

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Tyler, 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 the Mental Health Department, to increase revenues and appropriations in the amount of \$32,146.00, AHI DSRIP funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4320 43489DSR	AHI/DSRIP	\$32,146.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
43204 54DSRIP	DSRIP	\$32,146.00

2. From the Health Department, to increase revenues and appropriations in the amount of \$32,146.00, AHI DSRIP funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4189 43450DSR	AHI/DSRIP	\$32,146.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41894 54DSRIP	DSRIP	\$32,146.00

3. From the Health Department, to increase revenues and appropriations in the amount of \$1,500.00, Adirondack North Country Association (ANCA) funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
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4082 4160169	WIC other grants	\$1,500.00
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APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
40824 5487	Misc.	\$1,500.00

From Public Safety Committee:

1. From Emergency Services Department, to increase revenues and appropriations in the amount of \$89,974.00, from SHSP-18 Homeland Security grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3645 44963	SHSP-18	\$89,974.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
36451 5130	PT Wages	\$ 3,000.00
36451 5110	Wages	23,431.00
36458 5820	FICA	250.00
36458 5830	W/C	1,793.00
36452 5250	Tech Equipment	10,000.00
36454 5400INV	Inventory	3,000.00
36454 5453	Uniforms	14,000.00
36452 5260	Other Equipment	7,000.00
36454 5443	Travel	5,000.00
36454 5451	Training	15,000.00
36454 5423	Telephone	500.00
36454 5410	Office Supplies	5,000.00
36454 5452FOOD	Food	<u>2,000.00</u>
		\$89,974.00

2. From Emergency Services Department, to increase revenues and appropriations in the amount of \$186,875.00, EMS grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4541 43450EMS	EMS Consolidation	\$186,875.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
45411 5160	Clothing Allowance	\$ 2,925.00
45412 5230	Auto Equipment	41,000.00
45412 5250	Technical Equipment	10,000.00
45414 5400INV	Inventory	80,000.00
45414 5410	Office Supplies	2,000.00
45414 5413	Maintenance Bldg.	7,000.00
45414 5420	Printing	50.00

45414 5423	Telephone	1,000.00
45414 5424	Postage	100.00
45414 5427	Membership/Dues	300.00
45414 5435	Medical fees - employees	10,000.00
45414 5436	Advertising	2,000.00
45414 5441	Auto repairs	2,000.00
45414 5442	Auto - gas/oil/diesel	6,000.00
45414 5443	Travel reimbursement	4,000.00
45414 5451	Training Schools	8,000.00
45414 5475	General Insurance	TBD
45414 5487	Misc	10,000.00
45414 5497	Mileage	<u>500.00</u>
		\$186,875.00

From DPW Committee:

1. From the Department of Public Works, to increase revenues and appropriations in the amount of \$733,000.00, Culvert NY grant funds, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
H5337 43089BR	State Aid	\$733,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
H53374 5484	Road Repair	\$733,000.00

2. From the Department of Public Works, to increase appropriations in the amount of \$107,806.95, transfer unexpended 2018 funds, as follows:

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
16204 5415LED	Lighting Fixtures	\$107,806.95

From Finance Committee:

1. From the Employee Assistance Program (EAP), to increase revenues and appropriations in the amount of \$1,500.00, from United Way Needs Grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4611 41625	United Way	\$1,500.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
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46114 5410	Office Supplies	\$ 500.00
46114 5420	Printing	500.00
46114 5451	Training Schools	<u>500.00</u>
		\$1,500.00

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION ADOPTING AND APPROVING THE QUALITY
IMPROVEMENT REVIEWS AND POLICIES AND
PROCEDURES FOR THE CERTIFIED HOME HEALTH
AGENCY (CHHA) OF THE HEALTH DEPARTMENT
APPROVED BY THE PUBLIC HEALTH ADVISORY COUNCIL
(PHAC) REVIEWED JUNE 5, 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:

Certified Home Health Agency (CHHA) and Agency Wide Policies and Procedures

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

R&CHAA	Agency Mission
R&A	Ethics
NC&CHAA	Agency Evaluation by the PAC
NC&CHAA	Annual Policy and Procedure Review
R&CHHA	Delegation of Authority
NC&A	Governing Authority
NC&CHHA	Records and Reports
R&CHHA	Home Health Change in Care Notice - HHCN
NC&CHHA	Advanced Beneficiary Notice - ABN
NC&CHHA	Non-Secure Communications
NC&CHHA	Patient Client Complaint
NC&CHHA	Patient Services
R&A	Exposure Prevention and Response
NC&A	Contents of Clinicians Bag
R&CHHA	Discharge Policy
NC&A	Regional Health Information (HIXNY)
R&A	AED
R&A	Building Use

