

Resolution No. 51

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
EDWARD JACOBY**

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

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

WHEREAS, Essex County has recently learned of the passing of Edward Jacoby;
and

WHEREAS, Edward Jacoby worked closely with Essex County during many of the Presidential Declarations of Disasters and was head of the New York State Emergency Services; and

WHEREAS, Edward Jacoby provided invaluable assistance and expertise during flood and ice storm disasters which occurred within Essex County in the past; and

WHEREAS, Edward Jacoby was a true friend of Essex County and deserves our appreciation and sympathy.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses and extends their deepest sympathy and condolences to the family of Edward Jacoby; 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 Jacoby family.

This resolution was unanimously seconded and adopted.

Resolution No. 52

March 5, 2007
Regular Board Meeting

**RESOLUTION TO ACCEPT AND PLACE ON FILE THE 2006
ANNUAL REPORT OF THE BOARD OF ELECTIONS**

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

Upon the recommendation of the Public Safety 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 accepts, adopts and/or places on file the 2006 Annual Report of the Essex County Board of Elections.

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

Resolution No. 53

**March 5, 2007
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
MARY ANN SAUNDERS**

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

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

WHEREAS, Mary Ann Saunders passed away on February 10, 2007; and

WHEREAS, Mary Ann Saunders was the daughter of Ralph and Ann (Esposito) Salerno; and

WHEREAS, Mary Ann Saunders attended and graduated from Port Henry High School in 1957; and

WHEREAS, Mary Ann Saunders was employed at Moriah Shock Incarceration in Mineville, New York and was a member of St. Patrick's Church, a Trustee for the Village of Port Henry and a member of the Port Henry High School Alumni Association; and

WHEREAS, Mary Ann Saunders is survived by her sons, John, Jeffrey and James Saunders, her grandson, sisters and brothers; and

WHEREAS, Mary Ann Saunders was a loyal and devoted wife, mother, grandmother, daughter, sister, niece, 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 their deepest sympathy and condolences to the family of Mary Ann Saunders; 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 Saunders family.

This resolution was unanimously seconded and adopted.

Resolution No. 54

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING APPOINTMENTS TO THE MRDD
SUBCOMMITTEE; THE ALCOHOL/SUBSTANCE ABUSE
SUBCOMMITTEE; THE MENTAL HEALTH SUBCOMMITTEE AND
TO THE COMMUNITY SERVICES BOARD**

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 upon the recommendation of Essex County Community Services Board, the Essex County Board of Supervisors hereby makes the following appointments to the following Subcommittees and Board:

1. To the MRDD Subcommittee -
Edna Coonrod term effective January 1, 2007 - December 31, 2010
Dipu Basu term effective January 1, 2007 - December 31, 2010
2. To the Alcoholism/Substance Abuse Subcommittee -
Doug Terbeek term effective January 1, 2007 - December 31, 2010
Scott McDonald term effective January 1, 2007 - December 31, 2010
3. To the Mental Health Subcommittee -
John O'Neill term effective January 1, 2007 - December 31, 2010
4. To the Community Services Board -
John O'Neill term effective January 1, 2007 - December 31, 2010

Nathaniel Selleck, MD term effective January 1, 2007 - December 31, 2010
Ron Jackson term effective January 1, 2007 - December 31, 2010

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

Resolution No. 55

March 5, 2007
Regular Board Meeting

**RESOLUTION AMENDING RESOLUTION NO. 136 OF 2006 TO
CLARIFY ALLOWANCES AND BILLING PROCEDURES FOR
BURIAL COSTS FOR INDIGENT DECEASED RESIDENTS**

The following resolution was offered by Supervisor Seney, 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, this Board pursuant to Resolution No. 136 dated May 1, 2006, established maximum amounts to be contributed by Essex County toward the costs of burials for indigent deceased residents; and

WHEREAS, it is necessary to amend Resolution No. 136.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends Resolution No. 136 of May 1, 2006 and hereby establishes amended maximum amounts to be contributed by Essex County toward the burial costs of indigent deceased residents:

Burial plus wholesale cost of standard vault:

- | | | |
|----|---|---------------------------|
| 1. | Children under 6 months and stillborn | \$ 500 plus grave opening |
| 2. | Children 6 months to less than 5 years of age | 1,000 plus grave opening |
| 3. | 5 years of age to adult | 2,750 plus grave opening |
| 4. | Oversized casket | 200 if pre-approved |

*Grave Opening: actual charge (per itemized invoice)

Cremation:

- | | | |
|----|----------------------------|------------------------------------|
| 1. | Cremation without services | up to \$1200 plus Crematory Charge |
| 2. | Cremation with services | up to \$2750 plus Crematory Charge |

Mileage: \$.50 per mile for travel outside of 30 mile radius of the funeral home

Contribution allowance from non-family: \$500

BE IT FURTHER RESOLVED, that all these matters contained in this Resolution shall be retroactive to January 1, 2006.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 56

***March 5, 2007
Regular Board Meeting***

**RESOLUTION AMENDING THE 2007 ESSEX COUNTY
BUDGET**

The following resolution was offered by Supervisor Morency, 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 amends the 2007 Essex County Budget as follows:

1. From the Human Services Committee:

(a) For the Department of Social Services, increase revenues and appropriations as follows, in the amount of \$34,750.00 to provide employment related transportation assistance to eligible County residents in order to prevent the need for Temporary Assistance benefits or reduce the amount of assistance needed:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010 44670	Federal Aid - Administration	\$34,750.00

APPROPRIATIONS

<u>Account Group</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6070400	5400HCST	CST4	\$ 8,077.00
6070400	5400CST6	CST6	15,618.00
6070400	5400CST7	CST7	11,055.00

(b) For the Department of Social Services, increase revenues (6010 44611 Federal Aid FS) and appropriations (60105-5Coop Coop-Ext FS) in the amount of \$110,452.00 from a Food Stamp grant.

