

**RESOLUTION AUTHORIZING THE INCREASE IN SALARY OF
THREE ASSISTANT DISTRICT ATTORNEY'S BY \$1,764.33
EACH FROM THE DCJS RECRUITMENT AND RETENTION
GRANT, FOR A TOTAL OF \$5,293.00**

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, the Essex County District Attorney's office received a Recruitment and Retention grant from DCJS in the amount of \$5,293.00; and

WHEREAS, the Essex County District Attorney has determined that as part of its recruitment and retention program it would be appropriate to divide these monies amongst three Essex County Assistant District Attorneys in the amount of \$1,764.33 each.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County District Attorney's office to increase the 2008 salary for each of the three Assistant District Attorneys in the amount of \$1,764.33 for a total amount of \$5,293.00 which monies are to come from the DCJS Recruitment and Retention grant.

BE IT FURTHER RESOLVED, that when the grant ceases, the payment of these monies shall also cease.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION APPROVING THE 2008 ALTERNATIVES TO
INCARCERATION SERVICE PLAN**

The following resolution was offered by Supervisor McSweeney, 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 approves the 2008 Alternatives to Incarceration Service Plan which includes a Community Service Program and a Pre-Trial Release Program placed on file with the Essex County Probation Office.

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

Resolution No. 94

**April 7, 2008
Regular Board Meeting**

**RESOLUTION URGING THE STATE LEGISLATURE TO
OPPOSE THE PROPOSED SHIFT OF THE STATE'S HISTORIC
SHARE OF PUBLIC ASSISTANCE TO COUNTIES**

The following resolution was offered by Supervisor Morrow, 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, since 1938, New York State and its Counties have equally shared in the cost of Safety Net public assistance at a 50 percent state, 50 percent local split for this program; and

WHEREAS, the Essex County Board of Supervisors believes that the 2008-09 Executive Budget has broken a historic, fundamental state/local partnership by proposing to increase the county share of Safety Net (public assistance for singles and childless couples) by two percent to 52%, while simultaneously decreasing the state share by two percent to 48%; and

WHEREAS, this shift in cost sets a policy that mandates local property taxpayers increase their taxes for Safety Net public assistance; and

BE IT RESOLVED, that the Essex County Board of Supervisors opposes any policy or fiscal initiative like this proposed increase in the local share for Safety Net public assistance that changes the fundamental promise Governor Spitzer made to the Counties of New York State about ongoing, historic, state and local partnerships; and

BE IT FURTHER RESOLVED, that Essex County shall forward copies of this Resolution to Governor David Paterson, 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 adopted.

**RESOLUTION AUTHORIZING AMENDMENTS TO THE ESSEX
COUNTY 2008 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 \$27,708.00 - increase in HEAP funding.

REVENUES

Account Number	Account Name	Amount
6010-44641	Federal Aid - HEAP	\$27,708.00

APPROPRIATIONS

Account Number	Account Name	Amount
6141487 5487	HEAP Misc.	\$27,708.00

(b) For the Public Health Services Department, increase revenues and appropriations by \$2,272.00 - Healthy Living Partnership Cost of Living Adjustment Funds.

REVENUES

Account Number	Account Name	Amount
4194 43450	HLP Revenue	\$2,272.00

APPROPRIATIONS

Account Number	Account Name	Amount
41944.5410	Office Supplies	\$2,272.00

(c) For the Public Health Department, to increase revenues and appropriations by \$10,000.00 - from receipt of Public Health Preparedness grant.

REVENUES

Account Number	Account Name	Amount
4191 4460169	Other Grant Revenue	\$10,000.00

APPROPRIATIONS

Account Number	Account Name	Amount
41914.5420	Printing	\$ 400.00
41914.5424	Postage	200.00
41914.5443	Travel Reimbursement	2,400.00
41914.5452	Other Supplies	7,000.00
		\$10,000.00

2. From Department of Public Works

(a) For the Department of Public Works, to increase revenues and appropriations by \$3,521.92 from insurance recovery.

REVENUES

Account Number	Account Name	Amount
5130 4265520		\$3,521.92

APPROPRIATIONS

Account Number	Account Name	Amount
51304.5441	Insurance Recovery	\$3,521.92

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 96

April 7, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASE OF A
KYOCERA PHOTOCOPIER IN THE PUBLIC HEALTH
DEPARTMENT - PREVENTIVE SERVICES, AT A COST OF
\$5,484.00, FROM BUDGETED FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves the purchase of a Kyocera photocopier in the Preventive Services Department for Public Health at a cost not to exceed \$5,484 from budgeted funds.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 97

April 7, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING APPROVAL OF THE MEDICAL
DIRECTOR POLICY REVIEW FOR THE CERTIFIED HOME
HEALTH AGENCY AND PREVENTIVE SERVICES**

The following resolution was offered by Supervisor Merrihew, 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, Richard McKeever, M.D., Medical Director has completed his policy review for the Certified Home Health Agency and Procedures which review was dated the 20th day of February, 2008, his policy/procedural of the Preventive Services policies and procedures dated February 20, 2008 together with the non-patient specific standing orders for the administration of vaccines, PPD and anaphylactic agents dated February 16, 2008; and

WHEREAS, listed below are the policy reviews for Certified Home Health Agency and Preventive Services approved by the Medical Director and to be approved by Essex County Board of Supervisors as follows:

CHHA

- [New] Heel Stick Blood Sample Policy/Procedure
- [New] Pleurx Policy/Procedure
- [Revised] Health Provider Network (HPN) Policy
- [Revised] Telehealth Policy/Procedure
- [Revised] Blood Samples Policy/Procedure
- [Revised] Proper Hand Washing Policy/Procedure
- [Revised] Client Complaint Policy/Procedure
- [Revised] Peripherally Inserted Central Catheter (P.I.C.C.) Site Dressing Change Procedure

Preventive Services

- [Revised] Immunization Clinic Policy and Procedures
- Non-patient Specific standing Orders for Administration of vaccines, PPD and anaphylactic agents

- Emergency Treatment Policy and Procedure
- Emergency Kit Policy and Procedure
- Vaccine Information Statement Policy and Procedure
- Disposition of Needles and Sharps Policy and Procedure
- Vaccine Adverse Event Reporting Policy and Procedure
- Storage and Transportation of Vaccine Policy and Procedure
- Charges for Vaccine Policy and Procedures
- Tuberculin Skin Testing Procedure
- Childhood Lead Poisoning and Prevention Program Policy and Procedure

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves and accepts the Medical Director's Quality Assurance Review for the Certified Home Health Agency and Preventive Services for the Essex County Department of Public Health.

