

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Canon, 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 2009 Essex County Budget as follows:

1. From the Public Safety Committee

(a) For Emergency Services Department, increase revenues and appropriations by \$3,768.00 - carry over of unspent Local Emergency Planning Commission grant funds.

REVENUES

Account Number	Account Name	Amount
44389060	LEPC Grant	\$3,768.00

APPROPRIATIONS

Account Number	Account Name	Amount
36404-5487LEPC	Local Emergency Planning Commission	\$3,768.00

(b) For Emergency Services Department, increase revenues and appropriations by \$605.00 - carry over of unspent Local enhanced Wireless grant funds.

REVENUES

Account Number	Account Name	Amount
433893	Local Enhanced Wireless 911 Program	\$605.00

APPROPRIATIONS

Account Number	Account Name	Amount
39004-5400911	Local Enhanced Wireless	\$605.00

2. From the Human Services Department Committee

(a) For Social Services Department, increase revenues and appropriations by \$260.00 - leftover Community Transportation grant funds.

REVENUES

Account Number	Account Name	Amount
6010 44670	Federal Aid - Serv for Rec	\$260.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6070400 5400CST7CST7		\$260.00

- (b) For the Social Services Department, increase revenues and appropriations by \$10,502.00 - Food Stamp Detention Prevention grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010 44611	Federal Aid - Food Stamps	\$10,502.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
60104 5410	Office Supplies	\$8,552.00
60104 5434	Contractual Fees	1,950.00

- (c) For the Social Services Department, increase revenues and appropriations by \$18,084.00 - Detention Prevention grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010 43610	State Aid - Admin	\$18,084.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
60104 5434	Consulting Fees	\$ 2,000.00
607040 5400	Homemaker	16,084.00

- (d) For the Social Services Department, increase revenues and appropriations by \$129,973.00 - Detention Prevention grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010 43610	State Aid - Admin.	\$129,973.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
60104 5434	Consulting Fees	\$ 20,000.00
6070400 5400	Homemaker	109,973.00

- (e) For the Public Health Department, increase revenues and appropriations by \$7,417.00 - Medicaid Recruitment and Retention funds.

REVENUES

Account Number	Account Name	Amount
4189 416013RR	Medicaid Recruitment & Retention	\$7,417.00

APPROPRIATIONS

Account Number	Account Name	Amount
41894 5451RR	Training	\$7,417.00

(f) For the Transportation Department, increase revenues and appropriations by \$80,530 - STOA funds.

REVENUES

Account Number	Account Name	Amount
5630 43089123	State Aid NYSDOT	\$80,530.00

APPROPRIATIONS

Account Number	Account Name	Amount
56304 5400INV	Champ Inventory	\$16,000.00
56304 5451	Training	3,000.00
56301 5130	Part time wages	10,059.00
56304 5487LPV	Payments to LP Village	34,492.00
56304 5487ORDA	Payments to ORDA	15,375.00
56301 5487 KEEN	Payments to Keene	<u>1,604.00</u>
		\$80,530.00

3. From the Department of Public Works Committee

(a) For the Department of Public Works Department, transfer \$8,200,000 from 51104.5400BCC to the Capital Fund as follows:

H52154.5487 - Old Military Road	\$6,100,000.00
H52234.5445 - Lewis Bridge/Haselton Road	\$ 237,000.00
H52234.5483 - Lewis Bridge/Haselton Road	\$1,863,000.00

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

AYES: 2,821 votes
NOES: 0 votes
ABSENT: 22 votes (Dobie)

Resolution No. 93

April 6, 2009
Regular Board Meeting

RESOLUTION AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT A GRANT FROM HOMELAND SECURITY IN THE AMOUNT OF \$80,000 FROM THE TERRORISM PREVENTION PROGRAM; AUTHORIZING A BUDGET AMENDMENT,

**INCREASING REVENUES AND APPROPRIATIONS BY
\$80,000 - HOMELAND SECURITY GRANT AND AUTHORIZING
THE PURCHASING AGENT TO BID AND AWARD THE
PURCHASE OF A LIGHT TOWER, PORTABLE RADIOS,
MESSAGE BOARD, MOBILE RADIO, REPEATERS AND
SOLARTECH SIGN BOARD IN AN AMOUNT NOT TO EXCEED
\$80,000 FROM SUCH GRANT**

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, the Essex County Sheriff's Department has applied for and been awarded an \$80,000.00 grant from the Homeland Security/Terrorist Prevention Program; and

WHEREAS, the Essex County Board of Supervisors has requested the use of these monies for the purchase of a light tower, portable radios, message board, mobile radio, repeaters and Solartech sign board.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Board of Supervisors to accept a grant from the Homeland Security in the amount of \$80,000.00 from the Terrorism Prevention Program and amends the 2009 Essex County Budget for the Essex County Sheriff Department by increasing revenues and appropriations by \$80,000.00 - Homeland Security-Terrorism Prevention grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
44964	Homeland Security Grant	\$80,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31102	5200HOME	\$80,000.00

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes and directs the Essex County Purchasing Agent to bid or otherwise comply with the Essex County Purchasing Policy and award the purchase of light tower, portable radios, message board, mobile radio and repeaters and Solartech sign board in an amount not to exceed \$80,000.00 from such grant monies.

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

AYES: 2,821 votes

NOES: 0 votes
ABSENT: 22 votes (Dobie)

Resolution No. 94

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING PAYMENT OF \$253.62 TO
MICHAEL LANGEY, ADA, FOR OCTOBER 2008 EXPENSES**

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 authorizes the reimbursement of \$253.62 to Michael Langey, ADA, for October 2008 expenses.

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 No. 95

April 6, 2009
Regular Board Meeting

**RESOLUTION TO WRITE OFF BAD DEBT IN THE MENTAL
HEALTH DEPARTMENT IN THE AMOUNT
OF \$2,790.72 FROM 2006**

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.

WHEREAS, the Essex County Mental Health Department currently has \$2,790.72 in delinquent receivables that are now uncollectible.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes uncollectible fees for 2007 in the total amount of \$2,790.72 be written off as uncollectible.