R&A	Health Commerce System
R&A	Emergency Communications
R&A	Emergency Operations Plan
NC&A	Advanced Directives
NC&A	Social Media
R&A	Dress Code
R&A	Employees Recruitment and Retention
R&A	Employee Infractions
R&CHHA	On Call Coverage
R&A	Outside Employment
R&A	Code of Ethics
R&A	Staff Requirements
R&CHHA	County Car
R&CHHA	Issued Equipment out of work 3 days or more
R&A	Yearly Required In-Services
R&A	Influenza Prevention of Transmission by Healthcare Personnel

R= Revised; N= New; D= Deleted; NC= No Change; A= Agency Wide; CHHA=Certified Home Health Agency

- **Medical Director Quality Assurance Review - June 5, 2019 of CHHA Records/Reports for Chart Audits and Peer Review for 1st Quarter 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 of Certified Home Health Agency (CHHA).

**RESOLUTION AUTHORIZING AN INCREASE IN THE RATE OF
PAY FOR PRESCHOOL RELATED SERVICES IN THE ESSEX
COUNTY HEALTH DEPARTMENT, FROM \$37.50 PER THIRTY
(30) MINUTE SESSION TO \$41.00 PER THIRTY (30) MINUTE
SESSION, EFFECTIVE SEPTEMBER 1, 2019**

The following resolution was offered by Supervisor 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Health Department to increase the rate of pay for Preschool Services effective September 1, 2019, as follows:

from \$37.50 per 30 minute session to \$41.00 per 30 minute session
from \$56.25 per 45 minute session to \$61.00 per 45 minute session
from \$75.00 per 60 minute session to \$82.00 per 60 minute session

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION AUTHORIZING A SALARY INCREASE FOR POLL
INSPECTORS IN THE BOARD OF ELECTIONS FROM \$11.00
PER HOUR TO \$12.00 PER HOUR, FROM BUDGETED FUNDS**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the salary increase for the Essex County Board of Elections Poll Inspectors from \$11.00 per hour to \$12.00 per hour, from budgeted funds.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

Resolution No. 201

August 5, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
EMERGENCY SERVICES DEPARTMENT TO APPLY FOR A
GRANT FROM NEW YORK STATE DIVISION OF HOMELAND
SECURITY PROGRAM (SHSP-19) HAZMAT GRANT**

The following resolution was offered by Supervisor Harrington, 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 Essex County Emergency Services Department to apply for a grant from the NYS Division of Homeland Security SHSP-19 Hazmat grant; 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 Supervisor Jackson, and adopted.

Resolution No. 202

August 5, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
EMERGENCY SERVICES DEPARTMENT TO APPLY FOR A
PUBLIC SAFETY ANSWERING POINTS (PSAP) 2019 GRANT**

The following resolution was offered by Supervisor Jackson, 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 Essex County Emergency Services Department to apply for a Public Safety Answering Points (PSAP-19) grant; 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 Supervisor Tyler, and adopted.

Resolution No. 203

August 5, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
EMERGENCY SERVICES DEPARTMENT TO APPLY FOR A
STATE HOMELAND SECURITY PROGRAM (SHSP - 18),
ADIRONDACK REGIONAL HAZMAT CONSORTIUM GRANT**

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 authorizes the Essex County Emergency Services Department to apply for a State Homeland Security Program (SHSP-18) Adirondack Regional Hazmat Consortium grant; 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 Supervisor Jackson, and adopted.

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

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 authorizes the Purchasing Agent to award bids and issue contracts or purchase orders for the following:

Emergency Services Department:

1. Purchase 25 - APX8500 mobile radios in the amount of \$110,662.50;
24 - APX4000 portable radios in the amount of \$41,634.00;
26 - battery 2700 MAH with speaker mics with ear mic and display in the amount of \$7,714.50, from State Interoperability Communications Grant 16.
2. Purchase a vehicle for the purpose of Medic Car First Response, in an amount not to exceed \$41,000.00, from EMS grant funds.
3. Purchase a Quantifit Respirator Fit Test System from New York State Contract, in the amount of \$9,757.62, from budgeted funds.

