

Resolution No. 108

June 2, 2003
Regular Board Meeting

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

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

Upon the recommendation of the respective committees indicated below, 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:

1. From the Public Safety Committee:

- (a) The 2002 Annual Report of the Essex County Sheriff's Department.

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

RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT

The following resolution was offered by Supervisor Seney, 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, *this board is in receipt of the semiannual Mortgage Tax Report, showing amounts to be credited to each tax district of the county of the money collected during the preceding six months ending March 31, 2003.*

BE IT RESOLVED, *that pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amount so credited as appropriated by the Clerk of the Board, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts, in accordance with the report, as follows:*

<u>TOWNS AND VILLAGES</u>	<u>AMOUNTS</u>
CHESTERFIELD	
To the TOWN	25,343.01
To the VILLAGE OF KEESEVILLE	2,356.28
CROWN POINT	8,641.90
ELIZABETHTOWN	8,773.79
ESSEX	13,363.73
JAY	20,121.06
KEENE	18,225.88
LEWIS	6,354.12
MINERVA	8,670.16
MORIAH	
To the TOWN	19,964.09
To the VILLAGE OF PORT HENRY	3,191.87
NEWCOMB	5,492.85
NORTH ELBA	
To the TOWN	92,001.79
To the VILLAGE OF LAKE PLACID	69,253.70
To the VILLAGE OF SARANAC LAKE	6,670.91
NORTH HUDSON	1,459.74

ST. ARMAND	
To the TOWN	14,450.94
To the VILLAGE OF SARANAC LAKE	1,085.53
SCHROON	53,761.34
TICONDEROGA	34,500.52
WESTPORT	24,642.47
WILLSBORO	12,795.50
WILMINGTON	<u>10,821.50</u>
TOTAL:	\$461,942.68

This resolution was duly seconded by Supervisors Ashworth and Both, and adopted.

Resolution No. 110

June 2, 2003
Regular Board Meeting

**RESOLUTION PROCLAIMING THE MONTH OF
MAY, 2003 AS OLDER AMERICANS MONTH**

The following resolution was offered Supervisor Jackson, 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, May is “Older Americans Month” in the United States of America and New York State; and

WHEREAS, the “Older Americans” of Essex County have in the past and continue today to contribute in many ways to the quality of life in this County; and

WHEREAS, our County is fortunate to have among its residents individuals who are 60 years of age or over living and working in our County; and

WHEREAS, each of these citizens has made a significant contribution to Essex County as it has grown to become one of the fastest growing Counties in New York State; and

WHEREAS, because of the efforts of the “Older Americans” of Essex County, and in recognition thereof, it is incumbent on us to pause and express our appreciation for all that they have done and continue to do throughout this area.

BE IT RESOLVED, that the Essex County Board of Supervisors does hereby proclaim the month of May as “Older Americans Month in Essex County”; and

BE IT FURTHER RESOLVED that this Board of Supervisors, its Clerk of the Board, County Manager and County Attorney, do hereby pay tribute to Essex County's Older Americans for their contribution to the residents of Essex County.

This resolution was unanimously seconded and adopted.

Resolution No. 111

June 2, 2003
Regular Board Meeting

**RESOLUTION DECLARING JUNE 3, 2003 AS LAW ENFORCEMENT
TORCH RUN FOR SPECIAL OLYMPICS DAY IN ESSEX COUNTY**

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

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, Special Olympics is an international program of year-round sports training and athletic competition for children and adults with special needs; and

WHEREAS, the good works of the Special Olympics has always been noted with distinction by the Essex County Board of Supervisors; and

WHEREAS, Law Enforcement Officers are carrying the Special Olympic Torch throughout the district; and

WHEREAS, the torch will be traveling through Elizabethtown, the County Seat, on Tuesday, June 3, 2003 at 8:00 A.M.