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

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

Resolution No. 96

April 6, 2009
Regular Board Meeting

**RESOLUTION ADOPTING AND APPROVING QUALITY
IMPROVEMENT REVIEW AND POLICIES AND PROCEDURES FOR
BOTH 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, Dr. Richard McKeever, Medical Director has reviewed the Certified Home Health Agency reports for 4th quarter 2008; and

WHEREAS, Dr. Richard McKeever, Medical Director has also reviewed CHHA policies and procedures and has issued a report dated March 4, 2009; and

WHEREAS, the hereinbelow recited policies and/or procedures were approved by the Professional Advisory/Public Health Advisory Committee on March 4, 2009.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves and accepts the CHHA Policies and/or Procedures approved by the Professional Advisory/Public Health Advisory Committee on March 4, 2009 as hereinbelow set forth:

CHHA

Abbreviations Policy and Procedure
Dry Dressing Change Procedure
Heparin Flush of Port-a-Cath Policy and Procedure
Hydrocolloid Dressing Change Procedure
Nasogastric Tube Insertion Policy and Procedure
Removal of Huber Needle Policy and Procedure
Urinary Catheter Insertion Policy and Procedure
V.A.C. Dressing Change Policy and Procedure
Wet to Dry Dressing Change Procedure
Employee Health Requirements
Hand Washing Procedure
First Time Injections
Health Provider Network Policy and Procedure
Heel Stick Blood Sample Policy and Procedure
Infractions of Agency Policies and Procedures
Nutritional Counseling Services Policy and Procedure

Orientation Policy and Procedure
Patient Care Policy
Patient/Client Relationship Disclosure Policy
Photo Documentation of Wounds and Skin Conditions
Pleurx Policy and Procedure
Telehealth Policy and Procedure

Preventive Services

Immunization Clinic Policy & Procedure
Vaccine Adverse Event Reporting Policy & Procedure
Vaccine Ordering and Discarding Procedure
Disposition of Needles and Sharps Policy & Procedure
Storage, Handling and Transportation of Vaccine Policy & Procedure
*NYSDOH Immunization Program Adult Hepatitis Vaccination Program
Policy & Procedure*
Charges for Vaccinations Policy & Procedures
Emergency Treatment Policy & Procedure
Emergency Kit Policy & Procedure
Vaccine Ordering and Discarding Procedure
Vaccine Information Statement (VIS) Policy & Procedure
*Non-patient Specific Standing Orders for the Administration of Vaccines, PPD and
Anaphylactic agents*
Administering DTaP to Children Younger than Age 7 Procedure
Administering Haemophilus Influenzae type b Vaccine to Children Procedure
Administering Hepatitis A Vaccine to Adults Procedure
Administering Hepatitis A Vaccine to Children & Teens Procedure
Administering Hepatitis B Vaccine to Adults Procedure
Administering Hepatitis B Vaccine to Children & Teens Procedure
Administering Human Papillomavirus to Adults Procedure
Administering Human Papillomavirus to Children & Teens Procedure
Administering Inactivated Poliovirus Vaccine to Children & Teens Procedure
Administering Influenza Vaccines to Adults Procedure
Administering Influenza Vaccines to Children & Teens Procedure
Administering Meningococcal Vaccine to Adults Procedure
Administering Measles, Mumps & Rubella Vaccine to Adults Procedure
Administering Measles, Mumps & Rubella Vaccine to Children & Teens Procedure
Administering Pneumococcal Conjugate Vaccine to Children Procedure
Administering Meningococcal Vaccine to Children & Teens Procedure
*Administering Pneumococcal Polysaccharide Vaccine to Children
& Teens Procedure*
Administering Pneumococcal Vaccine to Adults Procedure
Administering Rotavirus Vaccine to Infants Procedure
*Administering Tetanus-Diphtheria Toxoids & Pertussis Vaccine (Td/Tdap)
to Adults Procedure*
Administering Td/Tdap to Children Ages 7 years & Older Procedure
Administering Varicella (Chickenpox) Vaccine to Adults Procedure
Administering Varicella Vaccine to Children & Teens Procedure
Administering Zoster Vaccine to Adults Procedure
Blood Pressure Screening Policy
Blood Pressure Screening Procedure
Blood Glucose Screening Program Policy
Blood Glucose Screening Procedure

Hemoglobin Test – Procedure
Procedure for Collecting Fingertick Samples(Glucolet2) and use of the
Glucometer Elite
Childhood Lead Poisoning Prevention Program Policy and Procedure
Procedure for Collecting Fingertick Samples in Microtainers for Lead Testing
Blood Lead History Form Procedure
Tuberculosis (TB) Policy

This resolution was seconded by Supervisors Jackson & Dedrick, and duly adopted.

Resolution No. 97

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE OPERATION AND TAKE
OVER OF THE MOUNTAIN VALLEY SHUTTLE, EFFECTIVE
MARCH 29, 2009 WITH 50% OF THE COST TO BE COVERED BY
JARC FUNDS**

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, the Essex County Transportation Department will take over operation of the Mountain Valley Shuttle on March 29, 2009, as the ORDA season will end on that day; and

WHEREAS, the Mountain Valley Shuttle shall provide 2 morning and 2 afternoon runs; and

WHEREAS, JARC funds will cover 50% of the costs for the operation of the shuttle with the remaining 50% to come from budgeted funds.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes and approves the Essex County Transportation Department take over operation of the Mountain Valley Shuttle as of March 29, 2009 and that the cost for the operation thereof be paid from JARC grant funds in the amount of 50%, with the remaining 50% to come from budgeted funds.

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

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

Resolution No. 98

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CREATION OF THREE
PART-TIME BUS DRIVERS FOR THE MOUNTAIN VALLEY
SHUTTLE OPERATION, FUNDING IN THE 2009 BUDGET**

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, as a result of Essex County taking over the Mountain Valley Shuttle Operation, it is necessary to create three part-time bus driver positions; and

WHEREAS, there exists current funding for the payment of the salaries and any other benefits in the current 2009 budget.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the hiring of three (3) part-time bus drivers for the Mountain Valley Shuttle Operation in order to provide drivers for the Mountain Valley Shuttle with salaries and any other benefits to come from 2009 budgeted grant funds; and

BE IT FURTHER RESOLVED, that when the grant funding discontinues, these positions will be re-evaluated and a determination will be made as to whether they are further needed.

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

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

Resolution No. 99

March 3, 2008
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
WESTPORT LADY EAGLES BASKETBALL TEAM FOR
WINNING THE 2008-2009 SECTION VII, CLASS D
CHAMPIONSHIP**

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, this Board of Supervisors is pleased to learn that the Westport Girls Varsity Basketball Team has won the 2008-2009 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 Lady Eagles Girls Varsity Basketball Team, their coaches, assistants and fans for their outstanding accomplishments, including, but not limited to, earning the title of 2008-2009 Section VII, Class D Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 100

April 6, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE
WESTPORT BOYS VARSITY BASKETBALL TEAM
FOR WINNING THE MVAC DIVISION AND LEAGUE
CHAMPIONSHIP AND THE SECTION VII, CLASS D
CHAMPIONSHIP**

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, this Board of Supervisors is pleased to learn that the Westport Central School Boys Varsity Basketball Team has won the 2008-2009 Mountain Valley Athletic Conference Division and League Championship and the 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 coaches assistants and staff for their outstanding accomplishments, including, but not limited to, earning the title of 2008-2009

MVAC Division and League Championship and the Section VII, Class D Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 101

