECIATION AND CONGRATULATIONS
TO
ROBERT GREGORY
ESSEX COUNTY INFORMATION SYSTEM**

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

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

WHEREAS, Robert Gregory began working for Essex County Information Systems on June 13, 2016, as a Network Technician and promoted to Sr. Network Technician on January 1, 2019; and

WHEREAS, during his tenure in the Essex County Information Systems Office, Robert Gregory has exhibited the highest degrees of professionalism, competency, integrity and attention to detail and has always greeted and treated the public, residents of Essex County and its employees with grace and respect; and

WHEREAS, Robert has decided to leave his employment with Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby extend their appreciation and heartfelt thanks to Robert Gregory for his dedicated, conscientious and exemplary public service to the people of Essex County and wish him continued success and the best of luck in all his future endeavors.

This resolution was unanimously seconded and duly adopted.

Resolution No. 191

July 1, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF TERRI
NORTHUP TO THE UNEXPIRED TERM OF DIRECTOR OF
ESSEX COUNTY REAL PROPERTY TAX SERVICES**

The following resolution was offered by Supervisor Tyler, 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 appointment of Terri Northup to the unexpired term of Director of Essex County Real Property Tax Services, at an annual salary of \$68,000.00, such unexpired term is scheduled to end in August, 2019, additionally, such position as required under Essex County Civil Service Rules would be subject to a six (6) month probationary term.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION AUTHORIZING A PAYMENT TO TIMOTHY R.
SMITH, ESQ. OF \$790.00, INCIDENT TO AN EASEMENT
OBTAINED FROM MAVIN HOWLEY TO THE COUNTY OF
ESSEX WITH RESPECT THE INTERBROOK ROAD OVER
JOHNS BROOK BRIDGE PROJECT**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a payment in the amount of \$790.00 to Timothy R. Smith, Esq., incident to an easement obtained from Mavin Howley to the County of Essex with respect to the Interbrook Road over Johns Brook bridge project; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute any and all documents necessary for the easement.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION APPROVING THE 2019-2020 NORTH
COUNTRY COMMUNITY COLLEGE OPERATING BUDGET IN
THE AMOUNT OF \$14,493,095.00, AUTHORIZING THE
APPROPRIATION OF \$1,240,000.00 IN THE 2020 ESSEX
COUNTY BUDGET AS ESSEX COUNTY'S SPONSOR SHARE
(\$1,190,000.00 OPERATING AND \$50,000.00 CAPITAL FUND
ACCOUNT)**

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

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

WHEREAS, North Country Community College has filed its tentative operating and capital budgets for the 2019-2020 fiscal year with the Clerk of this Board; and

WHEREAS, the tentative operating budget is in the total amount of \$14,493,095.00, and seeks a sponsor contribution from Essex County in the amount of \$1,240,000.00; and

WHEREAS, the tentative budget is in the amount of \$1,190,000.00 operating and \$50,000.00 capital fund account; and

WHEREAS, on July 1, 2019, at 9:30 a.m., this Board of Supervisors, pursuant to due notice, conducted a public hearing on the tentative operating and capital budgets.

BE IT RESOLVED that the Essex County Board of Supervisors, after due consideration, hereby approves the 2019-2020 North Country Community College operating budget in the total amount of \$14,493,095.00, and authorizes the appropriation of \$1,240,000.00 in the 2020 Essex County Budget as Essex County's share of the sponsor-paid portion of such budget to be allocated therein (which is \$1,190,000.00 operating budget and \$50,000.00 capital fund account); and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors, after due consideration, hereby approves the 2019-2020 North Country Community College capital budget in the total amount of \$100,000.00 and authorizes the expenditure of \$50,000.00 from the 2020 Essex County Budget as Essex County's share of the sponsor-paid portion of such budget to be allocated therein.

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

AYES: 2465 votes
NOES: 0 votes
ABSENT: 456 votes (Scozzafava, Preston)

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 3
OF 2019 A LOCAL LAW PROVIDING FOR ADDITIONAL AND
RELATED DUTIES OF THE OFFICE OF ESSEX COUNTY
CORONER PURSUANT TO AUTHORITY GRANTED IN COUNTY
LAW SECTION 671(2)**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby introduces proposed Local Law No. 3 of 2019 entitled “A Local Law providing for additional and related duties of the Office of Essex County Coroner pursuant to authority granted in County Law Section 671(2)” reading and providing as follows:

“ESSEX COUNTY LOCAL LAW NO. 3 of 2019

A local law providing for additional and related duties of the office of Essex County Coroner.