© For the Department of Social Services, increase revenues (6010 43670-State Aid) and appropriations (6070400-5400 Homemaker Services) in the amount of \$6,750.00 from a State COLA for institutional foster care preventative services.

(d) For the Department of Social Services, increase revenues (6010 43610-State Aid Administration) and appropriations (60105 552-SS Contracts) in the amount of \$39,000.00 for start-up monies for state-mandated initiative to streamline long-term care access.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 57

March 5, 2007
Regular Board Meeting

RESOLUTION OF CONGRATULATIONS TO SOCIAL SERVICES COMMISSIONER JOHN P. O'NEILL ON BEING NAMED PRESIDENT OF THE NEW YORK STATE PUBLIC WELFARE ASSOCIATION

The following resolution was offered by Supervisor Seney, 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 congratulates and commends Essex County Social Services Commissioner, John O'Neill on being named President of the New York State Public Welfare Association.

This resolution was unanimously seconded and adopted.

Resolution No. 58

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JAMES E. "BUGO" REID**

The following resolution was offered by Supervisor Seney, 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, James E. "Bugo" Reid passed away on February, 2, 2007; and

WHEREAS, James E. "Bugo" Reid was born on April 29, 1933, in Riverview to James A. And Aletha (Charbonneau) Reid; and

WHEREAS, James E. "Bugo" Reid was a graduate of Lake Placid High School and a veteran of the United States Army serving in the Korean Conflict; and

WHEREAS, James E. "Bugo" Reid worked as a switchman for the New York Telephone Company until his retirement in 1994 with almost 40 years of service; and

WHEREAS, James E. "Bugo" Reid was a life member of the Lake Placid American Legion Post 326, a member and past president of the Lake Placid Pee Wee Association, a former member of the Lake Placid Volunteer Fire Department, a member of Saint Agnes Church and a member of the Communications Workers of America Union; and

WHEREAS, James E. "Bugo" Reid is survived by his loving wife, the former Beverley Pratt, their seven children; Bryan, Brent, Brenda, Bonny Jo, Brock, Bambi and Babs, and eight grandchildren; and

WHEREAS, James E. "Bugo" Reid was a loyal and devoted husband, father, grandfather, 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 their deepest sympathy and condolences to the family of James E. "Bugo" Reid; 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

Reid family.

This resolution was unanimously seconded and adopted.

Resolution No. 59

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
MINERVA/NEWCOMB GIRLS VARSITY BASKETBALL TEAM AS
LEAGUE CHAMPIONS**

The following resolution was offered by Supervisor McSweeney, 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, this Board of Supervisors is pleased to learn that the Minerva/Newcomb Girls Varsity Basketball Team were the 2006-07 MVAC Southern Division Champions.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Minerva/Newcomb Girls Varsity Basketball Team, their coach and their assistants and staff, for their outstanding accomplishments, including but not limited to, their earning the MVAC Southern Division title.

This resolution was unanimously seconded and adopted.

Resolution No. 60

March 5, 2007
Regular Board Meeting

**RESOLUTION APPROVING THE ISSUANCE OF CERTAIN
TAX-EXEMPT
ENVIRONMENTAL IMPROVEMENT REVENUE REFUNDING
BONDS BY THE ESSEX COUNTY INDUSTRIAL
DEVELOPMENT AGENCY
TO REFINANCE A PROJECT
FOR INTERNATIONAL PAPER COMPANY**

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

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

WHEREAS, pursuant to Article 18-A, Title 1 and Section 914-a of the General Municipal Law of the State of New York (herein collectively called the Act), the Board of Supervisors of Essex County, New York (the "Board of Supervisors") has heretofore appointed the Chairperson and members of the Essex County Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 856 of the General Municipal Law of the State of New York; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to issue its revenue bonds (industrial pollution control facility revenue bonds) to finance the cost of acquisition, construction, installation and equipping of one or more projects (as defined in the Act), to issue revenue refunding bonds for the purpose of refunding its outstanding bonds, to acquire, construct, install and equip said projects or to cause said projects to be acquired, constructed, installed and equipped and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, International Paper Company, a New York Corporation (the Company, has presented an application (the "Application") to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking: (I) to issue its tax-exempt environmental improvement revenue refunding bonds in the principal amount not to exceed \$5,500,000 (the "Bonds") in order to refinance all or a portion of the costs of acquisition, construction, installation and equipping of the Project (as described herein) and (ii) to lease (with an obligation to purchase) or sell the Project to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, the Agency proposes to provide the following financial assistance: (A) the issuance of the Bonds in the aggregate principal amount of \$2,900,000 for the purpose of refunding a portion of the Agency Solid Waste Disposal Revenue Bonds, 1997 Series A (International Paper Company Project) (the "Refunded Bonds") which Refunded Bonds were issued to finance the acquisition, construction and equipping of certain industrial pollution control and solid waste disposal facilities (the "Project") at the Company Ticonderoga Mill and (B) the sale of the Project to the Company; and

WHEREAS, the Company has requested that the Bonds be issued as obligations the interest on which will be excluded from gross income for federal income tax purposes pursuant to Sections 103 and 142(a)(6) and other applicable provisions of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excluded from gross income for federal income tax purposes unless the issuance of the Bonds shall be approved by the Board of Supervisors after the Agency has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, the Agency conducted said public hearing on February 28, 2007 following reasonable public notice and adopted a bond resolution authorizing the Bonds at

a meeting of the Agency held on February 7, 2007; and

WHEREAS, the Board of Supervisors has received notice from the Agency that it is the preliminary determination of the Agency that the Project will not have a significant effect on the environment within the meaning of Article 8 of the Environmental Conservation Law of the State of New York.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Essex County, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income pursuant to the applicable provisions of the Code, the Board of Supervisors, as the elected legislative body of Essex County, New York, hereby approves the issuance by the Agency of the Bonds, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Agency and shall never be a debt of the State of New York, Essex County, New York or any political subdivisions thereof (other than the Agency, but only to the extent of certain payments made by the Company), and neither the State of New York, Essex County, New York nor any political subdivision thereof (other than the Agency, but only to the extent of certain payments made by the Company) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 61

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH APCO
INTERNATIONAL FOR FREQUENCY COORDINATION AT A
COST OF \$210.00 PER UNIT WITH A TOTAL COST NOT TO
EXCEED \$8,374.00**

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

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

WHEREAS, by Request for Proposals dated January 19, 2007, Essex County

solicited proposals for frequency coordination as required by the FCC; and

WHEREAS, APCO International has submitted the lowest responsible proposal.

