

Resolution No. 254

**December 7, 2004
Regular Board Meeting**

RESOLUTION AMENDING 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 amends the 2004 Essex County Budget as follows:

1. From the Human Services Committee:

(a) For the Office for the Aging, increase revenues (6772 44722.95 Fed. Aid III E Caregiver) and appropriations (67724 5410 - Office Supplies) in the total amount of \$301.00 from additional Title III E supplemental funds.

(b) For the Department of Social Services, increase revenues (6010 44670 - Federal Aid) and appropriations (6070400 5400 - Drug/Alcohol TANF Enhanced) in the total amount of \$2,924.00 for drug and alcohol assessments.

(c) For the Public Health Department, increase revenues (43472 - SA Tuberculosis Program) and appropriations (40104 5487 - Misc. Expense) in the total amount of \$4,500.00 for the TB program.

(d) For the Horace Nye Home, increase revenues (4E 3023051 - NH Quality Improvement Program) and appropriations (E60204 5E00 - NH Quality Improvement Program) in the total amount of \$13,500.00 from a DOH grant.

2. From the DPW Committee:

(a) For the Department of Public Works - Highway Division, increase revenues (5130 4265520 - Sale of Tires) and appropriations (51304 5464 - Highway Vehicle Repairs and Parts) in the amount of \$3,986.09 from the sale of tires to Serkil.

(b) For the Department of Public Works - Highway Division, increase revenues (5110 42650 - Sale of Scrap Metal) and appropriations (51104 5458 - Bridge Materials) in the total amount of \$808.00.

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

AYES:	2843 votes
NOES:	0 votes
ABSENT:	0 votes

**RESOLUTION APPROPRIATING FUNDS FROM THE CONTINGENT
ACCOUNT FOR TRANSFER TO THE 2004 ESSEX COUNTY BUDGET,
AND AMENDING THE BUDGET ACCORDINGLY**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appropriates the following sums from the contingent account (Account No. 19904-5487) for transfer to the 2004 Essex County Budget, which is amended accordingly:

1. From the Human Services Committee:

(a) The sum of \$10,000.00 to the 2004 Essex County Horace Nye Home Budget (Account No. E83104 5E31 - Auditing Accountants) to complete the payment to Rotenberg.

2. From the DPW Committee:

(a) The sum of \$12,094.00 to the 2004 Essex County Department of Public Works - Highway Division Budget (51302 5260 - Other Equipment) for the purchase of a new vehicle lift for the Highway Shop.

(b) The sum of \$40,000 to the 2004 Assigned Counsel Budget as follows:

Account Number	Account Name	Amount
11714 5402CC	Criminal Court-Hrs-Felony	\$19,000.00
11714 5402CCMI	Criminal Court-Hrs-Misc	3,000.00
11714 5402DI03	2003 In Court Expenses	500.00
11714 5402FC	Family Court Hours	15,800.00
11714 5403DI03	2003 Out of Court Expenses	200.00

11714 5487CC	Criminal Court Disb - Felony	700.00
11714 5487CCMI	Criminal Court Disb - Misc.	300.00
11714 5487FC	Family Court Disbursement	500.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 12/07/04:</i>	\$ 224,753.00
<i>Reduction Impact of this resolution:</i>	62,094.00
<i>FY2004 Contingent Account Balance:</i>	\$ 162,659.00

Resolution No. 256

December 7, 2004
Regular Board Meeting

RESOLUTION AUTHORIZING CONTRACTS

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

Upon the recommendation of the various committees, with the approval of the Ways and Means Committee of this body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the appropriate County official to enter into and execute the following:

1. From the Public Safety Committee:

(a) A contract with G&T Enterprises in the amount of \$98,756.00 for a timber sale in the Town of Minerva.

2. From the Personnel & Administration Committee:

(a) An agreement with Empire Blue Cross Health Choice HMO.

3. From the Regular Board Meeting:

(a) A contract with Hartgen Archeological Associates, Inc. for the Phase III survey of the new jail site required by the New York State Office of Parks, Recreation and Historic Preservation, at a cost not to exceed \$30,783.00, to be paid from capital project funds.

(b) A contract with Wells Communications, Inc. for the purchase and installation of security cameras and related equipment at the Horace Nye Home, including training and programming, at a cost not to exceed \$7,126.00 to be paid from funds in the 2004 departmental budget.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 257

December 7, 2004
Regular Board Meeting

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

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 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) Create and fill two positions of Head Social Services Examiner (Grade 6 M/C - \$17.68 hr.) in the Department of Social Services, and to eliminate two positions of Social Service Manager upon the incumbents receiving a permanent appointment to the new positions being created.

(b) Reappointing Linda Lazzari to the positions of Public Health Director, Director of Patient Services, Administrator of the Certified Home Health Agency and the Early Intervention Official.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 258

December 7, 2004
Regular Board Meeting

**RESOLUTION INCREASING THE PRIVATE PAY RATE FOR
THE HORACE NYE HOME FOR NURSING HOME CARE
TO \$205.00 PER DAY, EFFECTIVE JANUARY 1, 2005**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizing the Horace Nye Home to increase the private pay rate for nursing home care to \$205.00 per day, effective January 1, 2005.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 259

**December 7, 2004
Regular Board Meeting**

**RESOLUTION OF SUPPORT FOR THE HUDSON HEADWATERS
HEALTH NETWORK'S APPLICATION FOR SECTION 330 PUBLIC
HEALTH FUNDING FOR A NEW HEALTH CENTER ACCESS
POINT AT THE MORIAH FAMILY HEALTH CENTER**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its support for the Hudson Headwaters Health Network's application for Section 330 Public Health funding for a New Health Center Access Point at the Moriah Family Health Center contingent upon the present ancillary services (i.e., laboratory services) currently in effect with Moses Ludington Hospital remaining the same and the same arrangement being offered and maintained with Elizabethtown Community Hospital.

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

Resolution No. 260

**December 7, 2004
Regular Board Meeting**

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

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

Upon the recommendation of the 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 the Emergency Services Department to apply for and accept:

1. From the Public Safety Committee:

(a) a \$40,000.00 grant for GIS for emergency management with 25% in-kind services.

2. From the Ways and Means Committee:

(a) Enhanced Wireless 911 expedited deployment grant funding which will be used to enhance wireless 911 call taking at the Public Safety Building, to include equipment to be purchased and installed to help achieve Phase 2 capability for Essex County's 911 emergency call system, with a local share of the funding being not more than \$100,000 from funds to be appropriated in the 2005 budget.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 261

**December 7, 2004
Regular Board Meeting**

**RESOLUTION RESCINDING THAT PORTION OF RESOLUTION NO.
101 OF 2003 WHICH DIRECTED ALL MATTERS RELATING TO THE
PLANNING, DESIGN AND CONSTRUCTION OF THE NEW JAIL
FACILITY BE ADDRESSED BY THE ENTIRE BOARD OF
SUPERVISORS**

The following resolution was offered by Supervisor Kelly, 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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby rescinds that portion of Resolution No. 101 of 2003 which directed all matters relating to the planning, design and construction of the New Jail Facility be addressed by the entire Board of Supervisors; and

BE IT FURTHER RESOLVED that all matters relating to the planning, design and construction of the new Jail and Public Safety Facility be addressed by the Public Safety Committee.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 262

**December 7, 2004
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE RECONVEYANCE OF
PROPERTY ACQUIRED BY ESSEX COUNTY IN THE
1998-2001 TAX SALE PROCEEDING, AND AMENDING
RESOLUTION NO. 192 OF 2004 ACCORDINGLY**

The following resolution was offered by Supervisor Kelly, 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 reconveyance of a parcels of real property acquired in the 1998-2001 Tax Sale proceeding to Paul B. Daunheimer and Mary W. Daunheimer, Co-Trustees to the Daunheimer Family Trust, U.T.D., upon the terms and conditions that the purchasers (a) pay all unpaid taxes (interest and penalties being hereby waived), (b) be solely responsible for paying all recording fees and expenses, and (c) take title subject to all liens and encumbrances of record and in effect as of the effective date of the County's tax lien(s) which were foreclosed upon; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby authorizes the reconveyance of parcels of real property acquired in the 1998-2001 Tax Sale proceeding to Diane Garvey, upon the terms and conditions that the purchaser (a) pay all unpaid taxes, interest, penalties and the 11.5% buyer's premium, (b) be solely responsible for paying all recording fees and expenses, (c) take title subject to all liens and encumbrances of record and in effect as of the effective date of the County's tax lien(s) which were foreclosed upon, and (d) pay any interest on the sale amount which accrues thereon up to the date of closing and recording of the deed, provided that the same is all complete by 12/10/04; and

BE IT FURTHER RESOLVED that Resolution No. 192 of 2004 is hereby amended accordingly.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TABLED
Resolution No. 263

December 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING EXPENDITURE OF \$35,973.26 IN
UNEXPENDED OCCUPANCY TAX FUND MONIES FOR A
TELEPHONE SYSTEM TO BE USED BY THE LAKE PLACID
VISITOR'S BUREAU IN CONNECTION WITH ITS CONTRACT**

The following resolution was offered by Supervisor Connell, 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 authorizes the sum of \$35,973.26 in unexpended 2003 occupancy tax fund monies to be expended for the purchase of a telephone system to be used by the Lake Placid Visitors Bureau in connection with its contract with Essex County provided that all system equipment is owned by and the property of Essex County to be returned upon expiration or termination of the contract.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 264

**December 7, 2004
Regular Board Meeting**

**RESOLUTION INSTITUTING A LAG PAYROLL OF NOT MORE THAN
TEN DAYS FOR ALL NEWLY HIRED AND ANY REHIRED
EMPLOYEES OF ESSEX COUNTY UPON THE APPROVAL OF CSEA**

The following resolution was offered by Supervisor Ashworth, 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 authorizes and directs the Personnel Office to institute a lag payroll of not more than ten days (as determined by the Personnel Officer) for all newly hired and any rehired employees of Essex County upon the approval of CSEA.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 265

December 7, 2004
Regular Board Meeting

**RESOLUTION URGING THE NEW YORK STATE DEPARTMENT
OF TRANSPORTATION TO LOOK INTO THE SAFETY OF THE
WILMINGTON NOTCH**

The following resolution was offered by Supervisor Ashworth, 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 urges the New York State Department of Transportation to look into the safety of the Wilmington Notch.

This resolution was unanimously seconded and adopted.

Resolution No. 266

December 7, 2004
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CLERK TO
WITHHOLD NECESSARY EXPENSES INCURRED IN 2005
IN ADMINISTERING THE MORTGAGE TAX RECORDING LAW**

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

WHEREAS, by Section 262 of the Tax Law, recording officers are entitled to receive their necessary expenses for purposes of administration of mortgage taxes in their offices upon approval and allowance by the State Tax Commission; and

WHEREAS, the State Tax Commission did on July 1, 1946, by resolution duly adopted, determine that such mortgage tax expense be approved at the amount certified to the State Tax Commission by the County Board of Supervisors, provided it is a reasonable and necessary allowance for such expenses.

