



Essex County Board of Supervisors

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Vice-Chairman

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Chesterfield

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Crown Point

Noel H. Merrihew, III
Elizabethtown

Kenneth Hughes
Essex

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James W. Monty
Lewis

Stephen McNally
Minerva

Thomas R. Scozzafava
Moriah

Robin DeLoria
Newcomb

Derek Doty
North Elba

Stephanie DeZalia
North Hudson

Meg Wood
Schroon

Davina Winemiller
St. Armand

Mark Wright
Ticonderoga

Michael K. Tyler
Westport

Shaun Gilliland
Willsboro

Roy Holzer
Wilmington

AGENDA

REGULAR BOARD MEETING
Tuesday, June 6, 2023

Shaun Gilliland, Chairman
James Monty, Vice-Chairman

10:00 A.M. CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

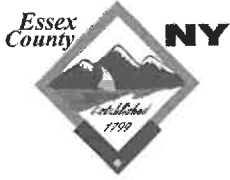
INTRODUCTION OF GUESTS:

RESOLUTIONS

RESOLUTIONS FROM THE FLOOR

OTHER PERTINENT BUSINESS

ADJOURNMENT



Essex County Board of Supervisors

Resolution No. 149

June 6, 2023
Regular Board Meeting

**RESOLUTION OF APPRECIATION AND RECOGNITION TO THE
ESSEX COUNTY SHERIFF'S DEPARTMENT CORRECTION STAFF IN
HONOR OF NATIONAL CORRECTIONAL OFFICERS WEEK,
MAY 7-13, 2023**

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

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

WHEREAS, in 1984, President Ronald Reagan signed Proclamation 5187 creating "National Correction Officer's Week" being the first week of May each year; and

WHEREAS, Essex County receives people from the street on initial arrests, who may be intoxicated, have mental health issues or medical issues; and

WHEREAS, Essex County officers handle all of these with professionalism and do so in compliance with all local, state and federal statutes which is best shown by the minimal amount of inmate litigation against Essex County; and

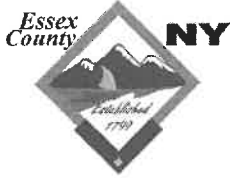
WHEREAS, Most inmate services have been able to continue with the support and creative thinking of the correction officers; and

WHEREAS, Words cannot express how proud and appreciative we are of these officers.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appreciates and recognizes the Essex County Sheriff's Department Correctional Staff in honor of National Correctional Officers Week of May 7-13, 2023; and

BE IT FURTHER RESOLVED that this Board hereby thanks the Essex County Sheriff's Department Correctional Staff for the outstanding job these men and women do day and night, weekends and holidays, and in good and bad weather.

This resolution was unanimously seconded and duly adopted.



Essex County Board of Supervisors

Resolution No. 150

June 6, 2023
Regular Board Meeting

**RESOLUTION RECOGNIZING MAY 15, 2023, AS NATIONAL
PEACE/POLICE OFFICERS MEMORIAL DAY AND THE WEEK OF
MAY 14-20, 2023, AS NATIONAL POLICE WEEK**

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

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

WHEREAS, in 1962, President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day; and

WHEREAS, on May 15th, 2023, we acknowledge National Peace/Police Officers Memorial Day by lowering flags to half-mast in remembrance and especially in memory of those officers who gave their all: Officer Earl Torrance (End of Watch 11/15/1948) and Sgt. Eric Loiselle (End of Watch: 08/17/2005), and those others who have sacrificed to keep the citizens and visitors of Essex County safe; and

WHEREAS, Deputies have had to learn to new laws, executive orders and procedures with the continuous changes being made by the state with little to no input from law enforcement professionals; and

WHEREAS, Deputies have continued responding as EMT's throughout the County expanding emergency medical care.