April 6, 2009
Regular Board Meeting

RESOLUTION ESTABLISHING A CAPITAL PROJECT FOR THE CONSTRUCTION AND RECONSTRUCTION OF COUNTY BRIDGES AND AUTHORIZING THE COUNTY ATTORNEY TO PREPARE AND OBTAIN THE NECESSARY PAPERWORK FOR THE ISSUANCE OF UP TO \$6,000,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF ESSEX COUNTY, NEW YORK, TO FINANCE THE COSTS OF THE CONSTRUCTION AND RE-CONSTRUCTION OF BRIDGES IN AND FOR THE COUNTY, PURSUANT TO THE LOCAL FINANCE LAW AND TO PREPARE ANY AND ALL NECESSARY DOCUMENTS RELATIVE TO SEQRA AND ANY NECESSARY ENVIRONMENTAL COMPLIANCE

The following resolution was offered by Supervisor Morency, 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, many of the bridges throughout Essex County are in need of construction and/or reconstruction and it is necessary to borrow up to \$6,000,000 in order to insure that these bridges are made safe for the traveling public; and

WHEREAS, it is necessary to consult with bonding attorneys for the preparation of serial bonds and accompanying environmental compliance documents.

BE IT RESOLVED, that the Essex County Board of Supervisors here establishes a capital project for construction and reconstruction of County bridges and authorizes the County Attorney to prepare and obtain the necessary paperwork for the issuance of up to \$6,000,000 aggregate principal amount serial bonds of Essex County, New York to finance the cost of the construction and reconstruction of bridges in and for the County, pursuant

to the local finance law and to prepare any and all necessary documents relative to SEQRA and any necessary environmental compliance.

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. 102

April 6, 2009
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 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 and places on file the following:

1. From the Personnel Department

- (a) The 2008 Personnel Department Annual Report.
- (b) The 2008 Workers' Compensation/Self-Insurance Annual Report.

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

Resolution No. 103

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THREE POSITIONS IN THE
SHERIFF'S OFFICE TO CHANGE FROM A 35 HOUR WORK
WEEK TO A 40 HOUR WORK WEEK
CONFIDENTIAL SECRETARY, ACCOUNT CLERK/TYPIST
AND REGISTERED NURSE**

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

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

WHEREAS, because of the significant increase in federal inmates housed in the Essex County Jail, it has been an increased work load effecting the Confidential Secretary, Account Clerk/Typist and the Registered Nurse such that an increase in their hours is necessary.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a change from a 35 hour work week to a 40 hour work week with respect to the Confidential Secretary, Account Clerk/Typist and the Registered Nurse in the Sheriff's office with the monies to be paid from 2009 budgeted funds as follows: an additional \$3,206.19 for the Account Clerk/Typist, an additional \$4,320.90 for the Confidential Secretary and an additional \$5,306.73 for the Registered Nurse which increase shall take effect upon the passage of this Resolution.

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

AYES:	2,382	votes
NOES:	461	votes (Scozzafava, Connell)
ABSENT:	0	votes

Resolution No. 104

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING HAROFF AUCTION &
REALTY, INC. TO AUCTION ALL PROPERTY DEEMED
APPROPRIATE BY THE COUNTY ATTORNEY AND
COUNTY TREASURER, BY LIVE AS WELL AS INTERNET
BIDS, AND TO INCLUDE TWO PARCELS OF FORFEITURE
PROPERTY OBTAINED BY THE DISTRICT ATTORNEY'S
OFFICE**

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, the County of Essex currently has contracted with Haroff Auction & Realty, Inc. relative to auctioning properties obtained by Essex County pursuant to its most recent tax foreclosure proceedings and any additional real property held by the County which contract expires in September of 2009; and

WHEREAS, the County is desirous of having Haroff Auction & Realty, Inc. auction off various pieces of real property which remain in Essex County's name from the previous tax foreclosure proceedings and two parcels of forfeiture property obtained by the District Attorney's office.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes Haroff Auction & Realty, Inc. to auction all properties currently held by Essex County by tax foreclosure or otherwise, deemed appropriate by the County Attorney and County Treasurer, by live as well as internet bids, including two parcels of forfeiture property obtained by the Essex County District Attorney's office after obtaining the approval and consent of the Essex County District Attorney.

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

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

Resolution No. 105

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASE, FROM
STATE CONTRACT, OF AN HP DRIVE ENCLOSURE AND A
SIX HARD DRIVE UPGRADE FOR THE INFORMATION
SYSTEMS DEPARTMENT, AT A COST OF \$6,509.44 FROM
BUDGETED FUNDS**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the purchase, from state contract, of an HP drive enclosure and a six hard drive upgrade for the Information Systems Department, at a cost of \$6,509.44 from budgeted funds.

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

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

Resolution No. 106

April 6, 2009
Regular Board Meeting

**RESOLUTION AMENDING ARTICLE 18 -
CLOTHING/UNIFORM ALLOWANCE IN THE
JANUARY 1, 2009 - DECEMBER 31, 2012
CSEA AGREEMENT, TO ADD CLOTHING ALLOWANCE
FOR THE KITCHEN STAFF AT THE ESSEX COUNTY
PUBLIC SAFETY FACILITY**

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

Upon the recommendation of the Labor/Management 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 Article 18 of the current CSEA Collective Bargaining Unit Agreement for the period January 1, 2009 through December 31, 2012, entitled "Clothing/Uniform Allowance" should be amended to contain a clothing allowance for kitchen staff at the Essex County Public Safety Facility.*

BE IT RESOLVED *that the Essex County Board of Supervisors hereby authorizes the amendment of Article 18 - Clothing/Uniform Allowance of the January 1, 2009 through December 31, 2012, CSEA Collective Bargaining Unit Agreement as follows:*

Essex County Public Safety Facility

- A. *Each year, the kitchen staff at the Essex County Public Safety Facility shall be provided \$325.00 to be used for work-related and for work purposes as it relates to clothing/uniforms. Such payments shall be provided in June of each year.*

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

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

Resolution No. 107

April 6, 2009
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, 2009**

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

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

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the submission of a Community Development Block Grant application, in the amount of \$600,000, to the State of New York in April, 2009 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 April 13, 2009 at 5:00 p.m. and on April 16, 2009 at 10:00 a.m. at the Chambers of the Essex County Board of Supervisors in Elizabethtown, New York.

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

Resolution No. 108

April 6, 2009
Regular Board Meeting

**RESOLUTION APPOINTING SCOTT R. WILSON TO THE ESSEX
COUNTY WORKFORCE INVESTMENT BOARD**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby appoints Scott R. Wilson of Jay, New York to the Essex County Workforce Investment Board.

