

Resolution No. 123

June 7, 2004
Regular Board Meeting

**RESOLUTION CONGRATULATING NICOLE BRYANT
ON BEING ELECTED AS CHAIRPERSON OF THE NEW YORK
STATE CONFERENCE OF LOCAL MENTAL HYGIENE DIRECTORS**

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

Upon the recommendation of the Human Services 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, its Clerk of the Board, County Manager and County Attorney hereby extend their congratulations to Nicole Bryant on being elected as Chairperson of the New York State Conference of Local Mental Hygiene Directors.

This resolution was unanimously seconded and adopted.

Resolution No. 124

June 7, 2004
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 Public Health Department, creating the position of Director of Children's Services (grade 8 M/C -- \$21.04/hour) and authorizing the department head to fill the same by promotion.

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

AYES: 2173 votes
NOES: 631 votes (Kelly, Scozzafava, Connell, Morency)
ABSENT: 39 votes (Canon)

Resolution No. 125

June 7, 2004
Regular Board Meeting

RESOLUTION OF APPRECIATION TO
RALPH JAQUISH

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

WHEREAS, Ralph Jaquish has served for over 50 years in the Moriah Fire Department, and for 44 of those years, he served as Fire Chief; and

WHEREAS, Ralph Jaquish was a community oriented good guy who also served as a Town Councilman for 12 years in the Town of Moriah; and

WHEREAS, has contributed greatly to the betterment of the Town of Moriah and Essex County through his years of public service on the Moriah Fire Department and as Town Councilman for the Town of Moriah; and

WHEREAS, this Board wish to extend their appreciation to Ralph Jaquish for all of his contributions and accomplishments while serving on the Moriah Fire Department and while serving as Town Councilman in the Town of Moriah.

NOW, THEREFORE, BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney, hereby extend their deepest appreciation to Ralph Jaquish for his outstanding, dedicated and exemplary public service to the People of the Town of Moriah and Essex County; and

BE IT FURTHER RESOLVED that the members of this Board, the Clerk of the Board, the County Manager and the County Attorney, extend their best wishes to Ralph Jaquish in his future endeavors.

This resolution was unanimously seconded and adopted.

Resolution No. 126

June 7, 2004
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 Public Safety Committee:

- (a) The 2003 Annual Report of the Essex County Sheriff's Department and Jail.

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

Resolution No. 127

**June 7, 2004
Regular Board Meeting**

**RESOLUTION AMENDING THE 2004 ESSEX COUNTY BUDGET, AND
AUTHORIZING ACCEPTANCE OF A BYRNE GRANT FOR THE
SHERIFF'S DEPARTMENT**

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 amends the 2004 Essex County Budget as follows:

1. From the Public Safety Committee:

(a) For the Sheriff's Department, accept a Byrne Grant in the amount of \$25,000.00 and increase revenues and appropriations for the same as follows:

REVENUES

<u>Account Number</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
3110 4438946	State Aid Local Law Enforcement	\$ 25,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
31101 5120	Overtime Wages	\$ 17,100.00
31104 5400INV	Inventory	6,600.00
31104 5410	Office Supplies	1,300.00

2. From the DPW Committee:

(a) For the Department of Public Works, increase revenues (5110 42650) and appropriations (51104 5458) in the total amount of \$5,217.00 from the sale of scrap steel.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 128

June 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH
SCHOHARIE COUNTY FOR THE BOARDING OF INMATES**

The following resolution was offered by Supervisor Jackson, 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 Chairman of the Board or the County Manager, and the Sheriff, to enter into and execute a contract for the Sheriff's Department with Schoharie County for the boarding of Essex County inmates at \$80.00/day.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 129

June 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING THE EXPENDITURE OF \$55,613.60
FOR THE ALDER MEADOW BRIDGE PROJECT CLEAN-UP**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the expenditure of \$55,613.60 for the Alder Meadow Bridge Project clean-up costs, the same to be paid from budgeted funds the revenues of which are from the sale of bonds pursuant to Resolution Nos.: 271 of 1998, 90 of 2002 and 52 of 2003.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 130