BE IT RESOLVED, that the Essex County Board of Supervisors supports Special Olympics and the Law Enforcement Torch Run, and is honored to have the torch stop and start here in Elizabethtown; and

BE IT FURTHER RESOLVED, that the Board of Supervisors declares June 3, 2003 Law Enforcement Torch Run for Special Olympics Day; and

BE IT FURTHER RESOLVED, that the Essex County Clerk, representing this Board of Supervisors presents this Resolution with our best wishes to Sergeant Todd St. Louis of the New York State Police.

This resolution was unanimously seconded and adopted.

Resolution No. 112

June 2, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING APPOINTMENTS AND
CHANGES TO POSITIONS IN COUNTY SERVICE**

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

Upon the recommendation of the various committees indicated below, 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 and approves the following appointments and changes in county service, all to be performed in compliance with, as and if applicable, the Essex County Civil Service Rules and Regulations, and/or the current CSEA contract and/or the Essex County Personnel Policy Manual:

1. From the Human Services Committee:

- (a) *For the Social Services Department, fill a vacant position of Account Clerk/Typist on a part-time temporary basis until 12/31/03 in the Child Support Enforcement Unit.*

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

Resolution No. 113

**June 2, 2003
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PERSONNEL OFFICER TO
CONDUCT 100 RANDOM BACKGROUND CHECKS,
APPROPRIATING \$5,000.00 FROM THE CONTINGENT ACCOUNT
THEREFOR, AND AMENDING THE BUDGET ACCORDINGLY**

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

Upon the recommendation of the Personnel & Administration 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 appropriates the sum of \$5,000 from the contingent account (Account No. 19904-5487) for transfer to the 2003 Essex County Personnel Department budget (14304 5445 - Consulting Fees) to perform 100 random background checks and amending the budget accordingly.

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

AYES: 2595 votes
NOES: 0 votes
ABSENT: 248 votes (Merrihew, Moses)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 6/02/03:	\$ 392,045.00
Reduction Impact of This Resolution:	\$ 5,000.00
FY2003 Contingent Account Balance:	\$ 387,045.00

Resolution No. 114

**June 2, 2003
Regular Board Meeting**

**RESOLUTION AMENDING THE 2003
ESSEX COUNTY BUDGET**

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

Upon the recommendation of the respective committees indicated below, 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 2003 Essex County Budget as follows:

1. From the Public Safety Committee:

(a) For the Sheriff's Department, increase revenues and appropriations in the amount of \$20,000 from drug forfeiture money proceeds as follows:

REVENUES

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
3110 42626	Forfeitures	\$ 20,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
31104 5423 FORF	Telephone	\$ 2,000.00
31102 5200 FORF	Equipment	10,000.00
31101 5120 FORF	Overtime	8,000.00

2. From the Finance/Tax Reduction/Mandate Relief Committee:

(a) Amend the budget for the Housing Assistance Program for Grant Number 382-HO109-01 for home purchases by increasing revenues (6989 449973) and appropriations (69894 5400HP-G) in the amount of \$73,608.84.

(b) Amend the budget for the Housing Assistance Program for Grant Number 382-HO170-02 for home purchases by increasing revenues (6989 449974) and appropriations (69894 5400HPG1) in the amount of \$135,046.89.

(c) Amend the budget for the Essex County IDA for Grant Number 382-ME9-02 for the micro enterprise fund by increasing revenues (6989 449975) and appropriations (69894 5400MICR) in the amount of \$87,500.00.

3. From the Ways and Means Committee:

(a) For the Emergency Services Department, increase revenues (3640 43961 - Hazardous Mitigation Grant) and appropriations (36404 5487HMP - 2003 Portion of HMG) in the amount of \$7,654.00.

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

AYES: **2595 votes**
NOES: **0 votes**
ABSENT: **248 votes (Merrihew, Moses)**

Resolution No. 115

June 2, 2003
Regular Board Meeting

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

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

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

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

1. To the Essex County Workforce Investment Board: Sara Korony to replace Jim McKenna; Jim Carroll of Westport; Marybeth de la Rosa to replace John Perley; Ed Keller; Don Austin; Lonnie Lautenschautz; and John Bernardi to replace Mary Anne Goff.