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

Resolution No. 109

**April 6, 2009
Regular Board Meeting**

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE
FINDINGS AND DETERMINATIONS RELATIVE TO THE
ACQUISITION AND INSTALLATION OF THE PUBLIC SAFETY
RADIO COMMUNICATIONS SYSTEM AND THE ISSUANCE OF
UP TO \$10,000,000 AGGREGATE AMOUNT SERIAL BONDS**

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.

WHEREAS, J.R. Kimball and Associates and Motorola, Inc., competent engineering firms, duly licensed by the State of New York (the "Engineer"), have, at the instance of the Board of Supervisors of the County of Essex (the "County"), a municipal corporation of the State of New York (the "State"), prepared plans and studies for the acquisition and installation of a public safety radio communications system in and for the County, situate principally in the County, in part in Warren County, New York, and in part in Addison County, Vermont, including equipment, apparatus and appurtenances, fire-resistant buildings, land, rights-in-land, licenses, intellectual property, and any preliminary and

incidental costs related thereto (the "Project") and said engineering plans and studies have been filed in the office of the County Clerk and are on file for public inspection; and

WHEREAS, *the Board of Supervisors of the County upon the examination of such plans and studies has determined that the portions of the Project in New York fall within the jurisdiction of the Adirondack Park Agency (the "Agency"), such Project being classified as a Class A regional project pursuant to subsections 54 and 55 of Section 802 and Section 810 of Article 27 of the Executive Law of the State (the "APA Act"), and is subject to the Agency's Class A regional project review; and*

WHEREAS, *the Board of Supervisors of the County has determined that pursuant to 6 NYCRR 617.5(36), actions subject to the Agency's Class A regional project review are classified as "Type II actions", as that term is defined in 6 NYCRR §617.2(aj), and that no action with respect to the environmental review of the Project by the County is required under the State Environmental Quality Review Act ("SEQRA"); and*

WHEREAS, *it is proposed that the maximum amount estimated to be expended for the Project is \$10,000,000 and that the costs of the Project, in whole or in part, are to be financed by the issuance of serial bonds of the County in the aggregate principal amount of up to \$10,000,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and*

WHEREAS, *it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the County in annual installments determined by the Board of Supervisors of the County in amounts sufficient to pay the principal of and interest on said serial bonds, to be authorized in a bond resolution adopted by the Board of Supervisors of the County on April 6, 2009; and*

WHEREAS, *the evidence contained in such engineering plans and studies with respect to the Project permits the Board of Supervisors of the County to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;*

NOW THEREFORE, *pursuant to proceedings prescribed in the Adirondack Park Agency Act and 6 NYCRR at §617.6 et seq. of the SEQRA regulations,*

BE IT RESOLVED, *BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ESSEX, STATE OF NEW YORK, as follows:*

Section 1. *The County, by and through its Board of Supervisors, hereby declares and designates itself to be the "lead agency", as that term is defined in 6 NYCRR §617.2(u), with respect to the environmental review of the Project, but only to the extent the Agency does not consider or perform a regional project review prescribed in the APA Act.*

Section 2. *Upon receipt and examination of the plans and studies, it is hereby determined that the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(aj) and the Board of Supervisors of this County has determined that pursuant to 6 NYCRR*

§617.5(c)(36) action subject to the Adirondack Park Agency's Class A and Class B Regional Project Review are classified as "Type II Actions" and no action with respect to the environmental review of the project by the County is required under SEQRA.

Section 3. Notwithstanding a portion of the Project being situate in Addison County, Vermont, no other agency other than the County is involved in said environmental review under SEQRA and no coordinated review or segmentation of such review is necessary or required with respect to the Project.

Section 4. No hearing as set forth in 6 NYCRR §617.9(a)(4) is required in making the determinations contained herein with respect to the costs of the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. It is hereby determined that for purposes of the SEQRA regulations the serial bond resolution to be adopted under the LFL to finance the Project shall not be or be deemed to be an "action", as that term is defined in 6 NYCRR §617.2(b).

Section 7. The County shall include a true copy of this resolution in the file maintained, readily accessible to the public, in the office of the County Clerk, containing the plans and studies.

Section 8. The County shall make no determination or finding as to environmental impacts under any law, rule or regulation relating to that portion of the Project situate in Addison County, Vermont, but shall rely exclusively on the findings, conclusions and opinions of others qualified or deemed qualified to make such determinations.

Section 9. This resolution shall take effect immediately upon its adoption by the Board of Supervisors of the County.

This resolution 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 No. 110

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO
\$10,000,000 AGGREGATE PRINCIPAL AMOUNT SERIAL**

**BONDS OF THE COUNTY OF ESSEX, STATE OF NEW YORK,
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE
COSTS OF THE ACQUISITION AND INSTALLATION OF A
PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM IN AND
FOR THE COUNTY**

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

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

WHEREAS, *the Board of Supervisors of the County of Essex (the "County"), a municipal corporation of the State of New York (the "State"), hereby determines that it is in the public interest of the County to authorize the financing of the costs of the acquisition and installation of a public safety radio communications system in and for the County, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$10,000,000, pursuant to the Local Finance Law; and*

WHEREAS, *the Board of Supervisors of the County has not taken any action or adopted any local law which would require effectiveness of this bond resolution to be subjected to a permissive or mandatory referendum.*

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ESSEX, STATE OF NEW YORK *as follows:*

Section 1. There is hereby authorized to be issued serial bonds of the County, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$10,000,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition and installation of a public safety radio communications systems in and for the County, including equipment, apparatus and appurtenances, fire-resistant buildings, land, rights-inland, licenses, intellectual property, and any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Supervisors of the County has ascertained and hereby states that (a) the estimated maximum cost of the Project are not to exceed \$10,000,000; (b) no money has heretofore been authorized to be applied to the payment of the cost of the Project; (c) the Board of Supervisors of the County plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and (d) the maturity of the serial bonds authorized herein shall be in excess of five (5) years. Notwithstanding the foregoing, no proceeds derived from the obligations authorized herein shall be expended on any portion of the Project situate outside the boundaries of the County and in another county of the State or in another state prior to completion of applicable land use, environmental, or regulatory proceedings in effect in such county or state.

Section 3. It is hereby determined that the Project is of a class or object or purpose as described in subdivision 11(b) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty-five (25) years. The serial bonds authorized herein shall have a maximum maturity of the twenty-five (25) years computed from the earlier of (a) the date of the first issue of such serial bonds, or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the County Treasurer, as chief fiscal officer of the County. The County Treasurer is hereby authorized to execute by manual or facsimile signature, on behalf of the County, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the County Clerk is hereby authorized to impress the seal of the County (or to have imprinted a facsimile thereof) on all such serial bonds and all such bond anticipation notes, and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the County Treasurer. In the absence of the County Treasurer, the Deputy County Treasurer is hereby authorized to exercise the powers delegated to the County Treasurer by this bond resolution.