BE IT RESOLVED that the Essex County Board of Supervisors hereby awards the contract for Frequency Coordination to APCO International at a cost of \$210.00 per unit with a total cost not to exceed \$8,374.00; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman of the Essex County Board of Supervisors and/or its County Manager to enter into a contract with APCO International for the provision of such Frequency Coordination.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 62

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE
BOARD TO SIGN THE
NEW YORK STATE LAKES TO LOCKS PASSAGE
CONTRACT FOR IMPROVEMENTS AT CROWN POINT**

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

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

WHEREAS, the United States has provided federal funds to the State for the purpose of carrying out federal aid highway projects pursuant to the Transportation Equity Act for the 21st Century; and

WHEREAS, the New York State Highway Law authorizes the commissioner to use federal aid available under the Federal-Aid Highway Acts; and

WHEREAS, Section 1219 of PEA-21 provides for a National Scenic By-ways Program that provides federal funding of eligible activities under such program; and

WHEREAS, the Scenic By-way Project that constitutes the project hereunder results from FHWA approval of New York State's grant application, prepared by the New York State Scenic By-ways Program and Advisory Board, for Nation Scenic By-ways Program funds, and Essex County wishes to progress such project or activity and provide funding thereof.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Chairman and/or the Essex County Manager to execute the federal aid municipal service contract - New York State Scenic By-way Programs Comptroller contract bearing Contract No. SB05.03.321 for the Lakes to Locks Passage, All American Road: Lake Champlain Visitor Interpretive Center Improvements Scenic By-way Project at Crown Point, New York.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 63

March 5, 2007
Regular Board Meeting

**RESOLUTION WAIVING THE 7% RELEVY PENALTY ON
PROPERTY IN THE TOWN OF CROWN POINT - PELKEY
PROPERTY**

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

Upon the recommendation of the Personnel 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 waives and cancels the 7% relevy penalty and other charges, allowable according to New York State Real Property Tax Law Section 1182 charged against the parcel assessed to David and Rachael Pelkey located in the Town of Crown Point bearing Tax Map No. 117.3-1-9.120/2006.

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

AYES: 2,306 votes

NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 64

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ANNA ALLEN**

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

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

WHEREAS, Anna Allen passed away on February 15, 2007; and

WHEREAS, Anna Allen was the mother of Director of Real Property Tax, Barry Miller's wife Susan Miller; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses and extends their deepest sympathy and condolences to the family of Anna Allen; 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 Allen family.

This resolution was unanimously seconded and adopted.

Resolution No. 65

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING A CORRECTION OF THE 2007
TOWN AND COUNTY TAX ROLL IN THE TOWN OF LEWIS -
SULLIVAN PROPERTY**

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

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

WHEREAS, because of a clerical error in transcription from the assessor's workbook to the 2006 Tentative Assessment Roll, the Ages All exemption that should have been applied to Account #635J103503 relative to the property of Rudolph and Faye Sullivan located in the Town of Lewis was erroneously omitted; and

WHEREAS, upon the recommendation of Bernard R. Miller, Director of the Essex County Office of Real Property Tax Services, the 2007 Tax Roll for the Town of Lewis shall be corrected by adding an Aged All exemption on Account #635J103503, assessed to Rudolph and Faye Sullivan and by adjusting the amount of taxes due as a result of this clerical error, with the same to be charged back to the appropriate taxing authorities.

BE IT RESOLVED, that the 2007 Tax Roll for the Town of Lewis be corrected by adding an Aged All exemption on Account #635J103503, assessed to Rudolph and Faye Sullivan for the Town of Lewis and that the amount of taxes due be adjusted as a result of this clerical error and that the same be charged back to the appropriate taxing authorities.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 66

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
HOWARD R. CRANNELL**

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

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

WHEREAS, Howard R. Crannell passed away on February, 13, 2007; and

WHEREAS, Howard R. Crannell was born on July 30, 1938, in Glens Falls to the late Howard and Julia Crannell; and

WHEREAS, Howard R. Crannell was a graduate of Glens Falls High School in 1958 and retired in April of 2000, after a 40 year career with Price Chopper; and

WHEREAS, Howard R. Crannell was a life-long resident of Glens Falls, New York

and had a great love of the outdoors; and

WHEREAS, Howard R. Crannell proudly served his Country in the United States Navy and was honorably discharged on June 30, 1960 and was a dedicated member of the First Baptist Church of Glens Falls and served for many years as a member of its board of trustees; and

WHEREAS, Howard R. Crannell was the father of Kenneth Crannell, the Legislative Director for the New York State Association of Counties; and

WHEREAS, Howard R. Crannell was a beloved husband, father, son, grandfather, brother and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses and extends their deepest sympathy and condolences to the family of Howard R. Crannell; 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 Crannell family.

This resolution was unanimously seconded and adopted.

Resolution No. 67

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE PLANNING DEPARTMENT FOR CHAMP, TO INCREASE
REVENUES AND APPROPRIATIONS BY \$14,358.99 -
TRANSPORTATION ASSISTANCE FUNDS**

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

Upon the recommendation of the Finance 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 a budget amendment in the Planning Department for CHAMP, increasing revenues and appropriations as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5630 43089121	State Aid	\$14,358.99

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
56304	5487 KEEN	\$ 583.43
56304	5487 ORDA	4,071.80
56304	5487	<u>9,703.76</u>
		\$14,358.99

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 68

March 5, 2007
Regular Board Meeting

**RESOLUTION TO ACCEPT AND PLACE ON FILE THE 2006
ANNUAL REPORT FOR THE DEPARTMENT OF PUBLIC
WORKS**

The following resolution was offered by Supervisor Morency, 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 accepts, adopts and places on file the 2006 Annual Report for the Essex County Department of Public Works.