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

Resolution No. 116

June 2, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY PURCHASING
AGENT TO GO TO BID, ACCEPT AND/OR REJECT BIDS,
AND/OR PURCHASE VARIOUS ITEMS**

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

Upon the recommendation of the various committees indicated, 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 and directs the County Purchasing Agent to go to bid and/or purchase in accordance with the Essex County Purchasing Policy (Resolution No. 320-97) the following:

1. From the Public Safety Committee:

(a) Solicit and award contracts for the sale of timber on County lands in the Town of Minerva, Compartments #2 and #3.

2. From the DPW Committee:

(a) Purchase a Drum Truck for the Department of Public Works in the amount of \$243.50 from budgeted funds.

3. From the Ways and Means Committee:

- (a) For the Emergency Services Department, purchase:
- 1) a generator for booster for refilling air tanks at a cost not to exceed \$2,299.00 from budgeted funds;
 - 2) lighting equipment for Air 1 at a cost not to exceed \$460.00 from budgeted funds;
 - 3) one new rain gauge and repair existing gauges at a cost not to exceed \$7,700.00 from budgeted funds; and
 - 4) a tv/vcr at a cost not to exceed \$200.00 from budgeted funds.

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

AYES: 2489 votes
NOES: 106 votes (Morency)
ABSENT: 248 votes (Merrihew, Moses)

Resolution No. 117

June 2, 2003
Regular Board Meeting

**RESOLUTION REQUESTING THE DEPARTMENT OF
CORRECTIONS TO REMOVE STATE READY PRISONERS FROM
THE COUNTY JAIL AS SOON AS POSSIBLE AFTER SENTENCING**

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

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

WHEREAS, the Commission of Corrections has ordered the Essex County Jail to close, except for five cells, effective June 15th, 2003; and

WHEREAS, a number of current inmates are State ready prisoners awaiting transfer to State Correctional Facilities; and

WHEREAS, Essex County cannot keep State ready prisoners at a cost equal to or less than the amount of State reimbursement, and does not have cells available for such inmates.

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests that the Department of Corrections remove state ready prisoners from the County Jail as soon as possible after sentencing.

This resolution was duly seconded by Supervisors Dobie and Dedrick, and adopted with Supervisor Morency being opposed.

Resolution No. 118

June 2, 2003
Regular Board Meeting

**RESOLUTION CHANGING CERTAIN COUNTY ROAD NAMES
AND ROUTE NUMBERS TO COMPLY WITH E-911**

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

Upon the recommendation of the Department of 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 and directs that the names and route numbers for the following county roads be changed to comply with E-911 as indicated below:

<i>Current Road Name/Number</i>	<i>Location</i>	<i>New Road Name/Number</i>
State Street - County Route 81	Town of St. Armand	St. Regis Avenue - County Route 81

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

Resolution No. 119

June 2, 2003
Regular Board Meeting

***RESOLUTION SUPPORTING AN APPLICATION BY THE IDA TO
THE US DEPARTMENT OF AGRICULTURE & RURAL
DEVELOPMENT FOR A RURAL BUSINESS OPPORTUNITY GRANT***

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

Upon the recommendation of the Economic Development/Planning/Publicity Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby supports an application by the Essex County Industrial Development Agency to the US Department of Agriculture & Rural Development for a Rural Business Opportunity Grant.

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

Resolution No. 120

June 2, 2003
Regular Board Meeting

**RESOLUTION SUPPORTING THE MORIAH-PORT HENRY-ESSEX
COUNTY EMPIRE ZONE BOUNDARY REVISION 2002 CERTIFICATION**

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

Upon the recommendation of the Economic Development/Planning/Publicity Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby supports the Moriah-Port Henry-Essex County Empire Zone Boundary Revision 2002 Certification.