Section 5. When this bond resolution takes effect, the Clerk of the Board of Supervisors of the County shall cause the same, or a summary thereof, to be published, together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, in the Plattsburgh Press Republican, a newspaper having a general circulation in the County and, following publication thereof, the validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or a class of object or purpose, for which the County is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond resolution (or a summary thereof), were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the County are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized herein as the same shall become due.

Section 7. The County hereby declares its intention to issue serial bonds as authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The County

covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the County, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the County to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the County to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the serial bonds authorized herein or any other provisions hereof until the date which is sixty (60) days after the final maturity date of such serial bonds or an earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and of any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution and the County may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Board of Supervisors of the County shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law and all regulations promulgated thereunder by the New York State Department of Environmental Conservation, the Adirondack Park Agency Act and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Supervisors of the County covenants that it will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Supervisors of the County that the Project will not have significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the County agrees, in accordance with and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner as may be required for purposes of the Rule. In order to describe and specify certain terms of the County's continuing disclosure agreement for that purpose and thereby implement that agreement, including provisions for enforcement, amendment and termination, the County Treasurer is authorized and directed to sign and

deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the Rule (the "Commitment"), to be placed on file with the County Clerk and which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the County and that are approved by the County Treasurer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment shall be the County's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet the costs the County would be required to incur to perform thereunder. The County Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the County with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the County Treasurer shall consult with, as appropriate, the County Attorney and bond counsel or other qualified independent special counsel to the County and shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Supervisors of the County.

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

AYES:2681 votes
NOES: 1235 votes (Scozzafava, Politi)
ABSENT: 0 votes

Resolution No. 111

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ESSEX COUNTY SHERIFF'S
DEPARTMENT TO APPLY FOR A COPS GRANT TO PROVIDE
FUNDING TO FILL ONE VACANT DEPUTY SHERIFF POSITION AND
TWO NEW TRANSPORTATION OFFICERS FOR THE ESSEX COUNTY
JAIL**

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

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

WHEREAS, because of the significant increase in federal inmates housed in the Essex County Jail, it has become necessary to fill a vacant position and add two additional transport officer positions in order to properly staff and run the facility; and

WHEREAS, Sheriff Hommes has apprised the Board that there exists a COPS grant sponsored by the federal government wherein monies can be obtained for the hiring and filling of these positions for a period of three years conditioned on the obligation of the County to continue to hire those persons for a fourth year at County expense.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Sheriff to apply for a COPS grant to fill one vacant position and for two additional positions at the Essex County Jail facility with the understanding that if the grant is awarded and accepted by Essex County that the grant will last for a three year period and Essex County will be obligated to continue to hire these individuals for one additional (fourth) year.

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

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

Resolution No. 112

April 6, 2009
Regular Board Meeting

**RESOLUTION AWARDING THE BID AND AUTHORIZING A
CONTRACT FOR THE PURCHASE OF A FENCE FOR THE
VETERAN'S CEMETERY AND FURTHER AUTHORIZING THE
TRANSFER OF UP TO \$2,500.00 FROM THE CONTINGENCY
ACCOUNT**

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

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

WHEREAS, pursuant to Resolution No. 60 dated March 2, 2009, this Board of Supervisors authorized the purchase of a fence for the Veteran's Cemetery in an amount not to exceed \$15,691.00, with 100% of the funds to come from the Veteran's Cemetery grant, and

WHEREAS, after receiving and reviewing the five bids received, the low bid being \$17,562.00, additional funding is required to finalize the fence purchase.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its Purchasing Agent to award the low bid to Carriage House Garden Center, Willsboro, NY, and authorizes the transfer of the sum of up to \$2,500.00 from the contingency account (19904-5487) into Land Improvements (65102 5217) to finalize the purchase of the fence for the Veteran's Cemetery and further authorizes the County chairperson and/or County Manager to enter into a contract with Carriage House Garden Center in the amount of \$17,562.00.

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

AYES: 2843 votes

NOES: 0 votes

ABSENT: 0 votes

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 3/2/09:	\$355,480.77
Reduction Impact of this resolution:	\$ 2,500.00
FY2009 Contingent Account Balance:	\$352,980.77

Resolution No. 113

April 6, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
GEORGE CULVER SMITH**

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, *George Culver Smith, a lifelong resident of the Town of Jay, passed away on March 11, 2009 after bravely battling a short illness; and*

WHEREAS, *George was an avid Boston Red Socks and Buffalo Bills fan, Roy Rogers movie buff, lifelong hunter and solid and loving family man; and*

WHEREAS, *George worked for many years in the construction field, at Whiteface Mountain and was a Councilman for the Town of Black Brook in Clinton County and involved in the Au Sable Forks Fire Department for well over 30 years; and*

WHEREAS, *George's greatest pride and love was his family, including his loving wife of 49 years, Sylvia, son Craig and daughters Susan and Nancy, together with their spouses, his grandchildren, his brothers and sisters and nieces and nephews; and*

WHEREAS, *George was best known for his involvement with the Au Sable Valley School District as a Security Guard and friend to the faculty and the students for over 40 years where he was beloved not only by the students and faculty, but by the residents of the entire Au Sable Valley School District all of whom came to know and love George and call him friend; and*

WHEREAS, *George was always friendly, quick with a smile and a joke and had the unique capacity of accepting and embracing everyone; and*

WHEREAS, *George Culver Smith was a loving husband, father, grandfather, brother, uncle, friend and big brother to countless scores of school children whose lives he touched and he will be sorely missed.*

BE IT RESOLVED *that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and the County Attorney, his friend, hereby express and extend their deepest sympathy and condolences to the family of George Culver Smith; 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 Smith family.

This resolution was unanimously seconded and adopted.

Resolution No. 114

April 6, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
MARGARET L. ROUBA**

The following resolution was offered by Supervisor Scozzafava, 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, Margaret L. Rouba of Port Henry, New York passed away on March 6, 2009 at Albany Memorial Hospital in Albany, New York; and

WHEREAS, Margaret L. Rouba was born in Port Henry on June 12, 1928, the daughter of Anthony and Lucy LaPietro DeVitto and the wife of the late John Rouba; and

WHEREAS, Margaret L. Rouba graduated from Port Henry High School, retired from the Town of Moriah Supervisor's Office in 1990 where she was the bookkeeper/budget officer and in 2007 she moved to Atria Senior Living Group in Albany, New York; and

WHEREAS, Margaret L. Rouba is survived by two daughters and sons-in-law, Janice and Paul Ryan of Niskayuna, New York and Diane and Carl Cuzdey of Colonie, New York; three grandchildren, Michael Timothy and Kelsey Ryan; and one brother, Charles DeVitto in Warrensburg, New York.

BE IT RESOLVED, that the Essex County Board of Supervisors, its County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of our friend, Margaret L. Rouba; and

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

This resolution was unanimously seconded and adopted.