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 Merrihew, and adopted, upon a roll-call vote as follows:

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION AUTHORIZING THE COMMUNITY RESOURCES
DEPARTMENT TO APPLY FOR AND ACCEPT A STATE
HISTORIC PRESERVATION GRANT THROUGH THE OFFICE OF
PARKS, RECREATION AND HISTORIC PRESERVATION FOR
THE ESSEX COUNTY AGRICULTURAL CENTER BUILDING
RENOVATION PROJECT IN THE AMOUNT OF \$500,000.00**

The following resolution was offered by Supervisor Tyler, 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Community Resources Department to apply for and accept a State Historic Preservation Grant through the Office of Parks, Recreation and Historic Preservation in the amount of \$500,000.00, for the Essex County Agricultural Center building renovation project, with a \$168,550.00 match.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO
THE WHALLONSBURG GRANGE FOR THE USE OF COUNTY
ROADWAY, ROUTE 55, IN THE TOWN OF ESSEX FOR THE
WHALLONSBURG FIRE DEPARTMENT APPRECIATION DAY TO
BE HELD ON AUGUST 25, 2019**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes Use of County Roadway permits to be issued to the Whallonsburg Grange for the use of County Route 55 in the Town of Essex for the Whallonsburg Fire Department Appreciation Day on August 25, 2019; and

BE IT FURTHER 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 for the abovestated event, subject to the terms and conditions approved by the County Attorney.

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

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
UTILIZE SOURCEWELL, A MUNICIPAL PURCHASING
COOPERATIVE, PREVIOUSLY KNOWN AS NATIONAL JOINT
POWERS ALLIANCE (NJPA), AS AN OPTIONAL SOURCE
FOR PURCHASING GOODS AND SERVICES**

The following resolution was offered by Supervisor Monty, 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 the County Purchasing Agent to utilize Sourcewell, a municipal purchasing cooperative, previously known as National Joint Powers Alliance (NJPA), as an optional source for purchasing goods and services.

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

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

AYES:	2755	votes
NOES:	0	votes
ABSENT:	65	votes (McNally)
VACANT:	101	votes (Wilmington)

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

The following resolution was offered by Supervisor Depo, 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 an amount not to exceed \$8,713.28, for asbestos consulting services at the Essex County Government Center, bearing Contract No. DPW-20-0015, from budgeted funds.
2. Schoder Rivers Associates, in an amount not to exceed \$81,200.00, for engineering services associated with the Tracy Road over Ash Craft Brook Culvert Replacement Project in the Town of North Hudson, bearing Contract No. DPW-19-0027, from Culvert NY grant 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 Morrow, and duly adopted upon a roll-call vote as follows:

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

RESOLUTION ACCEPTING THE FEDERAL TRANSIT OPERATING ASSISTANCE SECTION 5311 OF TITLE 49, UNITED STATES CODE MASS TRANSPORTATION OPERATING ASSISTANCE GRANT IN THE AMOUNT OF \$1,817,748.00, AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE CONTRACT NO. C004078

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.

WHEREAS, the Essex County Transportation Department is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a Federal Transit Operating Assistance Agreement for project(s) to provide administration and establish the method or provision of funding of mass transportation operating assistance to support public transportation systems for the project duration 2018-2022; and

WHEREAS, the Essex County Government and the State of New York have entered into an agreement bearing Contract No. C004078, which authorizes the undertaking of the project(s) and payment of the Federal Share; \$1,817,748.00, for the term January 1, 2018 through December 31, 2022.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to act on behalf of Essex County to accept the Federal Transit Operating Assistance Section 5311 Grant in the amount of \$1,817,748.00; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to sign Contract No. C004078 for the term January 1, 2018 through December 31, 2022, subject to the approval of the County Attorney.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO
OUT TO BID FOR A 3/4 TON PICK UP TRUCK WITH PLOW, A
MINI-LOADER, AN EQUIPMENT SERVICE TRUCK AND
A ONE (1) TON CREW TRUCK FOR
THE DEPARTMENT OF PUBLIC WORKS**

The following resolution was offered by Supervisor Jackson, 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 go out to bid for the following equipment for the Department of Public Works:

- 3/4 ton Pick up truck with plow
- Mini Loader
- Equipment Service Truck
- 1 ton Crew Truck