This resolution was duly seconded by Supervisor Connell & Ashworth, and adopted.

Resolution No. 121

June 2, 2003
Regular Board Meeting

**RESOLUTION IN OPPOSITION TO PROPOSED NEW YORK STATE
LEGISLATION IMPLEMENTING THE HELP AMERICA VOTE ACT WHICH
WOULD CENTRALIZE ELECTIONS AT THE COUNTY LEVEL**

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

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

WHEREAS, *the New York State Election Commissioner Association is in support of legislation centralizing all local elections at the County level as part of legislation to be considered and enacted by the New York State Legislature in order to implement the Help America Vote Act; and*

WHEREAS, *this Board of Supervisors strongly opposes such centralization.*

BE IT RESOLVED *that the Essex County Board of Supervisors hereby opposes any proposed legislation to be considered and enacted by the New York State Legislature which would centralize elections at the County level in order to implement the Help America Vote Act; and*

BE IT FURTHER RESOLVED *that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor George E. Pataki; Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O’C. Little; Senate Minority Leader David A. Paterson; Assembly Speaker Sheldon Silver; Assembly Minority Leader Charles H. Nesbitt; and Assembly Members Chris Ortloff and Teresa R. Sayward.*

This resolution was duly seconded by Supervisor Seney, and adopted with Mrs. Morency being opposed.

Resolution No. 122

June 2, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CLERK TO APPOINT
SPECIAL COURT CLERKS PURSUANT TO COUNTY LAW §527**

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

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief Committee, with the approval of the Ways & 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 Clerk to appoint three Special Court Clerks pursuant to County Law §527.

This resolution was duly seconded by Supervisors Seney and Both, and adopted.

Resolution No. 123

June 2, 2003
Regular Board Meeting

**RESOLUTION ABOLISHING THE SOLID WASTE ADVISORY
COMMITTEE**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby abolishes the Solid Waste Advisory Committee.

This resolution was duly seconded by Supervisors Connell and Kelly, and adopted.

Resolution No. 124

June 2, 2003
Regular Board Meeting

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO PURCHASE KEY PAD SECURITY DOOR SYSTEMS FOR VARIOUS DEPARTMENTS AT A COST NOT TO EXCEED \$5,500, APPROPRIATING \$5,500.00 FROM THE CONTINGENT ACCOUNT THEREFOR, AND AMENDING THE BUDGET ACCORDINGLY

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

Upon the recommendation and 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 appropriates the sum of \$5,500 from the contingent account (Account No. 19904-5487) for transfer to the 2003 Essex County Budget as follows and amending the budget accordingly:

<u>Dept. #</u>	<u>Department Name</u>	<u>Acct. # and Name</u>	<u>Amount</u>
4010	Public Health	40104 5413 - Main Bldg and Prop	\$ 835.00
4320	Mental Health	43204 5413 - Main Bldg and Prop	410.00
3150	Jail	31504 5413 - Main Bldg and Prop	2,000.00
1680	Information System	16804 5413 - Main Bldg and Prop	1,000.00
3140	Probation	31404 5413 - Main Bldg and Prop	1,255.00

BE IT FURTHER RESOLVED that the Essex County Purchasing Agent is hereby authorized to purchase key pad security door systems at a cost not to exceed \$5,500.00 for the Probation, Information Systems, Sheriff's, Public Health and Mental Health Departments.

