

Resolution No. 136

July 7, 2003
Regular Board Meeting

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

The following resolution was offered by Supervisor Glebus, 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 Personnel & Administration Committee:

- (a) The 2002 Annual Report of the Workers' Compensation Self-Insurance Plan.

2. From the Regular Board Meeting:

- (a) For the CHAMP System, the Drug and Alcohol Policy as filed with the Clerk of the Board on June 24, 2003.

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

Resolution No. 137

**July 7, 2003
Regular Board Meeting**

**RESOLUTION AMENDING THE 2003
ESSEX COUNTY BUDGET**

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 amends the 2003 Essex County Budget as follows:

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

(a) For the Housing Assistance Program for Home Purchases, increase revenues and appropriations in the amount of \$70,697.02 from a CDBG grant as follows:

REVENUES

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
6989 449974	Home Purchase	\$ 70,679.02

APPROPRIATIONS

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
69894 5400HPG1	Home Purchase	\$ 70,679.02

2. From the Ways and Means Committee:

(a) For the Office for the Aging, increase revenues (6772 4477280 - Title VII funds) and appropriations in the total amount of \$9,735.41 as follows to receive the carry over of funds for the Title VII Program:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
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67722 5220	Equipment	\$ 6,735.41
67724 5451	Training & Schools	2,000.00
67724 5410	Office Supplies	1,000.00

(b) For the Office for the Aging, increase revenues (6772 447721 - Title IIID funds) and appropriations to receive the carry over funds in the amount of \$ 5,530.19 with the additional final allocation increase of \$495.00 as follows:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
67728 5850	Health Insurance	\$ 300.00
67724 5487	Misc. Expenses	3,922.00
67724 5410	Office Supplies	500.00
67722 5220	Office Equipment	1,303.19

(c) For the Office for the Aging, increase revenues (6772 4477220 - Title IIIC-1 funds) and appropriations (67722 5220 - Equipment) in the total amount of \$3,895.94 from the Title IIIC-1 Program.

(d) For the Office for the Aging, increase revenues (6772 4477222 - Title IIIC-2 funds) and appropriations (67722 5220 - Equipment) in the total amount of \$4,204.45 from the Title IIIC-2 Program.

(e) For the Office for the Aging, increase revenues (6772 4477210 - Title IIIB funds) and appropriations as follows in the total amount of \$3,341.81 from the Title IIIB Program:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
67722 5220	Equipment	\$ 1,747.00
67724 5446	ACAP Contract	1,250.00
67724 5410	Office Supplies	344.81

(f) For the Office for the Aging, increase revenues (6772 4477295 - Title IIIE funds) and appropriations as follows in the total amount of \$21,190.97 from an increase in the final allocation and a carry over of funds from the Title IIIE Program:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
67721 5150	Longevity Wages	\$ 100.00
67721 5190	Health Insurance	229.00
67728 5850	Health Insurance	500.00
67724 5446 IIIE	Life	2,000.00
67724 5446 IIIE	Aide Service	4,000.00
67721 5220	Equipment	14,361.97

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 138

July 7, 2003
Regular Board Meeting

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

The following resolution was offered by Supervisor Both, 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 Board of Supervisors of Essex County hereby makes and following appointments:

1. Economic Development/Planning/Publicity Committee:

(a) To the Moriah-Port Henry-Essex County Empire Zone Board: Donald McIntyre, Bill Bryant, Ted Stanfield and Ginene Carroll.

(b) To the Bed Tax Advisory Committee for the Lake Champlain region: Scott Johnson to replace Lisa Simpson, Rosemarie Remington to replace Marcy Neville and Jim Murnane to replace Susan Martin.

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

Resolution No. 139

July 7, 2003
Regular Board Meeting

RESOLUTION AUTHORIZING CONTRACTS

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

Upon the recommendation of the various committees indicated below, 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 and directs the Chairman of the Board or the County Manager to enter into and execute the following:

1. From the Economic Development/Planning/Publicity Committee:

(a) A contract with Adirondack Harvest.

2. From the Personnel & Administration Committee:

(a) Renew the agreement for the Panda Anti-Virus program in the Information Systems Department, at a cost of \$4,524 for three years, from budgeted funds.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 140

July 7, 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 Personnel & Administration Committee:

- (a) For the Public Health Department, fill a vacant of Supervising Community Health Nurse by promotion, and to fill any subsequent vacancies caused by promotion.

