

Resolution No. 248

August 3, 2009
Regular Board Meeting

**RESOLUTION ADOPTING THE UPDATED ESSEX COUNTY
COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts the updated Essex County Comprehensive Emergency Management Plan (CEMP).

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

Resolution No. 249

August 3, 2009
Regular Board Meeting

**RESOLUTION ADOPTING THE ESSEX COUNTY ANIMAL
RESPONSE TEAM (CART)**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts the Essex County Animal Response Team (CART).

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

Resolution No. 250

August 3, 2009
Regular Board Meeting

**RESOLUTION TO APPLY FOR AND ACCEPT A REGIONAL
CASE GRANT, AS CO-SPONSORS WITH CLINTON COUNTY,
FROM THE DEPARTMENT OF HOMELAND SECURITY**

The following resolution was offered by Supervisor Connell, 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 Department of Homeland Security has appropriated \$250,000.00 statewide to adopt five regional case grants for the purchase of a trailer equipped with cages to transport and house animals in areas where there is a disaster; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby approves Essex County as a co-signer with Clinton County relative to a Department of Homeland Security \$500,000 statewide grant to be used, if awarded, to purchase a trailer and cages to house and transport animals in the event of a disaster.

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

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

Resolution No. 251

August 3, 2009
Regular Board Meeting

**RESOLUTION AMENDING THE PERSONNEL POLICY MANUAL
TO AUTHORIZE THE PURCHASE OF MEALS FOR THE HAZMAT
TEAM AND THE LOCAL EMERGENCY PLANNING COMMITTEE
WHEN THEY MEET FOR DRILLS/MEETINGS, SUCH TO BE PAID
FOR WITH GRANT FUNDS ON CONDITION THAT THE GRANTS
PROVIDE FOR SUCH PAYMENT**

The following resolution was offered by Supervisor Jackson, 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 amends the personnel policy manual to authorize the purchase of meals for the HAZMAT Team and the Local Emergency Planning Committee when they meet for drills/meetings, such to be paid for with grant funds, on condition that the grants allow for such payment.

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

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

Resolution No. 252

August 3, 2009
Regular Board Meeting

RESOLUTION AUTHORIZING A RESIDENCY WAIVER

**FOR ELIZABETH VIELE, A LEGAL SECRETARY
IN THE PROBATION DEPARTMENT**

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 a residency waiver for Elizabeth Viele in the Probation Department.

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

Resolution No. 253

**August 3, 2009
Regular Board Meeting**

**RESOLUTION AUTHORIZING AMENDMENTS TO THE 2009
ESSEX COUNTY BUDGET FOR VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Scozzafava, 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 Human Services Committee

- (a) For the Public Health Department, increase revenues and appropriations by \$34,000.00, stimulus funds as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4340187	State Aid Obesity Grant	\$34,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41904.5400CS	Contracted Services	\$34,000.00

- (b) For the Office for the Aging Department, increase revenues and appropriations by \$19,920.00, Weatherization Referral and Packaging Program (WRAP) final allocation and carryover as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
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6772-4477270	Fed Aid WRAP	\$19,920.00
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APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
67721-5110	Wage	\$ 4,909.00
67728-5820	Social Security	375.00
67728-5840	Disability Insurance	26.00
67724-5410	Office Supplies	500.00
67724-5423	Telephone	400.00
67724-5424	Postage	300.00
67724-5436	Advertising Fees	1,255.00
67724-5446WRAP	Aging Subcontracts	<u>12,155.00</u>
		\$19,920.00

(C) For the Office for the Aging Department, increase revenues and appropriations by \$3,946.00, HICAP (Medicare Improvement for Patient and Provider Act) final allocation and carryover as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6772-4477290	Fed Aid HICAP Aging	\$3,946.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
67721-5110	Wage	\$3,184.00
67728-5820	Social Security	244.00
67728-5840	Disability Insurance	18.00
67724-5420	Printing	<u>500.00</u>
		\$3,946.00

