

**Resolution No. 224**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PAYMENT OF \$107.00 TO  
THE ARSENAL INN FOR LUNCH FOR THE LAW ENFORCEMENT  
TRAINING PROGRAM HOSTED BY THE DISTRICT ATTORNEY'S  
OFFICE**

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

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

**WHEREAS**, there is a bill due to the Arsenal Inn in the amount of \$107.00 for lunch for the Law Enforcement Training Program hosted by the District Attorney's Office.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the County Auditor's Office to pay the bill of \$107.00 to the Arsenal Inn for lunch for the Law Enforcement Training Program hosted by the District Attorney's Office.

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

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

**Resolution No. 225**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION URGING THE DEPARTMENT OF HEALTH TO PROVIDE  
TRAINING FOR WATER PLANT OPERATORS LOCALLY**

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

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

**WHEREAS**, water plant operators for the Department of Health currently must travel a considerable distance across New York State for training for several days and it would be beneficial for such water plant operators to be able to do their training locally either through one of the community colleges or Saranac Lake Department of Health or online.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby urges the Department of Health to provide training locally for water plant operators; and

**BE IT FURTHER RESOLVED** that the Clerk of the Essex County Board of Supervisors is hereby authorized and directed to immediately forward a certified copy of this Resolution to the Department of Health.

This resolution was unanimously seconded adopted.

**RESOLUTION EXEMPTING FAMILY MENTORS IN DSS FROM COUNTY  
POLICY §5.08 (D) - WHEREBY THEY CAN BE PAID FOR IN-COUNTY MEALS  
AS IT RELATES TO THEIR DUTIES UNDER DSS MENTOR PROGRAMS,  
RETROACTIVE TO  
APRIL 1, 2006**

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

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

**WHEREAS**, NYS Laws of 2005 require counties to create “diversion” services for juvenile “Persons in Need of Supervision” (i.e. PINS); and

**WHEREAS**, Essex County Probation and Social Services Departments have entered into an agreement to work cooperatively in preventing costly PINS placements; and

**WHEREAS**, Essex County DSS applied for and received a dollar-limited grant to hire two part-time temporary family mentors to work with children at-risk of becoming PINS; and

**WHEREAS**, the mentors work specifically “...to develop the child’s ability to locate local community events and encourage appropriate relationships, as well as to work with community businesses and organizations...”; and

**WHEREAS**, the mentors must work evenings and weekends and have a working knowledge of activities in the local communities; and

**WHEREAS**, it is important for the mentors to have access to the grant-funded flexible spending account “...to be used for smaller items such as a soda or an ice cream or an occasional outing that had been earned [by the child] through meeting personal goals; and

**WHEREAS**, the Board of Supervisors has approved the budget amendments necessary to accept this PINS-diversion grant award.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby grants an exemption to the county meal policy (Policy Manual page 26) regarding location and time limitations for the two family mentors, thereby allowing them to be reimbursed for department-approved meals taken within county boundaries at times appropriate for the children at-risk, retroactive to the start of the program in April of this year.

**BE IT FURTHER RESOLVED** that this resolution applies only to the mentors funded by this specific grant (“Prevention of Detention Placements and PINS Services Funding”), and only for the length of time this funding source remains.

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

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

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT  
IN THE DEPARTMENT OF HEALTH, TO INCREASE REVENUES AND  
APPROPRIATIONS BY \$2,500 - HIV EDUCATION MONIES**

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

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

**WHEREAS**, the budget of the Department of Public Health needs to be amended to increase revenues and appropriations by the sum of \$2,500.00 relative to HIV Education monies.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby amends the 2006 Budget of the Department of Public Health (Dept. 4010) by increasing revenues (#4340186 - HIV Education Monies) and appropriations in the sum of \$2,500.00 relative to HIV Education Monies.

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 APPROPRIATING THE SUM OF \$12,000.00 FROM THE  
CONTINGENT ACCOUNT INTO THE FAIRGROUNDS CAPITAL ACCOUNT  
(87502.5285) TO COMPLETE WORK PRIOR TO THE FAIR OPENING**

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

Upon the recommendation of the Department of Public Works Committee, and with the approval of the Ways and Means Committee of this body, and the same appearing proper and necessary.