2. From the Ways and Means Committee:

- (a) For the Mental Health Department, fill a position of Account Clerk/Typist due to a resignation.
- (b) For the Sheriff's Department, fill a vacancy of Deputy Sheriff due to a resignation.

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

Resolution No. 141

July 7, 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 Rushby, 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) Request RFPs for the design of a communication system.

2. From the DPW Committee:

- (a) Go to bid and award an excavator for the Department of Public Works - Highway Department in an amount not to exceed \$130,000 in budgeted funds.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 142

July 7, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING APPLICATION FOR,
AND ACCEPTANCE AND USE OF, GRANT FUNDS**

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

Upon the recommendation of the respective committees below, 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 application for and, to the extent specifically noted below, the acceptance and use of the following grants:

1. From the Department of Public Works Committee:

(a) The Planning Department to apply for additional grant funds in an amount not to exceed \$700.00 from the NYS National Historic Register for renovations to the Floral Hall building located on the fairgrounds.

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

Resolution No. 143

July 7, 2003
Regular Board Meeting

**RESOLUTION APPROVING 39 EMPIRE ZONE APPLICANTS AND
APPROVING INTERNATIONAL PAPER CO. AS NON-
CONTIGUOUS AREA 1, AND AUTHORIZING BARBARA
BRASSARD TO SIGN REPORTS FOR THE EMPIRE ZONE**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby approves 39 Empire Zone applicants and approving International Paper Co. as non-contiguous area 1, and authorizing Barbara Brassard to sign reports for the Empire Zone.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 144

July 7, 2003
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
GEORGE CARVER ROBERT RICE**

The following resolution was offered by Supervisor Seney, 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, George Carver Robert "Bob" Rice, the husband of the North Country Community College President Gail Rogers Rice, passed away on June 14, 2003; and

WHEREAS, Bob Rice was the retired owner-operator of G. Carver Rice, Inc. Furniture in Saranac Lake ; and

WHEREAS, Bob Rice was a Democratic committee member and served for many years as chair of the Saranac Lake and Harrietstown Democratic parties and was a former member of the Saranac Lake Village Board and the Harrietstown Town Board, and served as Supervisor of the Town of Harrietstown; and

WHEREAS, Bob Rice was a loving husband, father, grandfather, son-in-law and friend who will be sorely missed.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of George Carver Robert "Bob" Rice; 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 Rice family.

This resolution was unanimously seconded and adopted.

Resolution No. 145

July 7, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING CANCELLATION OF TAXES
LEVIED AGAINST PROPERTIES IN ESSEX COUNTY**

The following resolution was offered by Supervisor Seney, 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 cancels the \$150.00 fee charged for the tax search in the 1999 tax year levied against the parcel assessed to Laura Hinman in the Town of North Elba and designated as tax map number 42.0JM-1-23.000/14 and Account number 672A1T0626; and

BE IT FURTHER RESOLVED that this Board also cancels the interest and tax search fee for the 1999 tax year totaling \$181.13, assessed against property in the Town of Jay assessed to Mark and Charlene Robinson and designated as tax map number 17.41-2-7.000 and Account number 615J176037.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 146

July 7, 2003
Regular Board Meeting

**RESOLUTION REQUESTING THE CITIZEN'S STAMP
COMMITTEE OF THE UNITED STATES POSTAL SERVICE TO
ISSUE STAMPS COMMEMORATING SAMUEL DE CHAMPLAIN'S
NAVIGATION OF LAKE CHAMPLAIN IN 1609**

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, Samuel de Champlain was the first European to navigate Lake Champlain in 1609, and the year 2009 will mark the 400th anniversary of this historic exploration; and

WHEREAS, Samuel de Champlain explored large areas of what would become both the United States and Canada and his legacy is one that unites both countries; and

WHEREAS, Samuel de Champlain's legendary encounter with the Iroquois Indians in the southern portion of Lake Champlain forged the making of French and British alliances which dominated the region until the end of the American Revolution; and

WHEREAS, the Lake Champlain region from Whitehall, Ticonderoga and Crown Point in the south to Plattsburgh in the north has played a prominent role in shaping the North American Continent; and

WHEREAS, commemorating the 400th anniversary of Champlain's exploration of North America will help to (a) advance knowledge about our nation's heritage, (b) promote tourism and (c) further relations with the People of Canada.