2. From the Economic Development/Planning/Publicity Committee

(a) For the Planning Department, to increase revenues and appropriations by \$100,000.00, Smart Growth Grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
8020 43089DMP	Smart Growth - Destination Master Plan	\$100,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
54SMART	Destination Master Plan - Visitors Bureau	\$100,000.00

(b) For the Historian Department, to increase revenues and appropriations by \$45,000.00, Quadricentennial Grant.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
7510 43910	DEC Quadricentennial Grant	\$45,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
7510487 5487QUAD	Quadricentennial Grant	\$45,000.00

3. From the Department of Public Works Committee

(a) For the DPW-Fairgrounds Department, to increase revenues and appropriations by \$2,000.00, bid bond forfeited by KLC contract on Bacon Burger Pavilion.

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
8750 4265565	Bid Deposits	\$2,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
87502 5285	Building Construction	\$2,000.00

4. From the Finance Committee

(a) For the Youth Bureau, to increase revenues and appropriations by \$1,000.00, tennis grant as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
7310.4382086	Tennis Grant	\$1,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
73104.5440TEN	Tennis Instruction & Equipment	\$1,000.00

5. From the Ways and Means Committee

(a) For the Public Health, to increase revenues and appropriations by \$20,000.00 for Federal Stimulus Funds as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
440892	Federal Stimulus Money	\$20,000

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41904.5473	Prescription Drugs/Medical	\$20,000

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

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

Resolution No. 254

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENTS TO THE
ESSEX COUNTY OFFICE FOR THE AGING
ADVISORY COUNCIL**

The following resolution was offered by Supervisor Connell, 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 following list of people to be appointed to the Essex County Office for the Aging Advisory Council:

Patsy McCaughin	-	supportive services, ex-officio
High Peaks Hospice	-	supportive services, ex-officio
Barbara Papineau	-	supportive services, ex-officio
Alan Jones	-	supportive services, ex-officio
Ron Jackson	-	local elected official
Donna Beal	-	supportive services, ex-officio
Edna Coonrod	-	senior, term expires 12/31/09
Frances Filshie	-	senior/leadership/past PH Director term expires 12/31/09
Marge Lopez	-	senior, term expires 12/31/09
Anne Merkel	-	senior/leadership/Public Health term expires 12/31/10
Lynn Edmonds	-	senior/business/leadership term expires 12/31/10
Ira (Herb) Potter	-	senior, term expires 12/31/10
Nancy Tierney	-	senior, term expires 12/31/11
Rev. Fred Shaw	-	general public/minority/leadership term expires 12/31/11
Elizabeth Buysse	-	senior, term expires 12/31/11
William Dolback	-	senior/business/leader term expires 12/31/11

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appoints the above listed to the Essex County Office for the Aging Advisory Council.

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

Resolution No. 255

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE OFFICE FOR THE AGING
TO PURCHASE DONUTS FROM MOUNT SEVERANCE STORE
IN THE AMOUNT OF \$285.00 FOR THE NEWCOMB PICNIC**

The following resolution was offered by Supervisor Canon, 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 authorizes the Office for the Aging to purchase, from budgeted funds, donuts for the annual Newcomb picnic in the amount of \$285.00.

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

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

Resolution No. 256

August 3, 2009
Regular Board Meeting

**RESOLUTION AWARDING A BID AND AUTHORIZING A
CONTRACT WITH SECURITY CONCEPTS FOR THE
INSPECTION AND MAINTENANCE OF A NURSE CALL
SYSTEM IN THE AMOUNT OF \$2,702.00 AND THE
INSTALLATION OF SUCH IN THE AMOUNT OF \$17,513.68**

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 awards a bid to Security Concepts and authorizes its County Chairwoman and/or County Manager to enter into a contract with Security Concepts for the inspection and maintenance of a Nurse Call System, Wandering System and Door Alarms in the amount of \$2,702.00 and the installation of same in the amount of \$17,513.68, from budgeted funds, for the Horace

Nye Home.