BE IT RESOLVED, that the sum of \$20,000.00 per annum be and hereby is determined to be a reasonable and necessary allowance of the Recording Officer of Essex County for the hire of clerks and assistants to perform the administration of the Mortgage Recording Tax Law in his office; and

BE IT FURTHER RESOLVED, that effective January 1, 2005, the County Clerk collect or withhold from his disbursements in twelve (12) equal monthly installments of \$1,666.67 per month, the total annual sum of \$20,000.00, which this Board does hereby certify to the New York State Tax Commission and the New York State Department of Audit and Control, as the reasonable and proper allowance for expenses; and

BE IT FURTHER RESOLVED, that the Clerk of this Board provide 3 original resolutions for submission to the Department of Taxation and Finance.

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

Resolution No. 267

**December 7, 2004
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID
VILLAGE AND SCHOOL TAXES, AND ALL ROAD, WATER,
SEWER AND GARBAGE RENTS ON THE 2005 TAX ROLLS**

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, the Supervisors of the several towns within Essex County have transmitted to the Clerk of the Board the amounts of unpaid road, water, sewer, and garbage rents on the 2004 tax rolls; and

WHEREAS, the several Villages and School Districts within Essex County have transmitted to the Essex County Treasurer the amounts of unpaid village and school taxes, duly verified and certified as provided by Real Property Tax Law §§1330 and 1442; and

WHEREAS, the unpaid village and school taxes, together with an additional 7% thereon, are subject to relevy and collection pursuant to Real Property Tax Law §1330 and Essex County Local Law No. 3 of 1979, respectively.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs that the amounts of 2004-2005 Village and School Taxes, and 2004 Road, Water, Sewer and Garbage rents, remaining unpaid as of 5:00 p.m. on December 7, 2004, be relevied upon the 2005 tax roll; and

BE IT FURTHER RESOLVED that any payments which are mailed and contain a postmark as of December 7, 2004, shall be deemed to have been actually received by the County Treasurer prior to 5:00 p.m. on said date.

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

RESOLUTION AUTHORIZING THE LEVY OF CHARGEBACKS

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 Clerk of the Board of Supervisors is hereby authorized and directed to levy, from towns as accumulated chargebacks accrued, consisting of chargebacks from corrections to the tax rolls, as well as any other incidental charges to the towns of Essex County as follows:

<u>TOWN</u>	<u>2005 SELF-INSURANCE</u>	<u>2004 TREASURERS</u>	<u>2004 REAL PROPERTY</u>
Chesterfield	\$ 0.00	\$ 0.00	\$ 0.00
Crown Point	0.00	0.00	0.00
Elizabethtown	6,974.38	0.00	1,729.50
Essex	0.00	0.00	0.00
Jay	0.00	665.15	0.00
Keene	27,085.55	0.00	1,885.00
Lewis	0.00	0.00	0.00
Minerva	14,993.38	0.00	1,406.00
Moriah	0.00	0.00	0.00
Newcomb	0.00	0.00	0.00
North Elba	0.00	0.00	0.00
North Hudson	12,989.38	0.00	0.00
St. Armand	0.00	0.00	0.00
Schroon	0.00	0.00	0.00
Ticonderoga	0.00	0.00	0.00
Westport	0.00	0.00	0.00
Willsboro	0.00	0.00	0.00
Wilmington	25,399.17	0.00	1,235.00

BE IT FURTHER RESOLVED, that no chargeback shall be made against any Town which, prior to the close of business on December 6, 2004, furnishes the Essex County

Real Property Tax Services Director with a written statement that such Town will be making payment of an amount listed above on or before December 31, 2004.

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

Resolution No. 269

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

NICHOLAS S. NOLTE

The following resolution was offered by Supervisor Both, 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, Marines Sgt. Nicholas S. Nolte of Falls City, Nebraska passed away on November 24, 2004, succumbing to injuries suffered in action in Iraq; and

WHEREAS, Marines Sgt. Nolte was serving in the United States Marines in Anbar province, Iraq when he was injured and later succumbed to his injuries; and

WHEREAS, Marines Sgt. Nicholas S. Nolte was the son-in-law of Keene resident and Hazmat Team member Aline Pepe.

WHEREAS, Marine Sgt. Nicholas S. Nolte will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby express and extend their deepest sympathy and condolences to the family of Sgt. Nicholas S. Nolte; 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 Pepe family.

This resolution was unanimously seconded and adopted.

Resolution No. 270

**December 7, 2004
Regular Board Meeting**

**RESOLUTION ESTABLISHING PROCEDURES FOR THE COUNTY
MANAGER TO FOLLOW WITH REGARD TO THE BUDGET PROCESS**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby establishes the following procedures for the County Manager to follow with regard to the budget process prior to the filing of the Tentative Budget each year:

- ▶ Review each departmental budget request with the proper Committee Chairman to discuss any proposed changes;
- ▶ Provide to all Board members a two or three page summary of each departments request, highlights of the budget meeting with the department head, and any changes made to the departmental budget; and
- ▶ Go over highlights of the proposed tentative budget and discuss changes with entire Board of Supervisors.

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

Resolution No. 271

**December 7, 2004
Regular Board Meeting**

**RESOLUTION RECOGNIZING NOVEMBER AS ADOPTION
AWARENESS MONTH**

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

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

WHEREAS, the children of the Empire State are our most precious resource and hope for the future and each deserves to be raised in a safe and loving home environment that maintains focus on their health, well-being and happiness; and

WHEREAS, each November this State joins in the annual observance of adoption month recognizing that New Yorkers have a compassionate tradition for opening their hearts to children and giving them a stable and permanent home setting; and

WHEREAS, it is important that we remember the children who are in foster care waiting to be adopted as part of a secure and caring family; and

WHEREAS, finding nurturing permanent homes for waiting children is an objective throughout the year; and

WHEREAS, while all youth require the positive support and reassurance that comes from a loving family some children awaiting adoption may have special needs and caring for and bringing joy to adopted children has proven to be one of the most rewarding experiences for many adoptive parents; and

WHEREAS, it is important to recognize the enduring and valuable contributions of adoptive parents who continually strive to improve the quality of life for the children they bring into their lives; and

WHEREAS, during this month when Americans gather to celebrate and give thanks for the abundant blessings that we have as citizens of this great nation, it is the hope of New Yorkers that all children awaiting adoption will soon find the warmth and security of a loving family and we join to support the goals of this observance during a special time of year when we reflect on our many reasons to be grateful.

NOW THEREFORE BE IT RESOLVED, that the Essex County Board of Supervisors do hereby recognize November as Adoption Awareness Month.

This resolution was unanimously seconded and adopted.

Resolution No. 272

December 7, 2004
Regular Board Meeting

**RESOLUTION RECOGNIZING NOVEMBER AS NATIONAL HOME
CARE AND HOSPICE MONTH**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors do hereby declare November as National Home Care and Hospice Month.

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

Resolution No. 273

**December 7, 2004
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO MICHAEL LEE RICE
OF CROWN POINT FOR OBTAINING THE EAGLE SCOUT AWARD**

The following resolution was offered by Supervisor French, 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, Michael Lee Rice is a resident of the Town of Crown Point; and

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

WHEREAS, to earn the rank of Eagle Scout, Michael fulfilled rank, merit badge requirements, and served his troop in a variety of leadership roles; 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 hereby extend their heartiest congratulations to Michael Lee Rice 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 Michael Lee Rice.

This resolution was unanimously seconded and adopted.

Resolution No. 274

December 7, 2004
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

DOROTHY Y. MILLER

The following resolution was offered by Supervisor Morrow, 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, Dorothy Y. Miller, the mother-in-law of County Manager Clifford R. Donaldson, Jr. passed away on November 25, 2004; and

WHEREAS, Dorothy Y. Miller was a life-long resident of Fort Smith, Arkansas until moving to Saranac Lake in 2000 to live with her daughter and son-in-law Joan and Cliff Donaldson; and

WHEREAS, Dorothy Y. Miller and her husband Theodore "Ted" Miller were the owners and operators of the Eagle Clothing Store on Garrison Avenue in Fort Smith for over 50 years; and

WHEREAS, Dorothy Y. Miller, and the entire Miller family were very active in girl scouting and Mrs. Miller was awarded life membership in the Girl Scouts of America; and

WHEREAS, Dorothy Y. Miller was a life-long member of the United Hebrew Congregation of Fort Smith and in the mid 1970's served as the first woman president of the United Hebrew Congregation; and

WHEREAS, Dorothy Y. Miller was a loyal and devoted mother, grandmother, great grandmother, sister, aunt, great aunt and friend, who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby express and extend their deepest sympathy and condolences to the family of Dorothy Y. Miller; 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 Donaldson family.

This resolution was unanimously seconded and adopted.

Resolution No. 275

**December 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 Merrihew, 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 Finance/Tax Reduction/Mandate Relief Committee:

- (a) The 2002 Annual Report of the Essex County Clerk.
- (b) The 2003 Annual Report of the Essex County Youth Bureau.

2. From the Ways and Means Committee:

- (a) The 2005 Visitor's Bureau Marketing Plan.

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

Resolution No. 276

**December 7, 2004
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE CONVEYANCE OF
PROPERTY ACQUIRED BY ESSEX COUNTY IN THE
1998-2001 TAX SALE PROCEEDING AND AMENDING
RESOLUTION NO. 225 OF 2004 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 the conveyance of three parcels of real property (as specified below) acquired in the 1998-2001 Tax Sale proceeding to Arthur Bailey, upon the terms and conditions that the purchaser (a) pay the total sum of \$8,000 by certified check, bank check, money order or cash and (b) be solely responsible for paying all recording fees and expenses; and

<u>Town</u>	<u>Parcel</u>	<u>Schedule</u>	<u>Account #</u>	<u>Tax Map #</u>	<u>Former Owner</u>
Chesterfield	4	B	575J108703	4.38-5-1.002	Charles & Catherine Cobb
Chesterfield	24	B	575J108704	4.38-5-2.002	Caroline Sousis
Chesterfield	1	C	575J102401	4.38-5-3.000	Robert & Rachel Abare

BE IT FURTHER RESOLVED that Resolution No. 225 of 2004 is hereby amended accordingly.

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

Resolution No. 277

**December 7, 2004
Regular Board Meeting**

**RESOLUTION TO REMOVE FROM THE TABLE AND ADOPT
RESOLUTION NO. 263 AUTHORIZING EXPENDITURE OF \$35,973.26
IN UNEXPENDED OCCUPANCY TAX FUND MONIES FOR A
TELEPHONE SYSTEM TO BE USED BY THE LAKE PLACID
VISITOR'S BUREAU IN CONNECTION WITH ITS CONTRACT**

The following resolution was offered by Supervisor Kelly, 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 sum of \$35,973.26 in unexpended 2003 occupancy tax fund monies to be expended for the purchase of a telephone system to be used by the Lake Placid Visitors Bureau in connection with its contract with Essex County provided that all system equipment is owned by and the property of Essex County to be returned upon expiration or termination of the contract.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 278

December 7, 2004
Regular Board Meeting

**RESOLUTION ADOPTING THE MODEL DEFERRED
COMPENSATION PLAN AS AMENDED AND RESTATED WITH
AMENDMENTS THROUGH MAY 21, 2004**

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; and

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 May 21, 2004, the Board amended the Model Plan to adopt provisions relating to

- ▶ Authorization to reject a participant investment request if the request is contrary to the rules, regulations or prospectus of the affected investment fund.
- ▶ Authorization to distribute assets that have been rolled into the plan from another qualified retirement plan in accordance with the distribution rules of the plan that previously held the assets.
- ▶ Limitations on a participant's eligibility to obtain a loan in the event that the participant has previously defaulted on a loan.
- ▶ Modifications related to comments provided by the Internal Revenue Service in response to the Board's request for a private letter ruling stating that the Model Plan document constitutes an "eligible deferred compensation plan."
- ▶ Technical amendments pertaining to plan loan rules and the status of plan loans and other withdrawals upon the death of a participant.