This resolution was duly seconded by Supervisors Scozzafava and McSweeney, and adopted.

Resolution No. 69

March 5, 2007
Regular Board Meeting

**RESOLUTION TO CREATE AND FILL TWO MAINTENANCE
MECHANIC POSITIONS IN THE DEPARTMENT OF PUBLIC
WORKS - BUILDINGS AND GROUNDS DIVISION**

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 creates and fills two Maintenance Mechanic positions in the Department of Public Works - Buildings and Grounds division, each to be a Grade 8, CSEA at an hourly rate of \$13.09/hour.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 70

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE DEPARTMENT OF PUBLIC WORKS TO INCREASE
ANTICIPATED REVENUES AND ANTICIPATED
EXPENDITURES BY \$13,375.00 FROM A 2006 GRANT**

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

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

WHEREAS, the Department of Public Works needs to increase anticipated revenues and anticipated expenses by the sum of \$13,375.00; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2007 Budget of the Essex County Department of Public Works in the sum of \$13,375.00 by increasing the revenues and expenses as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3989 43089	Other State Aid	\$13,375.00

ANTICIPATED EXPENSES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3989 45440	Misc. Fees	\$13,375.00

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 71

March 5, 2007
Regular Board Meeting

RESOLUTION AUTHORIZING “PER DIEM” EMPLOYEES OF THE HORACE NYE HOME BE PROVIDED ONE HOUR OF ADDITIONAL PAID COMPENSATION FOR EACH HOUR OF TIME WORKED DURING THE VALENTINE’S DAY BLIZZARD

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

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

WHEREAS, certain “per diem” employees of the Horace Nye Home who are not entitled to benefits as provided under the current policy manual, responded to the call of duty during the blizzard conditions of February 14, 2007 and February 15, 2007.

BE IT RESOLVED, that the such “per diem” employees who worked during the period starting at 12:00 noon on February 14, 2007 and ending at the regular opening of business on February 15, 2007, be provided one hour of additional paid compensation for

each hour of time worked during such period. Such additional compensation shall be at the normal hourly rates of these employees.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 72

March 5, 2007
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO LANITA SMITH FOR
HER WORK DURING THE VALENTINE'S DAY BLIZZARD**

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 extends its sincere appreciation and thanks to Lanita Smith for her selfless and untiring work during the Valentine's Day blizzard of 2007.

This resolution was unanimously seconded and adopted.

Resolution No. 73

March 5, 2007
Regular Board Meeting

**RESOLUTION ADOPTING THE "CELL PHONE USE POLICY"
AS SUBMITTED BY THE
ESSEX COUNTY PERSONNEL OFFICER**

The following resolution was offered by Supervisor Ashworth, 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, Daniel Palmer, Essex County Personnel Officer has prepared a proposed amendment to the Essex County Policy Manual entitled "Article 14A - Use of Cellular Phones" and the same has been distributed and reviewed by this Board of Supervisors.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts and adopts the new Essex County Cellular Phone Use Policy as submitted and directs that the same be incorporated into the existing Essex County Policy Manual as Article 14A and that the same be entitled "Use of Cellular Phones".

BE IT FURTHER RESOLVED, a copy of the Essex County Cellular Phone Use Policy be immediately distributed to all Department Heads and employees.

This resolution was duly seconded by Supervisors Ferebee and Seney, and adopted.

Resolution No. 74

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO ALEX DURKOTA
OF TICONDEROGA ON OBTAINING THE RANK OF EAGLE
SCOUT**

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, Alex Durkota is a resident of the Town of Ticonderoga; and

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

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

WHEREAS, an Eagle Scout award is a performance based achievement whose standards have been well maintained since 1911 and carries with it a special significance; and

WHEREAS, Eagle Scout is the highest rank which can be obtained by Scouts and only 4% of the youth who join scouting earn this honor.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Attorney and County Manager hereby extend their heartiest congratulations to Alex Durkota on a job well done for all 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 the Board of Supervisors, with a suitably embossed copy thereof to be awarded to Alex Durkota.

This resolution was unanimously seconded and adopted.

Resolution No. 75

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO DAVE MALLON
OF TICONDEROGA ON OBTAINING THE RANK OF EAGLE
SCOUT**

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, Dave Mallon is a resident of the Town of Ticonderoga; and

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

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

WHEREAS, an Eagle Scout award is a performance based achievement whose standards have been well maintained since 1911 and carries with it a special significance; and

WHEREAS, Eagle Scout is the highest rank which can be obtained by Scouts and only 4% of the youth who join scouting earn this honor.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Attorney and County Manager hereby extend their heartiest congratulations to Dave Mallon on a job well done for all 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 the Board of Supervisors, with a suitably embossed copy thereof to be awarded to Dave Mallon.

This resolution was unanimously seconded and adopted.

Resolution No. 76

March 5, 2007
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO DONALD JAQUISH,
ASSISTANT DIRECTOR OF ESSEX COUNTY EMERGENCY
SERVICES FOR HIS WORK DURING THE VALENTINE'S DAY
BLIZZARD**

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 entire northern portion of New York was subjected to a tremendous blizzard during February 14th, 15th and 16th, 2007 with accumulations of 30 plus inches of snow and extreme high winds; and

WHEREAS, heavy snows and high winds resulted in the declaration of a State of Emergency by the County of Essex as travel and visibility were next to impossible; and

WHEREAS, Assistant Emergency Services Director, Don Jaquish remained at the Essex County complex manning the phones and directing Emergency Services during the entire three day period and performed selflessly and admirably in directing Emergency Services.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Attorney and County Manager hereby extends its deep and abiding appreciation to Donald Jaquish for his outstanding public service to the people of Essex County and northern New York during the Valentine's Day blizzard of 2007.