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

AYES: 2649 votes
NOES: 0 votes
ABSENT: 0 votes
ABSTAIN: 194 votes (Morrow)

Resolution No. 257

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING FREE PUBLIC
TRANSPORTATION TO MEDICAL APPOINTMENTS FOR
SENIORS AND VETERANS WITHIN ESSEX COUNTY TO PAY
THIRTY CENTS FARE FOR EACH RIDER, AND AUTHORIZING
A TRANSFER OF \$500.00 FROM WITHIN THE
TRANSPORTATION BUDGET TO COVER THESE FARES**

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 Public Transportation Department would like to provide free public transportation to senior citizens and veterans within Essex County to medical appointments; and

WHEREAS, in order to maintain STOA, the Transportation Department would have to pay 30¢ per person which monies would have to be transferred from within the budget to cover the cost of the fares.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Public Transportation Department to provide free public transportation to senior citizens and veterans within Essex County for medical appointments; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes the Transportation Department to pay 30¢ per person for each rider and authorizes a budget transfer of \$500.00 to cover these fares.

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

AYES: 2843 votes

NOES: 0 votes
ABSENT: 0 votes

Resolution No. 258

August 3, 2009
Regular Board Meeting

RESOLUTION DECLARING THE FIRST WEDNESDAY OF EACH MONTH AS EARTH DAY ON PUBLIC TRANSPORTATION AND PROVIDING FREE FARES FOR EACH RIDER, TO PAY THIRTY CENTS FARE FOR EACH RIDER AND AUTHORIZING A TRANSFER OF \$500.00 FROM WITHIN THE TRANSPORTATION DEPARTMENT BUDGET TO COVER THESE FARES

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby declares the first Wednesday of each month as Earth Day on public transportation and provide free fares for each rider and the Transportation Department shall pay 30¢ fare for each rider; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes a budget transfer of \$500.00 from within the Transportation Department budget to cover these fares.

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

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

Resolution No. 259

August 3, 2009
Regular Board Meeting

RESOLUTION AUTHORIZING THE TRANSPORTATION DEPARTMENT TO PAY \$154.00 TO JOE'S TAXI, \$20.00 TO MOUNTAIN TAXI AND \$43.00 TO CROWN POINT CAB

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Transportation Department to pay for rides for the Office for the Aging Department, which were not covered under Medicaid for taxi fares for Joe's Taxi in the sum of \$154.00, Mountain Taxi in the sum of \$20.00 and Crown Point Cab in the sum of \$43.00, all to be paid from budgeted funds.

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

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

Resolution No. 260

August 3, 2009
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO THE PUBLIC TRANSIT
EMPLOYEES AND VOLUNTEERS FOR ASSISTING THE
TRANSPORTATION DEPARTMENT WITH THE PARADES IN
THE TOWNS OF JAY, ELIZABETHTOWN AND PORT HENRY**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends its deepest appreciation to all of the public transit employees and volunteers for assisting the Transportation Department with the parades in the Towns of Jay, Elizabethtown and Port Henry.

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

Resolution No. 261

August 3, 2009
Regular Board Meeting

**RESOLUTION BEGINNING THE PROCESS OF AMENDING
THE VESSEL REGULATION ZONE FOR LAKE PLACID BY
THE DESIGNATION OF ALL OF PARADOX BAY AS A FIVE
MPH NO WAKE ZONE FOR PUBLIC SAFETY PURPOSES**

The following resolution was offered by Supervisor Politi, 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, Section 46 of the Navigation Law provides that the Board of Supervisors may establish a Vessel Regulation Zone describing limitations and adopting regulations for the use of any lake or other body of water within the County; and

WHEREAS, Essex County has an existing Vessel Regulation Zone Law relative to Lake Placid in Essex County pursuant to Resolution No. 61 for the year 1942 and as thereafter amended pursuant to Resolution #28 of 1947, Resolution #318 of 1982, Resolution #64 of 1984; and

WHEREAS, the Essex County Board of Supervisors is desirous of amending the existing Vessel Regulation Zone Resolutions as they pertain to Lake Placid by designating the appropriate portions of Paradox Bay as a 5 MPH no wake zone for public safety purposes; and

