

**RESOLUTION SUPPORTING THE PLATTSBURGH
AERONAUTICAL INSTITUTE PROJECT**

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

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

WHEREAS, Champlain Valley Educational Services (CV-TEC) and Clinton Community College (CCC) are endeavoring to establish Plattsburgh Aeronautical Institute (PAI) and FAA Part 147 Air Frame and Power Plant School; and

WHEREAS, this new facility would be located at the Plattsburgh International Airport; and

WHEREAS, there is an on-going need for trained aircraft mechanics in this area; and

WHEREAS, PAI would provide a unique education and training opportunity for individuals in the North Country.

BE IT RESOLVED that the Essex County Board of Supervisors wholly supports the endeavors of CV-TEC and CCC to create the Plattsburgh Aeronautical Institute Project; and

BE IT FURTHER RESOLVED that this Board urges all state, local and federal officials to support the creation of the PAI; 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; 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 Plattsburgh Aeronautical Institute.

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

RESOLUTION SUPPORTING PASSAGE OF TIMOTHY'S LAW

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

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

WHEREAS, according to the "Global Burden of Disease" Study, four of the ten leading causes of disability for people older than age five are mental disorders. In the United States, major depression is the leading cause of disability; and

WHEREAS, according to the Surgeon General's 1999 Report on Mental Health, 1 in 5 Americans are living with a mental illness, which means that there are almost 4 million New Yorkers living with a mental illness; and

WHEREAS, the success rate for treating clinical depression is over 80 percent, and recent research done by the National Institute on Drug Abuse confirms that substance abuse treatment reduces use by 40-60 percent and significantly reduces criminal activity; and

WHEREAS, treatment is cost effective. A recent actuarial study conducted by PriceWaterhouseCoopers estimates that the passage of Timothy's Law would only increase premiums by \$1.26 per employee per month; and

WHEREAS, a 2000 study by the RAND Corporation demonstrated that substance abuse parity increased costs by as little as 0.7 percent; and

WHEREAS, a recent study by the Substance Abuse and Mental Health Services Administration (SAMHSA) estimates that full parity for mental health and substance abuse in private health insurance plans would increase family insurance premiums less than one percent; and

WHEREAS, a Rutgers University study commissioned by the President's Commission on Model State Drug Laws found that, "On the average, untreated alcoholics incur general health care costs that are at least 100% higher than those of non-alcoholics." After addiction treatment, days lost to illness, sickness claims and hospitalization dropped by about 50%. The researchers concluded that treatment causes sharp reductions in medical care utilization; and

WHEREAS, in New York State insurers currently limit the number of inpatient and outpatient mental health visits per year (typically 20 outpatient visits and 30 inpatient days) and charge higher deductibles, co-payments, and/or co-insurance for mental health and substance abuse treatment than they do for treatment of physical health services; and

WHEREAS, New Yorkers overwhelmingly support parity. In a recent Zogby poll, 81% of New Yorkers said they were willing to pay the estimated \$1.26 more per month for full insurance coverage for mental and chemical dependency health care needs; and

WHEREAS, limiting parity coverage to "severe mental illnesses" discriminates against children, adolescents and those whose illnesses fall outside of these categories. Disorders often excluded include: substance abuse disorders, post-traumatic stress syndrome, anorexia and bulimia, multiple personality disorders, and children's disorders, such as serious mental and emotional disturbances. These disorders can be just as debilitating as severe mental illnesses. All categories of the DSM-IV should fall under Parity Legislation; and

WHEREAS, 33 states have already passed parity legislation with minimal or no premium increases; and

WHEREAS, Senate Bill 1672 "Timothy's Law" will amend the insurance law, in relation to mental health parity, and will require insurers to provide mental health insurance coverage to adults and children with biologically based mental illnesses; and

WHEREAS, this Board feels the need for this law is urgent to the health and welfare of residents of Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its support for the passage of Senate Bill 1672 "Timothy's Law"; and

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

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

Resolution No. 134

June 7, 2005
Regular Board Meeting

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

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

Upon the recommendation of the committee(s) indicated below, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes and directs the County Purchasing Agent to go to bid and/or purchase the following all in accordance with the Essex County Purchasing Policy (Resolution No. 320-97):

1. From the Human Services Committee:

(a) For the Horace Nye Home, purchase a commercial washing machine at a cost of \$7,012.00 from 2005 budgeted funds.