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, Essex County 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the Deferred Compensation Plan for Employees of Essex County effective December 7, 2004, by adopting the amended and restated Model Plan effective May 21, 2004, in the form filed with the Clerk of this Board on December 6, 2004.

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

AYES:	2843 votes
NOES:	0 votes
ABSENT:	0 votes

Resolution No. 279

December 7, 2004
Regular Board Meeting

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

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 makes the following appointments:

(a) to the Clinton-Essex-Franklin Library System Board, Lynn Bezio for a term ending December 31, 2009.

(b) to the Essex County Deferred Compensation Committee, the Vice-Chairperson of the Board, the Chairpersons of the Finance and Personnel Committees, the County Treasurer, the County Manager, and the Personnel Officer.

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

Resolution No. 280

December 7, 2004
Regular Board Meeting

**RESOLUTION OF SUPPORT FOR THE AUSABLE CLUB TO BE PLACED ON
THE NATIONAL AND STATE REGISTERS OF HISTORIC PLACES**

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

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

WHEREAS, the Ausable Club has been an integral part of the Town of Keene and Essex County since the 19th century; and

WHEREAS, the Ausable Club building has graced the Town of Keene landscape for over 100 years; and

WHEREAS, the Ausable Club building has long been renowned as an architectural gem.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its support for the Ausable Club in the Town of Keene to be placed on the National and State Registers of Historic Places; 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 National Register of Historic Places.

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

Resolution No. 281

December 7, 2004
Regular Board Meeting

**RESOLUTION OF SUPPORT FOR THE CIRCUIT
BREAKER TAX CREDIT PROGRAM**

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

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

WHEREAS, the citizens of New York State are faced with ever increasing property taxes; and

WHEREAS, many of our citizens, retired people as well as younger families, are having difficulty acquiring and retaining homes; and

WHEREAS, there already exists a vehicle that might help these people become and remain homeowners in Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its support for and urges the New York State Legislature to modify the existing Circuit Breaker Tax Credit Program, that would, if updated, provide relief to many of our retired and working class citizens; 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 Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted.

Resolution No. 282

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

KENNETH JOSEPH KIM ARMSTRONG

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, Kenneth Joseph Kim Armstrong, the son of former Office for the Aging Director Grace L. Armstrong, passed away on November 20, 2004; and

WHEREAS, Kenneth Armstrong was a veteran of the US Army having served during the Vietnam War; and

WHEREAS, Kenneth Armstrong lived most of his life in Crown Point, New York, moving from Ticonderoga at the age of 10; and

WHEREAS, Kenneth Joseph Kim Armstrong was a loyal and devoted son, husband, father, brother, grandfather, uncle and friend who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses and extends its deepest sympathy and condolences to the family of Kenneth Joseph Kim Armstrong; 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 Armstrong family.

This resolution was unanimously seconded and adopted.

Resolution No. 283

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

CAROLYN M. DOUGLAS

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.

WHEREAS, Carolyn M. Douglas, of Jay, New York passed away on November 21, 2004; and

WHEREAS, Carolyn M. Douglas was the Town Clerk for the Town of Jay from 1972 until 1988; and

WHEREAS, Carolyn M. Douglas was employed by CEI for many years and created the Holiday Helpers Program; and

WHEREAS, Carolyn M. Douglas made a significant and lasting contribution to the People of the Town of Jay and will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses and extends its deepest sympathy and condolences to the family of Carolyn M. Douglas; 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 Douglas family.

This resolution was unanimously seconded and adopted.

Resolution No. 284

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

FAY A. PEPPER

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.

WHEREAS, Fay A. Pepper, of Moriah, New York passed away on November 16, 2004; and

WHEREAS, Fay A. Pepper was a former assessor for the Town of Moriah and served on the Board of Review; and

WHEREAS, Fay A. Pepper was a veteran of World War II and retired from Reale Construction in Ticonderoga; and

WHEREAS, Fay A. Pepper was a loyal and devoted husband, father, grandfather, great grandfather and friend who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses and extends its deepest sympathy and condolences to the family of Fay A. Pepper; 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 Pepper family.

This resolution was unanimously seconded and adopted.

Resolution No. 285

**December 7, 2004
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO ERICA TESAR
TOWN OF MORIAH'S JUNIOR MISS**

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.

WHEREAS, this Essex County Board of Supervisors recognizes the vital importance of young people as leaders of the future and takes pride in its youth; and

WHEREAS, Erica Tesar, a senior at Moriah Central School, is a member of the National Honor Society, participates in soccer, basketball and softball and is going to college for elementary education; and

WHEREAS, Erica Tesar is the daughter of Barbara and Donald Tesar of Port Henry.

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its heartiest congratulations to Erica Tesar as the Town of Moriah's Junior Miss.

This resolution was unanimously seconded and adopted.

Resolution No. 286

**December 7, 2004
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO COURTNEY WALDRON FOR
QUALIFYING FOR AND PLACING FOURTH AT THE NFL PUNT, PASS
AND KICK COMPETITION AT GIANTS STADIUM ON DECEMBER 5, 2004**

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.

WHEREAS, Courtney Waldron, the 13-year old daughter of John and Gail Waldron, an LPN at the Horace Nye Home, qualified to participate at the NFL Punt, Pass and Kick competition to be held at Giants Stadium on December 5, 2004; and

WHEREAS, Courtney was one of 40 participants at Giants Stadium contending for an all-expenses-paid trip to the national championship at the AFC Championship game in January, and placed fourth; and

WHEREAS, Courtney has played football since the age of 10 and also competes in basketball and softball; and

WHEREAS, Courtney is an exceptional student at Moriah Central School, maintaining a 97.1 grade point average and earning high academic honors every year.

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its heartiest congratulations to Courtney Waldron for qualifying for and placing fourth at the NFL Punt, Pass and Kick competition held at Giants Stadium on December 5, 2004.

This resolution was unanimously seconded and adopted.

Resolution No. 287

**December 7, 2004
Regular Board Meeting**

**RESOLUTION INTRODUCING PROPOSED
LOCAL LAW NO. 1 OF 2005**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby introduces proposed Local Law No. 1 of 2005, fixing the 2005 salaries of County officers who are elected or who are appointed for a fixed term, as follows:

"ESSEX COUNTY LOCAL LAW NO. 1 OF 2005

A local law fixing the 2005 salaries of County officers who are elected or who are appointed for a fixed term.

BE IT ENACTED by the Board of Supervisors of Essex County as follows:

§1. The annual salaries to be paid during fiscal year 2005 for the following County officers who are elected or who are appointed for a fixed term shall be as follows:

<u>Position</u>	<u>2005 Salary</u>
Commissioner of Social Services	\$ 70,679.00
Public Defender	100,000.00
Superintendent of Public Works	72,400.00
County Clerk	54,584.00
Real Property Tax Services Director	57,298.00
County Treasurer	54,369.00
Sheriff	61,721.00
Personnel Officer	69,630.00
County Auditor	44,012.00
Coroners	3,250.00
Clerk of the Board	55,426.00

§2. This local law shall take effect 45 days after adoption hereof; except that in the event a valid petition protesting against this local law is filed with the Clerk within 45

days of such adoption, this local law shall take effect only upon approval by the affirmative vote of a majority of the qualified electors of Essex County.”

AND BE IT FURTHER RESOLVED that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on December 20, 2004, at 9:45 o'clock in the forenoon of that day, to hear any and all persons concerning the same.

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

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

Resolution No. 288

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

MATTHEW J. "BUDDY" HOPKINS

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

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

WHEREAS, Matthew J. "Buddy" Hopkins, the son of DPW employee Daniel J. Hopkins, passed away on December 3, 2004 at his home, as a result of a brain tumor he had battled since he was 3 years old; and

WHEREAS, Buddy Hopkins attended Westport Central School and graduated from BOCES in Mineville; and

WHEREAS, Buddy Hopkins enjoyed model cars, old cars, WWF Wrestling and was an avid Yankees fan; and

WHEREAS, Matthew J. "Buddy" Hopkins was a loyal and devoted son, brother, nephew, cousin and friend who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses and extends its deepest sympathy and condolences to the family of Matthew J. "Buddy" Hopkins; 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 Hopkins family.

This resolution was unanimously seconded and adopted.

Resolution No. 289

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

RICHARD J. "DICK" LIPKE

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.

WHEREAS, Richard J. "Dick" Lipke, the husband of HNH employee Betty R. Lipke, passed away on November 30, 2004; and

WHEREAS, Richard "Dick" Lipke was the driver for the Keeseville Senior Nutrition Center Bus; and

WHEREAS, Richard "Dick" Lipke was not only the Senior Bus Driver for the Town of Chesterfield, Town of AuSable and Village of Keeseville, he was everybody's friend; and

WHEREAS, Dick Lipke very much enjoyed his family and helping people, was an avid sports fan and especially enjoyed the Pittsburgh Steelers; and

WHEREAS, the residents of the community have suffered a great loss with the untimely death of Richard "Dick" Lipke; and

WHEREAS, Richard J. "Dick" Lipke was a loyal and devoted husband, son, father, brother, grandfather, uncle and good friend who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses and extends its deepest sympathy and condolences to the family of Richard J. "Dick" Lipke; 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 Lipke family.

This resolution was unanimously seconded and adopted.

Resolution No. 290

**December 7, 2004
Regular Board Meeting**

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

WILLIAM EDWARD "BILL" ROOKER

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, William Edward "Bill" Rooker, of Ticonderoga, New York, passed away on December 2, 2004; and

WHEREAS, Bill Rooker was a member of the New York State National Guard and most recently retired from the Vermont National Guard having served a total of 33 years; and

WHEREAS, Bill Rooker was employed as Superintendent of Public Works for the Village of Ticonderoga for 14 years, and also worked for various companies as a consulting engineer; and

WHEREAS, Bill Rooker was a member of the Ticonderoga Volunteer Fire Department for many years and a member of the Ticonderoga Fire Police; and

WHEREAS, William Edward "Bill" Rooker was a loyal and devoted husband of 36 years, father, brother, uncle, cousin and friend who will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses and extends its deepest sympathy and condolences to the family of William Edward "Bill" Rooker; 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 Rooker family.

This resolution was unanimously seconded and adopted.

Resolution No. 291

**December 7, 2004
Regular Board Meeting**

**RESOLUTION OF APPRECIATION TO THE CANADIAN PACIFIC
RAILROAD HOLIDAY TRAIN**

The following resolution was offered by Supervisors Dedrick and Scozzafava, who moved its adoption.