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

SECTION I. TITLE

This Local Law shall be known and cited as “Local Law Providing for Additional and Related Duties of the Office of Essex County Coroner.”

SECTION II. ENACTMENT

This Local Law is adopted pursuant to the authority granted the County of Essex by Section 10 of the Municipal Home Rule Law of the State of New York and Section 671(2) of the County Law of the State of New York.

SECTION III. PURPOSE

The purpose of this Local Law is to supplement Article 17-a of the New York State County Law entitled “Coroner, Coroner’s Physician and Medical Examiner” pursuant to authority granted the County under Section 671(2) of the New York State County Law in order to provide prompt, professional, respectful and compassionate investigation and care of the deceased.

By adoption of this Local Law, the County of Essex declares its intent to regulate, control and provide for additional related duties of coroners which are presently of concern to Essex County. This includes, but is not limited to, investigation at the scene, removal and transportation of the deceased, training, records, central dispatch, response time and investigation of deaths not prescribed by Article 17-a.

This Local Law is not intended to be a comprehensive regulation of coroners within Essex County as they are governed by New York State County Law Article 17-a.

SECTION IV. DUTIES AND RESPONSIBILITIES

All coroners shall comply with Article 17-a of the County Law and any and all other applicable State and County rules, regulations and laws as they relate to the position of coroner in New York State and the terms and conditions of this Local Law.

SECTION V. SALARIES

Elected coroners serving Essex County shall be paid an annual salary established by the Essex County Board of Supervisors. The current established salary is \$4,529.38. The salary may be increased or decreased, pursuant to law, by the Essex County Board of Supervisors.

SECTION VI. ADDITIONAL PER CASE PAY

In addition to the salaries as stated above, coroners shall be paid the following additional salary provided they have properly complied with this Local Law and all laws, rules and regulations related thereto. Failure to comply with this Local Law and its rules and regulations will result in non-payment of this additional per case pay.

- a. For each year (January 1st - December 31st), after an individual coroner has handled fifteen (15) calls, upon the sixteenth (16th) call and thereafter, the coroner will be paid an additional amount of \$200.00 per call as salary.
- b. Mileage for transportation of a body by a coroner in the event it is authorized by rule or regulation shall be at the current IRS rate.

SECTION VII. TRANSPORTATION

The purpose of this section is to provide for the safe and efficient removal, transfer and transportation of human remains for all death cases in Essex County being investigated as a coroner's case.

Removals, transfers and transportation of human remains for all death cases in Essex County being investigated as a coroner case pursuant to Section 673(1) of the County Law of the State of New York to a funeral home, morgue, hospital or elsewhere shall only be done by a funeral establishment registered with the State of New York Department of Health and under contract with the County of Essex. Removal, transfer and transportation

from a hospital, morgue or medical facility back to the funeral home or elsewhere shall not be the County's responsibility but shall be the responsibility of the decedent's estate. A registered funeral establishment shall provide a New York State licensed and registered funeral director and/or resident, as those terms are defined by the New York State Department of Health, who shall be physically present and personally supervise any such removals, transfers and transportation. Registered funeral establishments shall also meet and comply with all municipal and state law, rules and regulations relative to the transportation of human remains.

The fee to be paid by the County of Essex to registered funeral establishments for the purpose of removal, transfer and transportation of human remains for a coroner case shall be set by rule, regulation or resolution of the Essex County Board of Supervisors.

No coroner and/or coroner's physician as provided by law, shall authorize the removal, transfer or transportation of human remains or authorize an autopsy where the same is not necessary and is not required by law.

The authorization of autopsies and the transport of bodies for autopsy purposes and any subsequent examination or analysis of tissues or organs or quantitative tests for alcohol or traces of controlled substances shall be as mandated by Section 674 of the New York State County Law. No authorization for an autopsy or the transport of human remains for an autopsy shall occur where the same is not necessary and is not required by law.