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

AYES: 2401 votes
NOES: 0 votes
ABSENT: 248 votes (Merrihew, Moses)
ABSTAIN: 194 votes (Morrow)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 6/02/03:</i>	<i>\$ 387,045.00</i>
<i>Reduction Impact of This Resolution:</i>	<i>\$ 5,500.00</i>
<i>FY2003 Contingent Account Balance:</i>	<i>\$ 381,545.00</i>

Resolution No. 125

June 2, 2003
Regular Board Meeting

**RESOLUTION DEMANDING CONVEYANCE BY NL INDUSTRIES
AND/OR KRONOS OF REAL PROPERTY IN THE TOWN OF
NEWCOMB FOR COUNTY AND TOWN HIGHWAY PURPOSES
PURSUANT TO THE AGREEMENT RECORDED IN THE ESSEX
COUNTY CLERK'S OFFICE IN LIBER 268 OF DEEDS AT PAGE 7**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby demands conveyance by NL Industries and/or Kronos of real property in the Town of Newcomb for County and Town highway purposes pursuant to the agreement recorded in the Essex County Clerk's Office in Liber 268 of Deeds at Page 7.

This resolution was duly seconded by Supervisors Rushby and Dobie, and adopted with Supervisor Both having abstained.

Resolution No. 126

June 2, 2003
Regular Board Meeting

**RESOLUTION ADOPTING AMENDMENTS TO THE ESSEX
COUNTY AGRICULTURE DISTRICTS**

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

Upon the recommendation of the Economic Development/Planning/Publicity Committee, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

WHEREAS, the Essex County Farmland Protection Board and Essex County Planning Board have recommended that (a) the current eight (8) agricultural districts in the County be merged into a single district to be known as "Essex County Agricultural District No. 1" to contain property in the towns of Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Lewis, Moriah, Ticonderoga, Westport, and Willsboro, and (b) certain parcels be added and deleted from said district; and

WHEREAS, the Essex County Farmland Protection Board and Essex County Planning Board have found that the area within the new Agricultural District No. 1 is highly productive farmland capable of sustaining the economic and long term commitment to district farming; and

WHEREAS, a public hearing on said recommendations was scheduled by the Essex County Board of Supervisors for May 14, 2003 at 9:30 AM in the Supervisor's Chambers in Elizabethtown, New York, at which any and all persons interested therein could and would be heard; and

WHEREAS, all landowners affected by said recommended changes were notified by mail of the public hearing, and the notice of said public hearing was printed in the Denton Publications newspapers and the North Adirondack Agricultural News; and

WHEREAS, said public hearing was duly held at the time and place contained in the notice, and all persons in attendance had full and fair opportunity to comment on said recommendations; and

WHEREAS, the Board of Supervisors has duly considered the recommended changes and the comments at said public hearing.

BE IT RESOLVED that the Essex County Board of Supervisors hereby consolidates Essex County Agricultural Districts No. 1, 2, 3, 4, 5, 6, 7 and 8 into a single Agricultural District to be known and designated as "Essex County Agricultural District No. 1", which will

contain property in the towns of Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Lewis, Moriah, Ticonderoga, Westport, and Willsboro; and

BE IT FURTHER RESOLVED that the following parcels totaling 380.51 acres shall be deleted from said Essex County Agricultural District No. 1:

<u>Town of Essex</u>	<u>Parcel #</u>	<u>Acres</u>
Essex Fire District #1	40.03-2-13.126	8.33
William and Kalora Finucane	39.03-1-19.002	50.00
	39.3-1-10.112	20.40
	39.03-1-9.202	4.30
	39.03-1-9.11	16.40
Barry LaFountain	39.03-1-10.2	2.00
Alvin Knapp	39.03-1-10.111	2.20
	39.03-1-10.12	2.80
Betty Brown	39.3-1-28	0.30
<u>Town of Westport</u>		
Art and Polly Pepin	66.04-1-7	11.60
Mark and Jack Wisell	66.04-1-8	0.60
	66.04-1-9	0.60
James and Marlene Westover	66.04-1-10	0.40
Sara Holland	66.04-1-11	0.40
Camp Dudley	076.02-1-55.12	46.00
Bank of New York	87.2-1-4	69.58
	87.2-2-11	27.40
Elizabethtown Com Hosp	176.02-1-5.004	3.00
Westport Airport	76.02-1-6.002	67.60
	76.02-1-17	7.36
Mental Health	76.02-1-11	1.00
	76.02-1-12	1.00
<u>Town of Ticonderoga</u>		
Essex County IDA	150.2-1-2.121	3.98
	150.2-1-1.122	3.48
	150.2-1-1.123	3.43
	150.2-1-1.124	4.16
Walmart	150.2-2-6.003	19.47
Fort Ti Association	151.01-05-2	0.90
	151.01-05-3.1	1.90