**WHEREAS**, work is in the process of being near completion relative to the Fairgrounds and the Department of Public Works is requesting \$12,000.00 from the contingency account to finish and complete the work at the Fairgrounds.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes appropriating the sum of \$12,000.00 from the contingency account (Account #19904-5487) into the Fairgrounds Capital Account (Account #87502.5285) to complete work prior to the Fair opening.

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

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

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<b>BUDGET IMPACT STATEMENT:</b>	
Contingent Account Balance as of 07/03/06:	\$ 318,504.75
Reduction Impact of this resolution:	12,000.00
FY2006 Contingent Account Balance:	\$ 306,504.75

**Resolution No. 229**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION CONCEPTUALLY APPROVING THE TRANSFER OF A STATE GRANT FROM THE TOWN OF NEWCOMB TO THE ESSEX COUNTY IDA FOR THE ACQUISITION OF THE RAIL LINE FROM NORTH CREEK TO TAHAWUS**

**TABLED**

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

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

**WHEREAS**, the Town of Newcomb has received a State Grant for the purpose of acquisition and purchase of the rail line which leads from North Creek to Tahawus; and

**WHEREAS**, if possible, the Town of Newcomb is desirous of transferring this grant to the Essex County IDA such that the Essex County IDA acquires this rail line and administers the same.

**BE IT RESOLVED**, that the Essex County Board of Supervisors does hereby conceptually approve the transfer of the State Grant from the Town of Newcomb to the Essex County IDA for the acquisition of the rail line from North Creek to Tahawus subject to approval by the Essex County Attorney and compliance with all necessary regulations and laws.

This resolution was seconded by Supervisor Scozzafava, and **TABLED**.

**Resolution No. 230**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE PLANNING DEPARTMENT TO INCREASE REVENUES AND APPROPRIATIONS BY \$4,706.00 - RURAL TRANSPORTATION GRANT**

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

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

**WHEREAS**, the budget of the Planning Department needs to be amended to increase revenues and appropriations by the sum of \$4,706.00 relative to a rural transportation grant regarding the CHAMP transportation system.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby amends the 2006 Budget of the Planning Department by increasing revenues (#56304 5400INV) and appropriations in the sum of \$4,706.00 relative to a Rural Transportation Grant.

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. 231**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION DESIGNATING THE LAKE PLACID/ESSEX COUNTY VISITORS BUREAU AS THE ESSEX COUNTY TOURISM PROMOTION AGENCY AND CAROL JOANETTE AS THE PROJECT DIRECTOR FOR THE 2006-2007 I LOVE NEW YORK MATCHING FUNDS PROGRAM**

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

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

**WHEREAS**, Essex County is recognized as a main tourism designation; and

**WHEREAS**, there is a need for tourism promotion in Essex County.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby designates the Lake Placid/Essex County Visitors Bureau as the Essex County Tourism Promotion Agency and designates Carol Joannette as the Project Director for the 2006-2007 I Love New York Matching Funds Program.

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

**Resolution No. 232**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PURCHASE OF A LARGE FORMAT COMPUTER PRINTER IN THE REAL PROPERTY TAX OFFICE, IN AN AMOUNT NOT TO EXCEED \$10,000 FROM CAPITAL PROJECT 91 FUNDS**

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

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

**WHEREAS**, it is necessary for the Real Property Tax Office to purchase a large format computer printer because their blueprint machine used to reproduce maps for the towns is not operable and they have over \$10,000.00 in their capital 91 fund.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the Real Property Tax Office to purchase a large format computer printer in an amount not to exceed \$10,000.00 from capital project 91 funds (Account #H13555487task91).