2. From the Public Safety Committee:

(a) Request proposals for a consultant to oversee the design and installation of a radio communication system, the design and installation of the Enhanced 911 call-taking equipment, and coordination of the radio frequency's.

3. From the Personnel/Administration Committee:

(a) Request proposals on the leasing of fiber optic lines between the Government Center and the new Jail/Public Safety facility site in Lewis.

4. From the Ways and Means Committee:

(a) Purchase public transportation vehicles for which the County was awarded 90% grant funding and which will be used by the Village of Lake Placid, the Town of Keene and the Olympic Regional Development Authority.

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

Resolution No. 135

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING AN OFF-SITE EMPLOYEE PICNIC FOR THE
HORACE NYE HOME**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes an off-site employee picnic for the Horace Nye Home provided that appropriate insurance coverage is secured.

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

Resolution No. 136

June 7, 2005
Regular Board Meeting

RESOLUTION AMENDING THE 2005 ESSEX COUNTY BUDGET

The following resolution was offered by Supervisor Glebus, 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 2005 Essex County Budget as follows:

1. From the Human Services Committee:

(a) For the Department of Social Services, increase revenues (6010 44641135 - Fed Aid – HEAP Admin) and appropriations as follows in the total amount of \$19,243.00 from a HEAP allocation:

<u>Account Number</u>	<u>Account Description</u>	<u>Amount</u>
60101 5110	Salaries and Wages - Regular	\$ 16,307.00
60108 5810	Retirement	1,712.00
60108 5820	Social Security	1,224.00

2. From the Public Safety Committee:

(a) For the Emergency Services Department, increase revenues (3410 42680) and appropriations (34102 5230) by \$18,747.12 from an insurance recovery from the air truck.

(b) For the Sheriff's Department, increase revenues (3110 4280130) and appropriations (31102 5230) by \$24,062.00 for a new car from Stop DWI funds.

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

Resolution No. 137

June 7, 2005
Regular Board Meeting

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO INCREASE THE PRICE OF THE FLU VACCINE FROM \$15.00 TO \$18.00

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Department of Public Health to increase the price of the flu vaccine from \$15.00 to \$18.00.

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

Resolution No. 138

June 7, 2005
Regular Board Meeting

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

The following resolution was offered by Supervisor Connell, 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 and places on file the following:

1. From the Human Services Committee:

(a) The Rabies Plan as submitted by the Public Health Director to the Human Services Committee on May 16, 2005.

2. From the Public Safety Committee:

(a) The 2004 Annual Report of the Essex County Sheriff's Department.

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

Resolution No. 139

June 7, 2005
Regular Board Meeting

**RESOLUTION EXPRESSING CONCEPTUAL SUPPORT FOR COUNTY
PARTICIPATION IN THE OPERATION AND MAINTENANCE OF A VETERAN'S
CEMETERY IN WADHAMS**

The following resolution was offered by Supervisor Connell, 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 expresses its conceptual support for County participation in the operation and maintenance of a Veteran's Cemetery in Wadhams.

This resolution was unanimously seconded and adopted.

Resolution No. 140

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CREATION OF A COMMISSARY BANK
ACCOUNT FOR THE SHERIFF'S DEPARTMENT**

The following resolution was offered by Supervisor French, 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 authorizes and directs the Essex County Treasurer to create a commissary bank account for the Sheriff's Department.

This resolution was duly seconded by Supervisor Dedrick and adopted.