AND BE IT FURTHER RESOLVED that the following parcels totaling 3,710 acres shall be added to said Essex County Agricultural District No. 1:

<u>Town of Jay</u>	<u>Parcel #</u>	<u>Acres</u>
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<i>Matt and Michelle Gedeiko</i>	18.3-1-29	43.00
	18.3-1-36.1	2.00
	18.3-1-36.21	125.00
<i>Keith Taylor</i>	27.2-2.9.111	140.00
<i>Richard and Susan VanWormer</i>	27.2-2-52	10.00
<i>David L Brunner and Rhonda Butler</i>	18.1-1-30.100	145.40
	18.1-1-31.1	81.70
	18.1-1-30.2	9.00
	18.1-1-23.0	105.60
	18.1-1-9.2	210.90
	18.1-1-10	255.70
	18.2-2-24.11	544.12
	18.2-2-25.32	0.74
	18.2-2-24.5	1.00
<u>Town of Essex</u>		
Steve Pierce	39.03-1-22.1	18.13
Mike Christian	48.03-1-7	96.00
	48.04-01-1	9.00
Donna Lee Clark	48.04-1-22	104.00
<u>Town of Crown Point</u>		
Chris and Cathy Spaulding	107.04-2-3	15.00
Gary Tabor	117.16-1-14	49.00
	117.2-1-1	47.00
<u>Town of Chesterfield</u>		
Ralph Martin and Denise Lussier	3.3-1-6	301.90
	3.4-1-15	13.30
Julie and Gerald Edwards	9.1-1-9.002	171.00
	9.1-1-27.003	202.50
<u>Town of Ticonderoga</u>		
Doug Quesnel & Cynthia Brannock	139.2-2-25	2.60
	139.2-2-26	5.50
	150.04-1-7.12	2.00
Rick and Deborah Quesnel	150.2-7-17.2	11.49
	150.11-1-29	24.00
	150.11-1-36	2.39
	150.67-4-21.111	3.77
<u>Town of Ticonderoga con't</u>		
Dale Quesnel	150.4-1-7.11	14.00
	150.4-1-15	1.40
	150.4-1-16	40.50

	150.4-1-17	86.80
Charles and Pauline Gonyea	149.1.14.1	55.76
Joanne and Jon Curtis	160.2-2-3	157.10
	160.2-2-6	9.20
	160.2-2-8	99.20

Town of Moriah

Marty and Marcia Chapuk	96.19-1-30	69.30
Peter and Susan Zelinski	106.2-1-20.112	308.00
	97.13-1-21	115.67

AND BE IT FURTHER RESOLVED that as a result of the aforesaid parcels being deleted and added to the said Essex County Agricultural District No. 1, said District shall contain a total of 60,994.49 acres.

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

Resolution No. 127

June 2, 2003
Regular Board Meeting

**RESOLUTION REQUESTING THAT NEW YORK STATE WORK
TO ENSURE THAT ATV CLUBS CAN OBTAIN INSURANCE TO
INDEMNIFY PRIVATE PROPERTY OWNERS THAT OPEN TRAILS
FOR THE CLUBS USE**

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

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

WHEREAS, New York State currently ensures that there is insurance coverage available to snowmobile clubs allowing the clubs to indemnify property owners from damages that may result from use of trails opened and operated by the clubs on the owner's property; and

WHEREAS, no such insurance coverage is available to ATV clubs seriously limiting their collective ability to establish and operate on off-road trails; and

WHEREAS, lack of insurance coverage limits ATV trail development and negatively impacts the economic benefits associated with ATV ownership and use.