WHEREAS, it is provided by Section 48 of the Navigation Law that a Public Hearing shall be held before the members of the Board of Supervisors, or a committee designated for that purpose upon due notice of such hearing before the regulation shall be adopted affecting said zone which Notice of Hearing cannot be held any sooner than 30 days after notice of such hearing is published; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby establishes a committee of Roby Politi, Chair, Dale French, Ronald Jackson, Robert Dedrick and Lori Spooner , who shall conduct a public hearing upon not less than 30 days notice of such hearing published in at least two newspapers having general circulation in the territory effected and who will thereafter report to the Board of Supervisors of Essex County their findings and regulations relative to the imposition of a 5 MPH no wake zone within Paradox Bay located on Lake Placid.

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

Resolution No. 262

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRWOMAN
AND/OR COUNTY MANAGER TO EXECUTE A THIRD PARTY
AGREEMENT FOR FEDERAL SECTION 5311 OPERATING
ASSISTANCE WITH ORDA, LAKE PLACID AND THE TOWN
OF KEENE RELATIVE TO THE PROVISION OF CERTAIN
PUBLIC TRANSPORTATION SERVICES FOR THE PAYMENT
BY ESSEX COUNTY TO THE CARRIERS**

The following resolution was offered by Supervisor Ferebee, 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, Section 5311, Title 49, United States Code provides for the payment of Federal Financial Assistance for Public Transportation and rural and small urban areas through a formula grant program administered by the State; and

WHEREAS, this Non-Urbanized Area Public Transportation Program is administered by the Department of Transportation of the State of New York; and

WHEREAS, Essex County is a grantee under said program pursuant to an approved project application and a written agreement with said department; and

WHEREAS, ORDA, Lake Placid and the Town of Keene are carriers which will provide certain public mass transportation services as part of this program.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Chairwoman and/or County Manager to execute a Third Party Agreement for Federal Section 5311 Operating Assistance with ORDA, Lake Placid and the Town of Keene relative to the provision by these entities of public mass transportation services.

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

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

Resolution No. 263

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRWOMAN
AND/OR COUNTY MANAGER TO EXECUTE AN AGREEMENT
BETWEEN THE COUNTY OF ESSEX AND THE TOWNS OF
JAY AND WILMINGTON FOR TRANSPORTATION SERVICES
BETWEEN JAY, WILMINGTON AND LAKE PLACID**

The following resolution was offered by Supervisor Douglas, 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, Essex County, the Town of Jay and the Town of Wilmington are desirous of entering into an agreement whereby Essex County will provide public transportation services to and from Au Sable Forks, New York through Wilmington, New York to Lake Placid, New York for the benefits of residents of the Town of Jay, Wilmington and others in order to provide an economic cost effective means for residents in these Towns to travel to their jobs located in and along this route and in order to foster tourism

within all areas along this route.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to execute an agreement between the County of Essex and the Towns of Jay and Wilmington for transportation services between Jay, Wilmington and Lake Placid.

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

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

Resolution No. 264

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRWOMAN
AND/OR COUNTY MANAGER TO ENTER INTO A
SUBORDINATION AGREEMENT SUBORDINATING A \$37,000
MORTGAGE HELD BY ESSEX COUNTY ON PROPERTY
OWNED BY TABITHA WOODS-COLE IN THE TOWN OF
TICONDEROGA**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairwoman and/or County Manager to execute a subordination agreement subordinating the mortgage held by Essex County, in the principal amount of \$37,000.00 with respect to the property owned by Tabitha Woods Cole located in the Town of Ticonderoga.

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

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

Resolution No. 265

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE RETIRED
SENIOR VOLUNTEER PROGRAM (RSVP) ON THE OCCASION
OF THEIR 35TH ANNIVERSARY**

The following resolution was offered by Supervisor Douglas, 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 Retired and Senior Volunteer Program of Essex County (RSVP/Essex County) was established in the County of Essex in July of 1974 for the purpose of engaging men and women aged 55 or older in meaningful volunteer service to strengthen the well being of the individual and community and to help serve as a bridge between those in need and those with the ability to provide; and

WHEREAS, since its inception in 1974, RSVP has provided over 1,523,234 hours of service to those in need in the County of Essex; and