BE IT RESOLVED, that this Board of Supervisors, its Clerk of the Board, County Manager and County Attorney, do hereby recognize May 15, 2023, as National Peace/Police Officers Memorial Day; and

BE IT FURTHER RESOLVED, this Board also recognizes the Week of May 14-20, 2023, as National Police Officers Week; and

BE IT FURTHER RESOLVED, this Board appreciates all the officers for their outstanding service they provide Essex County.

This resolution was unanimously seconded and duly adopted.



Essex County Board of Supervisors

Resolution No. 151

June 6, 2023
Regular Board Meeting

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

The following resolution was offered by Supervisor , 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 award a contract/agreement or purchase order for the following:

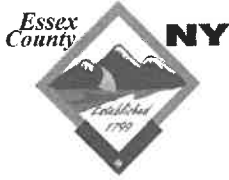
1. Stop DWI - to provide training of the "Tall Cop Says Stop" Program to Essex County, in the amount of \$7,600.00, with funds to come from the Stop DWI Reserve Account.
2. Mental Health - Contract - with Stepping Stones Psychological & Behavioral Supports, PLLC for developing a curriculum and training to provide team building, technical assistance and cross-training, in an amount not to exceed \$9,820.00, with funds to come from SAMHSA System of Care grant funding.
3. DPW - Contract to ING Civil Inc., for the Tahawus Road over Sanford Lake Bridge Replacement Project located in the Town of Newcomb, in the amount of \$3,211,400.00, from budgeted funds.
4. DPW - purchase order to purchase four (4) new top dumpsters and two (2) new recycling dumpsters in the DPW - Solid Waste Department, from Wasteequip Manufacturing LLC, in an amount not to exceed \$52,674.50, from budgeted funds.
5. DPW - purchase order to purchase a 2024 Mac 100CY moving floor trailer in the DPW - Solid Waste Department, from Mac Trailer Manufacturing Inc., in an amount not to exceed \$111,143.00, from budgeted funds.
6. EMS Consolidation - purchase order with Denooyer Chevrolet, Inc., for the purchase of one (1) Chevy Tahoe, in the amount of \$72,950.40, from budgeted funds.

7. Community Resources Department - Contract with MJ Engineering & Land Survey and Wright Pierce for the Asset Management Program RFP in the total amount of \$784,610.00. MJ Engineering & Land Survey awarded CLIN groups 1 & 5 in the amount of \$392,900.00, along with additional 4D scanning services in the amount of \$67,500.00, for a total of \$460,400.00; Wright Pierce is awarded CLIN Groups 2, 3 and 4 for a total of \$324,210.00, from budgeted funds and paid from Account H8022 544002.
8. Emergency Services Department - Contract to purchase a Motorola GTR 8000 base radio from State Contract, in the amount of \$24,138.00, and for the installation, per the contract, by Bearcom of the equipment, in the amount of \$6,040.00, funds to come from SICG21 grant funds.
9. DPW - Contract with Kubricky Construction Corp, for multiple culvert replacements in the amount of \$1,296,760.38, from budgeted funds.
10. DPW - purchase order - Robert Green Auto & Truck, Inc., for 1 new and unused 2023 Dodge Ram 5500 Truck with Reading 2023 Service Body, in the amount of \$99,719.44, from budgeted funds.
11. DPW - purchase order - Robert Green Auto & Truck, Inc., for three (3) new and unused 2023 Dodge Ram 1500, 4x4 crew cab pick-up trucks, in the amount of \$135,279.51, from budgeted funds.

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute a contract/agreement or purchase order for the above referenced.

