

Resolution No. 60

March 3, 2008
Regular Board Meeting

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

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby accepts and places on file the following:

1. From the Public Safety Committee:

- (a) The 2007 Weights and Measures Annual Report.

2. From the Department of Public Works Committee:

- (a) The 2007 Annual Report of the Department of Public Works.

3. From the Economic Development Committee:

- (a) The 2007 Cornell Cooperative Extension Annual Report.

4. From the Finance Committee:

- (a) The 2007 Annual Accounting of the Office of the Essex County Clerk.
- (b) The 2007 Real Property Tax Service Annual Report.

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

Resolution No. 61
AMENDED

March 3, 2008
Regular Board Meeting

RESOLUTION AUTHORIZING THE ESSEX COUNTY DISTRICT

**ATTORNEY AND ESSEX COUNTY SHERIFF AND THEIR
RESPECTIVE OFFICES TO EXPEND AND USE FORFEITURE
ACCOUNT FUNDS WITHOUT BOARD APPROVAL FOR ALL
SUCH EXPENDITURES**

The following resolution was offered by Supervisor Morency, 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, the Essex County District Attorney's office and the Essex County Sheriff's office maintain dedicated accounts of the general fund which contain forfeiture monies which funds are held by the County Treasurer as custodian; and

WHEREAS, although these funds are general fund revenues, they are dedicated solely for the use of the Essex County District Attorney's office and the Essex County Sheriff's office as claiming authorities/agents for law enforcement purposes and/or prosecution services; and

WHEREAS, the expenditure of County revenues, including these dedicated general fund revenues, requires either a resolution of the Essex County Board of Supervisors or, in the event that the funds to be expended are less than \$5,000, the consent of the Essex County Manager; and

WHEREAS, often times forfeiture funds are used for purposes and purchases that are confidential and should not be immediately disclosed to the public such as the payments to confidential informants, use of monies for drug buys and undercover investigations; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County District Attorney and the Essex County Sheriff and their respective offices to expend and use forfeiture account funds without seeking Board approval or approval from the Essex County Manager, for all such forfeiture account expenditures subject, however, to the competitive bidding laws of the State of New York, and to the existing Essex County procurement policy which shall continue to apply to all purchases made with forfeiture funds.

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

Resolution No. 62

March 3, 2008
Regular Board Meeting

**RESOLUTION OPPOSING THE IBERDROLA-EAST ENERGY
CORPORATION MERGER UNTIL IT IS PROVEN TO THE
NEW YORK STATE PUBLIC SERVICE COMMISSION
THAT IT WILL NOT BE DETRIMENTAL TO
THE PEOPLE SERVED
BY NEW YORK STATE ELECTRIC & GAS**

The following resolution was offered by Supervisor Blades, 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, Iberdrola, S.A. has petitioned the New York State Public Service Commission to acquire Energy East Corporation, New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation by merger; and

WHEREAS, the New York State Public Service Commission is conducting hearings and opportunities for public comment regarding this request for a merger; and

WHEREAS, staff of the New York State Public Service, in testimony, have stated that the merger would not benefit customers economically, unless the PSC orders rate decreases; would discourage wind energy investments, unless the PSC bars the companies from owning generating plants in New York; and that PSC would require additional markets to protect NYSEG and Rochester Gas & Electric customers from the financial risks of Iberdrola other businesses.

BE IT RESOLVED that the Essex County Board of Supervisors hereby opposes the acquisition and merger by Iberdrola, S.A. of Energy East Corporation, New York State Electric & Gas Corporation and Rochester Gas & Electric Corporation until the New York State Department of Public Service is satisfied that this merger is in the best interest of the public.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the New York State Public Service Commission.

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

Resolution No. 63

March 3, 2008
Regular Board Meeting

**RESOLUTION IN OPPOSITION TO THE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION'S PROPOSED BAN ON
ALL OPEN BURNING**

The following resolution was offered by Supervisors McSweeney and Preston, 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, it has come to the attention of this Board that the New York State Department of Environmental Conservation is proposing a ban on all open burning; and

WHEREAS, currently residents of the town and the towns themselves are able to burn brush provided, and on condition, that they obtain a permit from the New York State Department of Environmental Conservation; and

WHEREAS, should the New York State Department of Environmental Conservation and the New York State Legislature ban all open burning, residents of the County and the towns will be precluded from burning brush which will cause residents and the towns additional, undue and unnecessary expense in securing alternative means of brush disposal.