This resolution was unanimously seconded and adopted.

Resolution No. 77

March 5, 2007
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO CAROLYN KARCHER
AND LINDA WOLF FOR THEIR WORK DURING THE**

VALENTINE'S DAY BLIZZARD

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors extends its sincere appreciation and thanks to Carolyn Karcher, Essex County Deputy Treasurer and Linda Wolf, Senior Accountant for their selfless and untiring work during the Valentine's Day blizzard of 2007.

This resolution was unanimously seconded and adopted.

Resolution No. 78

March 5, 2007
Regular Board Meeting

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH CSEA REGARDING EQUIVALENT TIME OFF FOR HOLIDAYS WORKED AS PER ARTICLE 12 - HOLIDAYS, OF THE COLLECTIVE BARGAINING AGREEMENT SUCH AGREEMENT EFFECTIVE JANUARY 1, 2004 THROUGH DECEMBER 31, 2008

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 authorizes and directs the County Manager to execute a memorandum of understanding with CSEA regarding Article 12 - Holidays, to read as follows:

As a result of good faith negotiations between the Essex County Unit 6800 (hereinafter referred to as "the Union") and the Essex County Board of Supervisors (hereinafter referred to as "management"), the parties agree to the following as it relates to equivalent time off for the holiday as per Article 12: Holidays of the Union Contract;

For those employees working at the Horace Nye Home who earn equivalent time off for the holiday as per the Union Contract, such time shall become equivalent time off compensatory time, herein referred to as "comp time" and shall be governed by the following:

1. The employee may combine such comp time with any other comp time earned and may request the use of such time through the normal approval process.

2. A review of the comp time will be undertaken by the Department in the last quarter of the calendar year. If such comp time exceeds 10 days based upon the employees normal work day, then the Department will schedule the employee off for those days in excess of the 10 days.

3. Such comp time use will not result in the avoidance of the requirement to work 26 weekends per year for those employees so required.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 79

March 5, 2007
Regular Board Meeting

RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN THE AMOUNT OF \$600,000 TO THE STATE OF NEW YORK IN APRIL, 2007

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 County of Essex has identified affordable housing needs, assisting low/moderate income homeowners, and economic development as its most severe community development needs; and

WHEREAS, the only affordable means of financing programs designed to meet these needs is to secure funding from the State of New York Small Cities Community Development Block Grant Program.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the submission of a Community Development Block Grant application, in the amount of \$600,000, to the State of New York in April, 2007, for County-wide Housing; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors

authorizes Chairperson Noel Merrihew, III to sign and submit an application to the State of New York for the Community Development Block Grant program and to act in connection with the submission as may be required; and

BE IT FURTHER RESOLVED, that the Housing Assistance Program of Essex County, Inc. will perform administrative services to accomplish the program activities; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors have adopted the following: Citizen Participation Plan, Displacement Plan, Excessive Force Policy, Drug-free Workplace Program, New Horizons Fair Housing Strategy, Community Development Plan and the Housing Rehabilitation Program Policy and Procedures and they are on file; and

BE IT FURTHER RESOLVED that this Board will hold public hearings on this grant application on March 12, 2007 at 5:00 p.m. and on March 14, 2007 at 9:45 a.m. at the Chambers of the Essex County Board of Supervisors in Elizabethtown, New York.

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

Resolution No. 80

March 5, 2007
Regular Board Meeting

**RESOLUTION URGING ALL AREA NEWS MEDIA TO ENSURE
THAT WHEN THEY BROADCAST EVENTS HAPPENING AT
WHITEFACE MOUNTAIN THAT THEY CLEARLY STATE THAT
WHITEFACE MOUNTAIN IS LOCATED IN THE TOWN OF
WILMINGTON**

The following resolution was offered by Supervisor Ashworth, 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 urges all local news media to ensure that when they broadcast events happening at Whiteface Mountain that they clearly state that Whiteface Mountain is located in the Town of Wilmington so as to give the Town of Wilmington proper publicity acknowledgment; and

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby authorized and directed to immediately send copies of this Resolution to Ted Blazer, CEO of the Olympic

Regional Developmental Authority.

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

Resolution No. 81

March 5, 2007
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO THE NEW YORK
STATE DEPARTMENT OF PARKS AND RECREATION, THE
NEW YORK STATE OLYMPIC REGIONAL DEVELOPMENT
AUTHORITY (ORDA) AND THE NEW YORK STATE LOTTERY
FOR THE FUNDING AND ADMINISTRATION OF THE XXVII
NEW YORK STATE EMPIRE STATE WINTER GAMES**

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

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

WHEREAS, the XXVII Empire State Winter Games concluded this past weekend with over 1,200 athletes from all over the state participating in various winter competition; and

WHEREAS, these Empire State Winter Games are not only an economic boon to Lake Placid and Wilmington and the remainder of Essex County but provide a unique and valuable experience to many of our area athletes.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends its deepest appreciation and thanks to the New York State Department of Parks and Recreation, New York State Olympic Regional Development Authority (ORDA) and the New York State Lottery for their flawless administration and conduct of these games, for the funding of these games and for the benefits and exposure that these games bring to Lake Placid, Wilmington and the rest of Essex County.