This resolution was seconded by Supervisors Dobie and Canon, and duly adopted.

Resolution No. 98

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING APPROVAL OF THE MEDICAL
DIRECTOR QUALITY ASSURANCE REVIEW FOR THE
CERTIFIED HOME HEALTH AGENCY**

The following resolution was offered by Supervisor Merrihew, 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, Dr. Richard McKeever, Medical Director has reviewed the CHHA records/reports for chart audit and adverse events for the second quarter of 2007 (407-607) and has issued his report dated the 14th day of February, 2008.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves and accepts the Medical Director's Quality Assurance Review for the Certified Home Health Agency for the Essex County Department of Public Health dated the 14th day of February, 2008.

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

**RESOLUTION AUTHORIZING A CONTINUING AGREEMENT
WITH THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION FOR SECTION 5311 OPERATING
ASSISTANCE FUNDS AND THE SUBMISSION OF THE
ANNUAL GRANT APPLICATION FOR THOSE FUNDS TO
PROGRESS AND COMPLETE THE PROJECT**

The following resolution was offered by Supervisor Douglas, 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, Essex County has submitted a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for Essex County residents and visitors, with an expansion of services and coordination for the 2007-2008 fiscal years; and

WHEREAS, Essex County and the State of New York have entered into a continuing agreement which authorizes the undertaking of the Project and payment of the Federal Share.

BE IT RESOLVED, that the Chairwoman of the Board of Supervisors and/or its County Manager is hereby authorized to act on behalf of Essex County to sign the application and progress and complete the above project.

BE IT FURTHER RESOLVED, that the Chairwoman of the Essex County Board of Supervisors and/or its County Manager are hereby authorized to act on behalf of Essex County to sign any contracts or agreements between Essex County and any Third Party Sub-Contractor necessary to complete the public transportation project.

This resolution was seconded by Supervisors Merrihew and Dobie, and duly adopted.

RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO PREPARE THE NECESSARY PAPERWORK TO ESTABLISH A CAPITAL PROJECT IN THE AMOUNT OF \$500,000.00 TO MOVE THE MODULAR BUILDING TO DPW, SET-UP OF THE MODULAR, DEMOLITION OF THE OLD JAIL, ALL HEATING FOR THE PROBATION BUILDING AND ALL MOVING OF NECESSARY UTILITIES TOGETHER WITH ISSUANCE OF SERIAL BONDS IN THE AMOUNT OF \$500,000.00 AND PREPARATION OF APPROPRIATE SEQRA DOCUMENTS

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

Upon the recommendation of the Space Sub-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 County Attorney to prepare the necessary paperwork to establish a capital project in the amount of \$500,000.00 to move the modular building to DPW, set-up of the modular, demolition of the old jail, all heating for the probation building and all moving of necessary utilities together with issuance of serial bonds in the amount of \$500,000.00 and preparation of appropriate SEQRA documents;

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

AYES: 3,916 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION OF CONGRATULATIONS TO
DUSTIN FREDERICK
OF THE AUSABLE VALLEY CENTRAL SCHOOL FOR
WINNING THE NYSPHSSA DIVISION II STATE WRESTLING
CHAMPIONSHIP FOR THE SECOND YEAR IN A ROW**

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, Dustin Frederick, a senior at AuSable Valley Central School, has won the NYSPHSSA Division II State Wrestling Championship at the 285 pound weight class for the second year in a row making him the first-ever Section VII wrestler to win two New York State championships; and

WHEREAS, Dustin Frederick, as a junior, last year, won the NYSPHSSA State Championship for the 275 pound weight class; and

WHEREAS, the Essex County Board of Supervisors is also pleased to learn that Dustin Frederick was chosen by the Section VII coaches as the CVAC's 2007-08 wrestler of the year;

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby extend their congratulations to Dustin Frederick of AuSable Valley Central School, his coaches Kenny Baker and Shawn Agony and their staff for their outstanding accomplishments, including but not limited to, Dustin's winning his second consecutive State Championship at the 275 pound weight class and his being chosen by the CVAC coaches as the 2007-08 CVAC wrestler of the year.

This resolution was unanimously seconded and duly adopted.

Resolution No. 102

**April 7, 2008
Regular Board Meeting**

**RESOLUTION SUPPORTING THE TOWN OF JAY IN ITS
APPLICATION OF THE SAFE ROUTES TO SCHOOL GRANT**

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 Town of Jay, together with the Town of Black Brook in Clinton County is applying for a Safe Routes to School grant offered through the New York State Department of Transportation which grant encourages children to take safe routes to school by walking or bicycling; and

WHEREAS, the Town of Jay wishes to create sidewalks to connect its recreational facilities in AuSable Forks, the primary school and Catholic school located in town.

BE IT RESOLVED, that the Essex County Board of Supervisors whole heartedly supports the Town of Jay in its application for the Safe Routes to School grant.

This resolution was unanimously seconded and adopted.

Resolution No. 103

**April 7, 2008
Regular Board Meeting**

**RESOLUTION SUPPORTING THE TOWN OF NORTH ELBA
AND THE VILLAGE OF LAKE PLACID IN THEIR
APPLICATION OF THE SAFE ROUTES TO SCHOOL GRANTS**

The following resolution was offered by Supervisor Politi, 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 Town of North Elba and the Village of Lake Placid is applying for a Safe Routes to School grant offered through the New York State Department of Transportation which grant encourages children to take safe routes to school by walking or bicycling.