BE IT RESOLVED that the Essex County Board of Supervisors hereby opposes any ban on the open burning of brush or other wood materials and supports the current practice allowed through the permit process; 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 the New York State Department of Environmental Conservation, Governor Eliot Spitzer, New York Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver, Assembly Minority Leader James Tedisco, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 64

March 3, 2008

Regular Board Meeting

RESOLUTION SUPPORTING AND URGING ALL RETAIL STORES LICENSED TO SELL TOBACCO PRODUCTS TO TAKE VOLUNTARY STEPS TO REDUCE THE SIZE AND NUMBER OF TOBACCO ADVERTISING AND PROMOTIONAL DISPLAYS THAT ARE VISIBLE INSIDE AND OUTSIDE THE STORE

The following resolution was offered by Supervisor Blades, 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, each day in the U.S., about 4,000 youth try their first cigarette and each day another 1,000 kids under 18 years of age become new regular daily smokers; and

WHEREAS, retail cigarette advertising increases the likelihood that youth will initiate smoking; and

WHEREAS, youth perceive easier access to tobacco products at stores with tobacco advertising; and

WHEREAS, an estimated one third of adolescent experimentation with smoking can be directly attributed to tobacco advertising and promotional activities; and

WHEREAS, three fourths of teens visit a convenience store at least once a week; and

WHEREAS, teens are more likely to be influenced to smoke by cigarette advertising than by peer pressure; and

WHEREAS, a 2007 survey conducted for *Adirondack Tobacco Free Network* in the counties of Clinton, Essex and Franklin indicated that more than half of adults surveyed believe tobacco advertising should not be allowed on the outside of stores and almost 40% believe that tobacco advertising should not be allowed inside stores; and

WHEREAS, these numbers increase to over 70% opposed to outside advertising and over 55% opposed to inside advertising when a store is located within 1,000 feet of a school; and

WHEREAS, the Essex County Board of Supervisors recognizes a responsibility to protect the health and safety of its citizens and youth;

BE IT RESOLVED that the Essex County Board of Supervisors urges all retail stores

licensed to sell tobacco products to take voluntary steps to reduce the size and number of tobacco advertising and promotional displays that are visible from outside the store to a minimum which is reasonable to convey to customers who currently use tobacco, the message that the store sells tobacco products; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors urges all retail stores licensed to sell tobacco products to take voluntary steps to reduce the size and number of tobacco advertising and promotional displays that are visible inside the store to a minimum which is reasonable to convey to customers who currently use tobacco, information about brands and products available for sale, and current pricing for those products.

This resolution was seconded by Supervisors Politi and Preston, and duly adopted.

Resolution No. 65

March 3, 2008
Regular Board Meeting

RESOLUTION AMENDING THE 2008 ESSEX COUNTY BUDGET

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2008 Essex County Budget as follows:

1. From the Human Services Committee:

(a) For the Social Services Department, increase revenues and appropriations by \$4,291.00 from TANF Domestic Violence unused funds from 2006 grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010-44609	Federal Aid - Admin	\$4,291.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6109487 5487	Family Assistance	\$4,291.00

(b) For the Social Services Department, increase revenues and appropriations by \$21,886.00 from TANF Domestic Violence rollover funds from 2007 grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010 44609	Federal Aid - Admin	\$21,886.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6109487 5487	Family Assistance	\$21,886.00

2. From Department of Public Works Committee

(a) For the DPW-Highway Department, increase revenues and appropriations by \$2,152.74 from sale of tires to Serkil.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5130.4265520	Highway	\$2,152.74

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51304.5464	Road Machinery	\$2,152.74

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

RESOLUTION TO REMOVE THE COVERED BRIDGE AND PORTIONS OF COUNTY ROUTE 82 (ALSO KNOWN AS MILL HILL ROAD, BRICK STORE LANE, COVERED BRIDGE LANE) AND COUNTY ROUTE 64 (ALSO KNOWN AS RANDY'S LANE) FROM THE COUNTY INVENTORY, A TOTAL OF .81 MILES; THE BRIDGE AND ROAD SECTIONS SHALL THEN REVERT TO THE TOWN FOR MAINTENANCE AND ADDING SECTIONS OF GLEN ROAD AND STICKNEY BRIDGE ROAD, A TOTAL OF .80 MILES, ADDED TO THE COUNTY INVENTORY, AS A RESULT OF THE COVERED BRIDGE PROJECT

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

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

WHEREAS, the Essex County Superintendent of the Department of Public Works has recommended the removal of the Covered Bridge and portions of County Route 82 (a/k/a Mill Hill Road, Brick Store Lane, Covered Bridge Lane) and County Route 64 (a/k/a Randy's Lane) which total .81 miles from the County road inventory and County road system and that these roads revert to the Town of Jay to be maintained by the town in the same manner as other town highways; and

WHEREAS, the Essex County Department of Public Works Superintendent has also recommended that sections of Glen Road and Stickney Bridge Road, totaling .80 miles be added to the County inventory as a result of the Covered Bridge project.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves the removal of the Covered Bridge and portions of County Route 82 (a/k/a Mill Hill Road, Brick Store Lane, Covered Bridge Lane) and County Route 64 (a/k/a Randy's Lane) totaling .81 miles from the County road inventory and County road system and that the same revert to the Town of Jay to be maintained by the town in the same manner as other town highways, and hereby directs the Essex County Department of Public Works Superintendent and Essex County Attorney to comply with all necessary provisions of New York State Law and the New York State Highway Law to effectuate this removal; and

BE IT FURTHER RESOLVED, that sections of Glen Road and Stickney Bridge Road, which total .80 miles be added to the County road inventory, as a result of the Covered Bridge Project and hereby directs the Essex County Department of Public Works Superintendent and Essex County Attorney to comply with all necessary provisions of New York State Law and the New York State Highway Law to effectuate this removal.