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

Resolution No. 211

August 5, 2019
Regular Board Meeting

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

The following resolution was offered by Supervisor Giordano, 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:

Personnel Committee:

1. The 2018 Workers Compensation and Self-Insurance Annual Report.

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

**RESOLUTION OF CONGRATULATIONS AND RECOGNITION
TO THE
RETIRED PUBLIC EMPLOYEES ASSOCIATION (RPEA)
UPON 50 YEARS OF SERVICE**

The following resolution was offered by Supervisor Monty, 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, 2019 marks the 50 year anniversary of the incorporation of the Retired Public Employees Association (RPEA); and

WHEREAS, RPEA is the only organization whose sole purpose is to protect and promote the benefits of retired public employees; and

WHEREAS, RPEA has a record of advocacy success throughout its years, including: enacting a permanent Cost of Living Adjustment (COLA); protecting health insurance benefits available to retirees; protecting the assets of the Retirement Fund from being diverted for budget balancing or other purposes; and most recently, defeating the 2017 ballot proposal to convene a constitutional convention; and

WHEREAS, there are 470,000 state and local retirees and beneficiaries in the New York State Retirement System; and

WHEREAS, nearly 80% of those retirees still reside in New York State, including 2,033 in Essex County; and

WHEREAS, those retirees are responsible for \$12 billion in economic activity statewide, thereby creating 73,000 jobs; and

WHEREAS, public sector retirees help create the strong social fabric of communities, and also pay \$2 billion in real property taxes.

NOW, THEREFORE, BE IT RESOLVED, in recognition of RPEA's 50 years of service in support of retired public employees, the Essex County Board of Supervisors hereby adopts this resolution to commemorate and congratulate the Retired Public Employees Association for its successful endeavors on behalf of its members.

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

**RESOLUTION RATIFYING THE PROPOSED CONTRACT
BETWEEN NORTH COUNTRY COMMUNITY COLLEGE AND THE
NORTH COUNTRY COMMUNITY COLLEGE CIVIL SERVICE
EMPLOYEES ASSOCIATION (CSEA)
LOCAL 1000 AFSCME, AFL-CIO, ESSEX COUNTY LOCAL 816**

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

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

WHEREAS, North Country Community College has reached an accord with the North Country Community College Civil Service Employees Association (CSEA) on a proposed contract, effective September 1, 2019 and continuing in effect through August 31, 2022; and

WHEREAS, as a sponsoring County of North Country Community College, Essex County is required to ratify proposed contracts before they can be implemented.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby ratifies the proposed contract between North Country Community College and the North Country Community College Civil Service Employees Association (CSEA) for the contract term September 1, 2019 through August 31, 2022.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION OF CONGRATULATIONS TO
MAMIE FORKAS
UPON CELEBRATING HER 100TH BIRTHDAY**

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

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

WHEREAS, Mamie Forkas of Witherbee, New York was born in Detroit Michigan on August 1, 1919; and will celebrate her 100th birthday; and

WHEREAS, Mamie married Louis Forkas and raised two daughters, Patricia and MaryLou; and

WHEREAS, Mamie and Louis owned and operated Lou's Sweet Shop in Witherbee, New York.

BE IT RESOLVED, that the County of Essex and the Essex County Board of Supervisors hereby extends its deep appreciation and sincere congratulations and best wishes upon the occasion of her 100th birthday; and

BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to Mamie Forkas.

This resolution was unanimously seconded and adopted.

RESOLUTION ACCEPTING A 2019 NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE ESSEX COUNTY HOME OWNERSHIP ASSISTANCE PROGRAM AWARD IN THE AMOUNT OF \$400,000.00 THROUGH THE NYS HOMES AND COMMUNITY TRUST HOUSING TRUST FUND CORPORATION FOR NYS CDBG PROJECT NO. 382HO335-19; AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE GRANT AGREEMENT

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 accepts the 2019 New York State Community Development Block Grant (CDBG) for the Essex County Home Ownership Program Award in the amount of \$400,000.00; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute the grant agreement through the NYS Homes and Community Trust Housing Trust Fund Corporation for NYS CDBG bearing Project No. 382HO335-19, in the amount of \$400,000.00.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