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests that the Citizen's Stamp Advisory Committee commemorate the 400th anniversary of Samuel de Champlain's navigation of Lake Champlain in 1609 by issuing a commemorative stamp marking the occasion and by issuing a block of stamps depicting the Native American, French, British and early American involvements in this historic region; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby requests the U.S. Postal Service to jointly develop the stamp(s) with the Canada Post, which is already planning to issue a series of stamps to mark the 400th anniversary of Samuel de Champlain's exploration of North America; 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 the Citizen's Stamp Advisory Committee and the United States Postal Service.

This resolution was unanimously seconded and adopted.

Resolution No. 147

July 7, 2003
Regular Board Meeting

**RESOLUTION APPROVING THE CONTINUATION OF THE
HIV/AIDS PREVENTION PROGRAM IN ESSEX COUNTY**

The following resolution was offered by Supervisor Seney, 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 approves the continuation of the HIV/AIDS Prevention Program in Essex County at a cost to be covered by Article 6 funding and other sources of revenue, eliminate one full-time CHN position that was funded by the grant, reclassify the part-time HIV Program Coordinator to a part-time Community Health Nurse.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 148

July 7, 2003
Regular Board Meeting

RESOLUTION OF APPRECIATION TO

LISA SIMPSON, MARCY NEVILLE AND SUE MARTIN

**FOR THEIR EXEMPLARY AND DEDICATED SERVICE AS
MEMBERS OF THE BED TAX ADVISORY COMMITTEE**

The following resolution was offered by Supervisor Jackson, 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.

WHEREAS, Marcy Neville and Sue Martin have been on the Bed Tax Advisory Committee since it was established in April of 2000; and

WHEREAS, Lisa Simpson was appointed to the Committee in December of 2002; and

WHEREAS, during their time on the Committee, all these women have been integral in the development and implementation of this important program; and

WHEREAS, Lisa Simpson, Marcy Neville and Sue Martin have chosen to resign from the Committee at this time; and

WHEREAS, this Board wishes to extend its appreciation to Lisa Simpson, Marcy Neville and Sue Martin for their service to Essex County as members of the Bed Tax Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and its County Attorney hereby extend their deep appreciation to Lisa Simpson, Marcy Neville and Sue Martin for their dedicated and exemplary public service to the People of Essex County as members of the Bed Tax Advisory Committee.

This resolution was unanimously seconded and adopted.

Resolution No. 149

July 7, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING THE TWO NEW VANS ACQUIRED
BY ACAP TO BE LEASED TO THE TOWNS OF MORIAH AND
CROWN POINT, AND TURNED OVER TO THE TOWNS AT THE
END OF THREE YEARS, AND TO BE INSURED BY THE TOWNS
AS OF JANUARY 1, 2004**

The following resolution was offered by Supervisor Rushby, 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 the two new vans acquired by and titled in the name of ACAP to be leased to the Towns of Moriah and Crown Point, turned over to the Towns at the end of three years, and insured by the Towns but with the County Office for the Aging reimbursing the Towns for the insurance expense through December 31, 2003.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 150

**July 7, 2003
Regular Board Meeting**

**RESOLUTION AMENDING AND RESTATING THE MODEL
DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF
ESSEX COUNTY TO COMPLY WITH THE REQUIREMENTS OF
THE NEW YORK STATE DEFERRED COMPENSATION
BOARD AND THE INTERNAL REVENUE SERVICE**

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

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

WHEREAS, the New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Essex County (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS, Essex County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Essex County;

WHEREAS, effective January 1, 2003, the Board amended the Model Plan to adopt provisions relating to regulations pertaining to Section 457 and Section 401(a)(9) of the internal Revenue Code, technical amendments to the Economic Growth and Tax Relief Reconciliation Act of 2001 ("*EGTRRA*") as they apply to the Model Plan and to adopt modifications that update certain administrative provisions;

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the Board of Supervisors has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Essex County by adopting the amended and restated Model Plan.