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

Resolution No. 67

March 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PROBATION DEPARTMENT
TO OCCUPY THE SPACE VACATED BY
THE SHERIFF'S CIVIL OFFICES**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Probation Department to occupy and use the space vacated by the Essex County Sheriff's Department Civil Offices.

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

Resolution No. 68
AMENDED

March 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING RE-APPOINTMENTS TO THE OCCUPANCY TAX
ADVISORY COMMITTEE**

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

Upon the recommendation of the Economic Development/Planning/Publicity 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 re-appoints Bert Yost, Debra Malaney and Rick Dodge to the Occupancy Tax Advisory Committee each for a three-year term beginning March 1, 2008 and ending on December 31, 2011; and re-appoints Mike McGlynn, Cristina Lussi and Heidi

Holderied to the Occupancy Tax Advisory Committee each for a two-year term beginning March 6, 2008 and ending March 6, 2010; and re-appoints Naj Wikoff to the Occupancy Tax Advisory Committee each for a one-year term beginning April 1, 2008 and ending April 1, 2009.

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

Resolution No. 69

March 3, 2008
Regular Board Meeting

**RESOLUTION EXEMPTING ELECTION WORKERS FROM PRE-EMPLOYMENT
PHYSICALS AND DRUG/ALCOHOL TESTING**

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

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

WHEREAS, all employees other than elected officials are currently required to undergo a pre-employment physical and pre-employment drug/alcohol test prior to being hired and paid; and

WHEREAS, it would be impractical and cost prohibitive to require all election workers to obtain pre-employment physicals and drug/alcohol testing before performing their duties at Primary and General Elections.

BE IT RESOLVED that the Essex County Board of Supervisors hereby exempts all election workers including, but not limited to, clerks, voting machine technicians, custodians, election inspectors, poll clerks and election coordinators from pre-employment physicals and pre-employment drug/alcohol testing as condition of their employment as, to do so, would be cumbersome, impractical and cost prohibitive.

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

AYES:	2,348	votes	
NOES:	0	votes	
ABSENT:	495	votes	(Ferebee, Jackson, Scozzafava)

Resolution No. 70

March 3, 2008
Regular Board Meeting

**RESOLUTION OFFICIALLY INVITING THE CSEA TO PARTICIPATE IN THE
PROCESS OF REVISIONS TO THE COUNTY'S ADOPTED DRUG AND ALCOHOL
POLICY**

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

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

WHEREAS, it has been determined that the current Essex County Drug and Alcohol Policy needs to be supplemented and revised; and

WHEREAS, as the revision of Essex County's Drug and Alcohol Policy is a mandatory subject for negotiation, it is necessary that Essex County and CSEA address these issues and negotiate in good faith; and

WHEREAS, in order to place this issue before CSEA, it is necessary to officially invite them during the negotiating process to consider revisions to the County's adopted Drug and Alcohol Policy.

BE IT RESOLVED that the Essex County Board of Supervisors hereby officially invites CSEA to participate in mandatory negotiation and the process of revision to the Essex County Drug and Alcohol Policy and authorizes its Personnel Director and County Attorney to propose the requested revisions.

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

AYES:	2,348	votes	
NOES:	0	votes	
ABSENT:	495	votes	(Ferebee, Jackson, Scozzafava)

Resolution No. 71

March 3, 2008
Regular Board Meeting

**RESOLUTION ENCOURAGING THE TRUDEAU HEALTH SYSTEM GROUP TO
NEGOTIATE WITH EMPIRE DIRECT HMO**

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

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

WHEREAS, it has come to the attention of this Board that the Trudeau Health System, which is comprised of approximately fifty doctors in the Saranac Lake area and at the Adirondack Medical Center, do not participate in the Empire Blue HMO; and

WHEREAS, because of this failure to participate, many Essex County employees, primarily located in North Elba, St. Armand, Wilmington and Jay, are limited in their access to Tri-Lakes doctors; and

WHEREAS, this Board recognizes the importance of access to these doctors for the employees of Essex County and their families.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly urges and encourages the Trudeau Health System Group to negotiate with Empire Direct HMO and become a participant so that Essex County employees living in North Elba, St. Armand, Wilmington, Jay and other areas have access to these Tri-Lakes doctors as participants with Empire Direct HMO; and

BE IT FURTHER RESOLVED, that this Board authorizes its Personnel Director to formally request of the Trudeau Health Group that they consider and investigate such participation.