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

WHEREAS, the Canadian Pacific Railroad Holiday Train stopped in both Port Henry and Ticonderoga this year on its way to Plattsburgh; and

WHEREAS, people who come to the railroad stations to see the train are asked to bring canned goods for the needy and Canadian Pacific Rail also donated \$1,000 to each local food pantry where the train stops; and

WHEREAS, this Board of Supervisors is delighted that the Canadian Pacific Railroad Holiday Train stopped in Essex County and as a direct result has provided donations to the local food banks in the County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its appreciation to the Canadian Pacific Railroad and its Holiday Train for their donations to Essex County, including but not limited to their donation to the Port Henry and Ticonderoga local food banks.

This resolution was unanimously seconded and adopted.

Resolution No. 292

December 7, 2004
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO AMY MOORE
TOWN OF TICONDEROGA'S 2005 JUNIOR MISS**

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 Essex County Board of Supervisors recognizes the vital importance of young people as leaders of the future and takes pride in its youth; and

WHEREAS, Amy Moore, the daughter of Randy and Peggy Moore, has been selected as Ticonderoga's 2005 Junior Miss, and also received the Physical Fitness, Talent and Self-Expression Awards; and

WHEREAS, Amy Moore is student at the Ticonderoga High School where she has excelled in both academic and extracurricular activities, including but not limited to being on the Honor Roll, a member of the Class Executive Board and the Prom Committee, the Secretary of Student Voice, and a Natural Helper; and

WHEREAS, Amy is well-regarded by her peers, having been nominated as Prom Queen, elected as Captain of the Varsity Gymnastics Team, and elected as "Most Spirited" for the past three years.

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its heartiest congratulations to Amy Moore as the Town of Ticonderoga's 2005 Junior Miss.

This resolution was unanimously seconded and adopted.

Resolution No. 293

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
BUDGET TO DELETE THE JOB TRAINING PARTNERSHIP ACT
FOR THE CEI BUDGET**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Job Training Partnership Act CEI budget by decreasing appropriations and revenues in the total amount of \$600,000 as follows:

Department 6292

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6292487 5487	Miscellaneous expense	\$ 600,000.00	\$ 0.00

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
44790	FA JTPA	\$ 600,000.00	\$ 0.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 0.00

Resolution No. 294

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
BUDGET - TO INCREASE COMPENSATION PAID TO TOWNS FOR
SNOW AND ICE CONTROL**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County DPW Budget by increasing appropriations and revenues in the total amount of \$54,959 to increase compensation to be paid to Towns for snow and ice control as follows:

Department 5142 - Snow Removal

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
51424 5474TSC	Town Snow Contracts	\$ 1,209,084.00	\$ 1,264,043.00

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
5010 45031	Inter Fund Transfers	\$ 5,206,319.00	\$ 5,261,278.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 54,959.00
increase in appropriations and revenues

Resolution No. 295

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
PUBLIC HEALTH DEPARTMENT BUDGET - TO DECREASE THE
APPROPRIATION FOR MILEAGE REIMBURSEMENT BY \$25,000**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Public Health Budget by decreasing mileage appropriations in the total amount of \$25,000 as follows:

Department 4010 - Public Health

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
40104 5497	Mileage	\$ 110,000.00	\$ 85,000.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 25,000.00
decrease in appropriations

Resolution No. 296

**December 15, 2004
Special Board Meeting**

RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY CLERK'S DEPARTMENT BUDGET - TO DECREASE THE APPROPRIATIONS FOR EQUIPMENT AND INVENTORY BY \$20,000; AND AMENDING THE 2004 BUDGET TO INCREASE REVENUES AND APPROPRIATIONS AND AUTHORIZE THE PURCHASE OF EQUIPMENT AND SERVICES IN 2004 SO THAT THE SAME NEED NOT BE INCLUDED IN THE 2005 BUDGET

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Clerk's Budget by decreasing equipment and inventory appropriations in the total amount of \$20,000 as follows:

Department 1410 - County Clerk

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
14102 5220	Office Equipment	\$ 15,000.00	\$ 0.00
14104 5400INV	Inventory	5,000.00	0.00

BE IT FURTHER RESOLVED that in order to avoid including the above appropriations in the 2005 budget:

(A) the 2004 budget for the Essex County Clerk is hereby amended so as to increase revenues and appropriations within said budget as follows:

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
4125520	County Clerk Fees	\$ 380,000.00	426,000.00

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
14104 5400INV	Inventory	\$ 8,098.90	\$ 27,778.90
14102 5220	Office Equipment	0.00	26,320.00

(B) the 2004 budget for the Essex County Motor Vehicle Department is hereby amended so as to increase revenues and appropriations within said budget as follows:

<u>REVENUE</u> <u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
41255019	County Clerk Motor Vehicle Fee	\$ 149,000.00	213,000.00

<u>APPROPRIATION</u> <u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
14114 5400INV	Inventory	\$ 1,665.00	\$ 65,665.00

- (C) the Purchasing Agent is hereby directed as follows:
- 1) For the Motor Vehicle Department, purchase 6 chairs/stools at a cost not to exceed \$1,200.00, a copier at a cost not to exceed \$2,810;
 - 2) For the County Clerk, purchase a copier at a cost not to exceed \$8,800, a map copier at a cost not to exceed \$17,600, a copier for the reception area at a cost not to exceed \$2,810, and a computer printer at a cost not to exceed \$750.00; and
 - 3) For the County Clerk, enter into a contract for the restoration and/or re-creation of ancient and vital records with Browns River Binding at a cost not to exceed \$16,000.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 297

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
WEIGHTS AND MEASURES DEPARTMENT BUDGET - TO
DECREASE APPROPRIATIONS BY \$38,946**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Weights and Measures Department Budget by decreasing appropriations in the total amount of \$38,946 as follows:

Department 6610 - Sealer of Weights and Measures

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
66101 5110	Regular Wages	\$ 74,164.00	\$ 50,231.00
66104 5442	Auto - Gas/Oil/Diesel	1,500.00	2,000.00
66108 5810	Retirement	8,000.00	5,439.00
66108 5820	Social Security	5,720.00	3,889.00
66108 5850	Health Insurance	18,844.00	9,422.00
66108 5851	Pharmacy Insurance	3,398.00	1,699.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 38,946.00
decrease in appropriations

Resolution No. 298

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
HORACE NYE HOME BUDGET - TO DECREASE
APPROPRIATIONS AND REVENUES BY \$42,000**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Horace Nye Home Budget by decreasing appropriations and revenues in the total amount of \$42,000 as follows:

Department E8350 - Administrative

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
E83504 5E99	Assessment Expenses	\$ 250,000.00	\$ 208,000.00

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
E8350 4E5031	Contribution from General	\$ 3,005,663.00	\$ 2,963,663.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 42,000.00
decrease in appropriations and revenues

Resolution No. 299

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
BOARD OF ELECTIONS BUDGET - TO DECREASE
APPROPRIATIONS BY \$7,500**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Board of Elections Budget by decreasing appropriations in the total amount of \$7,500 as follows:

Department 1460 - Board of Elections

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
14504 5410	Office Supplies	\$ 25,000.00	\$ 20,000.00
14504 5440CUST	Custodian Account	4,000.00	1,500.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 7,500.00
decrease in appropriations

Resolution No. 300

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
EMERGENCY SERVICES BUDGET - TO DECREASE
APPROPRIATIONS FOR EQUIPMENT BY \$50,998**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Emergency Services Budget by decreasing appropriations in the total amount of \$50,998 as follows:

Department 3640 - Emergency Services / Disaster Preparedness

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
36402 5230	Auto Equipment	\$ 29,000.00	\$ 0.00
36402 5260	Other Equipment	21,998.00	0.00

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

AYES: 2162 votes
NOES: 681 votes (Jackson, Seney, Moses)
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 50,998.00
decrease in appropriations

Resolution No. 301

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
PUBLIC DEFENDER BUDGET - TO DECREASE
APPROPRIATIONS BY \$12,000**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Public Defender Budget by decreasing appropriations in the total amount of \$12,000 as follows:

Department 1170 - Public Defender - Defense of Indigents

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
11704 5411	Rental of Buildings and Property	\$ 10,000.00	\$ 0.00
11704 5451	Training Schools/Conventions	3,000.00	1,000.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 12,000.00
decrease in appropriations

Resolution No. 302

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
SOCIAL SERVICES BUDGET - TO INCREASE AND DECREASE
APPROPRIATIONS AND REVENUES SO THAT THERE IS A NET
DECREASE IN APPROPRIATIONS OF \$173,391 AND A NET
DECREASE IN REVENUES OF \$18,073**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Social Services Budget by increasing appropriations in the total amount of \$11,671 as follows:

Department 6010 - Social Services

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
60101 5110	Regular Wages	\$ 2,510,121.00	\$ 2,508,901.00
60101 5130	Part Time Wages	68,942.00	92,316.00
60102 5230	Auto Equipment	46,000.00	42,070.00
60104 5420	Printing	8,950.00	8,850.00
60104 5441	Misc Fees & Services	12,450.00	13,350.00
60104 5443	Travel Reimbursement	13,800.00	12,900.00
60104 545	Client Payments	15,150.00	17,150.00
60104 5451	Training Schools/Conventions	4,694.00	4,456.00
60104 546	State Chargebacks	47,700.00	48,478.00
60104 5487	Miscellaneous Expenses	6,000.00	5,000.00
60104 5497	Mileage	22,975.00	22,856.00
60108 5810	Retirement	269,926.00	282,275.00
60108 5820	Social Security	205,127.00	207,679.00
60108 5840	Disability Insurance	5,093.00	5,124.00

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6010 418112	Incentives Support Unit	\$ 32,103.00	\$ 30,000.00
6010 41813	SS Legal Fees	3,500.00	0.00
6010 43602	SA Long Term Care	2,900,000.00	3,000,000.00
6010 43609	SA Family Assistance	352,215.00	359,948.00
6010 43610	SA Administration	1,040,193.00	1,027,678.00
6010 43640	SA Safety Net	230,500.00	220,500.00
6010 44609	FA Family Assistance	792,986.00	703,204.00
6010 44610	FA Administration	2,549,853.00	2,544,915.00
6010 44611	FA Food Stamps	72,156.00	69,188.00

Department 6070 - Homemaker Services

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
60704 5400	Homemaker/Day Care	\$ 347,318.00	\$ 309,756.00

Department 6101 - Medical Assistance

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6101440 5440	Misc Fees and Services	\$ 140,000.00	\$ 135,000.00

Department 6102 - MMIS

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6102487 5487	Misc Expenses	\$ 10,500,000.00	\$ 10,550,000.00

Department 6109 - Family Assistance

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6109487 5487	Misc Expenses	\$ 1,740,714.00	\$ 1,698,214.00

Department 6119 - Foster Care Expenses

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6119487 5487	Misc Expenses	\$ 900,000.00	\$ 800,000.00

Department 6123 - SS Juvenile Delinquent Care

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6123487 5487	Misc Expenses	\$ 125,000.00	\$ 95,000.00

Department 6140 - Safety Net

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6140487 5487	Misc Expenses	\$ 575,000.00	\$ 555,000.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT
\$ <u>173,391.00</u> <i>decrease in appropriations</i>
\$ <u>18,073.00</u> <i>decrease in revenues</i>

Resolution No. 303

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
BUDGET BY MODIFYING THE AMOUNTS TO BE TRANSFERRED
FROM THE GENERAL FUND WITHIN SAID BUDGET**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Budget by modifying the amounts to be transferred from the General Fund within said budget as follows:

Department 9900 - Transfers from the General Fund

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
99004 59908	Transfer to County Road	\$ 5,206,319.00	\$ 5,275,278.00
99004 59904	Transfer to Enterprise Health	3,005,663.00	2,963,663.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 0.00

Resolution No. 304

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
REAL PROPERTY TAX SERVICES BUDGET - TO DECREASE
APPROPRIATIONS BY \$14,965**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Real Property Tax Services Budget by decreasing appropriations in the total amount of \$14,965 as follows:

Department 1355 - Real Property

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
13551 5190	Health Insurance B/O	\$ 3,000.00	\$ 6,000.00
13558 5850	Health Insurance	93,979.00	78,759.00
13558 5851	Pharmacy Expenses	20,658.00	17,913.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 14,965.00
decrease in appropriations

Resolution No. 305

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
ECONOMIC DEVELOPMENT BUDGET - TO INCREASE
APPROPRIATIONS BY \$10,000**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Economic Development Budget by increasing appropriations in the total amount of \$10,000 as follows:

Department 6420 - Economic Development

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
6420429 5400EDZ	Essex Co Development Zone	\$ 30,000.00	\$ 40,000.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 10,000.00
increase in appropriations

Resolution No. 306

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
PUBLIC WORKS DEPARTMENT BUDGET - TO INCREASE
APPROPRIATIONS BY \$14,000**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County DPW Budget by increasing appropriations and revenues in the total amount of \$14,000 as follows:

Department 5110 - Maintenance of Roads

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
51101 5110	Regular Wages	\$ 548,001.00	\$ 562,001.00

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
5010 45031	Inter Fund Transfers	\$ 5,261,278.00	\$ 5,275,278.00

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

TENTATIVE BUDGET IMPACT - \$ 14,000.00
increase in appropriations and revenues

Resolution No. 307

**December 15, 2004
Special Board Meeting**

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
ASSORTED/UNALLOCATED BUDGET - TO INCREASE
REVENUES BY \$800,000**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County assorted/unallocated budget by increasing revenues in the total amount of \$800,000 as follows:

Department 1900 - Sales and Use Tax

<u>REVENUE ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
1900 41110	Sales and Use Tax	\$ 18,000,000.00	\$ 18,800,000.00

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

AYES: 2757 votes
NOES: 0 votes
ABSENT: 0 votes
ABSTAIN: 86 votes (Both)

TENTATIVE BUDGET IMPACT - \$ 800,000.00
increase in revenues

DEFEATED
Resolution No. 308

December 15, 2004
Special Board Meeting

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX COUNTY
DISTRICT ATTORNEY'S BUDGET - TO DECREASE
APPROPRIATIONS BY \$39,067**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County District Attorney's Budget by decreasing appropriations in the total amount of \$39,067 as follows:

Department 1165 - District Attorney

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
11651 5130	Part time Wages	\$ 64,372.00	\$ 29,372.00
11658 5810	Retirement	47,223.00	43,478.00
11658 5820	Social Security	32,895.00	32,573.00

This resolution was duly seconded by Supervisors Merrihew and Jackson, and **defeated** upon a roll-call vote as follows:

**AYES: 877 votes (Both, Kelly, Scozzafava, Dobie, Connell,
Ashline, Ashworth)**

**NOES: 1966 votes (Morrow, Douglas, Canon, Seney, Morency,
Dedrick, Glebus, French, Merrihew, Jackson,
Moses)**

ABSENT: 0 votes

<p>TENTATIVE BUDGET IMPACT - \$ <u>39,067.00</u> decrease in appropriations</p>
--

WITHDRAWN
Resolution No. 309

December 15, 2004
Special Board Meeting

**RESOLUTION AMENDING THE 2005 TENTATIVE ESSEX
COUNTY BUDGET – INCREASE APPROPRIATIONS IN THE
WATERSHED PROTECTION DISTRICT BUDGET BY \$1,500
TO PAY THE RC&D COUNCIL MEMBERSHIP FEE**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2005 Tentative Essex County Budget for the Soil and Water Conservation District by increasing appropriations in the sum of \$1,500.00 as follows:

Department 8735 - Watershed Protection District

<u>APPROPRIATION ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
8735487 5487	Miscellaneous Expenses	\$ 58,500.00	\$ 60,000.00

This resolution was duly seconded by Supervisor Glebus, and **WITHDRAWN**.

Resolution No. 310

**December 15, 2004
Special Board Meeting**

**RESOLUTION ADOPTING THE 2005 TENTATIVE ESSEX
COUNTY BUDGET, AS AMENDED, AS THE 2005 ESSEX
COUNTY BUDGET AND APPROPRIATING FUNDS
PURSUANT TO COUNTY LAW §356**

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

WHEREAS, the Essex County Board of Supervisors has met and considered the 2005 tentative budget and conducted a public hearing thereon on November 29, 2004, as required by County Law §359; and

WHEREAS, the Board thereafter conducted budget hearings with each department head to review and consider amendments to the tentative budget in order to reduce the projected tax increase, and based upon such hearings has amended the tentative budget.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts the 2005 Tentative Essex County Budget, as heretofore amended, as the final 2005 Essex County Budget; and

BE IT FURTHER RESOLVED that the several amounts specified in such budget in the column entitled "Adopted" for the several objects set forth in said 2005 budget, totaling \$75,526,539.00, be appropriated for such objects effective January 1, 2005, with said budget containing total revenues of \$58,288,696.00; and

BE IT FURTHER RESOLVED that the sum of \$2,189,799.00 is hereby appropriated from the General Fund Balance for the 2005 Essex County Budget hereby adopted; and

BE IT FURTHER RESOLVED that the sum of \$1,000,000.00 is hereby appropriated from the County Road Fund Balance, and the additional sum of \$500,000.00 from the County Road Machinery Fund Balance, for the 2005 Essex County Budget hereby adopted; and

BE IT FURTHER RESOLVED that the sum of \$13,548,044.00 shall be raised by taxes levied upon the real property within the County for the 2005 Essex County Budget

hereby adopted.

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

<i>AYES:</i>	<i>2843 votes</i>
<i>NOES:</i>	<i>0 votes</i>
<i>ABSENT:</i>	<i>0 votes</i>

Resolution No. 311

December 15, 2004
Special Board Meeting

**RESOLUTION LEVYING 2005 COUNTY AND TOWN TAXES
AND ASSESSMENTS, APPROVING THE COMPLETED
TAX ROLLS, AND DIRECTING THE EXECUTION
AND DELIVERY OF THE TAX WARRANTS**

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

WHEREAS, there has been presented to this Board of Supervisors a duly certified copy of the annual budget for each of the eighteen towns of Essex County for the fiscal year commencing January 1, 2005; and

WHEREAS, the Essex County Board of Supervisors has duly adopted its annual budget for the fiscal year 2005 by Resolution No. 310, which budget provides for appropriation of funds in the total amount of \$75,526,539.00, for revenues of \$58,288,696, and for a total tax levy of \$13,548,044.00.

BE IT RESOLVED that pursuant to Town Law §115, the amounts specified in the annual town budgets, as adopted by the respective Town Boards, to be raised by tax or assessment shall be levied, assessed, raised and collected against, from, and upon the real property of the respective towns liable therefor at the time and in the manner provided by law for the levy of county taxes; and

BE IT FURTHER RESOLVED that pursuant to County Law §360, the amounts specified in the 2005 County budget to be raised by tax, amounting to \$13,548,044.00 shall be levied, assessed, raised and collected against, from, and upon the real property of the County liable therefor at the time and in the manner provided by law; and

BE IT FURTHER RESOLVED that the Town and County taxes be extended against each parcel on said rolls, with such taxes as extended being hereby determined to be the taxes due on each such parcel as set forth thereon; and

BE IT FURTHER RESOLVED that there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Board, as provided by Real Property Tax Law §904, that such warrants should be in the respective amounts heretofore authorized to be levied upon said rolls, that under the seal of the Essex County Board of Supervisors

the said rolls with said warrants are to be forthwith collected within and from the several tax districts of the County; and

BE IT FURTHER RESOLVED that such taxes and assessments, when collected, shall be paid to the Supervisor of the respective town and to the Essex County Treasurer in the amounts as shown on the Contents of Collectors Warrants for distribution by them in the manner provided by law.

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

<i>AYES:</i>	<i>2843 votes</i>
<i>NOES:</i>	<i>0 votes</i>
<i>ABSENT:</i>	<i>0 votes</i>

Resolution No. 312

**December 15, 2004
Special Board Meeting**

**RESOLUTION FIXING THE 2005 SALARIES FOR
ALL MANAGEMENT/CONFIDENTIAL AND
CERTAIN DEPARTMENT HEAD EMPLOYEES**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby fixes the 2005 salaries for all management/confidential and department head employees, except those whose salaries are or have been or will be set by law, local law or other resolution, as follows, with the numbers in parentheses referring to the departmental position number in the Personnel Office:

	<u>2005 SALARY</u>
<i>District Attorney's Office</i>	
Assistant District Attorney (5)	\$ 67,325.00
Assistant District Attorney (7)	53,996.00
Secretary to District Attorney (3)	37,064.00
Assistant District Attorney (9)	60,993.00
Assistant District Attorney (10)	35,000.00
Part-time Assistant DA	35,000.00
Investigator	27.24/Hr.
<i>County Manager's Office</i>	
Accountant I	60,786.00
Accountant I	48,116.00
Senior Purchasing Clerk	17.07 Hr
Conf. Secretary to County Manager	16.24 Hr
<i>County Auditor</i>	
Deputy County Auditor	16.32 Hr
<i>Clerk of the Board's Office</i>	
Deputy Clerk of the Board of Supervisors	18.13 Hr
Paralegal (Part-time)	16.58 Hr
<i>Treasurer's Office</i>	

Deputy County Treasurer for Finance#1	41,410.00
Payroll Specialist	20.01 Hr.
Real Property Tax Service	
Assistant Director of Real Property Tax Services	25.45 Hr
County Clerk's Office	
Deputy County Clerk	21.78 Hr
Deputy County Clerk	21.78 Hr
Deputy County Clerk	21.78 Hr
Motor Vehicle Office	
Deputy County Clerk - Motor Vehicle	21.78 H
County Attorney's Office	
Secretary To County Attorney	41,882.00
Paralegal (part-time)	16.58 Hr
Assistant County Attorney for Social Services	61,000.00
Assistant County Attorney for Family Court	61,000.00
Public Defender	
Confidential Secretary	16.48 Hr
Assistant Public Defender (full time)	60,000.00
Assistant Public Defender (part time)	31,050.00
Investigator	30,000.00
Personnel/Civil Service	
Personnel Technician	16.58 Hr
Deputy Personnel Officer	45,014.00
Personnel Clerk	14.87 Hr
Personnel Assistant	11.44 Hr
Board of Elections	
Commissioner of Elections	14,656.00
Deputy Commissioner of Elections	14.87 Hr
Deputy Commissioner of Elections	14.87 Hr
Election Clerk	11.44 Hr
Election Clerk	11.44 Hr
Department of Public Works	
Assistant Civil Engineer (4)	23.16 Hr
Assistant Civil Engineer (71)	17.67 Hr
Deputy Superintendent of Public Works	59,289.00
Printing	
Printing Mach. Op.	17.99 Hr