RESOLUTION ACCEPTING A 2019 NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE ESSEX COUNTY HOME REHABILITATION PROGRAM AWARD IN THE AMOUNT OF \$450,000.00 THROUGH THE NYS HOMES AND COMMUNITY TRUST HOUSING TRUST FUND CORPORATION FOR NYS CDBG PROJECT NO. 382HR328-19; AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE GRANT AGREEMENT

The following resolution was offered by Supervisor Tyler, 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 accepts the 2019 New York State Community Development Block Grant (CDBG) for the Essex County Home Rehabilitation Program Award in the amount of \$450,000.00; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute the grant agreement through the NYS Homes and Community Trust Housing Trust Fund Corporation for NYS CDBG bearing Project No. 382HR328-19, in the amount of \$450,000.00.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION APPOINTING ROBERT WICK AS EMERGENCY
MEDICAL SERVICES (EMS) PROGRAM ADMINISTRATOR AT AN
ANNUAL SALARY OF \$10,000.00, FROM GRANT FUNDS, WITH
RESPECT TO THE ADMINISTRATION AND OVERSIGHT WITH
ALL MATTERS PERTAINING TO THE NEW ESSEX COUNTY
EMS PROGRAM AS OUTLINED IN A GRANT AGREEMENT WITH
THE STATE OF NEW YORK IN THE PRINCIPAL AMOUNT OF
\$2,277,551.00**

The following resolution was offered by Supervisor Monty, 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 appoints Robert Wick as Emergency Medical Services (EMS) Program Administrator with respect to the administration and oversight with all matters pertaining to the new Essex County EMS Program, at an annual salary of \$10,000.00, from grant funds, as outlined in a grant agreement with the State of New York, in the principal amount of \$2,277,551.00, dated 4/1/19 through 3/31/24 and bearing Contract No. C1001187.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION OF APPRECIATION FOR
ESSEX COUNTY FARMERS**

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

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

WHEREAS, agriculture has been a part of Essex County's American identity since the early 19th century, and

WHEREAS, according to the most recent Agriculture Census the number of farms in Essex County increased by 8.5% between 2012 and 2017 to 285, and it is only one of two counties in the Adirondack Park to experience an increase, and

WHEREAS, the average age of the Essex County farmer is increasing, **and** a new and younger crop of farmers is flocking to the area. In 2017, 52% of agricultural producers in Essex County were over 54 years of age. Simultaneously, 35% of principle producers in the County were new and beginning farmers (defined as less than ten years of agricultural occupation), and

WHEREAS, the value of agricultural products in Essex County increased 12.8% to \$13.2 million dollars. The Adirondack region as a whole represents 11.3% of the market value of all agricultural products in NY State, and

WHEREAS, farmland under conservation easements in Essex County grew 39% between 2012 and 2017 to 1,645 acres, thus protecting vibrant working lands within the Park, and

WHEREAS, despite positive growth in agriculture of the past decade, farm viability in Essex County remains uncertain. Between 2012 and 2017, only 83 farms showed a net gain, while 202 showed a net loss, and the average net cash income per farm dropped 8% from \$2,119 to \$1,950. Small and medium size dairies continued to close across the Adirondack region being consolidated into larger dairies: milk cow operations decreased by 18%, but the number of milk cows decreased by only 2%, and

WHEREAS, eating locally grown foods has many benefits for the consumer, grower and the community and

WHEREAS, wholesome nutrition access and food security are imperative to good health and,

WHEREAS, the Well Fed Essex County Collaborative is working closely with community partners to improve health outcomes and reduce healthcare utilization by

improving nutrition access and food security for those who need it most in Essex County and,

WHEREAS, the Essex County Board of Supervisors recognizes that despite the dairy downturn, agriculture is still strong in the County, and that the Board of Supervisors plays a key role in finding policy solutions to food and farming issues in the region.

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 all Essex County farmers for their dedication to food production, land stewardship and the rural economy.

This resolution was unanimously seconded and adopted.

Resolution No. 219

August 5, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
PURCHASING AGENT TO GO OUT TO RFP FOR THE NEW
EMERGENCY MEDICAL SERVICES (EMS) BILLING SERVICES
PROGRAM**

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 the Purchasing Agent to solicit RFPs for billing services program for the new EMS pilot program.