Resolution No. 115

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY MANAGER TO APPLY FOR
A CREDIT CARD FOR THE ESSEX COUNTY TREASURER AND THE
CLERK OF THE ESSEX COUNTY BOARD OF SUPERVISORS WITH
FIVE STAR CORPORATE**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes its County Chairwoman and/or County Manager to enter into a Corporate Borrowing Resolution with Five Star Bank for a Mastercard Corporate Card for the Essex County Treasurer in an amount not to exceed \$3,000.00 and the Clerk of the Essex County Board of Supervisors in an amount not to exceed \$10,000.00 as substitutes for the credit cards each previously held with and through Adirondack Bank which will no longer be valid.

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

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

**RESOLUTION OF COMMENDATION AND APPRECIATION TO
SARAH RICE - ELCS ENGLISH TEACHER**

The following resolution was offered by Supervisors Blades and Merrihew, who moved its adoption.

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

WHEREAS, on Wednesday, February 25, 2009 at 11:40 a.m. the individual so named above demonstrated professionalism, commitment to excellence and the ability to perform life saving procedures resulting in saving the life of a sixth grade student; and

WHEREAS, Sarah Rice, an English Teacher at the Elizabethtown-Lewis Central School, was assigned cafeteria supervision along with faculty members Jodi Thompson and Brad Schrauf. During this assignment they heard a sudden and strange sound and observed a sixth grade student bent over, who appeared to be in severe distress. The male students face was turning red and they realized the student was choking. The three staff members immediately realized the serious implication of the visual and auditory cues they were witnessing; and

WHEREAS, Mrs. Thompson ran for the School Nurse, while Mr. Schrauf and Mrs. Rice immediately went to the choking student. Mrs. Rice asked the male student if he was choking and when he nodded yes, she immediately knew she had to take quick and decisive action to resolve a potentially deadly incident; and

WHEREAS, Mrs. Rice made the life and death decision to use the Heimlich Maneuver on the student and successfully restored the student to full health. Mrs. Rice who knew how to perform the Heimlich technique, was successful with the first thrust dislodging a chicken nugget from the students throat, "like a cork being popped off a champagne bottle"; and

WHEREAS, Mrs. Rice remained calm and professional while performing the life saving intervention. Not only did she perform the Heimlich, she also helped provide a calming effect in the cafeteria after the incident was controlled. Her experience and calming influence in the cafeteria helped to establish an environment where the other students and adults were able to deal with this very traumatic situation; and

WHEREAS, this is an example of a life and death situation that could have had a far different outcome had Mrs. Rice failed to recognize the events and respond immediately. Mrs. Rice demonstrated a commitment to excellence in the care of the school children as well as the ability to maintain composure through the sequence of events.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends their sincere congratulations and appreciation to Sarah Rice, English Teacher at Elizabethtown-

Lewis Central School for her outstanding and exemplary actions as it relates to the emergency care of a choking student, and extend their deepest gratitude for her dedicated, steadfast and exemplary public service.

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby directed to forward a suitably embossed copy of this resolution to Sarah Rice.

This resolution was unanimously seconded and adopted.

Resolution No. 117

April 6, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
HONORA "HONEY" CARPENTER**

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

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

WHEREAS, Honora "Honey" Carpenter of Westport, New York passed away on March 20, 2009, after a long and determined fight against breast cancer; and

WHEREAS, Honora "Honey" Carpenter was the born on July 10, 1945 in Richmond, Staten Island, New York, the daughter of William, Sr. and Haleen (Johnson) Smith; and

WHEREAS, Honora "Honey" Carpenter retired from Essex County Emergency Services as a principal account clerk, and, prior to working for Essex County, was village clerk and clerk to the Supervisor in Westport as well as a medical transcriptionist at Elizabethtown Community Hospital; and

WHEREAS, Honora "Honey" Carpenter was a charter member of High Peaks Hospice and organized and participated in several "Walks for the Cure for Breast Cancer"; and

WHEREAS, Honora "Honey" Carpenter is survived by her devoted and loving husband, Arthur R. Carpenter; her daughters Kari Ratliff and Kathleen Desjardins; her

stepdaughter, Bonnie Lawrence; her brother William Smith; her cousins Karen Brown and Beverly McIntyre; her grandchildren Kaleigh Ratliff, Cooper Sayward, Jeff, Eric and Brian Sherman, Steven and David Lawrence and Adam Carpenter; 10 great-grandchildren; her nephews, Matt, Doug, Greg, Brian and Shane Smith; and niece, Leslie Smith; and

***WHEREAS**, daughter, Kari Ratliff is a long-time employee with the Essex County Department of Motor Vehicles; and*

***WHEREAS**, Honora "Honey" Carpenter was a loving wife, mother, grandmother, great grandmother, sister, aunt and friend who will be sorely missed but never forgotten; and*

***BE IT RESOLVED**, that the Essex County Board of Supervisors hereby express and extend its deepest sympathy and condolences to the family of our friend, Honora "Honey" Carpenter; and*

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

This resolution was unanimously seconded and adopted.

Resolution No. 118

April 6, 2009
Regular Board Meeting

**RESOLUTION ADOPTING A HOME RULE REQUEST FOR
ADOPTION BY THE NEW YORK STATE ASSEMBLY OF
ASSEMBLY BILL NO. A.7084 AND FOR THE ADOPTION BY
THE NEW YORK STATE SENATE OF SENATE BILL NO.
S. 3505 EXTENDING THE AUTHORIZATION GRANTED TO
ESSEX COUNTY TO IMPOSE AN ADDITIONAL THREE-
QUARTERS OF ONE PERCENT OF SALES AND
COMPENSATING USE TAXES UNTIL NOVEMBER 30, 2011**

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

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

WHEREAS, by Resolution No. 33 adopted on February 2, 2009, the Essex County Board of Supervisors requested that the State Legislature introduce Home Rule Legislation granting Essex County the authority to extend the imposition of an additional three-quarters of one percent of sales and compensating use taxes until November 30, 2011; and

WHEREAS, Assembly Bill No. A.7084 and Senate Bill No. S.3505 have been introduced in their respective Houses for such purpose, extending the County's authority to impose such additional taxes until November 30, 2011, and the County needs to adopt a Home Rule Request for such necessary legislation to be considered and enacted.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts a Home Rule Request requesting enactment of Assembly Bill A.7084 and Senate Bill S.3505 which extend the authorization granted Essex County to impose an additional three-quarters of one percent of sales and compensating use taxes until November 30, 2011; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors declares that a necessity exists for the enactment of such legislation as the County does not have the legal authority to enact this legislation by local law; and

BE IT FURTHER RESOLVED that the Clerk of this Board be and is hereby authorized and directed to immediately execute all required Home Rule Request documents and immediately forward the same to Senator Elizabeth O'C. Little and Assemblywoman Teresa R. Sayward.