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

**Resolution No. 233**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION DECLARING THE BRUNIG BLUEPRINT MACHINE AS SURPLUS IN THE REAL PROPERTY TAX OFFICE AND AUTHORIZING THE**

**DIRECTOR TO EXPLORE THE SALE OF SUCH MACHINE**

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

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

**WHEREAS**, the blueprint machine used by the Real Property Tax Office to reproduce maps for the towns is not operable and is approximately 30 years old and they desire to purchase a large format computer printer in its place; and

**WHEREAS**, the blueprint machine would thereafter be considered surplus property and could be sold.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby declares the Brunig blueprint machine as surplus in the Real Property Tax Office and authorizes the Director of the Real Property Tax Office to explore the sale of such machine together with parts and related supplies.

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**

**Resolution No. 234**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION CONVEYING TWO PARCELS OF PROPERTY ON COSSEY STREET IN TICONDEROGA TO THE TOWN OF TICONDEROGA**

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

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

**WHEREAS**, there are two parcels of property located on Cossey Street in the Town of Ticonderoga which are currently owned by Essex County as a result of a tax sale, which parcels would benefit the Town of Ticonderoga relative to a sewer project; and

**WHEREAS**, this Board has determined that the hereinbelow referenced properties are of very little value to the County and that it would be prudent and proper to transfer these properties to the Town of Ticonderoga for no consideration pursuant to General Municipal Law Section 72-h.

**BE IT RESOLVED** that the Essex County Board of Supervisors, pursuant to General Municipal Law Section 72-h and County Law Section 215, hereby declares these properties no longer necessary for public use and hereby authorizes the conveyance to the Town of Ticonderoga of the two parcels of property on Cossey Street in Ticonderoga described as follows:

- 1) Tax Map #150.44-3-3.001, Account #711A103309, Foreclosure Parcel #683 on 2001 List
- 2) Tax Map #150.44-11-5.000, Account #715J178643, Foreclosure Parcel #684 on 2001 List

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

Resolution No. 235

August 7, 2006  
Regular Board Meeting

**RESOLUTION APPROVING THE 2006-2007 NORTH COUNTRY COMMUNITY COLLEGE OPERATING BUDGET IN THE AMOUNT OF \$12,179,101.00 AUTHORIZING THE APPROPRIATION OF \$1,063,165.00 IN THE 2007 ESSEX COUNTY BUDGET (\$988,165.00 AS ESSEX COUNTY'S SPONSOR SHARE AND ESTABLISHMENT OF A CAPITAL FUND ACCOUNT IN THE AMOUNT OF \$75,000)**

*The following resolution was offered by Supervisor Morency, 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, North Country Community College has filed its tentative operating and capital budgets for the 2006-2007 year with the Clerk of this Board; and*

*WHEREAS, the tentative operating budget is in the total amount of \$12,179,101.00 and seeks a sponsor contribution from Essex County in the amount of \$988,165.00; and*

*WHEREAS, the tentative capital budget is in the amount of \$150,000.00 and seeks a sponsor contribution from Essex County in the amount of \$75,000.00; and*

*WHEREAS, on July 31, 2006, this Board of Supervisors, pursuant to due notice, conducted a public hearing on the tentative operating and capital budgets.*

*BE IT RESOLVED that the Essex County Board of Supervisors, after due consideration, hereby approves the 2006-2007 North Country Community College operating budget in the total amount of \$12,179,101.00 and authorizes the appropriation of \$988,165.00 in the 2007 Essex County Budget as Essex County's share of the sponsor-paid portion of such budget to be allocated therein; and*

*BE IT FURTHER RESOLVED that the Essex County Board of Supervisors, after due consideration, hereby approves the 2006-2007 North Country Community College capital budget in the total amount of \$150,000.00 and authorizes the expenditure of \$75,000.00 from the 2007 Essex County Budget as Essex County's share of the sponsor-paid portion of such budget to be allocated therein.*

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

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

Resolution No. 236

August 7, 2006  
Regular Board Meeting

**RESOLUTION REQUESTING GRANT FUNDING FROM THE NEW YORK**

**STATE CANAL CORPORATION TO IMPLEMENT THE ERIE CANAL  
GREENWAY PROGRAM**

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 New York State Canal Corporation is soliciting projects to implement Governor George E. Pataki's vision for an Erie Canal Greenway, first proposed by the Governor in May 2005; and