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

AYES:	votes
NOES:	votes
ABSENT:	votes



Essex County Board of Supervisors

Resolution No. 152

June 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR VARIOUS DEPARTMENTS

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

Upon the recommendation of the various Committees, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2023 Essex County Budget as follows:

Human Services Committee:

1. From the Mental Health Department to increase revenues and appropriations in the amount of \$23,012.00, from unexpended 2022 SAMHSA funds, as follows:

REVENUES

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4320	444901	SAMHSA	\$23,012.00

APPROPRIATIONS

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4320	510010	ECMH	\$23,012.00

2. From the Mental Health Department, to increase revenues and appropriations in the amount of \$205,816.00, from CSB Opioid Settlement, as follows:

REVENUES

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4320	434907	OASAS	\$205,816.00

APPROPRIATIONS

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4320	547000	Interdepartment Transfer	\$205,816.00

3. From Health Department to increase revenues and appropriations in the amount of \$2,000.00, from Adk for Kids funding, as follows:

REVENUES

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4082	427050	Adk for Kids	\$2,000.00

APPROPRIATIONS

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4082	547001	Misc. Expenses	\$2,000.00

4. From Health Department to increase revenues and appropriations in the amount of \$2,500.00, from Excellus Innovation funding, as follows:

REVENUES

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4082	427050	Excellus Funds	\$2,500.00

APPROPRIATIONS

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4082	547001	Misc. Expenses	\$2,500.00

5. From Health Department to increase revenues and appropriations in the amount of \$1,000.00, from Generous Acts Funds, as follows:

REVENUES

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4082	427050	Generous Acts Funds	\$1,000.00

APPROPRIATIONS

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4082	547001	Generous Acts Funds	\$1,000.00

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

AYES: **votes**
NOES: **votes**
ABSENT: **votes**



Essex County Board of Supervisors

Resolution No. 153

June 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING APPOINTMENTS TO BOARDS, COMMITTEES AND/OR COUNCILS

The following resolution was offered by Supervisor , 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 makes the following appointments:

Human Services Committee:

1. Appointing Bryan Bond as a member of the Essex County Community Services Board for a term effective April 12, 2023 to December 31, 2025, and as a member of the Mental Health Subcommittee for a term effective April 12, 2023 to December 31, 2026.

This resolution was duly seconded by Supervisor , and adopted.



Essex County Board of Supervisors

Resolution No. 154

June 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING VARIOUS DEPARTMENTS TO APPLY FOR AND ACCEPT GRANTS

The following resolution was offered by Supervisor , 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 to apply for and accept the following grants:

Health Department

- WIC grant accept Year 1 (FFY24) of a 5 year grant, in the amount of \$372,300.00.
- Adk for Kids Funding from Excellus for the 2023 Farm Protect, in the amount of \$2,000.00.
- Generous Acts Funding in the amount of \$1,000.00, for 2023 Farm Project.

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

AYES:	votes
NOES:	votes
ABSENT:	votes



Essex County Board of Supervisors

Resolution No. 155

June 6, 2023
Regular Board Meeting

RESOLUTION PROCLAIMING MAY 2023, AS OLDER AMERICANS MONTH

The following resolution was offered by Supervisor , 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 month of May is Older Americans Month; and

WHEREAS, Essex County includes a growing number of older Americans who contribute their time, wisdom and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities and backgrounds have the opportunity to participate and live independently; and

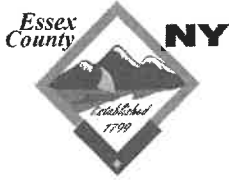
WHEREAS, Essex County recognizes the need to create a community that offers the services and supports older adults may need to make choices about how they age; and

WHEREAS, Essex County can work to build an even better community for our older residents by:

- Not limiting our thinking about aging
- Exploring and combating stereotypes
- Emphasizing the many positive aspects of aging
- Inspiring older adults to push past traditional boundaries
- Embracing our community's diversity

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors does hereby proclaim May 2023 to be Older Americans Month in Essex County and urges every resident to celebrate our older citizens, help to create an inclusive society and accept the challenge of flexible thinking around aging.

This resolution was unanimously seconded and duly adopted.