June 7, 2004
Regular Board Meeting

**RESOLUTION URGING THE ADIRONDACK PARK AGENCY TO
REFRAIN FROM LOOKING AT ALTERNATIVE SITES FOR THE
COVERED BRIDGE PROJECT**

The following resolution was offered by Supervisor Douglas, 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, for the past twenty years the New York State Department of Transportation (DOT) and Essex County have looked at every available and potential site for a new bridge to replace the covered bridge in the Town of Jay; and

WHEREAS, after an unusually exhaustive search for such sites, and thorough reviews and analyses of the suitability thereof, the current site is the one best suited for the new bridge; and

WHEREAS, the Adirondack Park Agency (APA), upon receipt of the DOT application for an APA permit, has questioned why DOT is not looking at other sites.

BE IT RESOLVED that the Essex County Board of Supervisors hereby urges the Adirondack Park Agency to refrain from looking at alternative sites for the new bridge in the Town of Jay to replace the covered bridge as there has been a twenty year search, review and analysis of all potential sites; 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; Assembly Members Teresa R. Sayward and Chris Ortloff; and the Adirondack Park Agency.

This resolution was unanimously seconded and adopted.

Resolution No. 131

**June 7, 2004
Regular Board Meeting**

**RESOLUTION APPROPRIATING FUNDS FROM THE CONTINGENT
ACCOUNT FOR TRANSFER TO THE 2004 ESSEX COUNTY BUDGET**

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 appropriates funds from the contingent account (Account No. 19904-5487) for transfer to the 2004 Essex County Budget as follows:

1. From the DPW Committee:

(a) For the Department of Public Works, the sum of \$6,108.00 for transfer to Account No. 16204 5412 - Repairs and Building) to be used to cover the costs of a new computer for the secured doors at the Court House with 25% being reimbursed by the New York State Office of Court Administration.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 6/07/04:	\$ 411,870.00
Reduction Impact of 1(a):	6,108.00
FY2004 Contingent Account Balance:	\$ 405,762.00

Resolution No. 132

**June 7, 2004
Regular Board Meeting**

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

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 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 DPW Committee:

(a) For the Department of Public Works, purchase a computer for the secured doors at the Court House, at a cost not to exceed \$ 6,108.34, with 25% of the costs thereof to be reimbursed by the New York State Office of Court Administration (OCA), and with such computer to meet any OCA requirements.

(b) For the Department of Public Works, purchase a computer for the secured doors in Social Services, at a cost not to exceed \$7,170.68.

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

**AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)**

Resolution No. 133

June 7, 2004
Regular Board Meeting

**RESOLUTION SUPPORTING REAL PROPERTY
TAX REFORM LEGISLATION – S.6602, S.6603,
S.6604, S.6605 AND S.4924**

The following resolution was offered by Supervisor Jackson, 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, Senate Bills S.6602, S.6603, S.6604, S.6605 and S.4924, have been introduced in the New York State Senate for the following purposes:

S.6602 – amending RPTL §844 to provide that Counties containing two or more cities or towns with the same equalization rates can apportion taxes over those municipalities using assessed values, and repealing RPTL §845;

S.6603 – amending RPTL §1573(2)(b)(ii) to remove the phase-down and sunset provisions from the program for State financial assistance to assessing units participating in the annual assessment program ("annual aid"), as well as imposing a sunset of 2008 upon the program of State financial assistance to assessing units participating in the separate periodic reassessment program ("triennial aid");

S.6604 – amending RPTL §1218 to provide that, when the Appellate Division directs a revision to a final State equalization rate, any apportionment of taxes or assessment of special franchise property be recalculated to reflect the revised final rate;

S.6605 – amending RPTL §301 to provide that property shall be valued as of July 1 of the preceding year, amending RPTL §302 to provide that special franchise property in cities and towns shall be valued as of July of the preceding year and as of July 1 of the second preceding year in villages, and amending RPTL §489-c and §489-cc to provide that railroad property would be valued in and railroad ceilings would be calculated for cities and towns as of July of the preceding year and as of July 1 of the second preceding year in villages, with all such amendments being effective for assessment rolls with taxable status dates on or after January 1, 2005; and

S.4924 – amending subdivision 3-a of RPTL §1573 to authorize an aid

program of up to \$1 per parcel on a one-time basis (subject to appropriation by the Legislature) when a county has entered into an agreement with one or more assessing units pursuant to RPTL §1532(3)(e) to provide data collection, sales verification, or other assessment-related services to an assessing unit.