**WHEREAS**, the December 2005 report released by the New York State Canal Corporation Interagency Task Force, entitled "Report on the Future New York State Canals", recommended a voluntary, collaborative strategy for providing assistance to communities along all four canals of the New York State Canal System through a canal-wide "greenway" program; and

**WHEREAS**, funding for a grant program to implement the vision of the Governor and the recommendations of the Task Force was approved in the 2006-2007 New York State Budget, and \$6 million is available under four grant categories; and

**BE IT RESOLVED** that the County of Essex supports the creation of a voluntary Erie Canal Greenway, as proposed by the Governor and recommended in the Report by the interagency Task Force, based upon six (6) principles, including (1) waterfront public access; (2) tourism; (3) recreational development; (4) natural and cultural resource protection; (5) local and regional planning; and (6) economic revitalization; and

**BE IT FURTHER RESOLVED** that the County of Essex supports the submission of an application for funding from the New York State Canal Corporation through the Erie Canal Greenway Grant Program in the amount of \$250,000.00 for the project entitled "Lake Champlain Visitors Center Improvement Project".

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

**Resolution No. 237**

**August 7, 2006  
Regular Board Meeting**

**RESOLUTION CREATING AND FILLING FIVE CORRECTION OFFICER  
POSITIONS FOR THE NEW JAIL FACILITY AND TRANSFERRING THE  
SALARY NEEDED FOR THESE POSITIONS FROM THE JAIL'S INMATE  
BOARDING-OUT LINE ITEM INTO PERSONAL SERVICES**

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**, the Essex County Sheriff has determined that it will need five additional correction officers to staff the new Jail/Public Safety Building when it becomes operational in October or November of this year; and

**WHEREAS**, because of training criteria, it is necessary to create and fill these positions immediately.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes and approves, to be performed in compliance with, as and if applicable, the Essex County Civil Service Rules and Regulations, and/or the current CSEA contract and/or the Essex County Personnel Policy Manual, the creation and filling of five correction officer positions in the Sheriff's Department, with monies in the sum of \$85,350.00 relative to the same to be transferred from Account #31504 5438 into the following for 2006:

1)       Account #31501 5110                   \$50,175.00



2)	Account #31508 5810	\$6,225.00
3)	Account #31508 5820	\$3,840.00
4)	Account #31508 5850	\$21,400.00
4)	Account #31508 5851	<u>\$3,710.00</u>
	Total:	\$85,350.00

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

**Resolution No. 238**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING CONTRACT WITH TROJAN ENERGY SYSTEMS**

The following resolution was offered by Supervisor Dobie, 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 and directs its Chairman of the Board of Supervisors to enter into and execute a Contract with Trojan Energy Systems in the amount of \$62,540.00 for the replacement of tubes on the existing boiler located at the Horace Nye Home.

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

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

**Resolution No. 239**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION AUTHORIZING COUNTY ATTORNEY TO RELEASE STEWART'S SHOPS CORP. FROM ANY AND ALL LIABILITY ASSOCIATED WITH DAMAGE TO COUNTY FIBER OPTIC LINES OCCURRING IN JULY OF 2004 IN EXCHANGE FOR THE GRANT OF AN EASEMENT BY STEWART'S SHOPS CORP. TO THE COUNTY FOR THE LOCATION AND INSTALLATION OF A CURRENT FIBER OPTIC CABLE**

The following resolution was offered by Supervisor Moses, 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 County Attorney to prepare and submit a Release releasing Stewart's Shops Corp. from any and all liability associated with damage to the County's fiber optic line which occurred sometime in July of 2004 in exchange for Stewart's Shops Corp. giving and granting to the County of Essex an easement to locate the fiber optic lines where they presently are situate.