SECTION VIII. RESPONDING TO CALLS AND APPEARANCE AT SCENE

Pursuant to County Law Section 674, when a coroner is informed by dispatch of the occurrence of a death within his or her jurisdiction, he/she shall physically go at once to the place where the body is and take charge of it. In the event that the coroner is informed of the occurrence of a death by any person or entity other than dispatch, the coroner shall immediately call dispatch and dispatch shall provide for a coroner to go to the scene, if a coroner is to be on scene according to law, rule or regulation. The coroner shall not perform his/her duties over the phone based upon information given by other or by third parties, but will physically be present and competently perform the investigation pursuant to Article 17-a of the County Law and this local law.

Duties and Responsibilities

When a coroner is called upon to investigate a death case in Essex County, they shall:

1. immediately respond to the physical location of the death to conduct a thorough and competent investigation as to the cause and manner of death, as provided for in Section 674 of the County Law of the State of New York;
2. if the coroner is not a physician duly licensed to practice medicine in this state, he or she shall immediately notify and designate a coroner's physician

to act with them pursuant to section 674 of the County Law of the State of New York; and

3. provide for the removal, transfer and transportation of the human remains by requesting Essex County Emergency Services or the New York State Police or any other entity designated by Essex County to dispatch a funeral establishment in compliance with Section X of this local law.

If a coroner is not a physician duly licensed to practice medicine in this state, the coroner's physician designated by the coroner to act with him or her, shall make any and all determinations as to whether an autopsy or any subsequent examination or analysis of tissue or organs is necessary. Any such autopsy or subsequent examination or analysis, or preparations for such procedures, shall only be conducted by a licensed and qualified medical service professional.

SECTION IX. CONFLICT OF INTEREST

No coroner shall recommend a funeral home for removal, transfer or transportation, however the coroner may consult with the decedent's family or next of kin as to what funeral home they desire and that funeral home will be called for removal and transport. If none is chosen, a registered funeral home contracting with Essex County closest to the decedent's residence shall first be called by dispatch and, if unable to respond, the next closest available funeral home will be called.

Coroners shall not solicit, offer or request from any law enforcement, emergency services organization, ambulance organization, fire department or district, physician, hospital, morgue, funeral home or other interested party that they be called to particular death or on a regular basis. Any such action will be considered a violation and be subject to the penalties provided by law and this Local Law as well as be considered conflict of interest pursuant to Essex County's Ethics Law (Local Law No. 6 for 2010).

No local, state or federal law enforcement agencies, funeral homes, emergency service providers, ambulance services, fire departments or districts or other involved parties will request or solicit a particular coroner regularly or on occasion but shall call the Essex County Emergency Services dispatch center and request a coroner, allowing the center to dispatch the closest available coroner. Any such action will be considered a violation and be subject to the penalties provided by law and this Local Law as well as be considered conflict of interest pursuant to Essex County's Ethics Law (Local Law No. 6 for 2010).

SECTION X. DISPATCH OF CORONERS AND REGISTERED FUNERAL ESTABLISHMENTS

It shall be the Essex County Emergency Service dispatch center or the New York State Police or other entity as provided rule or resolution of the Essex County Board of Supervisors who will have the sole province and authority to dispatch a coroner or registered funeral establishment.

All Essex County coroners and registered funeral establishments shall be dispatched by the Essex County Emergency Services dispatch center located in Lewis, New York or the New York State Police or any other entity designated by the Essex County Board of Supervisors by rule, regulation or resolution.

The closest available coroner and registered funeral establishment shall be dispatched to the scene. In the event of unavailability of the closest coroner or closest registered funeral establishment, the next available coroner and registered funeral establishment shall be dispatched to the scene. All local, state and federal law enforcement agencies, funeral homes, emergency services responders, ambulance services, fire departments and districts, persons and other involved parties, when they are have knowledge of or are involved in a death which requires a coroner and registered funeral establishment, shall immediately contact the Essex County Emergency Services dispatch center who will dispatch a coroner and registered funeral establishment.

When practical, first preference for a registered funeral establishment shall be given to an establishment requested by the next of kin or immediate family member of the decedent. Second preference shall be given to the funeral establishment in closest proximity to the scene of the death call, and the next closes thereafter under a funeral establishment has agreed to respond as hereinabove set forth.