Essex County Board of Supervisors

Resolution No. 156

June 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING TO HIRE A TEMPORARY MOTOR VEHICLE OPERATOR (GRADE 5) IN OFFICE FOR THE AGING

The following resolution was offered by Supervisor , 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, the Essex County Board of Supervisors hereby authorizes Office for the Aging to hire a temporary Motor Vehicle Operator (Grade 5) 30 hours per week at the hourly rate of \$17.50, for the transport of older adults to and from medical related appointments, funds to come from American Rescue Plan SSC6 (Account A6772-549920 COVID19) this position will end when funding ends on or before September 30, 2024.

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

AYES:	votes
NOES:	votes
ABSENT:	votes



Essex County Board of Supervisors

Resolution No. 157

June 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING THE ESSEX COUNTY PURCHASING AGENT TO GO TO BID FOR VARIOUS DEPARTMENTS

The following resolution was offered by Supervisor , 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 go to bid for the following:

From Human Services Committee:

1. Office for the Aging - To go out to bid for the purchase of two (2) new and unused vehicles; one being an unused van for delivery of home delivered meals, not to exceed \$44,000.00; and one being an unused small SUV for staff to make home visits and assess for nutrition services, not to exceed \$44,000.00, funds to come from Covid-19 American Rescue Plan HDC6 and CMC6.

This resolution was seconded by Supervisor , and duly adopted.



Essex County Board of Supervisors

Resolution No. 158

June 6, 2023
Regular Board Meeting

RESOLUTION RECOGNIZING MAY 7-13, 2023, AS NATIONAL PUBLIC SERVICE WEEK

The following resolution was offered Supervisor , 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 this Board of Supervisors, its Clerk of the Board, County Manager and County Attorney, do hereby recognize the week of May 7-13, 2023, as National Public Service Week.

This resolution was unanimously seconded and duly adopted.

funds and paid from Account #A4320 544002.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the above referenced amendments; 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 , and duly adopted, upon a roll-call vote as follows:

AYES:	votes
NOES:	votes
ABSENT:	votes



Essex County Board of Supervisors

Resolution No. 159

June 6, 2023
Regular Board Meeting

RESOLUTION AUTHORIZING CONTRACT AMENDMENTS/CHANGE ORDERS IN VARIOUS DEPARTMENTS

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

Upon the recommendation of the various Committees, and 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, change order or Letter of Authorization to the following contracts:

From DPW Committee:

1. From DPW - Change Order with CPL Architects, Engineers, Landscape Architects and Surveyors, DPC bearing Contract No. DPW-23-0007, for professional engineering services to include construction administration and construction inspection for the Water Street over the Branch Bridge Replacement Project in the Town of Elizabethtown, in an amount not to exceed \$62,520.37, from budgeted funds.
2. From DPW - Credit Change Order with Winn Construction Services bearing Contract No. DPW-22-0053, in the credit amount of (\$73,131.24) for general construction for the Water Street over the Branch Bridge Replacement Project in the Town of Elizabethtown.
3. From DPW - Contract Amendment with H&T Engineering bearing Contract No. DPW-24-0007, for professional engineering including final design and construction phase services for the Sheldrake Road over East Branch of the AuSable Bridge Rehabilitation Project located in the Town of Jay, in an amount not to exceed \$16,500.00, from budgeted funds.

From Ways and Means Committee:

1. From DPW - Contract Amendment with Adirondack Community Action Program (ACAP) and Mental Health Department bearing Contract No. MH-23-0020, in the

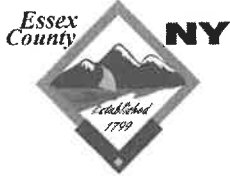
amount of \$18,000.00, for Nurturing Parenting training, from BRIEF SAMHSA grant funds and paid from Account #A4320 544002.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the above referenced amendments; 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 , and duly adopted, upon a roll-call vote as follows:

AYES:	votes
NOES:	votes
ABSENT:	votes



Essex County Board of Supervisors

Resolution No. 160

June 6, 2023
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF PAUL EDWIN BURNS