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

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

**Resolution No. 240**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
JOHN GILBERT "JACK" LECLAIR**

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**, John "Jack" LeClair, a resident of the Town of Chesterfield, passed away on July 30, 2006; and

**WHEREAS**, John worked for several years with the D&H Rail and then later as a foreman with the NYS Department of Transportation in Keeseville prior to retiring after 17 years of service. John also served as a Councilman for the Town of Chesterfield for many years; and

**WHEREAS**, "Jack" was a member of the Knights of Columbus of Keeseville. He was an avid outdoors man and especially enjoyed hunting and fishing, but his true love was spending time with his family; and

**WHEREAS**, John "Jack" LeClair was a well respected citizen in the Town of Chesterfield and Essex County; and

**WHEREAS**, John "Jack" LeClair was a loving husband, father, brother, grandfather, uncle and friend and will be truly missed by both his friends and his community.

**BE IT RESOLVED** that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of John Gilbert "Jack" LeClair; 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 family of the John Gilbert LeClair.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
ROBERT JEFFERY PURDY**

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

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

**WHEREAS**, Robert J. Purdy, a resident of the Town of Peru (formerly of the Town of Keene), passed away on August 1, 2006; and

**WHEREAS**, "Bob" was a graduate of the Keene Valley High School. He was involved in Ski Patrol at Whiteface during the 1980 Olympics and also was a heavy equipment operator at the mountain. He worked in the family restaurant, Mouse Trap, in Keene and was most recently owner and operator of R.J. Purdy Construction.

**WHEREAS**, "Bob" was a third degree knight with the St. Augustine's Knights of Columbus Council 7273. Bob enjoyed his family, working, kart racing with his son, camping, boating, traveling, NASCAR racing and watching his daughter perform her dances.

**WHEREAS**, Robert J. Purdy was a loving husband, father, son, brother, uncle and friend and will be truly missed by both his friends and his community. "Bob" is the son of former Town Supervisor, Robert R. Purdy and cousin to the present Town Supervisor, William Ferebee.

**BE IT RESOLVED** that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Robert Jeffery Purdy; 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 family of the Robert Jeffery Purdy.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
WORKERS' COMPENSATION SELF-INSURANCE PLAN TO RENEW  
CONTRACTS WITH PERMA FOR WORKERS' COMPENSATION  
AND EMPLOYERS' LIABILITY INSURANCE FOR 2007**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Administrator of the County Workers' Compensation Self-Insurance Plan to renew the contracts with PERMA for workers' compensation and employers' liability coverage for third-party administration and for GASBY 10 actuarial/accounting services for the Self-Insurance Plan for the Year 2007, at a cost of \$582,100, which includes a \$7,100 volunteer policy, to be paid from 2007 Plan revenues.

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

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

**Resolution No. 243**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 4 OF 2006**  
**IMPOSING AN ADDITIONAL MORTGAGE TAX IN ESSEX COUNTY**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby introduces proposed Local Law No. 4 of 2006 entitled "Local Law No. 4 of the year 2006 - a local law imposing an additional mortgage tax in Essex County" reading and providing as follows:

**ESSEX COUNTY LOCAL LAW NO. 4 of 2006**

A local law imposing an additional mortgage tax in Essex County.

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

**SECTION 1.**

Pursuant to the provisions of Section 253-j of the Tax Law, for the period commencing November 1, 2006, and ending December 1, 2009, unless further extended by local law of the Board of Supervisors, there is hereby imposed in Essex County a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such County and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

**SECTION 2.**

*The taxes imposed under the authority of Section 253-j and this Local Law shall be administered and collected in the same manner as the taxes imposed under subdivision one of section two hundred fifty-three and paragraph (b) of subdivision one of section two hundred fifty-five of the Tax Law. Except as otherwise provided in Section 253-j of the Tax Law, all the provisions of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of Section 253-j of the Tax Law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in Section 253-j of the Tax Law except to the extent that any provision is either inconsistent with a provision of Section 253-j of the Tax Law or not relevant to the tax authorized by Section 253-j of the Tax Law. For purposes of Section 253-j of the Tax Law, any reference in the Tax Law*

*to the tax or taxes imposed by the Tax Law shall be deemed to refer to a tax imposed pursuant to Section 253-j of the Tax Law, and any reference to the phrase "within this state" shall be read as "within Essex County", unless a different meaning is clearly required.*