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

Resolution No. 72

March 3, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING A WORK CHANGE ORDER WITH TWIN
STATE/VOICE DATA/VIDEO FOR THE PURCHASE OF
NEW IP PHONE SETS AND ASSOCIATED DEVICES AND
USER LICENSES, FOR THE ESSEX COUNTY COURT SYSTEM,
AT A COST OF \$13,969.00,
SUCH COSTS TO COME FROM THE PHONE PROJECT**

The following resolution was offered by Supervisor Morency, 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 authorizes a work change order with Twin State/Voice Data/Video for the purchase of new IP phone sets and associated devices and user licenses for the Essex County Court System at a cost of \$13,969.00, with such costs to come from the phone project and further authorizes its County Chairwoman and/or County Manager to execute said change order.

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

AYES:	2,348	votes	
NOES:	0	votes	
ABSENT:	495	votes	(Ferebee, Jackson, Scozzafava)

Resolution No. 73

March 3, 2008
Regular Board Meeting

**RESOLUTION APPROVING THE ISSUANCE OF CERTAIN
TAX-EXEMPT ENVIRONMENTAL IMPROVEMENT REVENUE
BONDS BY THE ESSEX COUNTY INDUSTRIAL
DEVELOPMENT AGENCY TO FINANCE 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 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 bonds in the principal amount not to exceed \$3,800,000 (the "Bonds") in order to finance all or a portion of the costs of acquisition, construction, installation and equipping of the Project (as described herein); (ii) to acquire, construct, install and equip the Project, or to cause the Project to be acquired, constructed, installed and equipped; and (iii) 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 "Project" consists of the following: (A) the acquisition, construction, installation and equipping of certain industrial pollution control facilities, including sewage and solid waste disposal facilities, at the Company's Ticonderoga Mill, Essex County, New York; (B) the financing of a portion of the costs of the foregoing by the issuance of the Bonds; (C) the granting of certain other financial assistance with respect to the Project, which other financial assistance shall consist solely of the exemption from sales tax of purchases or materials for and components of the Project; and (D) the lease (with obligation to purchase) or sale of the Project to the Company; 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 environmental improvement revenue bonds from time to time in a principal amount sufficient to fund all or a portion of the cost of acquiring, constructing, installing and equipping the Project, together with incidental costs in connection therewith, which aggregate principal amount not to exceed \$3,800,000; 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 for 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 25, 2008 following reasonable public notice and adopted a bond resolution authorizing the Bonds at a meeting of the Agency held on January 15, 2008; and

WHEREAS, the Agency proposes to issue the Bonds in the aggregate principal amount not to exceed \$3,800,000; 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. The Board of Supervisors reserves the right to approve the payment in lieu of taxes agreement with respect to real property taxes, if applicable, and hereby approves the abatement of 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.

Section 3. This resolution shall take effect immediately.

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

AYES:	2,348 votes	
NOES:	0 votes	
ABSENT:	495 votes	(Ferebee, Jackson, Scozzafava)

Resolution No. 74

March 3, 2008
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
HOWARD C. DRINKWINE, SR.**

The following resolution was offered by Supervisor Connell, pursuant to request of Supervisor Scozzafava, 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 C. Drinkwine, Sr. passed away on February 6, 2008; and

WHEREAS, Howard C. Drinkwine, Sr. was born on December 31, 1930, in Mineville, New York, the son of Kenneth and Louise (Sherman) Drinkwine; and

WHEREAS, Howard C. Drinkwine, Sr. served in the U.S. Air Force having been honorably discharged in 1953; and

WHEREAS, Howard C. Drinkwine, Sr. was the last engineer for the Lake Champlain & Moriah Railroad (LC&M) and retired from Republic Steel in 1983; and

WHEREAS, Howard C. Drinkwine, Sr. is survived by his wife Marie (Podmore) Drinkwine, daughters Luanne Dickinson and Lisa Trappaso, sons Howard C. Drinkwine, Jr. and Craig Drinkwine and stepson Robert Podmore; and

WHEREAS, Howard C. Drinkwine, Sr. is survived by his grandchildren; Matthew and Nathan Dickinson; Gregory Drinkwine, Laura Wileczka, Ryan and Cory Trepasso; Robert, John and Trevor Drinkwine.

WHEREAS, Howard C. Drinkwine, Sr. was a loving father, stepfather, grandfather and friend who will be sorely missed but never forgotten; and

WHEREAS, Howard C. Drinkwine, Sr. was the father of Luanne Dickinson a long-time employee with the Essex County Office of Real Property and Lisa Trepasso an employee of the Essex County Department of Social Services.

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 Howard C. Drinkwine, Sr.; and

BE IT FURTHER RESOLVED, that this Resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to the Drinkwine family.

This resolution was unanimously seconded and adopted.

**RESOLUTION EXTENDING THE DEADLINE
FOR INDIVIDUALS TO FILE RENEWAL APPLICATIONS FOR
THE AGED EXEMPTION
FROM MARCH 1, 2008 TO APRIL 1, 2008**

The following resolution was offered by Supervisor Dobie, 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, by Resolution No. 59 of 2008, this Board providing for an increase of the maximum income eligibility level for persons 65 years of age or older entitled to real property tax exemption under RPTL §467 from \$22,000 to \$25,000; and

WHEREAS, the deadline for individuals seeking to take advantage of this increase and to renew their application for such aged exemption is March 1, 2008; and

WHEREAS, this Board desires to extend the date for the submission of renewal applications by aged persons who wish to take advantage of this exemption from March 1, 2008 to April 1, 2008.