WHEREAS, this Board is in agreement with the purposes of these bills and strongly supports their enactment and being signed into law.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its strong support for enactment by the New York State Senate and New York State Assembly of S.6602, S.6603, S.6604, S.6605 and S.4924, and that Governor Pataki sign such legislation into law; 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 unanimously seconded and adopted.

Resolution No. 134

June 7, 2004
Regular Meeting

**RESOLUTION CORRECTING CERTAIN 2004
TOWN AND COUNTY TAX ROLLS AND AUTHORIZING
AN ADJUSTMENT OF THE AMOUNT OF TAXES DUE**

The following resolution was offered by Supervisor Moses, 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, based upon an application submitted for the Town of Schroon, through a clerical error in transcribing from the assessor's workbook to the 2003 Tentative Assessment Roll, Account No. 695J113303, assessed to Garrett and Debra Williford, was erroneously assessed \$55,800 for an improvement which is not located on this parcel and the correct assessment amount should be \$269,700.00 and taxes were levied on the higher assessment; and

WHEREAS, the Essex County Board of Supervisors, upon the recommendation of the Real Property Tax Director, desires to correct said errors.

BE IT RESOLVED that the Essex County Board of Supervisors hereby corrects the 2004 tax roll in the Town of Schroon, Account No. 695J113303, assessed to Garrett and Debra Williford, by adjusting the amount of taxes due as a result of this clerical error.

BE IT FURTHER RESOLVED that the Essex County Treasurer is hereby directed to refund to said taxpayers the appropriate amount of taxes overpaid, if any, plus any interest and penalties assessed thereon, as a result of such errors and corrections thereof, and to charge back to the applicable municipalities their respective shares of such refunds.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 135

June 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
TREASURER TO USE ONLINE INTERNET BANKING
SERVICES FOR COUNTY BANK ACCOUNTS**

The following resolution was offered by Supervisor Glebus, 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Treasurer to use online internet banking services for County bank accounts at approved depositories.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 136

June 7, 2004
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO THE ADIRONDACK
COMMUNITY ACTION PROGRAMS, INC. (ACAP) FOR ALL IT
DOES FOR THE RESIDENTS OF ESSEX COUNTY**

The following resolution was offered by Supervisor Scozzafava, 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 extends its deep appreciation to the Adirondack Community Action Programs, Inc. for all it does for the residents of Essex County.

This resolution was unanimously seconded and adopted.

Resolution No. 137

June 7, 2004
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF
RONALD W. REAGAN

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

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

WHEREAS, Ronald W. Reagan was our nations 40th President; and

WHEREAS, Ronald W. Reagan was a beloved leader of our nation, well respected by friends and opponents alike; and

WHEREAS, that respect was reflected in the fact that he was reelected to a second term by the largest margin in history; and

WHEREAS, President Reagan lead the Nation out of the Cold War and into an unprecedented period of peace and prosperity; and

WHEREAS, President Reagan's presidency is regarded as the defining period of the second half of the twentieth century; and

WHEREAS, President Reagan has suffered for ten years with the terrible affliction of Alzheimer's disease.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, County Clerk, County Sheriff, County Treasurer, District Attorney and County Attorney and all other elected and appointed County officials mourn the passing of President Ronald Reagan and extend our sympathy to his family and many friends; 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 Reagan family.

This resolution was unanimously seconded and adopted.