The following resolution was offered by Supervisor , 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, Paul Edwin Burns passed away at his home on May 9, 2023; and

WHEREAS, Paul Edwin Burns was the son of Katherine and Edwin Burns; and

WHEREAS, Paul Edwin Burns worked in the telecommunications industry for many years and created Modex, a computer consulting business; and

WHEREAS, Paul had a great love for the outdoors where enjoyed fishing the banks of Putts Creek near his home, hiking and camping in his mountains, Moose and Owlpatte and had hiked many of the 46 High Peaks of the Adirondacks, and served as president of his hunting club; and

WHEREAS, Paul loved to learn and expand his mind with studies of physics, science and mathematics and was always asking questions of others; and

WHEREAS, Paul is survived by his nephew, Dan Meehan and his wife, Jennifer and their children, Ambellina and Chase; his nephew, John Chapin, III and his great-nephew, Ashton Hilpertshauser; and many cousins and friends; and

WHEREAS, Paul Edwin Burns was a loving son, 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 Paul Edwin Burns; 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 Burns family.

This resolution was unanimously seconded and adopted.



Essex County Board of Supervisors

Resolution No. 161

June 6, 2023
Regular Board Meeting

RESOLUTION OF APPRECIATION TO CORNELL COOPERATIVE EXTENSION VOLUNTEERS

The following resolution was offered Supervisor , 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 appreciates and recognizes the many volunteers for their help at Cornell Cooperative Extension during the various programs that Cornell hosts.

This resolution was unanimously seconded and duly adopted.



Essex County Board of Supervisors

Resolution No. 162

June 6, 2023
Regular Board Meeting

RESOLUTION RECOGNIZING LONG-TERM EMPLOYEES OF ESSEX COUNTY

The following resolution was offered by Supervisor , 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 recognizes the following long-term Essex County Employees for the month of May 2023:

- **25 Years of Service**
Tracy Briggs, Department of Social Services

BE IT FURTHER RESOLVED, that this Board hereby extend their heartfelt appreciation to Tracy Briggs for her dedication and service to Essex County.

This resolution was unanimously seconded and duly adopted.



Essex County Board of Supervisors

Resolution No. 163

June 6, 2023
Regular Board Meeting

**RESOLUTION ACCEPTING THE NORTHERN BORDER
REGIONAL COMMISSION 2023 CATALYST PROGRAM
GRANT AWARD AND AUTHORIZING THE COUNTY
CHAIRMAN OR COUNTY MANAGER TO EXECUTE ALL
NECESSARY DOCUMENTS RELATING TO THE SAME**

The following resolution was offered by Supervisor , 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 submitted application to Northern Border Regional Commission (NBRC) for the CATALYST Program grant; and

WHEREAS, the Northern Border Regional Commission (NBRC) has made grant funds available for FY2023 through the CATALYST Program to municipalities to implement projects to promote resource conservation, tourism and recreation; and

WHEREAS, Essex County proposes to implement a tourism and recreation project to improve the former Frontier Town property through the construction activities related site improvements including equestrian and visitor facilities; and

WHEREAS, NBRC requires the Essex County Chairman or County Manager to authorize permission for the execution of all NBRC investment documents to bind the applicant for the CATALYST Program grant.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the acceptance of the Northern Border Regional Commission (NBRC) 2023 CATALYST Program grant award; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are further authorized to execute any and all necessary investment documents relating to the Northern Border Regional Commission (NBRC) 2023 CATALYST Program and grant award.

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

AYES:	votes
NOES:	votes
ABSENT:	votes



Essex County Board of Supervisors

Resolution No. 164

June 6, 2023
Regular Board Meeting

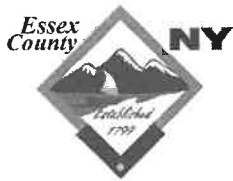
**RESOLUTION CHANGING THE DATE OF THE JULY REGULAR
BOARD MEETING FROM JULY 3, 2023 TO JULY 5, 2023**

The following resolution was offered by Supervisor , 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 changes the date for the July 2023 Regular Meeting of this Board from Monday, July 3, 2023 to Wednesday, July 5, 2023, after the 4th of July holiday.