BE IT RESOLVED that the Essex County Board of Supervisors hereby desires to extend the date for the submission of renewal applications by aged persons who wish to take advantage of this exemption from March 1, 2008 to April 1, 2008.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors encourages all towns and assessors in Essex County to likewise extend the date for the filing of such renewal applications up and to April 1, 2008.

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

**RESOLUTION AUTHORIZING A CONTRACT WITH WELLS
COMMUNICATIONS TO REMOVE AND REINSTALL RADIO
EQUIPMENT FROM THE OLD JAIL INTO THE NEW PUBLIC
SAFETY FACILITY, AT A COST OF \$15,640.00**

The following resolution was offered by Supervisor Morrow, 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 contract with Wells Communications to remove and reinstall the radio equipment from the old jail into the new Public Safety Facility, at a cost of \$15,640.00 and hereby authorizes its County Chairwoman and/or County Manager to execute said contract after review by the County Attorney.

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

Resolution No. 77

March 3, 2008
Regular Board Meeting

**RESOLUTION OPPOSING THE PROPOSED AMENDMENT TO
THE REAL PROPERTY TAX LAW REGARDING THE
REPLACEMENT OF ELECTED ASSESSORS WITH
APPOINTED ASSESSORS BY JANUARY 1, 2012**

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

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

WHEREAS, the 2008-2009 Governor's Executive Budget Proposal seeks to amend the Real Property Tax Law and the Village Law to authorize the State Board of Real Property Services to prescribe a Uniform Assessment Code and replace elected assessors with appointed assessors by January 1, 2012; and

WHEREAS, the Essex County Board of Supervisors opposes the replacement of elected assessors with appointed assessors, as elected assessors in the County of Essex have been doing an exemplary job and their tenure is controlled by the electorate of the County;

BE IT RESOLVED that the Essex County Board of Supervisors hereby opposes the proposed amendment to the Real Property Tax Law contained in the 2008-2009 Governor's Executive Budget Proposal which seeks to replace elected assessors with appointed assessors.

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and

directed to immediately send certified copies of this resolution to: Governor Eliot Spitzer; New York State Senate Majority Leader Joseph L. Bruno; Senator Elizabeth O'C. Little; Assembly Speaker Sheldon Silver; Assembly Minority Leader James N. Tedisco; and Assembly Members Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 78

March 3, 2008
Regular Board Meeting

**RESOLUTION IN OPPOSITION TO THE GOVERNOR'S
PROPOSED CUTS TO COUNTY NURSING HOMES AS
CONTAINED IN THE GOVERNOR'S BUDGET FOR 2008-09**

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

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

WHEREAS, Governor Eliot Spitzer's 2008-09 Executive Budget proposes drastic cuts in funding to both private and public nursing homes throughout New York State; and

WHEREAS, as part of the Governor's budget, public nursing home facilities will be made ineligible for financially disadvantaged facility funding resulting in a loss to the Horace Nye Nursing Home of approximately \$400,000.00; and

WHEREAS, the Governor's budget also seeks to reduce the trend factor percentage from 2.3% to .0057% resulting in a loss to the Horace Nye Nursing Home of \$21,954.00; and

WHEREAS, the Governor's budget also eliminates the new reimbursement methodology or rebasing for the year 2007 which results in a loss to the Horace Nye Nursing Home of \$350,991.00; and

WHEREAS, the Governor's budget will also delay rebasing for the year 2008 which will result in a loss to the Horace Nye Nursing Home in the amount of \$85,846.00; and

WHEREAS, these budget provisions will result in a total loss for the Horace Nye Nursing Home of \$858,791.00 and will result in a loss of approximately \$2.3 million for the three North Country public nursing home facilities in our area; and

WHEREAS, these cuts may well result in the closing of small public nursing home facilities and will have a debilitating financial effect on Essex County and the Horace Nye Nursing Home if the County of Essex is forced to supplement and fund this loss of revenue.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly opposes the provisions of Governor Eliot Spitzer's 2008-09 Budget which reduce funding for private nursing homes and, more specifically, to the Horace Nye Nursing Home, in the approximate amount of \$858,791.00 and urges Governor Spitzer and our elected officials to remove these provisions from the proposed budget in order to provide for and protect those in our communities which are unable to provide for themselves; and

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this Resolution to: Governor Eliot Spitzer, New York Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver, Assembly Minority Leader James Tedisco, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 79

March 3, 2008
Regular Board Meeting

**RESOLUTION HONORING MARY GARCIA FROM THE TOWN OF
NORTH HUDSON UPON HER RECEIPT OF THE VIOLET RICHARDSON AWARD
IN RECOGNITION OF HER
OUTSTANDING VOLUNTEER WORK WHICH INCLUDES HER
RECENT MISSION OF HOPE TRIP TO NICARAGUA**

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.