BE IT RESOLVED, that the Essex County Board of Supervisors whole heartedly supports the Town of North Elba and the Village of Lake Placid in their application for the Safe Routes to School grant.

This resolution was unanimously seconded and adopted.

Resolution No. 104

**April 7, 2008
Regular Board Meeting**

**RESOLUTION OPPOSING THE INCLUSION OF THE INCOMES
OF THE OWNERS OF SEASONAL RESIDENCE IN THE NYS
DEPARTMENT OF HEALTH INCOME SURVEYS FOR NEW
YORK STATE REVOLVING FUND**

The following resolution was offered by Supervisor Connell, 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.

WHEREAS, the State of New York has reformulated the income surveys used for Towns and Villages to obtain New York State revolving funds for various water, sewer and other programs by including the incomes of owners of seasonal residences in the survey; and

WHEREAS, all Towns in Essex County are economically and financially challenged and the inclusion of the incomes of owners of seasonal residences in any of these income surveys artificially inflates the income standards of residents of these Towns and Villages which, in many cases, precludes the Towns and Villages from obtaining State Revolving Fund grant monies; and

WHEREAS, the Essex County Board of Supervisors opposes the inclusion of the incomes of owners of seasonal residence in the New York State Department of Health Income Surveys for New York State Revolving Fund Programs as the same is not an accurate and true portrayal of the income standards and levels of those living in our communities but is artificial and such inclusion precludes many of our small rural Towns and Villages from obtaining desperately needed New York State Revolving Fund monies for water and sewer projects;

BE IT RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: the Commissioner of the New York State Department of Health Richard F. Daines, M.D., Governor David A. Paterson; 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 adopted.

Resolution No. 105

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
GO TO BID AND AWARD PHASE 2 OF THE LAKE
CHAMPLAIN VISITORS CENTER REHABILITATION PROJECT
PENDING GRANT APPROVAL**

The following resolution was offered by Supervisor French, 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 authorizes its purchasing agent to go to bid and award Phase II of the Lake Champlain Visitor's Center Rehabilitation Project on condition and pending grant approval and sufficient grant funds being available.

This resolution was unanimously seconded and adopted.

**RESOLUTION HONORING AND RECOGNIZING THE 250TH
ANNIVERSARY OF THE FRENCH AND INDIAN WAR AT A
COMMEMORATION AT FORT TICONDEROGA ON JUNE 27
AND JUNE 29, 2008**

The following resolution was offered by Supervisor Dedrick, 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.

WHEREAS, the Town of Ticonderoga is honoring and recognizing the 250th Anniversary of the French and Indian War at a commemoration at Fort Ticonderoga on June 27-29, 2008; and

WHEREAS, Fort Carillon, later named Fort Ticonderoga, played a pivotal role in the French and Indian War fought between 1754-1763; and

WHEREAS, Fort Ticonderoga was the sight of the bloodiest battles fought during that war; and

WHEREAS, the French and Indian War was the precursor to the American Revolution; and

WHEREAS, the French and Indian War anniversary commemoration committee has planned a series of events from 2007 to 2010 in remembrance of this period in America's history; and

WHEREAS, the Town of Ticonderoga has formed a partnership with this commission in support of these events and Fort Ticonderoga's commemoration has been designated the official signature event of the commission's remembrance events;

BE IT RESOLVED, that the Essex County Board of Supervisors recognizes and honors the 250th Anniversary of the French and Indian War commemoration at Fort Ticonderoga and call upon the citizens of Essex County to join with the this Board in acknowledging this special commemoration; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be sent to the Commemoration Committee as an expression of our recognition of this anniversary.

This resolution was unanimously seconded and adopted.

Resolution No. 107

**April 7, 2008
Regular Board Meeting**

**RESOLUTION TO ACCEPT AND PLACE ON FILE THE 2007
ANNUAL CIVIL SERVICE REPORT**

The following resolution was offered by Supervisor Blades, 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 accepts, adopts and/or places on file the 2007 Annual Report to the New York State Civil Service Commission.

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

Resolution No. 108

**April 7, 2008
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
BARBARA A. JACKSON**

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

WHEREAS, Barbara A. Jackson passed away on March 13, 2008; and

WHEREAS, Barbara A. Jackson was born on September 23, 1949, in Dunkirk, New York, the twin daughter of Robert and Florence (Walawender) Adams; and

WHEREAS, Barbara A. Jackson was a kind, gentle and generous person who tirelessly contributed to her community and who could always be counted on for a kind word and empathetic ear; and

WHEREAS, Barbara A. Jackson was a member of the ECHO Board, the Smith House Board, Literacy Volunteers and was an EMT and member of the Essex Fire Department.

WHEREAS, Barbara A. Jackson volunteered and worked for over 30 years at the Smith House in Willsboro and received a commendation for her outstanding service; and

WHEREAS, Barbara A. Jackson enjoyed reading, animals and collecting unusual and intriguing items, but most of all enjoyed giving her time and resources to her children, grandchildren, nieces and nephews and all the people who touched her life; and

WHEREAS, Barbara A. Jackson is survived by her beloved husband, Ronald Jackson, the current Supervisor for the Town of Essex and member of the Essex County Board of Supervisors; and

WHEREAS, Barbara A. Jackson is also survived by two sons, Justin Jackson, Craig Jackson and his wife Jenifer; three grandchildren, Warren, Benjamin and Sarah Jackson; her twin sister, Roberta Radloff; a sister, Marguerite Leonard; and a brother Robert Adams; and

WHEREAS, Barbara A. Jackson was a loving daughter, wife, mother, grandmother, sister, aunt 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 our friend Ron Jackson and to the family of Barbara A. Jackson; 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 Jackson family.

This resolution was unanimously seconded and adopted.