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

Resolution No. 82

March 5, 2007
Regular Board Meeting

RESOLUTION URGING GOVERNOR SPITZER TO ISSUE AN

**EXECUTIVE ORDER WAIVING ADIRONDACK LAND USE
LAWS TO ALLOW THREE 100-FOOT TEMPORARY (CELLS
ON WHEELS) TOWERS AT REST AREAS LOCATED IN
LEWIS, LINCOLN POND AND NORTH HUDSON AND
FURTHER URGING AN EXECUTIVE ORDER WAIVING
ADIRONDACK LAND USE LAWS TO ALLOW THREE
PERMANENT 100-FOOT TOWERS**

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 strongly urges and requests that Governor Eliot Spitzer issue an Executive Order waiving Adirondack Land Use laws to allow three 100-foot temporary (cells on wheels) towers at rest areas located in Lewis, Lincoln Pond and North Hudson and further urging an Executive Order waiving Adirondack Land Use Laws to allow three permanent 100-foot towers to be built to replace these temporary towers; 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 New York State Governor Eliot Spitzer; Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O'C. Little; Senate Assembly Speaker Sheldon Silver, Assemblywomen Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded and adopted.

Resolution No. 83

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING THE EXECUTION OF AN
EXTENSION TO A CERTAIN SUB-RECIPIENT AGREEMENT
BETWEEN ESSEX COUNTY AND THE ESSEX COUNTY
INDUSTRIAL DEVELOPMENT AGENCY DATED
NOVEMBER 3, 2004 EXTENDING THE SAME FROM
JANUARY 1, 2006 THROUGH JANUARY 5, 2007**

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

Upon the recommendation and approval of the Ways and Means Committee of this

body, and the same appearing proper and necessary.

WHEREAS, the County of Essex and the Essex County Industrial Development Agency had entered into a Sub-Recipient Agreement for the Governor's Office for Small Cities, Grant #382ME24-04 which Agreement was dated November 3, 2004 and terminated December 31, 2005; and

WHEREAS, there was an oversight in the original agreement and the same should not have terminated on December 31, 2005 as the grant and program were still underway throughout 2006; and

WHEREAS, in order for the Essex County IDA to be paid under the Sub-Recipient Agreement, it is necessary that the same be amended and extended from January 1, 2006 through January 5, 2007.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its Chairman and/or County Manager to sign an extension of the herein above recited Sub-Recipient Agreement for the period January 1, 2006 through January 5, 2007.

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

AYES:	2,306 votes	
NOES:	0 votes	
ABSENT:	537 votes	(Canon, French, Douglas, Moses)

Resolution No. 84

March 5, 2007
Regular Board Meeting

**RESOLUTION URGING THE UNITED STATES CONGRESS TO
ENACT THE "MEDICAID COUNTY PROTECTION ACT OF
2007"**

The following resolution was offered by Supervisor Ashworth, 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, New York State has the most expensive Medicaid program in the nation; and

WHEREAS, its spending per recipient is the highest in the country, with costs that nearly exceed those of California and Texas combined; and

WHEREAS, New York is one of the only a few states that mandate county governments to pay a significant portion of the State's cost; and

WHEREAS, Congressman G.K. Butterfield of North Carolina has introduced legislation at the federal level that would expressly prohibit states from passing along the costs of Medicaid to county government, which is a huge burden to property taxpayers; now, therefore be it

BE IT RESOLVED, that the Essex County Board of Supervisors hereby supports the passage of "Medicaid County Protection Act of 2007" by the U.S. Congress as introduced by Congressman G.K. Butterfield of North Carolina; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby requests its federal representatives Senator Charles Schumer, Senator Hillary Clinton, Representative John McHugh and Representative Kirsten Gillibrand to become sponsors of this important legislation; and

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this Resolution be forwarded to Senator Charles Schumer, Senator Hillary Clinton, Representative John McHugh and Representative Kirsten Gillibrand.

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

AYES: 2,306 votes
NOES: 0 votes
ABSENT: 537 votes (Canon, French, Douglas, Moses)

Resolution No. 85

March 5, 2007
Regular Board Meeting

**RESOLUTION TO ACCEPT AND PLACE ON FILE THE 2006
ANNUAL REPORT OF THE ESSEX COUNTY CLERK**

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

Upon the recommendation of the Finance 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 accepts, adopts and/or places on file the 2006 Annual Report of the Essex County Clerk.

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

Resolution No. 86

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ATTORNEY FOR ESSEX
COUNTY TO OFFER A SETTLEMENT PROPOSAL TO
PAULINE BURGEY WITH RESPECT TO HER CURRENT
PENDING ACTION WITH THE NEW YORK STATE DIVISION
OF HUMAN RIGHTS**

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

Upon the recommendation of the Personnel 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 its County Attorney and/or Claudia A. Ryan, Esq. to propose a settlement agreement with Pauline Burgey with respect to her current pending action with the New York State Division of Human Rights.

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

AYES:	1,955 votes	
NOES:	0 votes	
ABSENT:	537 votes	(Canon, French, Douglas, Moses)
ABSTAIN:	351 votes	(Scozzafava)

Resolution No. 87

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
STELLA EASTER TRYBENDIS**

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, Stella Trybendis passed away on February 25, 2007; and

WHEREAS, Stella Trybendis was born on December 25, 1918 to Alex and Catherine Easter in Witherbee, New York; and

WHEREAS, Stella Trybendis was a lifetime homemaker who was a loving and caring person and whose family was her life; and

WHEREAS, Stella Trybendis is the beloved mother of Tootie Mends, an employee of the Department of Social Services; and

WHEREAS, Stella Trybendis was a beloved mother, grandmother and great grandmother, sister and friend who will be sorely missed by never forgotten.

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 condolence to the family of Stella Easter Trybendis; 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 Trybendis family.

This resolution was unanimously seconded and adopted.