**SECTION 3.**

Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of *Section 253-j of the Tax Law* is situated in this state but within and without Essex County, the amount of such tax due and payable to Essex County shall be determined in a manner similar to that prescribed in the first undesignated paragraph of section two hundred sixty of the Tax Law which concerns real property situated in two or more counties. Where such property is situated both within Essex County and without the state, the amount due and payable to Essex County shall be determined in the manner prescribed in the second undesignated paragraph of such section two hundred sixty which concerns property situated within and without the state. Where real property is situated within and without Essex County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

**SECTION 4.**

The tax imposed pursuant to the authority of *Section 253-j of the Tax Law* and this Local Law shall be in addition to the taxes imposed by section two hundred fifty-three of the Tax Law.

**SECTION 5.**

Notwithstanding any provision of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Essex during each month upon account of the tax imposed pursuant to the authority of *Section 253-j of the Tax Law*, after deducting the necessary expenses of his or her office as provided in section two hundred sixty-two of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or section two hundred sixty of the Tax Law are first to be apportioned by the Commissioner, shall be paid over by such officer on or before the tenth day of each succeeding month to the Treasurer of Essex County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in section two hundred sixty-two of the Tax Law shall be deposited in the general fund of the County of Essex for expenditure on all expenses incurred by such County for County provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of *Section 253-j of the Tax Law* or section two hundred sixty of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of the Commissioner of Taxation and Finance.

**SECTION 6.**

*The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the County in which the real property or any part thereof is situated, except where real property is situated within and without the County, the recording officer of the County in which the mortgage is first recorded shall collect the tax imposed by this local law, as required by the Tax Law. It shall be the duty of such recording officer to indorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt for such tax indorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax*

stated therein has been paid upon such mortgage.

**SECTION 7.**

*This Local Law shall take effect only on the first day of a calendar month, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's Office in Albany at least thirty days prior to the date the local law shall take effect. Certified copies of this local law shall also be filed with the County Clerk of the County of Essex, the Secretary of State and the State Comptroller within five (5) days after the local law is duly enacted.*

**SECTION 8.**

*This Local Law shall take effect on November 1, 2006, and shall expire and be deemed repealed on December 1, 2009.*

**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 the 21st day of August, 2006, at 9:45 o'clock in the forenoon of that day, to hear any and all persons concerning the same.

**AND BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors publish a Notice of such Hearing in the designated County newspapers at least five (5) days prior to said Hearing.

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. 244**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION PERMITTING THE SALE OF BEER AT RETAIL ON SUNDAY  
BEFORE 3:00 ANTEMERIDIAN AND AFTER 8:00 ANTEMERIDIAN FOR OFF  
PREMISES CONSUMPTION TO PERSONS MAKING PURCHASES**

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

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

**WHEREAS**, Chapter 312 of the Laws of 2006 was duly signed into law on July 26, 2006, which authorized the sale of beer by retailers holding an off premises license on Sunday before 3:00 a.m. and after 8:00 a.m.; and

**WHEREAS**, the hereinabove referred legislative amended Section 105(a) of the Alcohol, Beverage Control Law to permit the sale of beer by retailers holding off premises licensees on Sunday before 3:00 a.m. and after 8:00 a.m.; and

**BE IT RESOLVED** that the Essex County Board of Supervisors, pursuant to Chapter 312 of the Laws of 2006, hereby permits and authorizes the sale of beer by retailers holding off premises license on Sundays before 3:00 a.m. and after 8:00 a.m. on Sundays.

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

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

**Resolution No. 245**

**August 7, 2006**  
**Regular Board Meeting**

**RESOLUTION ACCEPTING THE RESIGNATION OF JAMES E. LLOYD AS  
ESSEX COUNTY VETERAN'S SERVICES DIRECTOR**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby accepts the resignation of James E. Loyd as Essex County Veteran's Services Director effective September 1, 2006, and wishes to extend its thanks and appreciation and best wishes to Mr. Lloyd in his future endeavors.

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