Resolution No. 109

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE CORRECTION OF A 2007
TOWN AND COUNTY TAX ROLL IN THE TOWN OF
WESTPORT FOR DOUGLAS SEARS**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the correction of 2007 Town and County Tax Rolls in Town of Westport for duplication of assessed value due to a clerical error - Account #725Z006004 from \$134,500 to \$8,000, and the same be charged back to the appropriate taxing authorities.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 110

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AMENDING RESOLUTION #10 OF 2008
TO INCREASE THE MAXIMUM DEPOSIT AMOUNT
PER BANK TO \$25,000,000 AND
TO PROVIDE FOR THE CHANGE IN BANK NAMES**

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, Resolution No. 10 of January 7, 2008 designates certain banks and trust companies authorized for the deposit of monies up to the maximum amounts set forth therein; and

BE IT RESOLVED, it has come to the attention of this Board that a certain number of the banks listed in Resolution No. 10 of 2008 have changed their names and, in this regard Resolution No. 10 of 2008 is hereby amended to change the names set forth therein as follows:

The National Bank and Trust Company to NBT Bank
Charter One Bank to Citizens Bank
Evergreen Bank to TD Banknorth
Chase Manhattan Bank to JP Morgan Chase Bank

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby amends Resolution No. 10 of 2008 by changing the maximum amount of deposit per bank from the sum of \$15,000,000 to \$25,000,000.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 111

**April 7, 2008
Regular Board Meeting**

**RESOLUTION CANCELLING AND WAIVING INTEREST,
PENALTIES AND OTHER CHARGES PURSUANT TO REAL
PROPERTY TAX LAW SECTION 1182**

The following resolution was offered by Supervisor Merrihew, 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 Supervisor hereby adopts, pursuant to Real Property Tax Law Section 1182, this Resolution to cancel interest, penalties and other charges against the following pieces of property provided that the base tax is paid no later than April 30, 2008:

TOWN OF ELIZABETHTOWN

Owner	Tax Map #	Account #	Year	Base Amount	Amount to be Cancelled
Bernard Duso	152400	591A100602	2002	\$487.36	\$594.19
	55.84-3-2.000				

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 112

April 7, 2008
Regular Board Meeting

**RESOLUTION IN OPPOSITION TO LEGISLATION
ELIMINATING ELECTED TAX COLLECTORS STARTING IN
2010 AT WHICH TIME THEY WILL BECOME APPOINTED TAX
COLLECTORS, AND IN OPPOSITION TO THE TOTAL
ELIMINATION OF SCHOOL TAX COLLECTORS**

The following resolution was offered by Supervisor Ferebee, 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, there is currently before the New York Legislature proposed legislation seeking to eliminate the office of elected tax collector beginning in 2010 and to have them become appointed tax collectors and legislation eliminating the office of school tax collector; and

WHEREAS, the Essex County Board of Supervisors strongly opposes the elimination of the office of elected tax collector and the replacement thereof by an appointed tax collector and the total elimination of the school tax collectors.

BE IT RESOLVED, that the Essex County Board of Supervisor hereby opposes the proposed legislation seeking to eliminate the office of elected tax collector and replace it with appointed tax collectors and opposes the total elimination of the office of school tax collector.

BE IT FURTHER RESOLVED, that the Clerk of this Board is authorized and directed to immediately send certified copies of this Resolution to Governor David Paterson, 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 adopted.

Resolution No. 113

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-
AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE
COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT,
AND APPROPRIATING FUNDS THEREFORE**

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, a Project for the Bridge Replacement of BIN 3302770, CR83 (Haselton Road) over West Branch AuSable River, Essex County, P.I.N. 1755.12 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Essex desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering.

NOW, THEREFORE, the County Board of Supervisors, duly convened does here

RESOLVE, that the County Board of Supervisors hereby approves the above-subject project; and it is hereby further

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

RESOLVED, that the sum of \$237,000.00 (Two hundred thirty seven thousand dollars and no cents) is hereby appropriated from H5466.5400 and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, that the Chairman of the Board or DPW Superintendent of the County of Essex be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Essex with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

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

Resolution No. 114

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING REIMBURSEMENT TO THE
TOWNS FOR THE 2007/08 SNOW AND ICE SEASON OF AN
ADDITIONAL 20% OF THE EXISTING RATE PER MILE OF
COUNTY ROADS IN EACH TOWN, WITH SUCH AMOUNT TO
COME FROM UNEXPENDED FUND BALANCE**

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, pursuant to Section 135-A of the Highway Law, Essex County has delegated and contracted with the various Towns for control of Snow and Ice on County Roads; and

WHEREAS, due to the unusually long and harsh winter, the amounts paid by the County to various Towns have not been sufficient to compensate the Towns for their work in removing snow and ice on County roads; and

WHEREAS, the Essex County Board of Supervisors is desirous of making the Towns whole and reimbursing them for costs incurred by the Towns over and above the additional thresholds set forth in their contracts;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes reimbursement to each of the Towns who have contracted with the County for the 2007/08 snow and ice season, 20% of the rate per mile of each County road in each Town which sum to come from unexpended fund balance.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 115

April 7, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
ESSEX COUNTY AND THE ELIZABETHTOWN COMMUNITY
HOSPITAL PERMITTING THE HOSPITAL ACCESS TO THE
FRONT OF THEIR BUILDING THROUGH THE COUNTY
PARKING LOT/DRIVEWAY DURING THE TERM OF THE
HOSPITAL RENOVATION PROJECT**

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.

WHEREAS, the Elizabethtown Community Hospital will begin construction renovations to that portion of the hospital which serves as its emergency room entrance and the entrance for all ambulance and emergency drop-offs; and

WHEREAS, as the hospital will not be able to use their emergency room entrance the only entrance to the hospital which will be available for ambulances and emergency room drop-off will be the front entrance to the hospital which must be accessed through the Essex County parking lot; and

WHEREAS, the Elizabethtown Community Hospital has requested that Essex County allow them temporary use and access over the Essex County parking lot for the express purpose of ambulance and emergency room drop-off.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairperson of the Essex County Board of Supervisors and/or its County Manager with the advises and counsel of the County Attorney to enter into an agreement with the Elizabethtown Community Hospital for a period of not more than one year allowing the Elizabethtown Community Hospital to use the parking lot in front of the Horace Nye Nursing Home for purposes of ambulance and emergency drop-off to the front door of the hospital only and for no other express purpose under terms and conditions acceptable to the County Attorney.