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

**RESOLUTION AUTHORIZING THE COUNTY MANAGER OR
COUNTY CHAIRMAN TO EXECUTE INTERMUNICIPAL
AGREEMENTS FOR EMERGENCY MEDICAL SERVICES AND
THE PROVISION OF EMTS AND ADVANCED EMTS TO VARIOUS
TOWNS OR OTHER ORGANIZATIONS CONTRACTING WITH
THE TOWN FOR SUCH SERVICES PURSUANT TO GENERAL
MUNICIPAL LAW §122-B AND THE CURRENT HOME RULE
AUTHORITY GRANTED BY THE STATE OF NEW YORK**

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

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

WHEREAS, Essex County has received a grant from the New York Department of State in the amount of \$2,277,551 relative to a countywide EMS consolidation; and

WHEREAS, existing individual ambulance services located within the county are restricted in operation to limited geographical areas and do not have the resources, manpower or funding necessary to properly and adequately provide emergency medical services to their residents; and

WHEREAS, Essex County is in the process of developing a county-wide emergency medical services program to supply existing individual ambulance services, both municipal and non-profit, with additional manpower, services and vehicles such that emergency medical services will be supplemented, strengthened and enhanced to provide the best possible care; and

WHEREAS, through this new county program, the county will support existing ambulance services located within the county pursuant to the agreement to provide services as and for Essex County pursuant to Essex County's current certificate of need; and

WHEREAS, Essex County has been granted Home Rule authority permitting the County to enter into municipal cooperation agreements subject to the provisions of Article 5-g of the General Municipal Law with any municipal corporation, fire district, fire protection district or ambulance district within the county in order to finance and provide an emergency service and general ambulance service as a joint service and incident thereto has been

authorized to contract with one or more individuals, associations or other organizations to implement this municipal cooperation agreement.

NOW, THEREFORE, BE IT RESOLVED this Board authorizes the Essex County Chairman or Essex County Manager to enter into any and all agreements and contracts with participating towns and participating EMS agencies for the provision of Emergency Medical Technicians, Advanced Emergency Medical Technicians, medic car use, paramedics, drivers or Advanced Emergency Medical Technicians - Critical Care for the period of one (1) year subject to review by the County Attorney; and

BE IT FURTHER RESOLVED that there shall be no cost to the towns or EMS agencies for these services during the initial period of the grant, however, once this period has expired, the town and/or EMS Agency will pay for these services as rates established by the County; and

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

AYES:	2755	votes
NOES:	0	votes
ABSENT:	65	votes (McNally)
VACANT:	101	votes (Wilmington)

Resolution No. 221
WITHDRAWN

August 5, 2019
Regular Board Meeting

**RESOLUTION SUPPORTING THE BOQUET VALLEY CENTRAL
SCHOOL DISTRICT BOARD OF EDUCATION TO ALLOW
TAXPAYERS THE OPTION OF PAYING SCHOOL TAXES IN
INSTALLMENTS PURSUANT TO NEW YORK STATE REAL
PROPERTY TAX LAW §1326-A**

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

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

WHEREAS, pursuant to New York State Real Property Tax Law §1326-a, the Boquet Valley Central School District Board of Education desires to allow taxpayers the option of paying school taxes in installments.

BE IT RESOLVED the Essex County Board of Supervisors hereby supports the Boquet Valley Central School District to allow taxpayers the option of paying school taxes in installments pursuant to NYS RPTL §1326-a.

This resolution was duly seconded by Supervisor Merrihew, and **withdrawn**, with Supervisor Scozzafava being opposed to the resolution being withdrawn.

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE A DISCHARGE OF
MORTGAGE DISCHARGING A CERTAIN MORTGAGE GIVEN BY
TAMI DONALDSON TO THE COUNTY OF ESSEX RECORDED AT
BOOK 1223 OF MORTGAGES, PAGE 75**

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.

BE IT RESOLVED the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to execute a Discharge of Mortgage discharging a certain mortgage given by Tami Donaldson to the County of Essex which mortgage was recorded at Book 1223 of Mortgages at Page 75.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

Resolution No. 223

August 5, 2019
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE AN ACCESS AGREEMENT
WITH ATLANTIC WIND LLC FOR THE PURPOSES OF
ALLOWING ACCESS TO CERTAIN COUNTY OWNED PARCELS
IN THE TOWN OF MORIAH KNOWN AS “BARTON MINES”**

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

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

BE IT RESOLVED the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to execute an Access Agreement with Atlantic Wind LLC for the purposes of allowing access to certain County-owned parcels in the Town of Moriah known as “Barton Mines”, for the purpose of evaluating suitability for bat habitat protection projects, at no cost to the County and the County shall be indemnified, defended and held harmless.