Information Systems

Sr. Comp. Prog. Analyst/Deputy 26.90 Hr

Sheriff/Administration

Undersheriff 23.84 Hr

Chief Deputy Sheriff 22.24 Hr

Sheriff/Jail

Jail Physician 28,496.00

Jail Administrator 22.24 Hr

Probation

Probation Director 57,323.00

Emergency Preparedness/Civil Defense

Emergency Preparedness/Fire Coordinator 61,721.00

Deputy Emergency Services Director 21.66 Hr

Public Health

Supervising Community Health Nurse (3) 25.29 Hr

Supervising Community Health Nurse (6) 24.00 Hr

Supervising Community Health Nurse (45) 27.48 Hr

Supervising Community Health Nurse (12) 24.00 Hr

Assistant Director of Patient Services 25.81 Hr

Administrative Officer 21.78 Hr

Director of Children with Special Needs 21.78 Hr

Mental Health/Administration

Administrative Officer 21.78 Hr

Assistant Director Community Services 32.40 Hr

Director of Community Mental Health Services 71,332.00

Supervising Psychiatric Social Worker (19) 27.24 Hr

Supervising Psychiatric Social Worker () 27.24 Hr

Staff Psychiatrist 82.73 Hr

Clinical Psychologist 55.70 Hr

Medical Director 82.62 Hr

Social Services/Administration

Director of Administrative Services 58,992.00

Administrative Officer 50,829.00

Director of Social Services 53,079.00

Head Social Welfare Examiner

Horace Nye Home

Nursing Home Administrator 66,844.00

Director of Nursing 27.49 Hr

Supervising Nurse (6) 23.85 Hr

Supervising Nurse (8)	23.85 Hr
Supervising Nurse (49)	23.85 Hr
Medical Director	71,889.00
Nursing Home Facility Comptroller	22.66 Hr
Assistant Director of Nursing	25.66 Hr
<i>Weights and Measures</i>	
Director of Weights and Measures	50,198.00
<i>Office of the Aging</i>	
Director of the Office of the Aging	45,208.00
<i>Planning</i>	
Director of Comm. Development & Planning	56,925.00
County Planner	37.88 Hr
<i>Essex County Dept of Fisheries</i>	
Director of Fisheries	47,560.00
<i>Youth Bureau</i>	
Assistant Youth Bureau Director (1)	21.66 Hr
Assistant Youth Bureau Director (2)	20.01 Hr
Youth Bureau Director	6,000.00

AND BE IT FURTHER RESOLVED that the Personnel Officer shall examine all department head and management/confidential positions to determine their status under the Fair Labor Standards Act (FLSA) relative to entitlement to compensatory time and overtime compensation, and report to the Board upon completion thereof so that corrective action may be taken to conform with FLSA.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 313

December 15, 2004
Special Board Meeting

**RESOLUTION AUTHORIZING CONTRACTS FOR FISCAL
YEAR 2005 FOR WHICH FUNDS ARE APPROPRIATED
IN THE 2005 ESSEX COUNTY BUDGET**

The following resolution was offered by Supervisor Dobie, 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 County Manager and/or Chairman of the Board to execute all contracts for fiscal year 2005 for the various departments of County Government for which funds have been appropriated in the 2005 Essex County Budget as adopted; and

BE IT FURTHER RESOLVED that a contract with AccuCare Health Strategies, Inc. for the Public Health Department for accounts receivable recoveries in 2004-2005 is hereby authorized and approved.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 314

December 27, 2004
Last Day of the Annual

**RESOLUTION URGING THE STATE LEGISLATURE TO
INCREASE THE HEAP ALLOTMENTS FOR THIS HEAP SEASON
DUE TO THE RISING FUEL COSTS**

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

Upon the recommendation of the Human Services Committee, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby urges the State Legislature to increase the HEAP allotments for this season due to the rising fuel costs; 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: President George W. Bush; United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives John E. Sweeney and John M. McHugh; Senate Majority Leader Bill Frist, M.D.; Senate Minority Leader Harry Reid; Speaker of the House Dennis J. Hastert; House Minority Leader Nancy Pelosi; and Bruce Bowdy, HEAP Director, 40 North Pearl Street, Albany, NY 12243.

This resolution was unanimously seconded and adopted.

Resolution No. 315

December 27, 2004
Last Day of the Annual

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

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

Upon the recommendation of the Human Services Committee, and the same appearing proper and necessary.

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

- (a) to the Essex County Community Services Board:
 - Mary Bell for a term of 1/1/05 through 12/31/08
 - Martha Gilbert for a term of 1/1/05 through 12/31/08
 - Shirley Seney for a term of 1/1/05 through 12/31/08

- (b) to the Mental Health Subcommittee:
 - Tracy Sherman for a term of 1/1/05 through 12/31/08
 - Anne Mancini for a term of 1/1/05 through 12/31/08

- (c) to the Alcoholism Substance Abuse Subcommittee:
 - Cindy Estus for a term of 1/1/05 through 12/31/08
 - Elizabeth Lawrence for a term of 1/1/05 through 12/31/08

- (d) to the MRDD Subcommittee:
 - John O'Neill for a term effective 1/1/05 through 12/31/08
 - Mary Lou Grinwis for a term effective 1/1/05 through 12/31/08

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

Resolution No. 316

December 27, 2004
Last Day of the Annual

RESOLUTION AMENDING THE 2004 ESSEX COUNTY BUDGET

The following resolution was offered by Supervisor Merrihew, 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 Human Services Committee:

_____ (a) For the Department of Social Services, increase revenues (6010 44670 Fed. Aid - Admin.) and appropriations (6070400 5400 DV4 - SS Contractual Domestic Violence 4) in the total amount of \$25,000.00 from TANF Grant funds.

(b) For the Department of Social Services, increase revenues (6010 44670 - Federal Aid) and appropriations (6070400 5400DATE - Drug/Alcohol TANF Enhanced) in the total amount of \$1,461.00 for drug and alcohol assessments.

(c) For the Department of Social Services, increase revenues (6010 42772 - IGT) and appropriations (6102487 5487 MMIS) in the total amount of \$2,018,518.00 for IGT funds.

(d) For the Department of Social Services, increase revenues (6010 44611) and appropriations (60105 5COOP) in the total amount of \$59,492.00 for Food Stamp Nutrition Education Plan.

2. From the Public Safety Committee:

(a) For the Sheriff's Department, increase revenues (3150 4280140) and appropriations (31501 5120) by \$17,796.00 from State Traffic Safety funds.

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

(a) For the Youth Bureau, increase revenues (42070SWI - Learn to Swim) and appropriations (73104 5440SWIM - Learn to Swim) in the amount of \$2,070.00 from Learn to Swim Program funds.

(b) Increase revenues (6785 44789) and appropriations (67854 5400DEB) in the amount of \$39,817.89 from Ice Storm Grant Expenditures through Housing Assistance.

(c) Increase revenues (6989 449971) and appropriations (69894 5400HP03) in the amount of \$79,639.98 from Housing Assistance Program additional grant funded projects.

(d) Increase revenues (6989 449976) and appropriations (69894 5400MICR) in the amount of \$6,848.76 from the Final Request for the Micro Enterprise Grant.

(e) Increase revenues (6989 449976) and appropriations (69894 5400MUSE) in the amount of \$50,000.00 from a grant for the Essex County Historical Society to install the elevator at the museum.

4. From the Last Day of the Annual:

(a) For the District Attorney's Office, increase revenues (1165 43033 - APG Grant) and appropriations (11651 5110APG - Salaries APG) in the amount of \$5,229.00 from a APG Grant.

(b) For the Public Health Department, increase revenues (416013RR - Medicaid Recruitment & Retention) and appropriations as follows in the total amount of \$15,000 from Medicaid funds:

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
40104 5400INV	Inventory	\$ 8,528.00
40104 5410	Office Supplies	1,384.00
40104 5426	Books and Periodicals	311.00
40104 5436	Advertising	95.00
40104 5440RR	Misc Fees & Services - R&R	2,500.00
40104 5451	Training Schools	1,819.00
40104 5473	Rx/Medical Supplies	363.00

(c) For the District Attorney's Office, increase revenues (1900 42690 - Tobacco Settlement) and appropriations as follows in the total amount of \$25,341 from tobacco settlement funds:

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
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11651 5110	Salaries	\$	10,000.00
11651 5851	Pharmacy		15,341.00

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

AYES: **2104 votes**
NOES: **0 votes**
ABSENT: **739 votes (Jackson, Glebus, Morency, Dedrick, Ashworth)**

Resolution No. 317

December 27, 2004
Last Day of the Annual

**RESOLUTION INCREASING THE RATE FOR SKILLED
NURSING VISITS FROM \$140.00 TO \$142.00**

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

Upon the recommendation of the Human Services Committee, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby increases the rate for skilled nursing visits from \$140.00 to \$142.00, effective February 1, 2005.

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

AYES: 2104 votes

NOES: 0 votes

ABSENT: 739 votes (Jackson, Glebus, Morency, Dedrick, Ashworth)

Resolution No. 318

December 27, 2004
Last Day of the Annual

**RESOLUTION AUTHORIZING APPLICATION FOR
AND ACCEPTANCE OF GRANT FUNDS THROUGH NEW YORK
STATE TO TRAIN COUNTY, TOWN AND VILLAGE EMPLOYEES
ON OSHA, PESH AND ERGONOMICS**

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

Upon the recommendation of the Public Safety Committee, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the application for and acceptance of:

1. From the Public Safety Committee:

(a) a hazard abatement grant through New York State to train County, Town and Village employees on OSHA, PESH and Ergonomics.

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

AYES: 2162 votes
NOES: 0 votes
ABSENT: 681 votes (Glebus, Morency, Dedrick, Ashworth)

Resolution No. 319

December 27, 2004
Last Day of the Annual

RESOLUTION APPROPRIATING FUNDS FROM THE CONTINGENT ACCOUNT FOR TRANSFER TO THE 2004 ESSEX COUNTY BUDGET, AMENDING THE BUDGET ACCORDINGLY, AND AUTHORIZING THE PURCHASING AGENT TO PURCHASE A PAGING REBROADCASTING SYSTEM

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appropriates the following sums from the contingent account (Account No. 19904-5487) for transfer to the 2004 Essex County Budget, which is amended accordingly:

1. From the Public Services Committee:

(a) The sum of \$9,000.00 to the 2004 Essex County Emergency Services Budget (Account No. 34104 5400LIC) to cover the coordination fee required to apply to the FCC for frequencies.

2. From the Last Day of the Annual:

(a) The sum of \$6,970.00 to the Essex County Emergency Services Budget (34102 5250 - Technical Equipment) to cover the costs to purchase a paging rebroadcast system from Wells Communications, Inc. for the Crown Point Fire Station, and have the same installed, and the Purchasing Agent is hereby authorized to purchase such equipment and services.