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

AYES:	2737	votes	
NOES:	0	votes	
ABSENT:	0	votes	
ABSTAIN:	106	votes	(Merrihew)

Resolution No. 116

April 7, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CHAIRPERSON OF THE
ESSEX COUNTY BOARD OF SUPERVISORS TO ENTER INTO
A SETTLEMENT AGREEMENT WITH THE ADIRONDACK
PARK AGENCY (FILE NO. 207-338) RELATIVE TO A
VIOLATION OF ADIRONDACK PARK AGENCY PERMIT 2004-
252 WITH THE PAYMENT OF A \$1,000.00 FINE TO BE PAID
FROM THE JUDGMENTS AND CLAIMS ACCOUNT (19104-
5476), AND ADMISSION OF APA JURISDICTION**

The following resolution was offered by Supervisor Canon, 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, pursuant to Adirondack Park Agency Permit 2004-252 issued for the construction of the jail/public safety building located in Lewis, New York, it was provided that no expansion of the public safety building or the installation of any telecommunication towers or antennas was authorized without a new or amended permit; and

WHEREAS, the County of Essex erroneously constructed and placed antennas on the top of the public safety building without realizing that a new or amended permit was required pursuant to the terms of Permit No. 2004-252; and

WHEREAS, the Adirondack Park Agency has found the County of Essex in violation of Adirondack Park Agency Permit No. 2004-252; and

WHEREAS, a Settlement Agreement has been propounded by the Agency.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the settlement of this violation with the Adirondack Park Agency for the sum of \$1,000.00 for these alleged violations of the placement of antennas on the public safety building and admitting Adirondack Park Agency jurisdiction and further authorizes its Chairperson of the Board and/or County Manager to execute the Settlement Agreement submitted by the Adirondack Park Agency.

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

AYES:	1,810 votes	
NOES:	1,033 votes	(Scozzafava, Politi, Connell, Preston)
ABSENT:	0 votes	

Resolution No. 117

**April 7, 2008
Regular Board Meeting**

**RESOLUTION IN OPPOSITION TO PROPOSED COST SHIFTS
TO COUNTIES INCLUDED IN THE 2008/09 STATE BUDGET**

The following resolution was offered by Supervisor Canon, 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 proposed State Budget includes substantial State and County cost shifts that will add to County budgets and the local property tax burden which include an increased share of welfare benefits and the shift a full cost of funding local youth detention facilities which will yield a negative impact to Counties of at least \$34,000,000.00 in the current calendar year and \$50,000,000.00 in the next; and

WHEREAS, when additional proposals from the Executive Budget including the negative impacts to County nursing home facilities (\$37.5 million), loss of Consolidated Highway Improvement Project (CHIPS) Aid, and reduced aid to Community Colleges (\$8.2 million) are factored in, Counties will see an even larger net negative impact from the budget; and

WHEREAS, these proposed funding shifts from State to County will unilaterally alter traditional funding partnerships between local governments and the State and will result in either an extreme cut in services or an extreme raise in real property taxes.

BE IT RESOLVED, that the Essex County Board of Supervisors joins with all other Counties across the State and NYSAC in opposing and rejecting these cost shifts from the State to the Counties and implores our State representatives to reject these State budget cost shifts as these proposed shifts will severely impact the taxpayers of Essex County.

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 David A. Paterson; 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 adopted.

Resolution No. 118

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AMENDING RESOLUTION #89 OF MARCH 3,
2008 AUTHORIZING THE SUBMISSION OF A COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION IN THE
AMOUNT OF \$750,000 TO THE STATE OF NEW YORK IN
APRIL, 2008**

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

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

WHEREAS, the Essex County Board of Supervisors has passed Resolution #89 of March 3, 2008 authorizing the submission of a Community Development Block Grant in the amount of \$600,000 to the State of New York in April, 2008; and

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 amends Resolution #89 and authorizes the submission of a Community Development Block Grant application, in the increased amount of \$750,000, 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 has held public hearings on this grant application on March 31st at 9:45 a.m. and on April 2nd at 5:00 p.m. at the Chambers of the Essex County Board of Supervisors in Elizabethtown, New York.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AUTHORIZING A CONTRACT WITH CAPITAL
DISTRICT PHYSICIAN'S HEALTH PLAN (CDPHP) FOR THE
PUBLIC HEALTH DEPARTMENT TO PROVIDE SERVICES TO
PERSON ENROLLED IN CDPHP UPON FINAL CONTRACT
APPROVAL BY THE COUNTY ATTORNEY**

The following resolution was offered by Supervisor Merrihew, 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 its County Chairperson and/or County Manager to execute a contract with Capital Districts Physician's Health Plan (CDPHP) for the Public Health Department to provide services to persons enrolled in CDPHP upon final contract language approved by the County Attorney.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION SUPPORTING THE TOWN OF TICONDEROGA IN
THEIR APPLICATION OF THE SAFE ROUTES TO SCHOOL
GRANT**

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

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

WHEREAS, the Town of Ticonderoga is applying for a Safe Routes to School grant offered through the New York State Department of Transportation which grant encourages children to take safe routes to school by walking or bicycling; and

BE IT RESOLVED, that the Essex County Board of Supervisors whole heartedly supports the Town of Ticonderoga in its application for the Safe Routes to School grant.

This resolution was unanimously seconded and adopted.

Resolution No. 121

**April 7, 2008
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO EAIN TIERNEY OF
TICONDEROGA ON OBTAINING THE RANK OF EAGLE SCOUT**

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

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

WHEREAS, Eain Tierney, a member of Ticonderoga venture crew 72 has fulfilled the requirements to obtain the rank of Eagle Scout; 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, Eain's Eagle project benefitted the Town of Ticonderoga as he directed the construction and rebuilding of a snowmobile bridge in the Chilson area; and

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 Eain Tierney 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 Eain Tierney.