WHEREAS, Mary Garcia, of North Hudson, New York, a Junior at Schroon Lake Central School, was recently awarded the Violet Richardson Award, presented by the Adirondack Chapter of the Soroptimists for her selfless and outstanding volunteer work in her community as well as for her recent Mission of Hope trip to Nicaragua; and

WHEREAS, the North Country Mission of Hope began in 1999 as a response to the effects of Hurricane Mitch in Nicaragua; and

WHEREAS, since 1999, the North Country Mission of Hope has taken students and adults, all under the direction of Sister Debbie Blow, to help the people of Nicaragua with education, health care, nutrition, water, and community development projects; and

WHEREAS, four years ago, after hearing about the Mission of Hope in her home parish, a spark was lit for a little girl named Mary Garcia, for whom a trip to Nicaragua became an important goal in her life; and

WHEREAS, in 2007, Mary began to bring her dream to fulfillment. She became an active part in the preparation for the February Mission Trip, in addition to her busy school schedule and her extra-curricular activities as a soccer player, cheerleader, golfer, performer, a volunteer as a soup kitchen worker as well as having worked in a nursing home in Ticonderoga; and

WHEREAS, Mary has also participated on three different occasions as part of the Thirty-Hour Famine, a fund raiser where sponsored participants forego eating for thirty hours; and

WHEREAS, Mary, on her own, applied for and received an award from Soroptimists of the Adirondacks amounting to \$250.00 for the Mission of Hope and \$250.00 for her own expenses, of which she decided to give all of it to the Mission to build a house for a needy family; and

WHEREAS, Mary raised over \$1,500.00 beyond her own expenses to build a house for a family in Nicaragua, to feed Nicaraguan children in the school, and to contribute to the Mission as a whole; and

WHEREAS, while in Nicaragua, like the other members of the Mission, she worked with the poor and needy, helping out in any way she could; and

WHEREAS, Mary is the niece of our Essex County Clerk, Joseph Provoncha.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby honors and applauds Mary Garcia for her selfless and outstanding work including her recent Mission of Hope trip to Nicaragua and congratulates her upon the receipt of the Violet Richardson Award, presented by the Adirondack Chapter of the Soroptimists.

This resolution was unanimously seconded, and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ETTA LOVETT CORNWRIGHT**

The following resolution was offered by Supervisor Blades, 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, Etta Lovett Cornwright of Lewis, New York passed away on February 20, 2008; and

WHEREAS, Etta Cornwright was a licensed practical nurse who worked for local doctors up until her marriage to George Cornwright in 1941; and

WHEREAS, Etta Cornwright was a member of the Lewis Congregational Church where she served as a Sunday school teacher, church clerk and president of the Woman's Fellowship; and

WHEREAS, Etta Cornwright was also school tax collector for the Elizabethtown-Lewis Central School for 16 years as well as an election inspector for the Town of Lewis for 55 years; and

WHEREAS, Etta Cornwright is survived by her son, George Edward Cornwright of Lewis; a sister-in-law, Barbara Coolidge; a niece, Carolyn Minard; a nephew and wife, Charles and Laurain Coolidge and several cousins; and

WHEREAS, Etta Lovett Cornwright was a loving spouse, mother, sister, aunt and friend who will be sorely missed;

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 Etta Lovett Cornwright; 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 Cornwright family.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
FOR SECTION 5311 FUNDS**

The following resolution was offered by Supervisor Douglas, 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, Essex County has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for a project described as Mass Transportation Capital Agreement/2008; and

WHEREAS, the County of Essex and the State of New York are entering into an Agreement which authorizes the undertaking of the Project and payment of the Federal and State Shares for the project in an amount not to exceed \$694,700.00.

BE IT RESOLVED that the Essex County Manager and/or the Chairman of the Essex County Board of Supervisors is authorized to sign:

1. Any and all Agreements between Essex County and the State of New York for the above named project.
2. Any and all Agreements between Essex County and any third party subcontractors necessary to complete the Project.
3. Any and all Agreements between Essex County and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities; and

BE IT FURTHER RESOLVED that Essex County certifies through this Resolution that it will provide the estimated local share of at least ten percent (10%) of the total project cost.