Resolution No. 88

March 5, 2007
Regular Board Meeting

RESOLUTION OF APPRECIATION TO THE EMPLOYEES OF THE ESSEX COUNTY DEPARTMENT OF PUBLIC WORKS, THE EMPLOYEES OF THE TOWN HIGHWAY DEPARTMENTS AND TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THEIR OUTSTANDING EFFORTS AND WORK DURING THE VALENTINE'S DAY BLIZZARD OF 2007

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, between February 14th and February 16th, 2007, the County of Essex was subject to blizzard which blanketed the County with as much as 30 plus inches of snow; and

WHEREAS, heavy snows and high winds resulted in the declaration of a state of emergency by the County of Essex as travel and visibility were next to impossible; and

WHEREAS, during this entire period, the employees and directors of the Essex County Department of Public Works and the New York State Department of Transportation tirelessly and selflessly worked non-stop to insure that all roads and highways were passable.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby extends its deep and abiding appreciation to the Essex County Department of Public Works and its employees and the New York State Department of Transportation and its employees for their outstanding public service to the people of Essex County and northern New York during the Valentine's Day Blizzard of 2007.

This resolution was unanimously seconded and adopted.

Resolution No. 89

March 5, 2007
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO BLAZE BRYANT ON PLACING EIGHTH
IN THE JUNIOR DIVISION OF BOBSLEDDING AND TO JOY BRYANT FOR HER
PERFORMANCE ON THE LUGE AT THE XXVII NEW YORK STATE
EMPIRE STATE WINTER GAMES**

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, Blaze Bryant and his sister, Joy Bryant of Port Henry, New York,

participated in the most recent New York State Empire State Winter Games; and

WHEREAS, Blaze Bryant participated in the Junior Division - Bobsled placing 8th;
and

WHEREAS, Joy Bryant participated in the Junior Female Division Luge event; and

WHEREAS, both of these young individuals competed and performed admirably.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby extends its heartiest congratulations to Blaze and Joy Bryant upon their competition in the XXVII New York State Empire State Winter Games.

This resolution was unanimously seconded and adopted.

Resolution No. 90

March 5, 2007
Regular Board Meeting

**RESOLUTION IN SUPPORT OF THE CREATION BY THE STATE OF NEW YORK OF
A PUBLIC AUTHORITY TO OVERSEE AND MANAGE THE RAIL LINE AND
ASSOCIATED PROPERTY AND RIGHTS OF WAY EXTENDING FROM NORTH
CREEK TO TAHAWUS, NEW YORK**

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

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

WHEREAS, by deed dated the 8th day of February, 2005, the Essex County Industrial Development Agency conveyed to Kronos World Wide Inc. a series of easements or rights of way known as Plancor 1245 extending from the terminal connection of the Delaware & Hudson Railroad at North Creek, New York to the mines of N.L. Chemicals, Inc. at Sanford Lake, Tahawus, New York traversing a distance of approximately 30 plus miles located in the towns of Minerva and Newcomb, and

WHEREAS, the Essex County Industrial Development Agency and the Town of Newcomb still possess certain interests in and to the herein above recited property; and

WHEREAS, the Town of Warrensburg, Kronos World Wide, Inc., the Towns of Newcomb and Moriah, Barton Mines, Inc. and the Essex County Industrial Development Agency are desirous of establishing a Public Authority to oversee and manage the rail line and associated properties and rights of way and to assure that all parties are protected and their interests are furthered,

BE IT RESOLVED, that the Essex County Board of Supervisors hereby supports the creation by the State of New York of a Public Authority to oversee and manage the rail line and associated properties and rights of way currently extending from North Creek to Tahawus, New York in order to protect and further the interests of the Essex County Industrial Development Agency, the Towns of Minerva and Newcomb and develop the use of the line for the best interest of the people of Newcomb, Minerva and Essex County.

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

Resolution No. 91

March 5, 2007

Regular Board Meeting

RESOLUTION APPROVING THE ISSUANCE BY THE ESSEX COUNTY INDUSTRIAL

**DEVELOPMENT AGENCY OF CERTAIN TAX-EXEMPT (I) MULTI-MODE VARIABLE
RATE DEMAND CIVIC FACILITY REVENUE BONDS AND (II) MULTI-MODE
VARIABLE RATE DEMAND CIVIC FACILITY REVENUE REFUNDING BONDS TO
FINANCE AND REFINANCE A PROJECT FOR THE ELIZABETHTOWN
COMMUNITY HOSPITAL**

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.

WHEREAS, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 563 of the Laws of 1973 of the State of New York, as amended (herein collectively called the “Act”), the Board of Supervisors of County of Essex, New York (the “Board of Supervisors”) has heretofore appointed the Chairperson and members of the Essex County Industrial Development Agency (the “Agency”) and has duly caused to be filed in the office of the Secretary of the State of New York the certificate required by Section 856 of the General Municipal Law of the State of New York; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to issue its civic facility revenue bonds and revenue refunding bonds to finance and refinance, respectively, the costs of the acquisition, construction, reconstruction and equipping of one or more “projects” (as defined in the Act), to acquire,

construct, reconstruct and equip said projects or to cause said projects to be acquired, constructed, reconstructed and equipped, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Elizabethtown Community Hospital, a New York not-for-profit corporation organized and existing under the laws of the State of New York (the “Institution”), has presented an application to the Agency, a copy which is on file at the office of the Agency, requesting that the Agency consider undertaking: (I) to issue its tax-exempt civic facility revenue bonds in the principal amount not to exceed \$6,000,000 (the “Series 2007A Bonds”) in order to provide a permanent financing facility for the payment of all or a portion of the costs of the construction, reconstruction and equipping of the project described in the following paragraph (the “New Project”); (ii) to acquire, construct, reconstruct and equip the New Project, or to cause the New Project to be acquired, constructed, reconstructed and equipped; and (iii) to sell the New Project to the Institution or such other person as may be designated by the Institution and agreed upon by the Agency; and

WHEREAS, the New Project consists of the following: (A) the provision for a permanent financing facility to the Institution for (I) the construction of additions to and the reconstruction of improvements to existing facilities of the Institution (collectively, the “New Facility”), (ii) the acquisition and installation in the New Facility of various machinery, equipment and furnishings, and (iii) the payment of certain costs of issuance to finance the New Project; (B) the financing of the costs of the foregoing by the issuance of the Series 2007A Bonds; and © the sale of the New Project to the Institution; and