This resolution was unanimously seconded and adopted.

Resolution No. 122

**April 7, 2008
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ALBERTA ASHWORTH**

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

WHEREAS, Alberta Ashworth passed away on March 5, 2008, at the age of 96 years; and

WHEREAS, Alberta Ashworth was born Grace Alberta Black in Reading, Massachusetts on July 21, 1911; and

WHEREAS, Alberta Ashworth attended Massachusetts School of Art and studied nursing at Brigham and Women's Hospital in Boston, Massachusetts and was known as a talented artist; and

WHEREAS, Alberta Ashworth owned and operated, together with her beloved husband, Ray, the Sunnyhurst Dairy and Ice Cream store in Wilmington, Massachusetts which was famous for delicious homemade ice cream; and

WHEREAS, Alberta Ashworth and her husband, Ray, later moved to Wilmington, New York where they operated a candy shop at Santa's Workshop, North Pole, New York, which was equally renowned for its candy recipes and drew a dedicated clientele; and

WHEREAS, Alberta Ashworth was an avid reader and savvy crossword puzzler and followed competitive sports both locally and globally; and

WHEREAS, Alberta Ashworth was dedicated to her family and husband; and

WHEREAS, Alberta Ashworth was predeceased by her beloved husband, James Raymond Ashworth in 1992; and a daughter, Deborah in 1991; and

WHEREAS, Alberta Ashworth is the beloved mother of Jeanne Ashworth long-time Supervisor of the Town of Wilmington and member of the Essex County Board of Supervisors; and

WHEREAS, Alberta Ashworth was survived by her two daughters, Jackie Peters and Jeanne Ashworth, both of Wilmington, New York; five grandchildren, J. Douglas Peters of Merrimack, NH, J. Scott Peters of Tewksbury, MA, J. Kimberly Gitschier of Bradford, MA, J. Kellie Peters of Shirley, MA and Kristen Robin Ashworth of Miami, FL; and

WHEREAS, Alberta Ashworth was a loving wife, mother, grandmother, sister, aunt 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 Alberta Ashworth; 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 Ashworth family.

This resolution was unanimously seconded and adopted.

Resolution No. 123

**April 7, 2008
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JAMES A. PECK, SR.**

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

WHEREAS, James A. Peck, Sr. passed away on March 15, 2008, at the age of 69 years; and

WHEREAS, James A. Peck, Sr. was born on November 27, 1938 in Upper Jay, New York the son of Benjamin and Bessie (Lewis) Peck; and

WHEREAS, James A. Peck, Sr. was an avid fisherman, camper, racing enthusiast and caring friend; and

WHEREAS, James A. Peck, Sr. is survived by his life companion of 35 years, Goldy Bessey; four sons, James A. Peck, Jr. and his wife Dolly of Crown Point, Adam Peck of Port Henry; Brian Bessey and his companion, Jeanna King, of Moores, Shane Peck of Wilmington; one daughter, Michele Bessey, and companion, Michael Dell, of Morrisonville; two sisters, Marie Peck of Saranac Lake and Mary Norris of South Carolina; two grandsons, Kyle and Lincoln Collins; three granddaughters, Wendy Collins, Jellisa King and Kylie Barber; and several uncles and nephews; and

WHEREAS, James A. Peck, Sr. was a loving 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 James A. Peck, 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 Peck family.

This resolution was unanimously seconded and adopted.

Resolution No. 124

**April 7, 2008
Regular Board Meeting**

**RESOLUTION TO MEMORIALIZE NEW YORK STATE TO ENACT
LEGISLATION RELATING TO TEXT MESSAGING WHILE
DRIVING**

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, Section 1225-c of the Vehicle and Traffic Law of the State of New York provides that no person shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in a call while such vehicle is in motion; and

WHEREAS, there have been instances throughout the State of New York where operators of motor vehicles are text messaging while driving and cause an accident; and

WHEREAS, this County Board of Supervisors feels that the State Legislature should adopt an amendment to the Vehicle and Traffic Law to prohibit operators of motor vehicles from text messaging while they are driving; and

WHEREAS, bills have been proposed in the State Assembly and Senate to prohibit operators of motor vehicles from using a mobile telephone for writing, sending or reading a text message while such vehicle is in motion; and

WHEREAS, this Board feels that this proposed legislation is desirable to avoid any further accidents;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby memorializes the State Senate, Assembly and Governor to enact legislation to prohibit text messaging while operating a motor vehicle; 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 David A. Paterson; 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 seconded by Supervisor Douglas, and duly adopted.

Resolution No. 125

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE EXPENDITURE OF THE
SUM OF \$81,422.00 IN NEW YORK STATE DEPARTMENT OF
AGRICULTURE FUNDS FOR THE PURCHASE OF AN
AGRICULTURAL/CONSERVATION EASEMENT ON 130 +/-
ACRES OWNED BY GERALD H. MORROW SITUATE IN THE
TOWN OF CHESTERFIELD PURSUANT TO A NEW YORK
STATE DEPARTMENT OF AGRICULTURAL AND FARMLAND
PROTECTION GRANT**

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.

WHEREAS, Essex County has received a Agricultural and Farmland Protection Implementation Conservation Grant from the New York State Department of Agriculture and has heretofore entered into an agreement with the State pursuant to the purchase of certain agricultural/conservation easements within Essex County in order to preserve and protect agricultural land in the County; and

WHEREAS, 130 +/- acres located in the Town of Chesterfield formerly known as the Ford Farm, and now currently owned by Gerald H. Morrow, were selected as appropriate property from which to obtain an agricultural/conservation easement; and

WHEREAS, all requirements of the New York State Department of Agriculture have been met and the Department has issued a check to Essex County in the amount of \$81,422.00 to be used for the purchase of this easement;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairperson of the Essex County Board of Supervisors and/or its County Manager with the advise of the County Attorney to consummate and complete the purchase of a Agricultural/Conservation Easement on 130 +/- acres of land located in the Town of Chesterfield owned by Gerald H. Morrow which Easement will be granted to the Town of Chesterfield and the Adirondack Land Trust as Grantees; and

BE IT FURTHER RESOLVED, that the Essex County Chairwoman and/or the County Manager first pay from these grant monies all administrative costs, with the balance of the proceeds to be paid to Gerald H. Morrow as consideration for the grant of said Easement from the current funds received from the New York State Department of Agriculture on this project in the amount of \$69,901.00 or the balance of the proceeds remaining after the payment of all administrative costs.