WHEREAS, the Deferred Compensation Committee has decided to permit loans under this plan, and has established clear procedures for the administration of loans in accordance with Section 6.5 of the Model Plan Document, with Section 9001.4(d) of the Rules & Regulations, and with Sections 457 and 72(p) of the Internal Revenue Code and any Treasury Regulations promulgated thereunder.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the Deferred Compensation Plan for Employees of Essex County effective July 1, 2003 by adopting the amended and restated Model Plan effective January 1, 2003, in the form filed with the Clerk of this Board on June 23, 2003.

BE IT FURTHER RESOLVED that the Clerk of this Board be and she hereby is directed to file a certified copy of this resolution and a copy of the Deferred Compensation Plan for Employees of Essex County adopted hereby with the New York State Civil Service Commission and with each trustee of said Plan.

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

AYES:	2737 votes
NOES:	0 votes
ABSENT:	106 votes (Morency)

Resolution No. 151

July 7, 2003
Regular Board Meeting

**RESOLUTION NOT ELECTING TEMPORARY EXEMPTIONS
FROM SALES AND COMPENSATING USE TAXES FOR
RECEIPTS FROM RETAIL SALES OF, AND CONSIDERATION
GIVEN OR CONTRACTED TO BE GIVEN FOR, CERTAIN
CLOTHING AND FOOTWEAR**

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 amends section 6 of Resolution No. 207 of 1967 as follows:

SECTION 1. Section six of Resolution No. 207 of 1967, as amended, by amending section 6, subdivision (g) to read and provide as follows:

“(g) Receipts from sales of and consideration given or contracted to be given for, for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph (30) of subdivision (a) of section 1115 of the New York State Tax Law during the periods commencing August 26, 2003 and ending September 1, 2003, and commencing January 26, 2004 and ending February 1, 2004, shall **not** be exempt from sales and compensating use taxes imposed in this jurisdiction.”

BE IT FURTHER RESOLVED that this resolution shall take effect June 1, 2003, and shall apply in accordance with the applicable transitional provisions of Article 29 of the New York State Tax Law; provided that this resolution and subdivision (g) of section 6 of Resolution No. 207 of 1967, as added by section one of this resolution, shall expire May 31, 2004, and be deemed repealed.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

Resolution No. 152

July 7, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING CANCELLATION OF TAXES
LEVIED AGAINST PROPERTIES IN ESSEX COUNTY**

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 cancels the interest and penalties amounting to \$112.49 charged against the parcel assessed to Robert T. Janowski in the Town of North Elba and designated as tax map number 42.018-4-14.000 and Account number 675J178035.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes

Resolution No. 153

**July 7, 2003
Regular Board Meeting**

**RESOLUTION AUTHORIZING E911 TRAINING FOR DISPATCHERS IN
THE SHERIFF'S DEPARTMENT, APPROPRIATING THE SUM OF \$960
FROM THE CONTINGENT ACCOUNT THEREFOR, AND AMENDING
THE COUNTY BUDGET ACCORDINGLY**

The following resolution was offered by Supervisor Morrow, 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 mandatory E911 training for dispatchers in the Sheriff's Department at a cost not to exceed \$978.50; and

BE IT FURTHER RESOLVED that this Board hereby appropriates the sum of \$960.00 from the contingent account (Account No. 19904-5487) for transfer to the 2003 Essex County Sheriff's Department budget (31104 5426), and amends the 2003 Essex County Budget accordingly.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 7/07/03:</i>	\$ 378,520.00
<i>Reduction Impact of This Resolution:</i>	\$ 960.00
<i>FY2003 Contingent Account Balance:</i>	\$ 377,560.00

Resolution No. 154

July 7, 2003
Regular Board Meeting

**RESOLUTION AUTHORIZING COUNTY EMPLOYEES TO TRANSFER
ACCRUED SICK LEAVE BENEFITS TO ED GOGOLA OF THE INFORMATION
SYSTEMS DEPARTMENT, CONTINGENT UPON EXECUTION BY CSEA OF A
WRITTEN AGREEMENT AUTHORIZING SUCH TRANSFER**

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 authorizes County employees to transfer, without any consideration being paid therefor, their accrued sick leave benefits to Ed Gogola, an employee of the Information Systems Department, by and upon completing and executing appropriate forms as required by the Personnel Officer; and

BE IT FURTHER RESOLVED that the transfer of sick leave benefits to/from bargaining unit employees shall be contingent upon execution by CSEA of a written agreement authorizing such transfer; and

BE IT FURTHER RESOLVED that the Chairman of this Board and/or the County Manager by and hereby is authorized to enter into and execute the aforesaid agreement once the same has been executed by CSEA.