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

Resolution No. 82

March 3, 2008
Regular Board Meeting

RESOLUTION TO ACCEPT A GRANT IN THE AMOUNT OF \$694,700.00 FROM FEDERAL SECTION 5311 CAPITAL PROGRAM FUNDS, AUTHORIZING A TRANSFER OF \$23,140.00 FROM THE CONTINGENCY ACCOUNT INTO THE TRANSPORTATION ACCOUNT TO COVER THE COUNTY'S MATCH, AND AMENDING THE BUDGET IN THE TRANSPORTATION DEPARTMENT BY INCREASING REVENUES AND APPROPRIATIONS BY \$592,500.00

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts a grant in the amount of \$694,700.00 from the federal section 5311 capital program funds, authorizes a transfer of \$23,140.00 from the contingency account (19904-5487) into the transportation account (5630 42801) to cover the County's match, and amends the budget in the transportation department by increasing revenues and appropriations by \$592,500.00 as follows:

For the Transportation Department, increase revenues and appropriations by \$592,500.00 from Federal Section 3511 Capital Program Funds from 2008 grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4175032	Champ ORDA	\$ 22,110
4175033	Champ LPV	\$ 14,000

43089123	SA Bus Purchase	\$ 58,960
44089123	FA Bus Purchase	\$471,680
43089124	SA Signs	\$ 290
44089124	FA Signs	\$ 2,320
5630 42801	Contingency	\$ 23,140

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
56302 5230	ORDA Bus Purchase	\$221,100
56302 230	Auto Equipment	\$140,000
56302 5230	LPV Bus Purchase	\$228,500
52602 5400	Inventory	\$ 2,900

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

AYES: 2,348 votes
NOES: 0 votes
ABSENT: 495 votes (Ferebee, Jackson, Scozzafava)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 2/4/08:</i>	\$416,500.00
<i>Reduction Impact of this resolution:</i>	\$ 23,140.00
<i>FY2008 Contingent Account Balance:</i>	\$393,360.00

Resolution No. 83

March 3, 2008
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
SCHROON LAKE CENTRAL SCHOOL
BOYS AND GIRLS VARSITY BASKETBALL TEAMS
ON CAPTURING THE MOUNTAIN VALLEY ATHLETIC
CONFERENCE LEAGUE CHAMPIONSHIPS**

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

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

WHEREAS, this Board of Supervisors is pleased to learn that the Schroon Lake Boys Varsity Basketball Team has won the 2007-2008 MVAC League Championship; and

WHEREAS, this Board of Supervisors is pleased to learn that the Schroon Lake Girls Varsity Basketball Team has also won the 2007-2008 MVAC League Championship; and

WHEREAS, this is the first time in school history that both the Boys and Girls Varsity Basketball Teams have won the MVAC League Championship in the same year.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, and County Attorney do hereby congratulate the Schroon Lake Boys Varsity Basketball Team, their coaches, assistants and fans for their outstanding accomplishments, including, but not limited to, earning the title of 2007-2008 MVAC League Champs; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, and County Attorney do hereby congratulate the Schroon Lake Girls Varsity Basketball Team, their coaches, assistants and fans for their outstanding accomplishments, including, but not limited to, earning the title of 2007-2008 MVAC League Champs.

This resolution was unanimously seconded and adopted.

Resolution No. 84

March 3, 2008
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
FRANCIS JOSEPH SCOZZAFAVA**

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

WHEREAS, Francis J. Scozzafava passed away on February 27, 2008; and

WHEREAS, Francis J. Scozzafava was born on October 9, 1919, in Port Henry, New York, the son of Joseph and Rosa (Ross) Scozzafava; and

WHEREAS, as a young man, Francis J. Scozzafava was an excellent football player, playing the position of fullback for Port Henry High School and Syracuse University; and

WHEREAS, Francis J. Scozzafava served his country in the U.S. Army during World War II; and

WHEREAS, Francis J. Scozzafava was a well known and well liked bartender known throughout the North Country as a man of wit, a gentleman and friend to all ; and

WHEREAS, Francis J. Scozzafava owned and operated the Monopole in Port Henry, New York; and

WHEREAS, Francis J. Scozzafava worked for Republic Steel, The Lake Champlain & Moriah Railroad, and in the construction industry and was a member of the Local 186 Laborers Union; and

WHEREAS, Francis J. Scozzafava worked during his retirement years at the Town of Moriah Country Club and at the Crown Point Historic Site as groundskeeper and in maintenance until the age of 87; and

WHEREAS, Francis J. Scozzafava enjoyed visiting with people and was an avid train buff, having volunteered for years at the Port Henry train station and was issued an award in 2006 from RSVP in recognition of his service; and

WHEREAS, Francis J. Scozzafava was married to the late June (Rand) Scozzafava and together they raised their sons; Frank, Joseph, Mark and Thomas Scozzafava, and a daughter, Margret (Bunny) Pilger; and

WHEREAS, Francis J. Scozzafava is survived by his grandchildren; Brenda Muir, Jay Pilger, Brenda Lapierre, Melissa Rodriguez, Michelle Genier, Rosemary Scozzafava, Olivia Scozzafava and Justin Scozzafava; 12 great grandchildren and his brother Thomas; and

WHEREAS, Francis J. Scozzafava was the father of Thomas R. Scozzafava, the current Supervisor for the Town of Moriah and member of the Essex County Board of Supervisors; and

WHEREAS, Francis J. Scozzafava was a loving son, husband, father, grandfather, brother, uncle and friend who will be sorely missed but 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 condolences to the family of Francis J. Scozzafava; 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 Scozzafava family.