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

AYES:	2,649 votes	
NOES:	0 votes	
ABSENT:	0 votes	
ABSTAIN:	194 votes	(Morrow)

WITHDRAWN
Resolution No. 126

April 7, 2008

Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH
PICTOMETRY FOR ENHANCED MAPPING OF THE TOWN OF
LONG LAKE USING WIRELESS EXPEDITED FUNDING
GRANT MONIES IN AN AMOUNT UP TO \$117,000.00**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a contract with Pictometry for enhanced mapping of the Town of Long Lake using wireless expedited funding grant monies in an amount not to exceed \$117,000.00 provided, and on condition these monies can legally be expended on behalf of the Town of Long Lake.

This resolution was withdrawn upon a motion by Ms. Morency, seconded by Mr. Merrihew.

AMENDED
Resolution No. 127

April 7, 2008
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF
BERNARD ROY AS INTERIM DIRECTOR OF THE REAL
PROPERTY TAX SERVICE DEPARTMENT, AT AN INITIAL
SALARY OF \$58,000 PER YEAR, EFFECTIVE APRIL 15, 2008**

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, Bernard Miller, Essex County Director of Real Property Tax Service has announced his retirement effective April 15, 2008; and

WHEREAS, Bernard Roy has for many years been employed by the County of Essex as Assistant Director of the Essex County Real Property Tax Service and meets all of the qualifications and requirements for the position of interim director of the Essex County Real Property Tax Service Department;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appoints

Bernard Roy as interim director of the Real Property Tax Service Department, at a salary of \$58,000 per year effective April 15, 2008 which salary shall increase to \$60,000.00 per year after satisfactory performance after the three month probationary period.

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 128

April 7, 2008
Regular Board Meeting

**RESOLUTION IN APPRECIATION AND COMMENDATION TO
WILLIAM ORR, WARD HANCHETT, MIKE MCBRIDE AND
EDWARD SHOVA FOR THEIR OUTSTANDING HEROISM AND
COURAGE**

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, it has come to the attention of this Board that William Orr, Mike McBride, Edward Shova and Ward Hanchett, all of Mineville, New York disregarding their own safety and well-being came to the assistance of two Mineville business owners who were being robbed and abducted by an assailant armed with a knife by pursuing, subduing and securing the assailant until the state police arrived; and

WHEREAS, William Orr, Mike McBride, Edward Shova and Ward Hanchett, without hesitation, immediately responded to the situation, placing themselves in harms way without concern for their own well-being disarming the assailant and quite possibly saving the lives of the victims;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses its deep appreciation and commendation to these four individuals and acknowledges their courage and bravery in protecting their neighbors and preventing further tragedy.

This resolution was unanimously seconded and adopted.

Resolution No. 129

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING ESSEX COUNTY DEPARTMENT
OF EMERGENCY SERVICES TO EXPEND AND USE THE
REMAINING MONIES FROM THE WIRELESS EXPEDITED
FUNDING GRANT ON EQUIPMENT, FIXTURES, AND ANY
OTHER PURCHASES OR PROJECTS ALLOWED UNDER THE
WIRELESS EXPEDITED FUNDING GRANT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes Essex County Department of Emergency Services to expend and use the remaining monies from the wireless expedited funding grant on equipment, fixtures, and any other purchases or projects allowed under the wireless expedited funding grant; and

BE IT FURTHER RESOLVED, that all such proposed purchases or expenditures shall comply with the laws concerning competitive bidding and the Essex County Purchasing Policy;

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

AYES: 2,843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 130

**April 7, 2008
Regular Board Meeting**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
BARBARA M. POLLOCK**

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, Barbara M. Pollock passed away suddenly on Tuesday, April 2nd, 2008;
and

WHEREAS, Barbara M. Pollock was born in Elizabethtown on November 3rd, 1955,
the daughter of Thomas and Elizabeth (Pepper) Crowningshield; and

WHEREAS, Barbara M. Pollock graduated from Elizabethtown-Lewis Central School
and received an Associates Degree in Arts from North Country Community College; and

WHEREAS, Barbara M. Pollock was employed with Essex County for over 25 years
and was a valued and respected employee; and

WHEREAS, Barbara M. Pollock is survived by her husband, Timothy Pollock; three
daughters, Billie Jo Simpson, Denise Simpson and Brenda Simpson; three stepchildren,
Michael Pollock, Daniel Pollock and John Pollock; three grandchildren, Jessica Decker, Eric
Decker and Misty Decker; one step-grandchild Anna Pollock; grand-dog Sheba; and two
great-grandchildren, Gavin Coonrod and Rachel Rolston; siblings, Thomas and his wife
Rhonda of Florida; George and his friend Lillian of New Russia; David and his wife Terry
of Lewis; Darlene Howard and her husband Ken of Elizabethtown; Elizabeth Anne Smith
of Tennessee; Virginia Anne and her fiancé Todd of Lewis; Michael and his wife Bette of
Lewis; and many nieces and nephews; and

WHEREAS, Barbara M. Pollock was a loving wife, mother, grandmother, great-
grandmother, daughter, sister, niece and friend and will be sorely missed;

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the
Board, its County Manager and County Attorney hereby express their deepest sympathy
and condolences to the family of Barbara M. Pollock; and

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

This resolution was unanimously seconded and adopted.