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

AYES: 2162 votes
NOES: 0 votes
ABSENT: 681 votes (Glebus, Morency, Dedrick, Ashworth)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 12/27/04:	\$ 162,659.00
Reduction Impact of this resolution:	15,970.00
FY2004 Contingent Account Balance:	\$ 146,689.00

Resolution No. 320

December 27, 2004
Last Day of the Annual

**RESOLUTION OF RECOGNITION FOR OUTSTANDING JOB
PERFORMANCE TO**

DALE NOLAN

**AN ESSEX COUNTY DISPATCHER AT THE SHERIFF'S DEPARTMENT
FOR SAVING THE LIFE OF A VICTIM ON A 911 CALL**

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

Upon the recommendation of the Public Safety Committee, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby recognizes Dale Nolan, an Essex County Sheriff's Department Dispatcher for outstanding job performance in saving the life of a choking victim in the Town of Schroon by talking the caregiver through the Heimlich maneuver which saved the victim's life.

This resolution was unanimously seconded and adopted.

Resolution No. 321

December 27, 2004
Last Day of the Annual

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 Dobie, who moved its adoption.

Upon the recommendation of the DPW Committee, and the same appearing proper and necessary.

WHEREAS, a Project for the Bridge Reconstruction of Water Street Bridge over Boquet River, Essex County, P.I.N. 1755.11 (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 Preliminary Engineering and Right of Way Incidentals.

NOW, THEREFORE, the Essex County Board of Supervisors, duly convened does hereby

RESOLVE, that the Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that this Board hereby authorizes the County Treasurer of Essex County to pay in the first instance 100% of the federal and non-federal share of the cost of Right of Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$194,000.00 (One hundred ninety four thousand dollars and no cents) has already been appropriated and made available to cover the cost of the Preliminary Engineering phase of the Project; and it is further

RESOLVED, that the additional sum of \$20,000.00 (Twenty Thousand dollars and no cents) is hereby appropriated from the County Road fund and made available to cover the cost of participation in the Right of Way Incidentals phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors of Essex County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is

further

RESOLVED, that the Chairman of this Board or DPW Superintendent of the County of Essex be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Essex with the New York State Department of Transportation 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 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 it is 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 it is further

RESOLVED, this Resolution shall take effect immediately.

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

AYES:	2162 votes	
NOES:	0 votes	
ABSENT:	681 votes	(Glebus, Morency, Dedrick, Ashworth)

Resolution No. 322

December 27, 2004
Last Day of the Annual

**RESOLUTION CONDITIONALLY SUPPORTING THE CHAMPLAIN
VALLEY HERITAGE PARTNERSHIP ACT PROVIDED THAT
CERTAIN AMENDMENTS ARE INCLUDED**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby conditionally supports the Champlain Valley Heritage Partnership Act provided that the following amendments are included in such Act:

- 1) The Act, and all programs and funding thereunder, must sunset in 10 years or less;
- 2) Not less than 50% of the funding authorized and appropriated pursuant to said Act shall and must be paid to the State of New York and involve municipalities therein; and
- 3) Any management plan under said Act shall not be adopted or implemented unless and until the same has been submitted to all political subdivisions within the affected area for review and is approved by such subdivisions.

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

Resolution No. 323

December 27, 2004
Last Day of the Annual

**RESOLUTION URGING THE APA TO RECLASSIFY STATE OWNED
LAND WEST OF THE LAKESHORE ROAD IN WESTPORT AND ESSEX
FROM WILD FOREST TO INTENSE USE**

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

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

WHEREAS, the New York State DEC is soliciting comments on its draft Unit Management Plan for the Split Rock Mountain area; and

WHEREAS, at the present time all of the State owned land that is in the Split Rock Mountain site is classified as Wild Forest by the APA; and

WHEREAS, the State owned land West of Lakeshore Road is either part of Webb Royce Swamp, agricultural or recently abandoned agricultural; and

WHEREAS, the brush/grass covered land is ideal habitat for many types of birds and animals that can not exist in strictly wooded land; and

WHEREAS, these birds and animals add to the diverse ecosystem that presently make up the area and add greatly to the aesthetic value of the UMP; and

WHEREAS, this area is the only spot in Essex County stocked by DEC with pheasants, and residents from this, and adjoining Counties, partake in hunting these pheasants; and

WHEREAS, the DEC is prevented from maintaining this ecosystem by the existing APA classification; and

WHEREAS, if the agricultural fields go five years without being farmed they must be allowed to grow into wild forest and be lost forever to agricultural use.

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests and urges that the APA reclassify the State owned land West of Lakeshore Road, in Westport and Essex, from Wild Forest to Intense Use.

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

Resolution No. 324

December 27, 2004
Last Day of the Annual

**RESOLUTION SUPPORTING INTERNATIONAL PAPER
COMPANY'S TEST TRIAL OF TIRE-DERIVED FUEL**

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

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

WHEREAS, the International Paper Company is examining the potential use of discarded tires as a source of fuel to operate its manufacturing facility in Ticonderoga; and

WHEREAS, the disposal of discarded tires has been a significant environmental problem for many years; and

WHEREAS, the use of discarded tires as a fuel source is an environmentally friendly concept and process which involves tires being cleaned, shredded and chipped, the removal of approximately 95% of the metal components, and the burning of the residue as a processed fuel; and

WHEREAS, the use of this tire-derived fuel is taking place in other areas of the country – 34 other states and at least 6 other International Paper facilities – and EPA tests have indicated that emission parameters from tire-derived fuel are the same or less than those from fuel oil; and

WHEREAS, International Paper is only seeking to conduct a limited test of the use of tire-derived fuel at its Ticonderoga facility, and has been working with the New York State Department of Environmental Conservation and the State of Vermont to insure that the limited test will not result in any significant adverse environmental impact.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly supports the efforts by International Paper Company to conduct a test trial of tire-derived fuel; 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: President George W. Bush; United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives John E. Sweeney and John M. McHugh; Senate Majority Leader Bill Frist, M.D.; Senate Minority Leader Harry Reid; Speaker of the House Dennis J. Hastert; and House Minority Leader Nancy Pelosi; 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 Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted, with Mr. Dedrick being absent.

Resolution No. 325

December 27, 2004
Last Day of the Annual

**RESOLUTION AUTHORIZING THE DISPOSITION OF
PROPERTIES ACQUIRED BY ESSEX COUNTY IN THE 1998-2001
TAX SALE PROCEEDING, AND AMENDING
RESOLUTION NO. 208 OF 2004 ACCORDINGLY**

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

Upon the recommendation of the Finance/Tax Reduction/Mandate Relief Committee, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the disposition of the following parcels of real property acquired in the 1998-2001 Tax Sale proceeding upon the terms and conditions that the purchasers (a) be solely responsible for paying all recording fees and expenses, (b) pay a 11.5% buyer's premium, and (c) pay any interest on the sale amount which accrues thereon up to the date of closing and recording of the deed, provided that the same is all complete by 01/07/05, all as follows:

<u>Town</u>	<u>Parcel</u>	<u>Schedule</u>	<u>Account #</u>	<u>Tax Map #</u>	<u>Former Owner</u>	<u>Resell to</u>	<u>Amount</u>
Essex	148	A-1998	605L102215	40.81-1-2.000	Andrew & Rose Bresadola	Andy McDougal	18,963.01

BE IT FURTHER RESOLVED that Resolution No. 208 of 2004 is hereby amended accordingly.

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

AYES: 2162 votes
NOES: 0 votes
ABSENT: 681 votes (Glebus, Morency, Dedrick, Ashworth)

Resolution No. 326

December 27, 2004
Last Day of the Annual

RESOLUTION AUTHORIZING ESSEX COUNTY AND TOWN OF MORIAH FORCES TO TEAR DOWN THE KITTY CORNER BUILDING IN THE TOWN OF MORIAH AND DISPOSE OF THE DEBRIS, APPROPRIATING FUNDS FROM THE CONTINGENT ACCOUNT THEREFOR, DESIGNATING SUCH FUNDS FOR EXPENDITURE IN 2005, AND ESTABLISHING RESERVES IN 2005 UNAPPROPRIATED FUND BALANCE THEREFOR

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes Essex County and Town of Moriah forces to tear down the Kitty Corner Building in the Town of Moriah, acquired by the County by tax sale, and dispose of the debris; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby appropriates the sum of \$50,000 from the contingent account (Account No. 19904-5487) for transfer to the 2004 Essex County Budget (13644 5487 - Miscellaneous Expenses - Expense on Property Acquired) to cover the costs of disposal of the debris; and

BE IT FURTHER RESOLVED, that such funds are hereby designated for expenditure in 2005, and the Treasurer is hereby directed to establish reserves in 2005 unappropriated fund balance monies therefor.

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

AYES: 2162 votes
NOES: 0 votes
ABSENT: 681 votes (Glebus, Morency, Detric, Ashworth)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 12/27/04:	\$ 146,689.00
Reduction Impact of this resolution:	50,000.00
FY2004 Contingent Account Balance:	\$ 96,689.00

Resolution No. 327

**December 27, 2004
Last Day of the Annual**

**RESOLUTION OF CONGRATULATIONS TO JOY BRYANT ON
BEING RECOGNIZED AS AN ALL-AMERICAN SCHOLAR AND
ON BEING NAMED TO THE US JUNIOR DEVELOPMENT LUGE
TEAM FOR THE 2004 WINTER SEASON**

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

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

WHEREAS, Joy Bryant has been chosen to be a member of the 2004-2005 US Junior Development Luge Team for the United States Luge Association; and

WHEREAS, to achieve such a distinguished position, a youth must possess a high degree of skill and ability, must exhibit a diligent work ethic, as well as a noble spirit committed to the honor and pride of Olympic glory; and

WHEREAS, Joy has exceeded all expectations and boundaries in her dedication to this aspiration.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its recognition and congratulations to Joy Bryant on being recognized as an All-American Scholar and on being named to the US Junior Development Luge Team for the 2004 Winter Season.

This resolution was unanimously seconded and adopted.

Resolution No. 328

December 27, 2004
Last Day of the Annual

**RESOLUTION SCHEDULING THE 206th ORGANIZATIONAL
MEETING FOR JANUARY 5, 2005**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby schedules the 2005 Organizational Meeting for January 5, 2005 to commence at 10:00 a.m.

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

Resolution No. 329

December 27, 2004
Last Day of the Annual

RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2005

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

WHEREAS, by Resolution No. 286 duly adopted at a Regular Board Meeting held on December 7, 2004, this Board of Supervisors introduced proposed Local Law No. 1 of 2005, fixing the 2005 salaries of County officers who are elected or who are appointed for a fixed term, and scheduled a public hearing thereon on December 20, 2004, at 9:45 o'clock in the forenoon of that day, to hear any and all persons concerning the same; and

WHEREAS, the aforesaid public hearing has been held by this Board, and due deliberation having been had regarding said proposed local law and the comments made with respect thereto at said public hearing.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts proposed Local Law No. 1 of 2005, as follows:

"ESSEX COUNTY LOCAL LAW NO. 1 OF 2005

A local law fixing the 2005 salaries of County officers who are elected or who are appointed for a fixed term.