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

AYES: 2737 votes
NOES: 0 votes
ABSENT: 106 votes (Morency)

**RESOLUTION AUTHORIZING SETTLEMENT OF DEC
ADMINISTRATIVE PROCEEDINGS REGARDING THE
TIMBER BRIDGES**

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

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

WHEREAS, the New York State Department of Environmental Conservation has been investigating the alleged discharge of creosote from timber bridges erected by the County pursuant to the National Timber Bridge Initiative and State guidelines for bridges in the Adirondack Park; and

WHEREAS, DEC has alleged that creosote has been discharged from one or more of such bridges into public waters in violation of State regulations; and

WHEREAS, Essex County has cooperated fully with DEC in this matter and has prepared a plan to address the timber bridge issues; and

WHEREAS, as part of the DEC investigation, it was determined that Essex County may have violated the pesticide application requirements; and

WHEREAS, DEC has proposed a consent order to address these issues.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs that the alleged violations be settled by the County's execution of the proposed consent order by DEC.

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

AYES: **2737 votes**
NOES: **0 votes**
ABSENT: **106 votes** **(Morency)**

RESOLUTION CANCELING THE AUGUST MEETINGS OF ALL COMMITTEES OTHER THAN THE WAYS & MEANS COMMITTEE, AND DIRECTING THE FILING OF ALL RESOLUTION REQUESTS WITH THE CLERK OF THE BOARD ON OR BEFORE AUGUST 18, 2003

The following resolution was offered by Supervisor Glebus, 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 directs that other than the Ways & Means Committee, no meetings of any committees shall be scheduled or held during the month of August, 2003 except as may be scheduled by the Chairperson of any such committee; and

BE IT FURTHER RESOLVED that any and all resolution requests which would or should have been submitted by department heads at such committee meetings in August shall be submitted in writing to the Clerk of the Board no later than 3:30 p.m. on August 18, 2003, with such requests to contain:

1. a description of the proposed action to be considered by this Board,
2. a statement of the county purpose or need to be served by the proposed action, and
3. a statement of the budget impact which would result from the adoption thereof, including the total expenditure of funds and the budget account number(s) from which such funds will be withdrawn; and

BE IT FURTHER RESOLVED that the Clerk of this Board shall forward copies of all properly and timely submitted resolution requests to the members of this Board no later than August 20, 2003, and shall neither forward to this Board nor include in the list of resolutions to be considered and acted upon by the Ways & Means Committee any matter which has not been submitted in compliance with this resolution except as may be specifically authorized by the Chairman of the Ways & Means Committee.

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

AYES: 2344 votes
NOES: 393 votes (Canon, Connell, Ashline, Ashworth)
ABSENT: 106 votes (Morency)

Resolution No. 156

July 7, 2002
Regular Board Meeting

RESOLUTION CHANGING THE JULY WAYS AND MEANS COMMITTEE MEETING TO A REGULAR BOARD MEETING, CANCELING THE AUGUST REGULAR BOARD MEETING AND THE MEETINGS OF ALL COMMITTEES OTHER THAN THE WAYS & MEANS COMMITTEE, AND DIRECTING THE FILING OF ALL RESOLUTION REQUESTS WITH THE CLERK OF THE BOARD ON OR BEFORE AUGUST 18, 2003

The following resolution was offered by Supervisor Glebus, 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 directs that the July Ways and Means Committee meeting to be held on July 28, 2003 at 10:00 a.m. be and hereby is canceled and in its place there is hereby scheduled a regular meeting of this Board; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby directs that the August regular Board Meeting be and hereby is cancelled due to the scheduling of a regular board meeting on July 28th; and

BE IT FURTHER RESOLVED that other than the Ways & Means Committee, no meetings of any committees shall be scheduled or held during the month of August, 2003 except as may be scheduled by the Chairperson of any such committee; and