Under no circumstances will anyone circumvent the dispatch center and directly call a coroner or registered funeral establishment within Essex County.

Essex County/Essex County Emergency Services dispatch center shall create all rules, regulations and protocol incident to the dispatch of a coroner and registered funeral establishment as well as create a written log of all coroners and registered funeral establishments called and specifics as approved by the County of Essex.

Under no circumstances shall Essex County Emergency Services dispatch center contact or dispatch a coroner who is not within the County or within the State of New York at the time, as prompt response time is vital.

SECTION XI. DOCUMENTATION AND FILING OF CASES

Each coroner shall complete a chronological listing of all cases investigated listing the date, name, cause of death, manner of death, township and other relevant information as required by Essex County pursuant to resolution. The report shall be filed semi-annually. Each case shall be assigned a case number. All coroners shall use the official forms approved by the Essex County Board of Supervisors pursuant to resolution.

On or before March 1st in each year, each coroner shall make an annual report for the immediately preceding year covering the work of his/her office. He/she shall make such other reports at such times as may be required by the Board of Supervisors or any other applicable law. Copies of all reports shall be filed with the Clerk of the Board.

All coroners shall comply with any additional rules, requirements, regulations and filings and protocols developed by Essex County or the Essex County Board of Supervisors.

SECTION XII. RESOLUTION NO. 29 OF FEBRUARY 4, 2008

This Local Law shall supercede and render null and void Resolution No. 29 of February 4, 2008, and as such, the resolution is rescinded and of no legal force and affect.

SECTION XIII. TRAINING

All coroners shall comply with State training as mandated by County Law Section 679 and as further required by rule, regulation or law or as mandated by the County of Essex. The County of Essex shall pay the costs of any and all such training. In addition thereto, all coroners shall receive training and pass all necessary tests as mandated by the Essex County Board of Supervisors including but not limited to, blood-borne pathogen training, mass fatality/casualty training, synthetic opioid training, chain of custody training and any other continuing education training required by the County of Essex.

SECTION XIV. NOTICE OF UNAVAILABILITY

Any coroner who knows that he/she will become unavailable as a result of illness, vacation, work or any other reason shall notify the Essex County Emergency Services dispatch center and the other coroners immediately, and the next closest coroner shall be assigned coverage for the absent coroner's area of responsibility. Notification shall be made via email and telephone.

In the event that a coroner is not able to physically be present and respond to a case in his/her area, the next geographically closest coroner shall be contacted to respond.

SECTION XV. REGULATIONS

The County of Essex reserves the right to adopt any and all additional rules, regulations and requirements including, but not limited to, fees for transportation and mileage, transportation, and training, in furtherance of this Local Law to carry out its provisions and purposes by rule, regulation or resolution which rule, regulation or resolution shall be enforced under this local law.

SECTION XVI. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

SECTION XVII. EXISTING LAW AND REGULATIONS

All coroners shall fully comply with Article 17-a of the County Law of the State of New York and all present and future laws, rules and regulations regarding the office of coroner and the conduct of the position of coroner.

SECTION XVIII. DUTY TO REPORT

All coroners shall report any violations by coroners, law enforcement agencies, funeral homes, emergency service providers, ambulance services, fire departments and districts and other involved parties of this Local Law or of County Law Article 17-a or any other rules or regulations incident to the position of coroner to the Essex County Board of Supervisors immediately.

Likewise, all funeral homes, ambulance services, fire departments and districts, law enforcement agencies or others shall have a duty to report any violations by coroners or any other party.

SECTION XIX. PENALTIES FOR VIOLATIONS

Any coroner, person, association, firm, company or corporation which violates any provision of this section or assists in the violation of any provision of this section shall be guilty of a violation punishable:

1. By a fine or penalty of not less than \$200 and not exceeding \$1,000 or by imprisonment for a period not to exceed fifteen (15) days, or both, for a conviction of a first offense.
2. By a fine or penalty of not less than \$500 and not exceeding \$2,000 or by imprisonment for a period not to exceed fifteen (15) days, or both, for a conviction of a second offense committed within a period of five (5) years.
3. In the case of the coroner, removal from office pursuant to New York State Public Officers Law, County Law and General Municipal Law.
4. Submission to the Essex County Ethics Board relative to any violations of Essex County Local Law No. 6 for the year 2010 entitled "Local Law No. 6 for 2010 - Essex County's Ethics Law", for discipline. The terms and conditions of which shall apply to this Local Law.
5. Loss and the non-payment of additional pay for cases as set forth in Section VI.