Resolution No. 141

June 7, 2005
Regular Board Meeting

**RESOLUTION AMENDING SECTION 13.02 OF THE ESSEX COUNTY POLICY MANUAL
REGARDING USE OF COUNTY VEHICLES**

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

Upon the recommendation of the Personnel & Administration Committee, with the approval of the

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends §13.02, paragraph B, of the Essex County Policy Manual to clarify that County vehicles may be used to transport clients and other persons when such is required or appropriate in connection with the performance of official County duties, with said provision to read and provide as follows:

“B. No person, other than the employee to whom a particular County vehicle has been assigned, shall operate or have control over a County vehicle. An employee to whom a County vehicle has been assigned may, when their performance of their official duties so requires, transport passengers who are clients, recipients of services, persons under the legal control and/or authority of the County, or employees of another agency whose transportation in such vehicle is part of their official duties with that agency pursuant to a contract or other legal arrangement with the County. However, the transportation of hitchhikers, friends, relatives of employees', other County employees, and/or other persons who are not specifically authorized to use or ride in such County vehicle by the Department Head, are prohibited from being transported in a County vehicle.”

AND BE IT RESOLVED that this Board hereby amends §13.02, paragraph D (3), of the Essex County Policy Manual to add authorization for the Narcotics personnel in the Sheriff’s Department to take County vehicles home in connection with their official duties, with said provision to read and provide as follows:

“D. Authorization is hereby granted for the following individuals to take County vehicles home on a daily basis due to the nature of their duties:
* * * * *
(3) Sheriff’s Department
(a) Essex County Sheriff
(b) Narcotics personnel.”

AND BE IT FURTHER RESOLVED that this Board hereby amends §13.02, paragraph K, of the Essex County Policy Manual to clarify that County vehicles may be parked outside of or upon business premises where alcoholic beverages are sold and/or served only as an incidental part of their primary business (i.e., convenience stores, grocery stores, restaurants), with said provision to read and provide as follows:

“K. Under no circumstances shall any County vehicle be parked at, or in the parking lot of, any bar, tavern, liquor store, or other establishment whose primary business is the sale and/or service of alcoholic beverages. Nothing herein shall prohibit the parking of a County vehicle at convenience stores, grocery stores, restaurants, or other similar business establishments, at which alcoholic beverages are sold and/or served only as an incidental part of their primary business.”

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

Resolution No. 142

**June 7, 2005
Regular Board Meeting**

**RESOLUTION APPROPRIATING FUNDS FROM THE CONTINGENT ACCOUNT FOR
TRANSFER TO THE 2005 ESSEX COUNTY BUDGET,
AND AMENDING THE BUDGET ACCORDINGLY**

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

Upon the recommendation of the following 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 2005 Essex County Budget as follows, and the 2005 Budget is hereby amended accordingly:

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

(a) The sum of \$10,000 for transfer to the Empire Zone budget (6420429 5400EDZ) to cover the cost of a GIS Mapper.

2. From the DPW Committee:

(a) The sum of \$7,500 for transfer to the Fairgrounds Budget (87504 5415) to pay Niagara Mohawk for the removal of the old electrical service and the installation of a new underground service.

3. From the Public Safety Committee:

(a) The sum of \$10,527.00 is hereby appropriated from the contingent account (Account No. 19904-5487) for transfer to the 2005 Probation Department Budget as follows to pay for such program operation from 06/01/05 through 12/31/05:

Account Number	Account Name	Amount
31401 5110	Regular Wages	\$ 7,362.00
31404 5475	Insurance	500.00
31404 5418	Fuel	800.00
31404 5441	Auto	800.00
31404 5442	Auto Gas	500.00
31408 5810	Retirement	503.00
31408 5830	Workers' Comp	30.00
31408 5840	Disability	32.00

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

BUDGET IMPACT STATEMENT

Contingent Account Balance as of 05/02/05: \$ 425,558.00
 Reduction Impact of this resolution: \$ 28,027.00
 FY2005 Contingent Account Balance: \$ 397,531.00

Resolution No. 143

June 7, 2005
Regular Board Meeting

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

The following resolution was offered by Supervisor Moses, 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, 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 Public Safety Committee:

(a) The creation and filling of a position of Probation Program Supervisor (part-time) in the Probation Department.