Resolution No. 138

June 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING THE BOARD PRESIDENT OF THE
MORIAH/PORT HENRY/ESSEX COUNTY ECONOMIC DEVELOPMENT
ZONE CORPORATION TO ACT AS INTERIM CERTIFYING OFFICER,
IN THE ABSENCE OF THE CERTIFYING OFFICER, SUBJECT TO THE
SAME BEING AUTHORIZED BY STATUTE**

The following resolution was offered by Supervisor Scozzafava, 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 Board President of the Moriah/Port Henry/Essex County Economic Development Zone Corporation to act as interim certifying officer, in the absence of the certifying officer, subject to the same being authorized by statute.

This resolution was duly seconded by Supervisor French and adopted.

Resolution No. 139

June 7, 2004
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO JAMIAN SHAPIRO OF
TICONDEROGA FOR OBTAINING THE EAGLE SCOUT AWARD**

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, Jamian Shapiro is a resident of the Town of Ticonderoga; and

WHEREAS, Jamian is entitled to receive Scouting's highest honor, the rank of Eagle Scout; and

WHEREAS, the Eagle Scout recipient must prove his love for God, his dedication to Country and concern for his fellow human beings.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Attorney and County Manager hereby extend their heartiest congratulations to Jamian Shapiro on a job well-done and for all of his accomplishments as a Boy Scout and for receiving the Eagle Scout Award; 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 Jamian Shapiro.

This resolution was unanimously seconded and adopted.

Resolution No. 140

June 7, 2004
Regular Board Meeting

**RESOLUTION CONGRATULATING THE CROWN POINT
CENTRAL SCHOOL DISTRICT PANTHERS GIRLS SOFTBALL
TEAM ON THEIR OUTSTANDING ACCOMPLISHMENTS**

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 2004 Crown Point Central School District Lady Panthers Softball Team won the 2003-04 Mountain and Valley Athletic Conference (MVAC) Championship; and

WHEREAS, the Crown Point Lady Panthers also won both the Section 7, Class D Championship for the second time in a row and their third title in four years; and

WHEREAS, this Board and all residents of the County take great pride in the outstanding accomplishment of the softball team in being crowned both the 2004 Section 7 Class D Champions and MVAC Champions; and

WHEREAS, the hard work, dedication and commitment to excellence exhibited by the members of the softball team, and by head coach Mike Ross and his coaching staff, stand as a shining example for all County residents, and particularly for the youth within the County; and

WHEREAS, this Board wishes to recognize the members and coaches of the Crown Point Lady Panthers Softball Team for their exceptional achievement.

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 Lady Panthers Softball Team, their coach Mike Ross and his assistants and staff for their outstanding accomplishments and achievements.

This resolution was unanimously seconded and adopted.

Resolution No. 141

June 7, 2004
Regular Board Meeting

**RESOLUTION AMENDING RESOLUTION NO. 122 OF 2004 TO
DELETE THE 3% ANNUAL ESCALATION PROVISION AND REPLACE
THE SAME WITH A PROVISION ESTABLISHING A BASE RATE FOR
UTILITIES AFTER THE FIRST YEAR AND PAYMENT BY THE STATE
POLICE THEREAFTER OF ALL UTILITY COSTS ABOVE THE BASE
CONSISTENT WITH THE SQUARE FOOTAGE LEASED**

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 amends Resolution No. 122 of 2004 to delete the 3% annual escalation provision and replace the same with a provision establishing a base rate for utilities after the first year and payment by the state police thereafter of all utility costs above the base consistent with the square footage leased, as suggested by the State Police in its letter of June 4, 2004.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 142

June 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF HAROLD
HANCE FOR A FOUR YEAR TERM TO THE MORIAH/PORT
HENRY/ESSEX COUNTY EMPIRE ZONE BOARD**

The following resolution was offered by Supervisor Douglas, 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 appoints Harold Hance to the Moriah/Port Henry/Essex County Empire Zone Board for a four year term beginning 6/1/04 through 5/31/08.

This resolution was unanimously seconded and adopted.