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

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE CONTRACT AGREEMENTS
WITH THE SCHOOL DISTRICTS OF BOQUET VALLEY,
WILLSBORO, MORIAH, MINERVA, CROWN POINT AND
SCHROON LAKE FOR THE PROVISION OF SCHOOL
RESOURCE OFFICERS PROVIDED BY THE ESSEX COUNTY
SHERIFF**

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.

BE IT RESOLVED the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to execute contracts with the following school districts: Boquet Valley; Willsboro, Moriah, Minerva, Crown Point and Schroon Lake for the provision of School Resource Officers (SRO) to be provided by the Essex County Sheriff's Office.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH
CANA RX FOR PRESCRIPTION MEDICATION**

The following resolution was offered by Supervisor Monty, 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 the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to execute an agreement with Cana Rx recognizing that individual employees of the County may voluntarily designate Cana Rx as their agent for the procurement of brand name prescription medication as prescribed by their doctor but that Essex County has never instructed or required any employee to use such services or enter into an agency agreement with Cana Rx.

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

AYES: 2755 votes
NOES: 0 votes
ABSENT: 65 votes (McNally)
VACANT: 101 votes (Wilmington)

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

HON. RANDY S. PRESTON

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

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

WHEREAS, Randy S. Preston, of Wilmington, native son and forever Supervisor of the Town of Wilmington, passed away on July 18, 2019, after a valiant and courageous battle with cancer; and

WHEREAS, Randy was born on March 31, 1959, the son of Sydney and Mary Preston; and

WHEREAS, Randy was a member of the Wilmington Volunteer Fire Department for over forty-two years, having served as the Department's Chief for fourteen years and in various other capacities as Fire Commissioner, Deputy Fire Coordinator and on the Fire District's Board of Commissioners; and

WHEREAS, Randy was elected Supervisor for the Town of Wilmington in 2008, and continued to serve in that capacity until his untimely passing, having been appointed by his peers as Chairman of the Essex County Board of Supervisors in 2016; and

WHEREAS, Randy was a tough and outspoken advocate for his hometown and Essex County and tenaciously advanced and provided for Town and County interests whether they be local or on a statewide level; and

WHEREAS, Randy presented a compelling public presence, never shyed from debate and possessed an unrestrained and forceful personality which served him well in providing for the residents of the Town of Wilmington and Essex County; and

WHEREAS, Randy will be remembered as a no nonsense, nuts and bolts, skilled politician who quickly and efficiently dealt with difficult and controversial issues; and

WHEREAS, Randy was a true friend to his constituents, and keenly recognized the delicate balance that politics plays in the lives of every man; and

WHEREAS, Randy made outstanding contributions to the people of Essex County and the Town of Wilmington through his untiring and selfless devotion to his duties and has contributed immensely to the betterment of the Town of Wilmington and Essex County; and

WHEREAS, among Randy's outstanding contributions were his leading the drive to secure a \$2.27 million New York State grant to create the first of its kind Emergency Medical Services Pilot Program in Essex County; getting the Whiteface Memorial Veteran's Highway repaired after many years of neglect; replacing the elevator at Whiteface; establishing the new High Peaks Health Center; creating parks and the new Wilmington mountain bike system; and establishing the "Gateway to the Adirondacks," a \$25 million State tourist destination; and

WHEREAS, although Randy endured constant physical and mental pain from the ravages of cancer, he came to work every day with purpose and dignity, and continued to serve as Chairman of the Essex County Board of Supervisors and as Supervisor of the Town of Wilmington until his death; and

WHEREAS, the untimely passing of Randy S. Preston has left an enduring and inspirational legacy to all who knew him, to those who aspire to public service and to those currently in public service; and

WHEREAS, although his life was short-lived, he will be remembered by this Board as having the highest degree of integrity, intelligence and as a consummate gentleman both professionally and personally; and

WHEREAS, the residents of the Town of Wilmington and the County of Essex have suffered a great loss with Randy's untimely death; and

WHEREAS, Randy was a loving husband, son, father, brother, uncle and friend who will be sorely missed but never forgotten; and

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 Randy S. Preston; 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 Preston family.

This resolution was unanimously seconded and adopted.