SECTION XX. ENFORCEMENT OFFICER

This law may be enforced by the Essex County Attorney or Essex County Manager or any other police officer or other person designated by the Essex County Board of Supervisors. Said persons shall have the authority to enforce the provisions of this Local Law.

SECTION XXI. VENUE

This Local Law may be enforced in any court of competent jurisdiction, including a local justice court, the Essex County Court or Essex County Supreme Court.

SECTION XXII. EFFECTIVE DATE

This Local Law shall be effective immediately upon filing with the Office of Secretary of State.

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on the 29th day of July, 2019, at 11:00 a.m. in the forenoon of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors publish a Notice of such Hearing in the designated County newspapers at least five (5) days prior to said Hearing.

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

AYES: 2177 votes (Morrow, Merrihew, Jackson, Depo, Wilson, Monty, McNally, DeLoria, Politi, DeZalia, Marnell, Giordano, Tyler, Gilliland)
NOES: 126 votes (Winemiller)
ABSENT: 618 votes (Harrington, Scozzafava, Preston)

**RESOLUTION CANCELING, FORGIVING AND FORBEARING
THE AMOUNT OF \$8.53, WHICH IS THE EXISTING TAX WITH
RESPECT TO THE TOWN OF NORTH ELBA PARCEL
BEARING TAX MAP NO. 33.018-1-3.220, LOCATED AT
331 WHITEFACE INN LANE PREVIOUSLY OWNED BY
BROOKE BROWN**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes to the canceling, forgiving and forbearing the amount of \$8.53, which is the existing tax balance with respect to the Town of North Elba parcel bearing Tax Map No. 33.018-1-3.220, located at 331 Whiteface Inn Lane previously owned by Brooke Brown.

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

AYES: 2303 votes
NOES: 0 votes
ABSENT: 618 votes (Harrington, Scozzafava, Preston)

RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TOWN OF TICONDEROGA WHEREIN THE TOWN WILL DEMOLISH, REMOVE, DESTROY AND DISPOSE OF THE BUILDINGS LOCATED AT 149 LORD HOWE STREET AND 130 THE PORTAGE LOCATED IN THE TOWN OF TICONDEROGA BEARING TAX MAP NO. 150.42-6-9.000 AND 150.51-6-12.200 RESPECTIVELY AND UPON SUCH REMOVAL AND DISPOSAL, THE COUNTY OF ESSEX AGREES TO SELL THE PROPERTIES AT PRIVATE SALE OR ALTERNATIVELY BY BIDDING OR AUCTION WITH ANY AND ALL SALE PROCEEDS TO BE PAID TO THE TOWN OF TICONDEROGA TO REIMBURSE IT FOR COST OF DEMOLITION AND REMOVAL UP TO BUT NOT EXCEEDING THE ACTUAL DEMOLITION AND REMOVAL COST

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 currently owns property located at 149 Lord Howe Street and 130 The Portage in the Town of Ticonderoga as hereinabove referenced; and

WHEREAS, situate on these properties are dilapidated and unsafe buildings which need to be removed.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to enter into an agreement with the Town of Ticonderoga wherein the Town will demolish, remove, destroy and dispose of the buildings located at 149 Lord Howe Street and 130 The Portage located in the Town of Ticonderoga and bearing Tax Map No. 150.42-6-9.000 and 150.51-6-12.200 respectively; and

BE IT FURTHER RESOLVED, the County of Essex agrees to sell the properties at private sale or alternatively by bidding or auction with any and all sale proceeds to be paid to the Town of Ticonderoga to reimburse it for the cost of demolition and removal up to but not exceeding the actual demolition and removal cost.

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

AYES: 2197 votes
NOES: 0 votes
ABSENT: 724 votes (Harrington, Tyler, Scozzafava, Preston)