This resolution was duly seconded by Supervisor , and adopted.



Essex County Board of Supervisors

Resolution No. 165

June 6, 2023
Regular Board Meeting

**RESOLUTION URGING THE NEW YORK STATE DEPARTMENT
OF ENVIRONMENTAL CONSERVATION AND ADIRONDACK
PARK AGENCY TO APPROVE THE CURRENT PERMIT
MODIFICATION SUBMITTED BY BARTON MINES SEEKING
INCREASED MINERAL STORAGE CAPACITY, EXTENDING THE
QUARRY'S FOOTPRINT AND INCREASING ALLOWABLE
TRUCK TRAFFIC TO INSURE THAT THE MINE WILL BE ABLE
TO CONTINUE TO OPERATE AND PROVIDE EMPLOYMENT
AND ECONOMIC SUPPORT
TO ESSEX COUNTY AND ITS TOWNSHIPS**

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

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

WHEREAS, since 1879, Barton Mines has mined the finest garnet and has turned it into high quality abrasives for industrial uses around the world; and

WHEREAS, Barton Mines operates a quarry and processing facility in a neighboring county, as well as a finishing plant and an office in Glens Falls which in a responsible and environmentally conscious manner providing stimulus to local economy; and

WHEREAS, Barton Mines has submitted a permit modification to the New York State Department of Environmental Conservation and Adirondack Park Agency which is vital to their continued operation of all mineable garnet which is projected to be for at least the next 75 years; and

WHEREAS, the permit requests increased residential mineral storage capacity, extending the quarry's footprint on its existing property and increasing the number of allowable truck trips to and from their facilities; and

WHEREAS, these modifications are necessary for Barton Mines to continue its Adirondack operations and to provide employment and economic stimulus to the Adirondack region.

BE IT RESOLVED that the Essex County Board of Supervisors wholeheartedly urges the New York State Department of Environmental Conservation and the Adirondack Park Agency to approve this current permit modification to insure that Barton Mines continues to provide employment, economic stimulus to the Adirondack Region for the foreseeable future; and

BE IT FURTHER RESOLVED, that a copy of the this resolution be forwarded to the Commissioner of New York State Department of Economic Conservation and Commission of the Adirondack Park Agency, as well as, Assemblyman Matthew Simpson and Senator Daniel Stec.

This resolution was duly seconded by Supervisor , and adopted.



Essex County Board of Supervisors

Resolution No. 166

June 6, 2023
Regular Board Meeting

**RESOLUTION URGING THE NEW YORK STATE ASSEMBLY,
NEW YORK STATE SENATE AND GOVERNOR HOCHUL TO
REFRAIN FROM THE PASSAGE OF ASSEMBLY BILL
4935/SENATE BILL 5213 AND ANY SIMILAR LEGISLATION
RELATIVE TO REAL PROPERTY TAX LIEN FORECLOSURES
UNTIL SUCH TIME AS THE COUNTIES AND ALL OTHER
INTERESTED PARTIES ARE HEARD AND CAN PROVIDE INPUT**

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

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

WHEREAS, on May 25, 2023, the Supreme Court of the United States decided *Tyler v. Hennepin County, Minnesota* holding that delinquent taxpayers have a property interest in any surplus monies over and above unpaid taxes and administrative expenses which must be returned to the property owners; and

WHEREAS, consequently, it is now the law of the land that in Article 11 Real Property Tax Law Tax Foreclosure Proceedings undertaken by counties, any surplus monies that result after the payment of the taxes and administrative expenses must be returned to the real property owner; and