2. From the Ways and Means Committee:

(a) Change the grade for the position of Director of Patient Services in the Public Health Department from a Grade 10 (\$25.42/hr.) to Grade 12 (\$29.06/hr.).

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

Resolution No. 144

June 7, 2005
Regular Board Meeting

**RESOLUTION DESIGNATING THE ESSEX COUNTY PROBATION
DEPARTMENT AS THE LEAD AGENCY FOR PINS DIVERSION SERVICES**

The following resolution was offered by Supervisor Dedrick, 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 designates the Probation Department as the lead agency for PINS diversion services.

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

Resolution No. 145

June 7, 2005
Regular Board Meeting

RESOLUTION AUTHORIZING CONTRACTS

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

Upon the recommendation of the respective 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) For the Public Defender's Office, a contract with Donna Parkinson for the typing and preparation of parole appeals, Appellate Division appeals, etc. at a cost of \$25.00 per hour.

2. From the Ways and Means Committee:

(a) A contract with Rotenberg for medicaid rate review, medicaid training and business office function assessment for automation and restructuring.

(b) A contract with Progressive Therapy Consulting for resident care review and care clustering.

(c) A contract to sell a portion of the High Peaks Base Camp Property to ACO Construction, LLC in the total amount of \$138,500.00 in accordance with the bankruptcy order.

3. From the Regular Board Meeting:

(a) A license agreement with BRASS for wetlands research/studies.

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

Resolution No. 146

June 7, 2005
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

REGINALD J. MERO

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

WHEREAS, Reginald "Reggie" J. Mero, the former Supervisor of the Town of

Westport, New York, passed away on May 15, 2005; and

WHEREAS, Reggie and his family owned and operated a store on Main Street in Westport for many years; and

WHEREAS, Reggie along with Keeton Lobdell of Wadhams and Clyde Mason of Reber joined to form the MLM Insurance Agency in Westport; and

WHEREAS, Reggie will now be reunited with his wife of 42 years, Alice Lee Mero who died December 7, 1994; a daughter Annette Wisheart who died January 21, 2001; a son-in-law John Wisheart and grandson Ethan Wisheart who both died October 18, 2001; and two brothers Walton and Wendall Mero; and

WHEREAS, Reginald J. Mero was a loving father, brother, grandfather, uncle, cousin and friend who will be sorely missed.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its deepest sympathy and condolences to the family of Reginald J. Mero; 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 Mero family.

This resolution was unanimously seconded and adopted.

Resolution No. 147

June 7, 2005
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

ROBERT R. GOFF, SR.

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

WHEREAS, Robert R. Goff, Sr., a former Highway Superintendent of the Town of Westport, New York, passed away on May 13, 2005; and

WHEREAS, Bob was retired from the New York State Highway Department, a member of the Masonic lodge in Westport and an avid outdoorsman who loved hunting and fishing; and

WHEREAS, Bob was recognized by Field and Stream Magazine as a wild life and plant specialist and was an army veteran of World War II and a member of the American Legion; and

WHEREAS, Robert R. Goff Sr. was a loving husband, father, brother, grandfather, great-grandfather, uncle and friend who will be sorely missed.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its deepest sympathy and condolences to the family of Robert R. Goff, Sr.; 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 Goff family.

This resolution was unanimously seconded and adopted.

Resolution No. 148

June 7, 2005
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

ROBERT J. SIMPSON, SR.

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

WHEREAS, Robert J. Simpson, Sr., a former Highway Superintendent of the Town of Moriah, New York, passed away on May 2, 2005; and

WHEREAS, Bob served in the Army Reserves and worked at A.P. Reale for 30 years; and

WHEREAS, Bob enjoyed hunting, fishing and spending time with his children and grandchildren and was a skilled wood-worker; and

WHEREAS, Robert J. Simpson Sr. was a loving husband, father, brother, grandfather, uncle and friend who will be sorely missed.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its deepest sympathy and condolences to the family of Robert J. Simpson, Sr.; 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 Simpson family.