BE IT RESOLVED that the Essex County Board of Supervisors hereby urges the New York State Commissioner of Insurance to meet with representatives of the New York State Off-Road Vehicle Association (NYSORVA) to discuss and address this concern; and

BE IT FURTHER RESOLVED that this Board calls upon New York State to ensure that such insurance coverage is made available in the near future to reduce liabilities for landowners that open their lands to public use and recreation; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor George E. Pataki; Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O'C. Little; Senate Minority Leader David A. Paterson; Assembly Speaker Sheldon Silver; Assembly Minority Leader Charles H. Nesbitt; and Assembly Members Chris Ortloff and Teresa R. Sayward.

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

Resolution No. 128

**June 2, 2003
Regular Board Meeting**

RESOLUTION APPROPRIATING \$3,025.00 FROM THE CONTINGENT ACCOUNT FOR TRANSFER TO THE 2003 ESSEX COUNTY BUDGET TO PAY THE TRAVEL EXPENSES FOR COMPLETION OF THE HIPAA COMPLIANCE CONSULTING PROJECT

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

Upon the passage of 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 appropriates the sum of \$3,025.00 from the contingent account (Account No. 19904-5487) for transfer to the 2003 Essex County budget (19104 5434HIP - HIPAA) to the pay the travel expenses incurred by HIPAA Complete during their completion of the HIPAA Compliance Consulting Project.

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

AYES: 2595 votes
NOES: 0 votes
ABSENT: 248 votes (Merrihew, Moses)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 6/02/03:	\$ 381,545.00
Reduction Impact of This Resolution:	\$ 3,025.00
FY2003 Contingent Account Balance:	\$ 378,520.00

Resolution No. 129

June 2, 2003
Regular Board Meeting

RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR

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

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

WHEREAS, a Project for the Rehabilitation of Jay Trumbulls Covered Bridge, Essex County, P.I.N. 1754.88 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Essex desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Construction.

BE IT RESOLVED that the Essex County Board of Supervisors hereby approves the Project; and

BE IT FURTHER RESOLVED, that this Board hereby authorizes the County Treasurer to pay in the first instance the 100% of the federal and non-federal share of the cost of Construction work for the Project or portions thereof; and

BE IT FURTHER RESOLVED that the sum of \$210,000.00 has already been appropriated and made available to cover the cost of participation in the Preliminary Engineering phase of the Project; and

BE IT FURTHER RESOLVED that the additional sum of \$1,405,000.00 is hereby appropriated from Account No.: 51104 5400BC and made available to cover the cost of participation in the Construction phase of the Project; and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share of the costs of the project exceed the amount appropriated above, this Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS Department of Transportation thereof; and

BE IT FURTHER RESOLVED that the Chairman of this Board or DPW

Superintendent be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of Essex County with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED this Resolution shall take effect immediately.

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

AYES:	2595 votes	
NOES:	0 votes	
ABSENT:	248 votes	(Merrihew, Moses)

Resolution No. 130

June 2, 2003
Regular Board Meeting

RESOLUTION AMENDING RESOLUTION 239 of 2001 TO INCLUDE PROVISIONS IN §4 IMPLEMENTING AN IDENTIFICATION AND LABELING SYSTEM FOR ALL CAPITAL ASSETS AND INVENTORY ITEMS

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends Resolution No. 239 of 2001, adopting a Capital Asset Policy, so as to include in §4 thereof provisions for an identification and labeling system, the same to read and provide as follows:

“§4. Inventory Record

(1) The Property Manager shall prepare and maintain an inventory record of all capital assets and of all tracking/inventory items of the County, with the record for each asset/inventory item to include:

- (a) description;
- (b) year of acquisition;
- (c) method of acquisition (e.g., purchase, donation, etc.);
- (d) funding source;
- (e) cost or estimated cost;
- (f) estimated useful life; ~~and~~
- (g) function(s) and use(s): ; and
- (h) a label containing an identification number specific to that asset/inventory item based upon a system established by the Property Manager.