This resolution was unanimously seconded and adopted.

Resolution No. 85

March 3, 2008
Regular Board Meeting

**RESOLUTION EXTENDING THE CONTRACT WITH
LAMELL LUMBER CORPORATION FROM JANUARY 1, 2008 THROUGH
SEPTEMBER 30, 2009**

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 agrees to extend the term of the contract with Lamell Lumber Corporation for the cutting of lumber located in the Town of Essex to and through September 30, 2009 with all other terms and conditions of the original contract to remain in full force and effect.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairwoman and/or County Manager to sign this extension.

This resolution was seconded by Supervisors Morrow and French, and duly adopted.

Resolution No. 86

March 3, 2008
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
TICONDEROGA CENTRAL SCHOOL
BOYS VARSITY BASKETBALL TEAM
ON BEING SECTION VII, CLASS C CHAMPIONS**

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

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

WHEREAS, this Board of Supervisors is pleased to learn that the Ticonderoga Central School Boys Varsity Basketball Team has won the 2007-2008 Section VII, Class C Championship by defeating Seton Catholic; and

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, and County Attorney do hereby congratulate the Ticonderoga Central School Sentinel Boys Varsity Basketball Team, their coach, Dan Dorsett and his assistants and staff for their outstanding accomplishments, including, but not limited to, earning the title of 2007-2008 Section VII, Class C Champions.

This resolution was unanimously seconded and adopted.

Resolution No. 87

March 3, 2008
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
WESTPORT CENTRAL SCHOOL
BOYS VARSITY BASKETBALL TEAM
ON BEING SECTION VII, CLASS D CHAMPIONS**

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

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

WHEREAS, this Board of Supervisors is pleased to learn that the Westport Central School Boys Varsity Basketball Team has won the 2007-2008 Section VII, Class D Championship; and

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, and County Attorney do hereby congratulate the Westport Central School Boys Varsity Basketball Team, their coach, Brad Rascoe and his assistants and staff for their outstanding accomplishments, including, but not limited to, earning the title of 2007-2008 Section VII, Class D Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 88

March 3, 2008
Regular Board Meeting

**RESOLUTION AMENDING RESOLUTION NO. 436 OF DECEMBER 27, 2007
ENTITLED RESOLUTION AUTHORIZING A CONTRACT WITH BARTON &
LOGUIDICE, P.C. RELATIVE TO CONSULTING WORK IN THE SEQRA
EVALUATION AND DETERMINATION OF THE OTIS BRIDGE PROJECT IN
ELIZABETHTOWN**

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, this Board passed Resolution No. 436 on December 27, 2007, authorizing a contract with Barton & Loguidice, P.C. in an amount not to exceed \$3,800.00 for SEQRA consulting work; and

WHEREAS, it has been determined that a long Environmental Assessment Form (EAF) with appropriate documentation will need to be completed in order to satisfy the law's requirement that the County has taken a hard look at various alternatives; and

WHEREAS, the original contract had a ceiling not to exceed \$3,800.00; and

WHEREAS, because of the additional SEQRA work required, the contract ceiling has increased to \$7,900.00.

BE IT RESOLVED, that this Board has determined that this environmental/engineering work with respect to SEQRA is preliminary and needed in order to determine the environmental impacts this project may present and it does not commit the County to proceed in any affirmative action and, is therefore designated as a Type II Action under SEQRA;

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby amends Resolution No. 436 of December 27, 2007 and hereby authorizes its County Chairwoman and/or County Manager to amend the existing contract with Barton & Loguidice, P.C. to change the amount of the ceiling from \$3,800.00 to \$7,900.00 pursuant to the hourly rate schedule for 2008 given the County upon such terms and conditions as are determined by the County Attorney with funds to come from the County Bridge fund.

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

AYES:	2,238	votes	
NOES:	0	votes	
ABSENT:	495	votes	(Ferebee, Jackson, Scozzafava)
ABSTAIN:	110	votes	(Connell)

Resolution No. 89

March 3, 2008
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, 2008**

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

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

WHEREAS, the 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, 2008 for County-wide Housing; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors authorizes Chairperson Cathy Moses 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 10, 2008 at 5:00 p.m. and on March 12, 2008 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 Supervisors Canon and French, and adopted.

Resolution No. 90

March 3, 2008
Regular Board Meeting

RESOLUTION AMENDING RESOLUTION NO. 61 OF 2008

The following resolution was offered by Supervisor _____, 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 Resolution Number 61 of 2008 is hereby amended to state that the Essex County Board of Supervisors hereby authorizes the Essex County District Attorney and the Essex County Sheriff and their respective offices to expend and use forfeiture account funds without seeking Board approval or approval from the Essex County Manager for all such forfeit account expenditures in any amount and without limit subject, however, to the competitive bidding laws of the State of New York and the existing Essex County procurement policy which will continue to apply to all purchases made with forfeiture funds

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

AYES: 2,348 votes

NOES: 0 votes

ABSENT: 495 votes

(Ferebee, Jackson and Scozzafava)