WHEREAS, the Institution, in conjunction with the issuance of the Series 2007A

Bonds, has requested that the Agency consider undertaking: (I) to issue its tax-exempt civic facility revenue refunding bonds in the principal amount not to exceed \$1,300,000 (the "Series 2007B Bonds"; and collectively, with the Series 2007A Bonds, the "Bonds") in order to refinance the issuance of the Agency's Civic Facility Revenue Bonds (Elizabethtown Community Hospital Project), Series 2002 in the aggregate principal amount of \$1,600,000 (the "Prior Bonds"), originally issued to provide a permanent financing facility to the Institution for the payment of all or a portion of the costs of a project (the "Existing Project") consisting of (a) the acquisition, construction and equipping of an approximately 10,000 square foot clinical services building, located at Park Street, Elizabethtown, New York, to accommodate the Elizabethtown Community Health Center, Physical Therapy, Finance and Business Office and expansion space for Cardiac Rehabilitation of the Institution (the "Existing Facility"), and (b) the acquisition and installation in the Existing Facility of various machinery, equipment and furnishings; (ii) to acquire the Existing Project, or to cause the Existing Project to be acquired; and (iii) to sell the Existing Project to the Institution or such other person as may be designated by the Institution and agreed upon by the Agency (collectively, the "Refunding Project"; and, together with the New Project, the "Project"); and

WHEREAS, the Refunding Project consists of the following: (A) the provision for the refinancing of the Prior Bonds, and the payment of certain costs of issuance related thereto; (B) the financing of the costs of the foregoing by the issuance of the Series 2007B Bonds; and © the sale of the Existing Project to the Institution; and

WHEREAS, the Board of Supervisors has been advised by the Agency that the Agency proposes to issue, subsequent to the adoption of this resolution, its civic facility revenue bonds and revenue refunding bonds, from time to time, in principal amounts sufficient

to fund all or a portion of the costs of (i) the constructing, reconstructing and equipping of the New Project, (ii) the acquiring of the Existing Project and (iii) the refinancing of the Prior Bonds, together with incidental costs in connection therewith, which aggregate principal amount is presently estimated to be not in excess of \$7,600,000; and

WHEREAS, the Institution have requested that the Bonds be “qualified 501(c)(3) bonds”, pursuant to the Internal Revenue Code of 1986, as amended (the “Code”), and to be issued as obligations the interest on which will be excluded from gross income for federal income tax purposes pursuant to Sections 103 and 145 and other applicable provisions of the Code; and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excluded from gross income for federal income tax purposes unless the issuance of the Bonds shall be approved by the Board of Supervisors after the Agency has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, the Agency conducted said public hearing on February 5, 2007 and, upon the receipt of terms of financing from the underwriter or purchaser of the Bonds, adopted a bond resolution authorizing the Bonds on February 27, 2007; and

WHEREAS, the Board of Supervisors has received notice from the Agency that it is the preliminary determination of the Agency that the Project will not have a “significant impact on the environment” within the meaning of Article 8 of the Environmental Conservation Law of the State of New York; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Essex, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds for

exclusion from gross income pursuant to the applicable provisions of the Code, the Board of Supervisors, as the elected legislative body of Essex County, New York, for purposes of Section 147(f) of the Code, hereby approves the issuance by the Agency of the Bonds, provided that the Bonds, and the premium, if any, and interest thereon, shall be special obligations of the Agency and shall never be a debt of the State of New York, the County of Essex nor any political subdivisions thereof (other than the Agency), and neither the State of New York, the County of Essex nor any political subdivisions thereof (other than the Agency) shall be liable thereon.

Section 2. The Board of Supervisors reserves the right to approve any payment in lieu of taxes agreement with respect to real property taxes, if applicable, and hereby approves the abatement of the New York State mortgage recording tax and New York State sales and use tax, so long as the Project is acquired by the Agency or under its jurisdiction or control or supervision, upon its activities.

Section 3. This bond resolution shall take effect immediately.

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

AYES:	2,306	votes	
NOES:	0	votes	
ABSENT:	537	votes	(Canon, French, Douglas, Moses)

Resolution No. 92

March 5, 2007
Regular Board Meeting

**RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO
PURCHASE A LOW BAND BASE RADIO FOR WELLS HILL RADIO**

COMMUNICATIONS AT A COST NOT TO EXCEED \$13,000

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

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

WHEREAS, the Department of Public Works is experiencing problems with mobile connections at the Wells Hill property necessitating the purchase of a low band base at a cost not to exceed \$13,000.00 of budgeted funds.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Department of Public Works to purchase a Low Band Base for Wells Hill radio communications.

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

AYES:	2,306	votes	
NOES:	0	votes	
ABSENT:	537	votes	(Canon, French, Douglas, Moses)

Resolution No. 93

March 5, 2007
Regular Board Meeting

RESOLUTION RENDERING A DECISION ON A COMPLAINT UNDER THE ESSEX COUNTY AFFIRMATIVE ACTION/EQUAL OPPORTUNITY ACTION PLAN

The following resolution was offered by Supervisor Merrihew, 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 renders and adopts the decision (designated number 1-AA-07) filed this date with the Clerk of the Board

on a complaint dated September 26, 2006 under the Affirmative Action/Equal Opportunity Action Plan; and

BE IT FURTHER RESOLVED, that due to the confidential nature of the matters alleged in the complaint, and in order to preserve and protect personal privacy, all documents and materials relating to the complaint, its investigation, and this Board's decision are hereby determined to be confidential and non-disclosure to any and all persons other than the parties involved, the Essex County Attorney and certain County Officials having responsibilities for investigation decision; and

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby directed to furnish a certified copy of this resolution and the decision to the parties involved, the Personnel Officer, and the County Manager.

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

AYES:	2,200	votes	
NOES:	0	votes	
ABSENT:	537	votes	(Canon, French, Douglas, Moses)
ABSTAIN:	106	votes	(Morency)