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

AYES:3916 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 119

April 6, 2009
Regular Board Meeting

**RESOLUTION ADOPTING A HOME RULE REQUEST FOR
ADOPTION BY THE NEW YORK STATE ASSEMBLY OF
ASSEMBLY BILL A.7085 AND FOR THE ADOPTION BY NEW**

**YORK STATE SENATE OF SENATE BILL S.3504 EXTENDING
THE AUTHORIZATION GRANTED TO ESSEX COUNTY TO
ADOPT AND AMEND LOCAL LAWS IMPOSING A TAX OF 25¢
FOR EACH \$100 ON EACH REMAINING MAJOR FRACTION
THEREOF A PRINCIPLE DEBT INCURRED BY A MORTGAGE
ON REAL PROPERTY SITUATE WITHIN THE COUNTY UNTIL
DECEMBER 1, 2012**

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

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

WHEREAS, by Resolution No. 34 adopted on February 2, 2009, the Essex County Board of Supervisors requested that the State Legislature introduce Home Rule Legislation granting Essex County the authority to extend the imposition and adoption of a local law imposing a tax of 25¢ for each \$100 on each remaining major fraction thereof of a principle debt incurred by a mortgage on real property situate within the County of Essex until December 1, 2012; and

WHEREAS, Assembly Bill No. A.7085 and Senate Bill No. S.3504 have been introduced in their respective Houses for such purposes, extending the County's authority to impose a tax of 25¢ for each \$100 and each remaining major fraction thereof of principle debt secured by a mortgage on real property situate within said County until December 1, 2012; and

WHEREAS, based upon the foregoing, and because the County does not have the legal authority to enact such legislation by Local Law there exists a necessity for the enactment of this requested legislation amending Section 253-j of the Tax Law and amending Essex County Local Law #4 for the year 2006 to extend its provisions to December 1, 2012; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby adopts a Home Rule Request requesting enactment of Assembly Bill A.7085 and Senate Bill S.3504 which extends the authorization granted to Essex County to impose an additional tax of 25¢ for each \$100 on each remaining major fraction thereof on principle debt incurred by a mortgage on real property situate within the County until December 1, 2012.

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby declares that a necessity exists for the enactment of such legislation as the County does not have the legal authority to enact this legislation by local law; and

BE IT FURTHER RESOLVED, that the Clerk of the Board be and is hereby authorized and directed to immediately execute all required Home Rule Request

documents and immediately forward the same to Senator Elizabeth O’C. Little and Assemblywoman Teresa R. Sayward.

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

**AYES:3916 votes
NOES: 0 votes
ABSENT: 0 votes**

Resolution No. 120

**April 6, 2009
Regular Board Meeting**

RESOLUTION REIMBURSING THE TOWN OF TICONDEROGA THE SUM OF \$237. 23 RELATIVE TO THE TRANSPORT OF ESSEX COUNTY INMATES FROM TICONDEROGA, NEW YORK TO THE ESSEX COUNTY JAIL FACILITY IN LEWIS, NEW YORK

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the reimbursement to the Town of Ticonderoga in the amount of \$237.23 relative to charges incurred by the Town of Ticonderoga in the transport of inmates from the Town of Ticonderoga to the Essex County Jail Facility.

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

**AYES: 2642 votes
NOES: 201 votes (Connell, Preston)
ABSENT: 0 votes**

Resolution No. 121

**April 6, 2009
Regular Board Meeting**

RESOLUTION AUTHORIZING THE COUNTY PURCHASING AGENT, IN ACCORDANCE WITH THE ESSEX COUNTY PURCHASING POLICY (RESOLUTION #320-97) TO SOLICIT QUOTES, BIDS OR RFPs FOR THE PURCHASE OF A DIGITAL COPIER WITH BUILT IN FAX FOR THE ESSEX COUNTY ATTORNEY'S OFFICE IN AN AMOUNT NOT TO EXCEED \$7,700

The following resolution was offered by Supervisor McSweeney, 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 authorizing the County Purchasing Agent, in accordance with the Essex County Purchasing Policy (Resolution #320-97) to solicit quotes, bids or RFPs for the purchase of a Digital Copier with built in fax for the Essex County Attorney's Office in an amount not to exceed \$7,700 with said funds to come from the contingency account into the County Attorney's Account number 14204-5400INV.

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

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 3/2/09:	\$352,980.77
Reduction Impact of this resolution:	\$ 7,700.00
FY2009 Contingent Account Balance:	\$345,280.77

Resolution No. 122

April 6, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRPERSON AND/OR COUNTY
MANAGER TO ENTER INTO A LETTER OF ENGAGEMENT AND RETAINER WITH
GIRVIN & FERLAZZO, P.C. FOR LEGAL SERVICES RELATIVE TO OUTSTANDING
LITIGATION AND CLAIMS RELATIVE TO THE CONSTRUCTION OF THE ESSEX
COUNTY JAIL IN AN AMOUNT NOT TO EXCEED \$7,500.00**

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 the
County Chairperson and/or County Manager to enter into a Letter of Engagement and Retainer
with Girvin & Ferlazzo, P.C. for legal services relative to the construction of the Essex County
Jail in an amount not to exceed \$7,500.00 pursuant to previous Resolution #404 of December,
2008; and

BE IT FURTHER RESOLVED, that the Letter of Engagement shall provide for an hourly
rate not to exceed \$195.00 per hour per attorney and for an itemized bill and such additional
and further terms as determined necessary by the County Attorney.

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

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

Resolution No. 123

April 6, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE MINERVA
SLEEPING GIANT SENIOR CITIZENS ON THEIR 40TH
ANNIVERSARY**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its sincere congratulations to the Minerva Sleeping Giant Senior Citizens as they celebrate their 40th anniversary on June 26, 1969.

This resolution was unanimously seconded and adopted.

Resolution No. 124

**April 6, 2009
Regular Board Meeting**

RESOLUTION AUTHORIZING THE COUNTY PURCHASING AGENT, IN ACCORDANCE WITH THE ESSEX COUNTY PURCHASING POLICY (RESOLUTION #320-97) TO SOLICIT QUOTES, BIDS OR RFPs FOR A CIVIL ENGINEER IN CONNECTION WITH THE COUNTY'S RADIO COMMUNICATION SYSTEM

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 authorizing the County Purchasing Agent, in accordance with the Essex County Purchasing Policy (Resolution #320-97) to solicit quotes, bids or RFPs for a civil engineer in connection with the County's radio communications system to locate our shelters for the radio system.