This resolution was unanimously seconded and adopted.

Resolution No. 149

June 7, 2005
Regular Board Meeting

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

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 makes the following appointments:

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

(a) Reappoint Alan Hipps, Linda Duross and Charles Bryant to the Essex County Zone Board for four year terms.

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

Resolution No. 150

June 7, 2005
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

HENRY BOTH

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

WHEREAS, Henry Both, a brother of Thomas Both, the Supervisor of the Town of Keene passed away recently; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its deepest sympathy and condolences to the family of Henry Both; 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 Both family.

This resolution was unanimously seconded and adopted.

Resolution No. 151

June 7, 2005
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF

ARDEN HENRY GRANT

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

WHEREAS, Arden Henry Grant, a former employee of the Town of Keene, New York, passed away on May 12, 2005; and

WHEREAS, Arden was an excellent artist and very creative with his hands and build many bird houses; and

WHEREAS, Arden's favorite hobbies were fishing and model trains; and

WHEREAS, Arden Henry Grant was a loving brother, uncle and friend who will be sorely missed.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its deepest sympathy and condolences to the family of Arden Henry Grant; 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 Grant family.

This resolution was unanimously seconded and adopted.

Resolution No. 152

June 7, 2005
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO CONGRESSMAN
MCHUGH FOR HIS EFFORTS IN OBTAINING THE ARMY CORPS
OF ENGINEERS PERMIT FOR THE JAY COVERED BRIDGE**

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

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

WHEREAS, Congressman McHugh was instrumental in obtaining the Army Corps of Engineers Permit for the Jay Covered Bridge.

BE IT RESOLVED that the Essex County Board of Supervisors hereby recognizes the efforts and extends its deep appreciation to Congressman McHugh for his efforts in

obtaining the Army Corps of Engineers Permit for the Jay Covered Bridge.

This resolution was unanimously seconded and adopted.

Resolution No. 153

June 7, 2005
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO FRED BUCK FOR HIS EFFORTS IN
OBTAINING THE ARMY CORPS OF ENGINEERS PERMITS FOR THE JAY
COVERED BRIDGE AND THE WHALLONSBURG BRIDGE**

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

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

WHEREAS, DPW Superintendent Fred Buck was instrumental in obtaining the Army Corps of Engineers Permits for the Jay Covered Bridge and the Whallonsburg Bridge.

BE IT RESOLVED that the Essex County Board of Supervisors hereby recognizes the efforts and extends its deep appreciation to Fred Buck for his efforts in obtaining the Army Corps of Engineers Permits for the Jay Covered Bridge and the Whallonsburg Bridge Projects.

This resolution was unanimously seconded and adopted.

Resolution No. 154

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY TO BE RESPONSIBLE FOR THE
COMPACTOR AND THE ENCLOSURE, AT ALL TRANSFER STATIONS, AND
THE DRIVE ON SCALES AT THE NORTH ELBA AND SCHROON LAKE
TRANSFER STATIONS, AND FOR THE TOWNS TO BE RESPONSIBLE FOR
ALL OTHER COSTS**

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

Upon the recommendation of the DPW 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 directs that the County will be responsible only for the compactor and its enclosure at all the transfer stations, and the drive on scales at the North Elba and Schroon Lake transfer stations, and that all the Towns will be responsible for the costs of

maintenance, repair, replacement, etc. of all other facilities and improvements.

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

Resolution No. 155

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING CONVEYANCE OF PUBLIC UTILITY
EASEMENTS TO NYSEG AND NIAGARA MOHAWK**

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

Upon the recommendation of the respective committees indicated below, with the approval of the Ways & Means Committee of this Body, and the same appearing proper and necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs the Chairman to execute and deliver easements for public utilities as follows:

1. From the DPW Committee:

(a) To Niagara Mohawk Power Corporation for a new underground service at the Fairground.

2. From the Ways and Means Committee:

(a) To NYSEG in connection with the Jay Bridge Project.