WHEREAS, there is pending legislation in the New York State Assembly (A.4935) and New York State Senate (S.5213) which seeks to amend the New York State Real Property Tax Law which is cumbersome, inartful and lacking in detail, and will be a significant and burdensome expense to the counties to implement; and

WHEREAS, these onerous provisions are:

- the requirement that the foreclosure on any real property tax lien be a separate judicial proceeding specific to each parcel
- that the property of the primary residence of an owner entitled to a tax exemption based upon age, disability or veteran status may not be foreclosed upon in tax foreclosure
- individual mandatory settlement conferences for each parcel
- if there is a transfer to the municipality (county) pursuant to 1136 of the RPTL or there are no bidders or purchasers and the municipality (county)

takes possession of the property, any subsequent sale or transfer of the property must be an arms-length transaction and surplus monies must be paid the owner

WHEREAS, the latter provision regarding transfer to a municipality pursuant to §1136 is particularly troublesome as Essex County has established, under New York State Not-For-Profit Law Article 16, the Essex County Land Bank to which it wishes to transfer, without consideration, real property granted the County by the Enforcement Officer in order to provide badly needed low and middle income housing for residents in Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors implores the New York State Assembly, the New York State Senate and Governor Hochul to take pause, not pass this legislation, and more carefully consider legislation relating to surplus monies and amendment of the Real Property Tax Law including current legislation in both houses so that they are properly versed in the consequences and ramifications of current proposed legislation and that the same may be amended and made more clear; and

BE IT FURTHER RESOLVED, in addition, this Board is asking the legislature and the Governor to make provision for the municipality to transfer without consideration to land banks or similar not-for-profit organizations, as provided for by New York State Law for the payment of any surplus funds to the property owner only after the Land Bank has finished its work and sold and transferred the property taking into consideration all fees and expenses the County or the Land Bank may incur in the rehabilitation and, sale or transfer of the property; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to: Governor Kathy Hochul, Senator Daniel Stec, Assemblyman Matthew Simpson, Assemblyman Billy Jones, Senate Majority Leader, Assembly Majority Leader, Senate Minority Leader and Assembly Minority Leader.

This resolution was duly seconded by Supervisor , and adopted.



Essex County Board of Supervisors

Resolution No. 167

June 6, 2023
Regular Board Meeting

RESOLUTION OF RECOGNITION AND APPRECIATION TO

WILLIAM TRYBENDIS

**FOR 50 YEARS OF SERVICE TO THE
MORIAH FIRE DEPARTMENT**

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

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

WHEREAS, William Trybendis, a resident of the Town of Moriah, was recently honored as a 50 year member of the Moriah Fire Department; and

WHEREAS, this Board of Supervisors commends all firefighters for their selfless acts of bravery and their dedication to all; and

WHEREAS, William Trybendis has tirelessly, selflessly, conscientiously and with all degree of professionalism performed his duties as a volunteer fireman for fifty years, during which time he covered thousands of fire calls; and

WHEREAS, William Trybendis has set an example for all by his selfless, professional, civil and community dedication performing his duties for the good of the residents of Moriah and Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors joins its voice with the residents of the Town of Moriah as it celebrates William Trybendis and his years of dedication and service as a firefighter and extends its sincere gratitude, appreciation and congratulations; 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 William Trybendis.

This resolution was duly seconded by Supervisor , and adopted.



Essex County Board of Supervisors

Resolution No. 168

June 6, 2023
Regular Board Meeting

**RESOLUTION AUTHORIZING AND APPROVING A TRANSFER
OF FUNDS IN THE AMOUNT OF \$300,000.00 FROM AMERICAN
RECOVERY FUNDS TO THE ESSEX COUNTY
LAND BANK**

The following resolution was offered by Supervisor , 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 transfer of funds in the amount of \$300,000.00, from American Recovery Funds to the Essex County Land Bank for the start-up of the program.

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

AYES:	votes
NOES:	votes
ABSENT:	votes