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

**AYES: 2362 votes
NOES: 0 votes
ABSENT: 481 votes (Politi)**

Resolution No. 125

**April 6, 2009
Regular Board Meeting**

RESOLUTION ACCEPTING THE ECONOMIC RECOVERY PROJECT FUNDING UNDER TITLE 23 U.S. CODE, AS AMENDED, THAT CALLS FOR THE APPORTIONMENT OF THE COSTS OF SUCH PROGRAM TO BE BORNE AT THE RATIO OF 100% FEDERAL FUNDS AND 0% NON-FEDERAL FUNDS FOR THE BLUE RIDGE ROAD, I-87 TO ROUTE 28N ECONOMIC RECOVERY PROJECT(S) IN THE TOWN OF NORTH HUDSON IN ESSEX COUNTY

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.

WHEREAS, the Blue Ridge Road, I-87 to Route 28N Economic Recovery Project(s) (hereinafter the “the Projects”) in the Town of North Hudson, in Essex County, (hereinafter “the Municipality/Sponsor”) is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

BE IT RESOLVED that the Municipality/Sponsor Council hereby approves the above Projects; and

BE IT FURTHER RESOLVED, that the Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor Council hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from Account Number 51104.5400BC the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and

BE IT FURTHER RESOLVED, that the Municipal/Sponsor Council makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter “NYSDOT”) pursuant to the State/Local Agreement; and

BE IT FURTHER RESOLVED, that the sum of \$4,632,100.00 (Four million six hundred thirty two thousand one hundred dollars and no cents) is hereby appropriated from Account Number 51104.5400BC and made available to cover the cost of participation in the above phase(s) of the Project(s); and hereby appropriates from Account Number 51104.5400BC the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and

BE IT FURTHER RESOLVED that upon completion of construction of the Projects, or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at their sole cost and expense; and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Municipal/Sponsor Council shall convene as soon as possible to appropriate said excess amount immediately; and

BE IT FURTHER RESOLVED, that the Chairwoman of the Essex County Board of Supervisors is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipal/Sponsor Attorney’s approval as to form and content), with NYSDOT in connection with the advancement or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the municipality’s first instance funding of the non-federal share 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

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately

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

AYES: 2,362 votes

NOES: 0 votes

ABSENT: 481 votes (Politi)

Resolution No. 126

**April 6, 2009
Regular Board Meeting**

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE
TO PASS SENATE BILL S.1401 AND ASSEMBLY BILL A.3035,
“JILLY’S LAW”, WHICH WILL PROVIDE ADDITIONAL
PROTECTION TO VICTIMS OF DOMESTIC VIOLENCE**

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

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

WHEREAS, Erie County Legislator Edward Rath is urging the New York State Legislature to pass Senate Bill S.1401 and Assembly Bill A.3035, “Jilly’s Law”, which will provide additional domestic violence victim protection; and

WHEREAS, Jill and Jeff Cahill were a married couple with two children living near Syracuse, New York; and

WHEREAS, their marriage was facing some difficulties; and

WHEREAS, during an argument in April, 1996, Jeff Cahill bludgeoned Jill Gahill with a baseball bat, causing Jill to lapse into a coma; and

WHEREAS, while out on bail, a restraining order was issued which required Jeff to stay away from Jill; and

WHEREAS, in October, 1996, Jeff was caught posing as a hospital staff member in the same hospital where Jill was recovering; and

WHEREAS, one week later, Jeff posed as a janitor at the same hospital, entered Jill's room and murdered her; and

WHEREAS, currently, the only factor that courts can consider when setting bail in domestic violence cases is risk of flight; and

WHEREAS, if the court was allowed to consider the brutal nature of the attack, the resulting injuries and Jill's safety, Jill might still be alive today; and

WHEREAS, New York State Senate Bill 1401 and New York State Assembly Bill 3035 would permit courts to consider violations of court orders, history of threats or violence against an alleged victim, previous records of protection against the individual, the violent nature of the charged crime, the impact that the crime had against the victim and other relevant circumstances when determining bail in domestic violence cases; therefore

BE IT RESOLVED, that the Essex County Board of Supervisors pause in its deliberations to acknowledge the importance of "Jilly's Law" and urges the immediate passage and chaptering of New York State Senate Bill 1401 and New York State Assembly Bill 3035, which will provide additional protection to victims of domestic violence; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Majority Leader Malcolm Smith, Attorney General Andrew Cuomo, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

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

Resolution No. 127

April 6, 2009
Regular Board Meeting

**RESOLUTION OPPOSING THE PROPOSAL OF THE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO A
50 FISH LIMIT ON SMELT AND PERCH**

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, the Department of Environmental Conservation has proposed a 50 fish limit regarding perch and smelt from Lake Champlain.

BE IT RESOLVED, that the Essex County Board of Supervisors is hereby in opposition of the Department of Environmental Conservation's proposed 50 fish limit of perch and smelt from Lake Champlain as this would discourage fishing tourism, impact local people and their families and the economy of our area.

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

Resolution No. 128

April 6, 2009
Regular Board Meeting

**RESOLUTION AMENDING RESOLUTION NO. 70 OF MARCH, 2009 AUTHORIZING THE
PURCHASE OF TELEHEALTH EQUIPMENT FROM HONEYWELL HOMMED IN THE
AMOUNT OF \$67,000**

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.

WHEREAS, it has come to the attention of the Board of Supervisors that it would be more cost effective to purchase the Telehealth equipment from Honeywell rather than lease the same.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the purchase of Telehealth equipment as set forth in the proposal of Honeywell Hommed in the amount of \$67,000, with \$18,120 to come from Recruitment and Retention Grant monies and the balance of \$48,880 to be transferred from budgeted funds and further authorizes the County Chairwoman and/or County Manager to execute a contract therefore.

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

**AYES:2362 votes
NOES: 0 votes
ABSENT: 481 votes (Politi)**

Resolution No. 129

**April 6, 2009
Regular Board Meeting**

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO SOLICIT QUOTES, RFPS OR BIDS FOR CURTAINS FOR THE ESSEX COUNTY COURTHOUSE IN AN AMOUNT NOT TO EXCEED \$9,500 AND FURTHER AUTHORIZING A BUDGET AMENDMENT TO THE 2009 BUDGET FOR THE BUILDINGS AND GROUNDS DEPARTMENT

The following resolution was offered by Supervisor French, 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 purchasing agent to solicit quotes, RFPS or bids for curtains for the Essex County Courthouse in an amount not to exceed \$9,500 and further authorizing a budget amendment to the 2009 budget for the Buildings and Grounds Department; and

(a) For Buildings and Grounds Department, \$9,500.00 - for the purchase of curtains for the Essex County Courthouse to come from 2009 fund balance as follows.

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3909	Fund Balance	\$9,500.00 ____

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
16204 5400INV	Inventory	\$9,500.00 ____

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

AYES: 2,362 votes

NOES: 0 votes

ABSENT: 481 votes (Politi)