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

Resolution No. 156

June 7, 2005
Regular Board Meeting

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

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes and directs that the names and route numbers for the following county roads be changed to comply with E-911 as indicated below:

Current Road Name/Number	Location	New Road Name/Number
Deerhead/Reber Road - County Route 14	Town of Lewis	Deerhead Road - County Route 14

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

Resolution No. 157

June 7, 2005
Regular Board Meeting

**RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT AND ISSUING
WARRANTS PURSUANT TO TAX LAW §261 FOR PAYMENT OF THE NET
REVENUES TO THE TOWNS & VILLAGES**

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

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

WHEREAS, this Board is in receipt of the semi-annual Mortgage Tax Report jointly prepared by the County Treasurer and County Clerk, and showing the amounts to be credited to each tax district out of the County of the monies collected during the preceding six months ending March 31, 2005.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby issues Tax Warrants, pursuant to Tax Law §261, for the payment to the respective tax districts of the amounts so credited, and does further authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report as follows:

<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>	<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>
Chesterfield		North Elba	
Town	13,913.44	Town	192,532.54
Village (Keeseville)	1,356.33	Village (Lake Placid)	79,394.42
Crown Point	12,533.41	Village (Saranac Lake)	9,460.97
Elizabethtown	13,272.98	North Hudson	1,120.11
Essex	10,847.78	St. Armand	
Jay	21,858.63	Town	11,577.95
Keene	17,416.82	Village (Saranac Lake)	875.49
Lewis	5,576.79	Schroon	44,195.52
Minerva	5,667.49	Ticonderoga	58,623.24
Moriah		Westport	18,702.90
Town	24,007.21	Willsboro	18,103.30
Village (Port Henry)	3,848.50	Wilmington	13,691.70
Newcomb	11,490.61	TOTAL:	<u>590,068.13</u>

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

Resolution No. 158

June 7, 2005
Regular Board Meeting

**RESOLUTION OPPOSING WETLAND AMENDMENTS A.2048
AND S.2081 WHICH WOULD REDUCE THE DESIGNATED AND
PROTECTED WETLANDS FROM 12.4 ACRES TO 1 ACRE**

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

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

WHEREAS, Wetland Amendments A.2048 and S.2081 would provide the Department of Environmental Conservation with regulatory authority over freshwater wetlands of one acre or more in size and other wetlands of significant local importance; and

WHEREAS, this Board feels that passage of such legislation would be detrimental to the citizens and residents of Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its opposition to wetland amendments A.2048 and A.2081 which would reduce the designated and protected wetlands from 12.4 acres to 1 acre in size; 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 duly seconded by Supervisor Moses, and adopted.

Resolution No. 159

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING ALL OVERTIME REQUESTS, AS APPROVED BY
THE DEPARTMENT HEAD AND VERIFIED BY THE PERSONNEL OFFICE TO
GO DIRECTLY TO PAYROLL**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs that all overtime requests, as approved by the Department Head and verified by the Personnel Office to go directly to payroll.

This resolution was duly seconded by Supervisor Moses, and adopted with Supervisor Morrow and Seney having abstained.

Resolution No. 160

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING AMENDMENT OF THE JARC PLAN SO AS TO
BE ABLE TO PROVIDE FINANCIAL ASSISTANCE TO THE OLYMPIC
REGIONAL DEVELOPMENT AUTHORITY RETROACTIVE TO 2001**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs an amendment to the JARC Plan so as to be able to provide financial assistance to the Olympic Regional Development Authority retroactive to 2001.

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

Resolution No. 161

June 7, 2005
Regular Board Meeting

**RESOLUTION CONGRATULATING THE 2005 TICONDEROGA CENTRAL
SCHOOL TEAMS FOR
WINNING LEAGUE CHAMPIONSHIPS**

The following resolution was offered by Supervisor Dedrick, 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, the Ticonderoga Boys Track Team won the CVAC Championship; and

WHEREAS, the Ticonderoga Girls Varsity Softball Team won the CVAC Division II Championship; and

WHEREAS, the Ticonderoga Boys Varsity Baseball Team won the CVAC Division II Championship and the CVAC Class C Championship; and

WHEREAS, this Board wishes to recognize the accomplishments of all of these teams and congratulate them on their efforts.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby congratulates the Ticonderoga Central School Teams and their coaches for their outstanding accomplishments, including but not limiting to their winning the 2005 Championships.