BE IT FURTHER RESOLVED that any and all resolution requests which would or should have been submitted by department heads at such committee meetings in August shall be submitted in writing to the Clerk of the Board no later than 3:30 p.m. on August 18, 2003, with such requests to contain:

1. a description of the proposed action to be considered by this Board,
2. a statement of the county purpose or need to be served by the proposed action, and
3. a statement of the budget impact which would result from the adoption thereof, including the total expenditure of funds and the budget account number(s) from which such funds will be withdrawn; and

BE IT FURTHER RESOLVED that the Clerk of this Board shall forward copies of all properly and timely submitted resolution requests to the members of this Board no later than August 20, 2003, and shall neither forward to this Board nor include in the list of

resolutions to be considered and acted upon by the Ways & Means Committee any matter which has not been submitted in compliance with this resolution except as may be specifically authorized by the Chairman of the Ways & Means Committee.

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

AYES: **2344 votes**
NOES: **393 votes (Canon, Connell, Ashline, Ashworth)**
ABSENT: **106 votes (Morency)**

Resolution No. 157

July 28, 2003
Special Board Meeting

**RESOLUTION AWARDING THE BID FOR INSURANCE
COVERAGES FOR THE REMAINDER OF 2003 TO
NYMIR AT A COST OF \$187,089.13,
AND AUTHORIZING CONTRACTS THEREFOR**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby awards the bid for insurance coverages for the remainder of 2003 to NYMIR for coverage at a cost not to exceed \$187,089.13, and directs the County Manager to execute the contracts therefor.

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

AYES: 2298 votes
NOES: 194 votes (Morrow)
ABSENT: 351 votes (Rushby)

Resolution No. 158

July 28, 2003
Special Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY PURCHASING
AGENT TO PURCHASE A VEHICLE FOR THE SHERIFF'S
DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$25,460**

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes and directs the County Purchasing Agent to purchase, in accordance with the Essex County Purchasing Policy (Resolution No. 320-97), a vehicle for the Sheriff's Department in an amount not to exceed \$25,460 from budgeted funds.

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

AYES: 2492 votes
NOES: 0 votes
ABSENT: 351 votes (Rushby)

Resolution No. 159

July 28, 2003
Special Board Meeting

**RESOLUTION AUTHORIZING THE CREATION AND FILLING
OF THREE CORRECTION OFFICER POSITIONS IN THE
SHERIFFS DEPARTMENT**

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

WHEREAS, the New York State Commission of Corrections has determined that operation of the new temporary modular jail facility requires that the Sheriff employ three additional corrections officers.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and approves, 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, the creation and filling of three correction officer positions in the Sheriff's Department, to be paid from 2003 budgeted funds.

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

AYES: 2470 votes
NOES: 22 votes (Dobie)
ABSENT: 351 votes (Rushby)

Resolution No. 160

July 28, 2003
Special Board Meeting

**RESOLUTION AUTHORIZING A CHANGE ORDER TO
THE CONTRACT WITH AFSCO FENCE COMPANY FOR
THE MODULAR JAIL FACILITY**

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

WHEREAS, the New York State Commission of Corrections has determined that modifications need to be made to the original design of the fence for the temporary modular jail facility.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a change order to the contract with AFSCO Fence Company for the modular jail facility at an additional cost not to exceed \$8,580.00.

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

AYES: 2492 votes
NOES: 0 votes
ABSENT: 351 votes (Rushby)

Resolution No. 161

July 28, 2003
Special Board Meeting

**RESOLUTION REQUESTING CRANDALL ASSOCIATES AND BBL
CONSTRUCTION SERVICES TO PERFORM A COMPARISON STUDY OF
THE LEWIS AND ELIZABETHTOWN SITES TO ENABLE THE BOARD OF
SUPERVISORS TO MAKE A FINAL DETERMINATION ON WHICH OF
THOSE TWO SITES SHALL BE THE SITE OF THE NEW JAIL FACILITY**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests that Crandall Associates and BBL Construction Services perform a comparison study of the Lewis and Elizabethtown sites to enable this Board to make a final determination as to which of those two sites shall be the site of the new County Jail facility, with such study to be furnished to the Board as soon as possible.

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

AYES: 2492 votes
NOES: 0 votes
ABSENT: 351 votes (Rushby)