BE IT ENACTED by the Board of Supervisors of Essex County as follows:

§1. The annual salaries to be paid during fiscal year 2005 for the following County officers who are elected or who are appointed for a fixed term shall be as follows:

<u>Position</u>	<u>2005 Salary</u>
Commissioner of Social Services	\$ 70,679.00
Public Defender	100,000.00
Superintendent of Public Works	72,400.00
County Clerk	54,584.00
Real Property Tax Services Director	57,298.00
County Treasurer	54,369.00
Sheriff	61,721.00

Personnel Officer	69,630.00
County Auditor	44,012.00
Coroners	3,250.00
Clerk of the Board	55,426.00

§2. This local law shall take effect 45 days after adoption hereof; except that in the event a valid petition protesting against this local law is filed with the Clerk within 45 days of such adoption, this local law shall take effect only upon approval by the affirmative vote of a majority of the qualified electors of Essex County.”

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

AYES: **1811 votes**
NOES: **351 votes (Scozzafava)**
ABSENT: **681 votes (Glebus, Morency, Dedrick, Ashworth)**

DEFEATED
Resolution No. 330

December 27, 2004
Last Day of the Annual

**RESOLUTION AMENDING PARAGRAPH 3(A) OF RESOLUTION
NO. 256 OF 2004 REGARDING THE COST OF THE CONTRACT
WITH HARTGEN ARCHEOLOGICAL ASSOCIATES, INC.**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends paragraph 3(A) of Resolution No. 256 of 2004 to read and provide as follows:

“(a) A contract with Hartgen Archeological Associates, Inc. for the Phase III survey of the new jail site required by the New York State Office of Parks, Recreation and Historic Preservation, at a cost not to exceed \$62,830.98, to be paid from capital project funds.”

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

AYES: 700 votes
NOES: 1462 votes (*Morrow, Douglas, Both, Scozzafava, Seney,
Dobie, Moses*)
ABSENT: 681 votes (*Glebus, Morency, Dedrick, Ashworth*)

Resolution No. 331

**December 27, 2004
Last Day of the Annual**

**RESOLUTION AUTHORIZING THE DESIGNATION OF
UNEXPENDED FUNDS IN THE 2004 COUNTY BUDGET FOR
EXPENDITURE IN 2005, AND ESTABLISHING RESERVES IN
2005 UNAPPROPRIATED FUND BALANCE THEREFOR**

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

WHEREAS, various claims arising in 2004, for which funds were appropriated in the 2004 budget but not yet expended, are not yet certain and will not be finally determined until 2005.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby designates the following unexpended funds in the 2004 budget for expenditure in 2005, and directs the Treasurer to establish reserves in 2005 unappropriated fund balance monies therefor:

Debt Service

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
97004 5605	Floral Hall Principal	\$ 375,000.00
97004 5524	Floral Hall Interest	4,677.00
98004 5514	Front End Loaders Principal	172,040.00
98004 5515	Front End Loaders Interest	2,145.00
98004 5522	P/U Broom Principal	80,935.00
98004 5523	P/U Broom Interest	1,009.00
98004 5526	Trucks Principal	245,000.00
98004 5527	Trucks Interest	3,055.00

Real Property Tax Services

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
13554 5451	Training	2,550.00
13554 5497	Mileage	475.00
13554 5443	Travel Reimbursement	3,885.00

BE IT FURTHER RESOLVED that the County Manager be and he hereby is authorized and directed to approve expenditure of such funds for said purposes during the 2005 fiscal year.

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

AYES: **2162 votes**
NOES: **0 votes**
ABSENT: **681 votes (Glebus, Morency, Dedrick, Ashworth)**

Resolution No. 332

December 27, 2004
Last Day of the Annual

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE
BOARD AND/OR THE COUNTY MANAGER TO MAKE
INTER-DEPARTMENTAL AND INTRA-DEPARTMENTAL
BUDGET TRANSFERS IN THE 2004 ESSEX COUNTY BUDGET**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Chairman of the Board and/or the County Manager to make inter-departmental and intra-departmental budget transfers within the 2004 Essex County Budget for the purpose of balancing the various accounts in said budget as of the close of business as of and on December 31, 2004; and

BE IT FURTHER RESOLVED that on or before January 31, 2005, the County Manager shall file with the Clerk of this Board a complete listing of all supplemental appropriations and transfers made pursuant to this resolution, which listing shall include but not be limited to specific account numbers and amounts.

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

AYES: 2162 votes
NOES: 0 votes
ABSENT: 681 votes (Glebus, Morency, Dedrick, Ashworth)

Resolution No. 333

December 27, 2004
Last Day of the Annual

**RESOLUTION AUTHORIZING CONTRACTS
FOR INSURANCE COVERAGE IN 2005**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the County Manager to execute the following contracts for insurance coverage in 2005:

1. With New York Municipal Insurance Reciprocal (NYMIR) at a total cost of \$379,047.22 which includes all motor vehicle and fire insurance fees, for
 - ▶ Package policy insurance coverage, including the following coverages and limits
 - ▶ Property coverage with limits of \$20,575,693
 - ▶ Boiler & Machinery coverage with limits of \$20,575,693
 - ▶ General Liability coverage with limits of \$1,000,000 per occurrence, \$3,000,000 aggregate and \$1,000,000 products aggregate
 - ▶ Auto Liability coverage of \$1,000,000 combined single limit for bodily injury and property damage
 - ▶ Inland Marine Liability coverage with limits of \$4,692,356)
 - ▶ Public Officials Liability coverage with limits of \$1,000,000 per claim and \$2,000,000 aggregate
 - ▶ Law Enforcement Liability coverage with limits of \$1,000,000 per occurrence and \$2,000,000 aggregate, and
 - ▶ General Liability coverage with limits of \$1,000,000 per occurrence and \$2,000,000 aggregate, and Professional Liability coverage with limits of \$1,000,000 per occurrence and \$3,000,000 aggregate, for the Horace Nye Home and the Public Health Nursing Services, and
 - ▶ General Liability coverage with limits of \$1,000,000 per occurrence and \$2,000,000 aggregate, and Professional Liability coverage with limits of \$1,000,000 per claim and \$3,000,000 aggregate, for Mental Health Services; and
2. With Granite State Insurance for Excess Liability (including terrorism)

insurance coverage, having limits of \$10,000,000, at a total premium cost of \$96,253.00; and

3. With Physicians Reciprocal Insurance for Physicians Professional Liability insurance coverage, having limits of \$1,300,000 per occurrence and \$3,900,000 aggregate, at a total premium cost of \$4,272.00; and

4. With Hartford Fire Insurance Company for Faithful Performance & Crime Bond coverage, having blanket limits of \$500,000 and forgery and money limits of \$50,000, for all County officials and employees, at a total premium cost of \$5,026.00;

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

AYES: **2162 votes**
NOES: **0 votes**
ABSENT: **681 votes** **(Glebus, Morency, Dedrick, Ashworth)**

Resolution No. 334

December 27, 2004
Last Day of the Annual

RESOLUTION APPORTIONING DOG TAX MONIES

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

BE IT RESOLVED that pursuant to Section 111 paragraph 3 of the Agriculture and Markets Law of New York State, the following apportionment of the total of \$ 2,662.51 is hereby authorized and the County Treasurer is hereby authorized and directed to pay said sums to the respective town supervisors prior to February 2, 2005;

<u>TOWN CONTRIBUTING</u>	<u>APPORTIONMENT OF SEVENTY-FIVE PERCENT OF SURPLUS</u>
Chesterfield	\$ 372.05
Crown Point	114.62
Elizabethtown	68.77
Essex	36.26
Jay	84.49
Keene	79.86
Lewis	56.20
Minerva	53.98
Moriah	183.42
Newcomb	19.24
North Elba	423.68
North Hudson	16.26
St. Armand	109.87
Schroon	87.26
Ticonderoga	425.29
Westport	313.99
Willsboro	113.93
Wilmington	103.34

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

AYES: 2162 votes

NOES: 0 votes

ABSENT: 681 votes (Glebus, Morency, Dedrick, Ashworth)

Resolution No. 335

December 27, 2004
Last Day of the Annual

**RESOLUTION OF CONGRATULATIONS TO CHRISTOPHER
WILLIAM GEISEL ON BEING CHOSEN AS A MEMBER OF THE
2004-2005 JUNIOR DEVELOPMENT TEAM FOR THE UNITED
STATES LUGE ASSOCIATION**

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, Christopher William Geisel, a freshman at the Ticonderoga High School, has been chosen to be a member of the 2004-2005 Junior Development Team for the United States Luge Association; and

WHEREAS, to achieve such a distinguished position, a youth must possess a high degree of skill and ability, must exhibit a diligent work ethic, as well as a noble spirit committed to the honor and pride of Olympic glory; and

WHEREAS, Chris has exceeded all expectations and boundaries in his dedication to this aspiration.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its recognition and congratulations to Christopher William Geisel on being chosen as a member of the 2004-2005 Junior Development Team for the United States Luge Association.

This resolution was unanimously seconded and adopted.

Resolution No. 336

December 27, 2004
Last Day of the Annual

**RESOLUTION IN SUPPORT OF ESTABLISHING A MOTOR
VEHICLE OFFICE IN THE TOWN OF NORTH ELBA**

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its support for establishing a Motor Vehicle Office in the Town of North Elba.

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

Resolution No. 337

December 27, 2004
Last Day of the Annual

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

GILBERT JAQUES

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

WHEREAS, Gilbert Jaques of Keene, New York passed away on December 22, 2004; and

WHEREAS, Gilbert Jaques served as the Highway Superintendent for the Town of Keene from 1970 to 1975; and

WHEREAS, Gilbert Jaques served in many capacities for the Town of Keene throughout his lifetime and was a renowned furniture maker.

WHEREAS, Gilbert Jaques will be sorely missed but never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors hereby express and extend their deepest sympathy and condolences to the family of Gilbert Jaques; 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 Jaques family.

This resolution was unanimously seconded and adopted.

Resolution No. 338

December 27, 2004
Last Day of the Annual

**RESOLUTION URGING THE UNITED STATES ARMY CORP OF
ENGINEERS TO ISSUE A PERMIT ON THE JAY BRIDGE WITHOUT DELAY**

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

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 for the project has been determined to be the one best suited for the new bridge; and

WHEREAS, DOT has secured all necessary permits from State agencies having jurisdiction, including the Adirondack Park Agency (APA), and contracts for the construction of the new bridge have been awarded following competitive bidding; and

WHEREAS, the construction contractor has already commenced work on the project; and

WHEREAS, the costs to construct the new bridge will be paid from Federal, State and County funds; and

WHEREAS, the United States Army Corps of Engineers has now questioned whether other sites should be looked at and is holding up the issuance of a permit to construct the bridge; and

WHEREAS, the delay caused by the Corps of Engineers will unnecessarily delay the construction of the project and cause significant increased costs to the Federal, State and County taxpayers in excess of \$1 million.

BE IT RESOLVED that the Essex County Board of Supervisors hereby urges the Army Corp of Engineers to issue a permit on the Jay Bridge without delay; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send a certified copy of this resolution to: the Army Corp of Engineers; 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: President George W. Bush; United States Senators Charles E. Schumer and Hillary Rodham Clinton; United States Representatives John E. Sweeney and John M. McHugh; Senate Majority Leader Bill Frist, M.D.; Senate Minority Leader Harry Reid; Speaker of the House Dennis J. Hastert; and House Minority Leader Nancy Pelosi; 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 Teresa R. Sayward and Chris Ortloff.

This resolution was unanimously seconded and adopted.