**RESOLUTION ADOPTING PROPOSED LOCAL LAW
NO. 4 OF 2019 (INTRODUCED AS PROPOSED LOCAL LAW NO.
3 OF 2019) ENTITLED "A LOCAL LAW PROVIDING FOR
ADDITIONAL AND RELATED DUTIES OF THE OFFICE OF
ESSEX COUNTY CORONER"**

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

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

WHEREAS, by Resolution No. 194 duly adopted on July 1, 2019, the County of Essex introduced Local Law No. 3 for 2019, entitled "A local law providing for additional and related duties of the Office of Essex County Coroner"; and

WHEREAS, that a Public Hearing was duly held on the 29th day of July, 2019 at 11:00 a.m. to hear any and all persons concerning the adoption of said local law.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts proposed Local Law No. 4 of 2019 (introduced as proposed Local Law No. 3 of 2019) entitled, "A Local Law providing for additional and related duties of the Office of Essex County Coroner", reading and providing as follows:

"ESSEX COUNTY LOCAL LAW NO. 4 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 September 1, 2019, and upon filing with the Office of Secretary of State.

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

AYES:	2629	votes
NOES:	0	votes
ABSENT:	65	votes (McNally)
VACANT:	101	votes (Wilmington)
ABSTAIN:	126	votes (Winemiller)

**RESOLUTION INTRODUCING PROPOSED LOCAL
LAW NO. 5 OF 2019, A LOCAL LAW
REPEALING LOCAL LAW NO. 4 OF 2018, WHICH RAISED
THE LEGAL AGE TO PURCHASE TOBACCO IN
ESSEX COUNTY TO 21 YEARS OF AGE**

The following resolution was offered by Supervisor Harrington, 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 introduces proposed Local Law No. 5 of 2019 entitled, "A Local Law Repealing Local Law No. 4 of 2018, Which Raised the Legal Age to Purchase Tobacco in Essex County to 21 Years of Age," reading and providing as follows:

Essex County Local Law No. 5 - 2019

A LOCAL LAW REPEALING LOCAL LAW NO. 4 OF 2018

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

SECTION I. - TITLE: This local law shall be known and cited as "A Local Law Repealing Local Law No. 4 of 2018, Which Raised the Legal Age to Purchase Tobacco in Essex County to 21 Years of Age."

SECTION II. - ENACTMENT: This local law is adopted pursuant to the authority granted the County of Essex pursuant to Section 10 of the Municipal Home Rule Law of the State of New York.

SECTION III. - PURPOSE: The State of New York has passed legislation wherein the statewide legal age for purchase of tobacco products is 21. Therefore, Essex County Local Law No. 4 of 2018 is preempted by such legislation and rendered redundant, null, and void. Therefore, this Board desires to repeal Local Law No. 4 of 2018.

SECTION IV. – REPEAL: Essex County Local Law No. 4 of 2018, which raised the legal age to purchase tobacco in Essex County to 21 years of age, is hereby repealed.

SECTION V. - EFFECTIVE DATE: This local law shall take effect November 14, 2019.

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 3rd day of September, 2019, at 9:30 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:	2755	votes
NOES:	0	votes
ABSENT:	65	votes (McNally)
VACANT:	101	votes (Wilmington)

**RESOLUTION OF APPRECIATION AND CONGRATULATIONS
TO
LISA DECKER
FOR 30 YEARS OF DEDICATED SERVICE TO
ESSEX COUNTY**

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

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

WHEREAS, Lisa Decker began working for Essex County on August 14, 1989, as an Account Clerk Typist in the Treasurer's Office; and

WHEREAS, in 1990, Lisa was promoted to a Sr. Account Clerk and became a Principal Account Clerk in 2009; and

WHEREAS, Lisa is currently Deputy Treasurer which position she began in 2010; and

WHEREAS, Lisa Decker has dedicated more than 30 years of service to Essex County; and

WHEREAS, during her tenure with the Essex County Treasurer's Department, Lisa Decker has exhibited the highest degrees of professionalism, competency, integrity and attention to detail and has always greeted and treated the public, the residents of Essex County and its employees with grace and respect; and

WHEREAS, the Essex County Board of Supervisors wishes to congratulate Lisa Decker on her accomplishments and continued service to Essex County and the residents of the County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby congratulates and commends Lisa Decker 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 Lisa Decker.

This resolution was unanimously seconded and duly adopted.