This resolution was unanimously seconded and adopted.

Resolution No. 162

June 7, 2005
Regular Board Meeting

**RESOLUTION CONGRATULATING THE 2005 ELIZABETHTOWN-
KEENE-MORIAH-WESTPORT TRACK TEAM FOR WINNING THE
SECTIONALS**

The following resolution was offered by Supervisors Scozzafava, Both and 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.

WHEREAS, the Elizabethtown-Keene-Moriah-Westport (EKMW) Track Team won the sectionals; and

WHEREAS, this Board wishes to recognize the accomplishments of this team and congratulate them on their efforts.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby congratulates the EKMW Track Team and their coaches for their outstanding accomplishments, including but not limiting to their winning the 2005 Sectionals.

This resolution was unanimously seconded and adopted.

Resolution No. 163

June 7, 2005
Regular Board Meeting

**RESOLUTION CONGRATULATING THE 2005 CROWN POINT CENTRAL
SCHOOL TEAMS FOR
WINNING LEAGUE CHAMPIONSHIPS**

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, the Crown Point Girls Varsity Softball Team won the MVAC Northern Division Championship; and

WHEREAS, the Crown Point Boys Varsity Baseball Team won the MVAC Section 7 Championship; and

WHEREAS, this Board wishes to recognize the accomplishments of these teams and congratulate them on their efforts.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby congratulates the Crown Point Central School Teams and their coaches for their outstanding accomplishments, including but not limiting to their winning the 2005 Championships.

This resolution was unanimously seconded and adopted.

Resolution No. 164

June 7, 2005
Regular Board Meeting

**RESOLUTION AWARDING CONTRACTS FOR THE NEW ESSEX COUNTY JAIL &
PUBLIC SAFETY FACILITY PUBLIC WORK PROJECT TO THE RESPECTIVE LOW
BIDDERS FOR CONTRACTS 2 THROUGH 9 IN THE TOTAL AMOUNT OF \$24,509,596.00,
ESTABLISHING A CONSTRUCTION
CONTINGENCY RESERVE THEREFOR, AND PROVIDING FOR A
PROCEDURE TO APPROVE CHANGE ORDERS**

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, the Purchasing Agent received sealed, competitive bids for Contracts 2 through 9 for the public work project designated as the Essex County Public Safety Building; and

WHEREAS, the Project Architect and Construction Manager have reviewed the bids and advised this

Board that the low bids submitted on each contract meet the bid specifications thereof and that the bidders submitting the same are responsible and qualified to perform the work under each respective contract.

BE IT RESOLVED that the Essex County Board of Supervisors hereby awards Contracts 2 through 9 totaling \$24,509,596.00 for the public work project designated as the Essex County Public Safety Building (including the new Jail) to the following firms which submitted the low bid meeting the bid specifications for the respective contract, with each such contract to be paid from the Jail Capital Project (Capital Project No. 98-3; Account Group H3150):

<u>Contract #</u>	<u>Contract Work</u>	<u>Contract Awarded To</u>	<u>Contract (Bid) Amount</u>
2	Sitework	A.P. Reale & Sons, Inc	\$ 3,677,200.00
3	General Building	Bette & Cring, LLC	\$ 9,238,000.00
4	Structural Steel	Northeastern Industrial Piping	\$ 1,399,000.00
5	Roofing	Monahan & Loughlin	\$ 596,777.00
6	Detention Equipment	G.S. Company	\$ 1,034,619.00
<u>Contract #</u>	<u>Contract Work</u>	<u>Contract Awarded To</u>	<u>Contract (Bid) Amount</u>
7	Plumbing	J.V. Warren	\$ 1,700,000.00
8	HVAC	Tougher Industries	\$ 2,044,000.00
9	Electrical	O'Connell Electric	\$ 4,820,000.00
TOTAL			\$ 24,509,596.00