Resolution No. 131

**April 7, 2008
Regular Board Meeting**

**RESOLUTION REIMBURSING THE WILLSBORO FIRE DISTRICT
THE SUM OF \$6,563.52 PURSUANT TO RESOLUTION NO. 235
OF SEPTEMBER 6, 2005 AUTHORIZING THE SAME**

The following resolution was offered by Supervisor Jackson, 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 Resolution No. 235 of September 6, 2005, the Essex County Board of Supervisors authorized the indemnification of any home fire district from any insurance cost increases resulting from injury to a member of the district arising out of their performance of their duties on behalf of Essex County; and

WHEREAS, James Mero, Jr. passed away on March 9, 2005, while on duty and working for Essex County as a fire coordinator; and

WHEREAS, by virtue of Mr. Mero's passing, the experience rating on the Willsboro Fire District's Workers' Compensation Policy increased resulting in an additional charge of \$6,563.52;

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the payment of \$6,563.52 from the contingency account (Account No. 19904-5487) to the Willsboro Fire District as and for reimbursement for the increase in the experience rating on their workers' compensation policy which resulted from a claim paid on the death of James Mero, Jr. while he was on duty and working for the County of Essex;

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

AYES: **2,843 votes**
NOES: **0 votes**
ABSENT: **0 votes**

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 3/3/08:	\$393,360.00
Reduction Impact of this resolution:	\$ 6,563.52
FY2008 Contingent Account Balance:	\$386,796.48

Resolution No. 132

April 7, 2008
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JACK RYCKMAN CORNWELL**

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, Jack Ryckman Cornwell passed away on March 17, 2008; and

WHEREAS, Jack Ryckman Cornwell was born on June 20, 1929, in Olean, New York, the son of Lloyd and Elizabeth (Ryckman) Cornwell; and

WHEREAS, Jack Ryckman Cornwell was a graduate of Plattsburgh High School and attended Cortland University. He owned and operated a poultry farm, sold Equitable Life Insurance and worked road construction when the Adirondack Northway was built; and

WHEREAS, Jack Ryckman Cornwell enjoyed many friendships, deer hunting and Louis L'Amour western novels; and

WHEREAS, Jack Ryckman Cornwell is survived by his son, Michael D. Cornwell of Canton, New York; and his daughter, Dawn Belden of Ticonderoga, New York; two sisters, Elizabeth Foster of Sebring, Florida and Ruth Hack of Poughkeepsie, New York; three grandchildren; Chad Belden of Crown Point, New York; Jennifer Cornwell of Waynesburg and Lindsey Barney of Norfolk, Virginia; several nieces and nephews; and

WHEREAS, Jack Ryckman Cornwell is the father of Dawn Belden an employee in Essex County Real Property Tax Service; and

WHEREAS, Jack Ryckman Cornwell was a loving 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 Jack Ryckman Cornwell; 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 Cornwell family.

This resolution was unanimously seconded and adopted.

Resolution No. 133

**April 7, 2008
Regular Board Meeting**

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

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

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

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

1. The appointment of Frances H. Filshie to the Clinton-Essex-Franklin Library System Board of Trustees, with such term to end December 31, 2012.

This resolution was seconded by Supervisor French, and adopted.

Resolution No. 134

**April 7, 2008
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE ATTORNEY REPRESENTING
ESSEX COUNTY TO MAKE AN OFFER OF JUDGMENT
PURSUANT TO THE FEDERAL RULES OF CIVIL PROCEDURE IN
AN AMOUNT NOT TO EXCEED \$20,000.00 IN THE MATTER OF
KAREN TENNEY V. ESSEX COUNTY, HORACE NYE NURSING
HOME BEARING CIVIL ACTION NO. 05-CV-0506 AND VENUED
IN THE UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF NEW YORK**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the attorney representing Essex County to make an offer of judgment pursuant to the federal rules of civil procedure in an amount not to exceed \$20,000.00 in the matter of Karen Tenney v. Essex County, Horace Nye Nursing Home bearing Civil Action No. 05-CV-0506 and venued in the United States District Court, Northern District of New York.

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

AYES:	2,382 votes	
NOES:	351 votes	(Scozzafava)
ABSENT:	0 votes	
ABSTAIN:	110 votes	(Connell)

Resolution No. 135

**April 7, 2008
Regular Board Meeting**

**RESOLUTION APPOINTING A FIRE ADVISORY BOARD FOR
2008**

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.

BE IT RESOLVED, that pursuant to County Law Section 225-a, the Essex County Board of Supervisors hereby appoints the following individuals to the Essex County Fire Advisory Board to serve for a one year term: Jason Cogan of Bloomingdale, Scott Ingleston of Crown Point, George Daly of Port Henry, Fred Hunsdon of Ticonderoga, David Lansing of Essex, Larry Shiell of Schroon Lake, Edward Martin of Elizabethtown, Jody A. Whitney of Keene, John Devlin of Upper Jay, Glenn Williams of Jay, Rusty Hall of Keene Valley, Jeff Burns of Ticonderoga, James Wasson of Lake Placid, Carmen Cross of Lewis, Paul Tromblee of Mineville, Ralph Jaquish of Moriah, Mark Yandon of Newcomb, James Colaneri of North Hudson, James Westover, Jr. of Westport, Craig Crowningshield of Willsboro, and Randy Preston of Wilmington;

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

Resolution No. 136

**April 7, 2008
Regular Board Meeting**

**RESOLUTION TRANSFERRING THE CHAMP BUS SYSTEM
TO THE TRANSPORTATION DEPARTMENT**

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 authorizes the transfer of the Champ Bus System responsibilities from the Planning Department to the Transportation Department, such transfer to include all personnel, equipment and fixed assets as appropriate.

BE IT FURTHER RESOLVED, that the Treasurer's Department and the Budget Officer is hereby authorized and directed to transfer remaining balances of all associated Champ Bus System accounts as appropriated within the 2008 adopted budget, with such transfers and responsibilities to be effective May 1, 2008.

This resolution was seconded by Supervisor Spooner, and adopted.