(2) A physical inventory shall be conducted yearly within each Department. Each Department shall be responsible for matching label numbers to the Asset/Inventory identification numbers set forth in the Departmental Asset/Inventory listings provided by the Property Manager. The Property Manager shall be notified immediately of any discrepancies.

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

Resolution No. 131

June 2, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE FILLING OF A POSITION
OF ACCOUNTANT IN THE TREASURER'S OFFICE**

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

Upon the recommendation of the various committees indicated below, 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 and directs the advertisement and filling of a position of Accountant in the Treasurer's Office at Grade 17 (\$18.36/hour), to be performed in compliance with, as and if applicable, the Essex County Civil Service Rules and Regulations, and/or the current CSEA contract and/or the Essex County Personnel Policy Manual.

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

AYES: 2595 votes
NOES: 0 votes
ABSENT: 248 votes (Merrihew, Moses)

Resolution No. 132

June 2, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH THE NEW
YORK STATE OFFICE OF MENTAL HEALTH FOR
REIMBURSEMENT OF SHARED STAFF**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Essex County Manager to execute a contract with the New York State Office of Mental Health for reimbursement of shared staff in the amount of \$187,115.00, to be received in 2004 unless a position becomes vacant prior thereto.

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

AYES: 2595 votes
NOES: 0 votes
ABSENT: 248 votes (Merrihew, Moses)

Resolution No. 133

June 2, 2003
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
TICONDEROGA CENTRAL SCHOOL DISTRICT GIRLS
VARSITY SOFTBALL TEAM ON THEIR OUTSTANDING
ACCOMPLISHMENTS THIS SEASON**

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

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

WHEREAS, this Board of Supervisors is pleased to learn that the Ticonderoga Central School Girls Varsity Softball Team won the 2002-2003 CVAC Division II and the CVAC Section C Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Ticonderoga Central School Sentinels Girls Varsity Softball Team, their coach Keith Dolbeck and their assistants and staff, for their outstanding accomplishments, including but not limiting to their earning the title of CVAC Division II Championship and the CVAC Section C Championship..

This resolution was unanimously seconded and adopted.

Resolution No. 134

June 2, 2003
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE CROWN
POINT CENTRAL SCHOOL DISTRICT GIRLS VARSITY
SOFTBALL TEAM ON THEIR OUTSTANDING
ACCOMPLISHMENTS THIS SEASON**

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

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

WHEREAS, this Board of Supervisors is pleased to learn that the Crown Point Central School Girls Varsity Softball Team won the 2002-2003 Section 7 Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Crown Point Central School Girls Varsity Softball Team, their coach and their assistants and staff, for their outstanding accomplishments, including but not limiting to their earning the title of Section 7 Champions.

This resolution was unanimously seconded and adopted.

Resolution No. 135

June 11, 2003
Special Board Meeting

**RESOLUTION AMENDING THE CONTRACT WITH M.A. JERRY AND
COMPANY, INC. FOR THE PURCHASE OF TWO 2003 MODEL
DUMP TRUCKS**

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

WHEREAS, M.A. Jerry & Co., Inc. was the low bidder for a contract to sell two 2003 or newer dump truck vehicles to the County; and

WHEREAS, the bid submitted by M.A. Jerry promised that the vehicles to be sold and delivered to the County would be 2004 model vehicles; and

WHEREAS, the County awarded the contract to M.A. Jerry based on such bid; and

WHEREAS, the vehicles actually delivered by M.A. Jerry to the County are 2003 model vehicles rather than 2004.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs that the contract with M.A. Jerry and Co., Inc. be amended to provide for the purchase of two 2003 model year dump trucks.

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

AYES: 2607 votes
NOES: 0 votes
ABSENT: 236 votes (Merrihew, Canon, Ashworth)