AND BE IT FURTHER RESOLVED that the Chairman of the Board is hereby authorized and directed to execute any and all necessary contract documents; and

BE IT FURTHER RESOLVED that a construction contingency reserve is hereby established in the amount of \$1,382,393.00 for the purpose of any necessary, reasonable and approved change orders for the project; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby designates and authorizes the Chairman of the Board, in consultation with the County Sheriff and the Superintendent of Public Works, to review, approve/deny and execute project change orders providing for necessary or reasonable changes in connection with the construction of the New Jail & Public Safety Facility, provided that each change order so approved decreases the cost of the project or does not increase the cost of the project by more than Ten Thousand Dollars (\$10,000), and provided further that the total or cumulative additional amounts incurred by reason of all change orders approved for each contract shall not exceed the limits set forth below:

<u>Contract #</u>	<u>Contract Work</u>	<u>Maximum Total Change Order Amount</u>
2	Sitework	\$ 50,000.00
3	General Building	\$ 100,000.00
4	Structural Steel	\$ 75,000.00

5	Roofing	\$ 30,000.00
6	Detention Equipment	\$ 50,000.00
7	Plumbing	\$ 75,000.00
8	HVAC	\$ 75,000.00
9	Electrical	\$ 75,000.00
	Total	\$ 530,000.00

AND BE IT FURTHER RESOLVED, that approval by the Board of Supervisors shall be required for any change order which either is in excess of \$10,000.00 or is in excess of the limit as set forth above for the contract involved.

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (*Merrihew, Morency, Ashworth*)

Resolution No. 165

June 7, 2005
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO RETAIN THE LAW
FIRM OF KIRBY, McINERNEY & SQUIRE TO PURSUE RECOVERY OF
EXCESSIVE MEDICAID COSTS FOR PRESCRIPTION DRUGS DUE TO
ARTIFICIALLY INFLATED AVERAGE WHOLESALE PRICES FOR SUCH
MEDICATIONS**

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, Essex County is responsible to pay approximately 25% of the prescription drug costs for persons enrolled in the Medicaid program for whom Essex County is deemed fiscally responsible; and

WHEREAS, during the period from 1997 to 2000, the Medicaid costs for prescription drugs for which Essex County was partially responsible increased by 60.13% from \$2,347,776 to \$3,759,483, an increase of \$1,411,707; and

WHEREAS, Medicaid expenditures for prescription drugs are increasing annually at a rate of 15-20% and

are the fastest growing component of spiraling Medicaid costs; and

WHEREAS, government investigators have reported that the prices established by the pharmaceutical industry for prescription drugs paid by Medicaid are artificially inflated, and a number of counties and states have commenced litigation to recover overpayments.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Attorney to retain the law firm of Kirby, McInerney & Squire, on the same terms and conditions as other New York counties have retained that firm, to pursue recovery of excessive Medicaid costs for prescription drugs paid by Essex County due to artificially inflated average wholesale prices for such medications, and commence litigation against any and all responsible parties (not including local pharmacies) to recover overpayments made by Essex County.

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

AYES: 2540 votes
NOES: 0 votes
ABSENT: 303 votes (Merrihew, Morency, Ashworth)

Resolution No. 166

June 7, 2005
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO CLIFFORD R. DONALDSON, JR. FOR HIS
EFFORTS IN OBTAINING THE ARMY CORPS OF ENGINEERS PERMIT FOR THE
JAY COVERED BRIDGE**

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, Clifford R. Donaldson, Jr. was instrumental in obtaining the Army Corps of Engineers Permit for the Jay Covered Bridge.

BE IT RESOLVED that the Essex County Board of Supervisors hereby recognizes the efforts and extends its appreciation to Clifford R. Donaldson, Jr. for his efforts in obtaining the Army Corps of Engineers Permit for the Jay Covered Bridge.

This resolution was unanimously seconded and adopted.