WHEREAS, RSVP volunteers serve as tutors, transporters, office aides, reading buddies, osteo exercise leaders, medical transportation drivers, hospice and literacy volunteers, knitters, respite caretakers, friendly visitors, telephone assistance and reassurance, hospital and nursing home volunteers, nutrition and home delivered meals volunteers, entertainers, advisory council members, homeland security volunteers, mentors and more and are a valuable and indispensable resource for many County residents; and

WHEREAS, the Essex County Board of Supervisors is pleased to learn that the Retired Senior Volunteer Program (RSVP) has recently celebrated its 35th anniversary of service to residents within Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends its heartiest congratulations and deepest appreciation to the Retired Senior Volunteer Program (RSVP) upon the celebration of its 35th anniversary and wishes RSVP continued success in its future endeavors.

This resolution was unanimously seconded and duly adopted.

Resolution No. 266

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE LAKE
CHAMPLAIN CHAPTER OF THE DAUGHTERS OF THE
AMERICAN REVOLUTION ON THE OCCASION OF THEIR
100TH ANNIVERSARY**

The following resolution was offered by Supervisor French, 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 extends its

heartiest congratulations to the Lake Champlain Chapter of the Daughters of the American Revolution upon the celebration of their 100th anniversary.

This resolution was unanimously seconded and duly adopted.

Resolution No. 267

August 3, 2009
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO SHEILA ZELINSKI FOR
HER YEARS OF SERVICE TO ESSEX COUNTY**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its deepest appreciation to Sheila Zelinski for her years of dedicated service given to Essex County as the trainer for Water Safety Instructor, Life Guard Training and First Aid.

This resolution was unanimously seconded and adopted.

Resolution No. 268

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE TOWN OF
MINERVA YOUTH COMMISSION ON
THE OCCASION OF ITS 60TH ANNIVERSARY**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends its heartiest congratulations to the Town of Minerva Youth Commission on celebrating its 60th anniversary.

This resolution was unanimously seconded and duly adopted.

Resolution No. 269

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE TOWN OF
MINERVA SENIOR CITIZENS ORGANIZATION ON THE**

OCCASION OF ITS 40TH ANNIVERSARY

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends its heartiest congratulations to the Town of Minerva Senior Citizens Organization on celebrating its 40th anniversary.

This resolution was unanimously seconded and duly adopted.

Resolution No. 270

August 3, 2009
Regular Board Meeting

RESOLUTION OF APPRECIATION AND THANKS TO THE FAMILY OF FRANCIS DONNELLY, PAST SUPERVISOR FOR THE TOWN OF MINERVA, FOR THE DONATION OF A CHAIR AND DEDICATING THE CHAIR TO MR. DONNELLY

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

Upon the recommendation of the Finance Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing property and necessary,

WHEREAS, Francis Donnelly was Minerva Town and County Supervisor from 1934 until his death in 1980; and

WHEREAS, through his 46 years as County Supervisor, Mr. Donnelly served on many important committees of the Board of Supervisors; and

WHEREAS, Mr. Donnelly served as Chairman of this Board of Supervisors in 1948 and 1949; and

WHEREAS, Mr. Donnelly was an active, concerned and dedicated member of this body; and

WHEREAS, when the Board of Supervisors refurbished our old Chamber, Mr. Donnelly purchased the Chairman's Chair; and

WHEREAS, Mr. Donnelly's grandson, David McNally, returned the Chair to the Board in 2007.

NOW THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors thanks the Donnelly family and David McNally for donating the Chairman's Chair to this Body; and

BE IT FURTHER RESOLVED, that this Board dedicates this Chair to the name and in the memory of Mr. Francis Donnelly, Supervisor from the Town of Minerva.

This resolution was unanimously seconded and duly adopted.

Resolution No. 271

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE
VILLAGE OF LAKE PLACID AND THE STOP DWI PROGRAM
IN THE AMOUNT OF \$10,000.00,
PAYMENTS ON A VEHICLE**

The following resolution was offered by Supervisor Politi, 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 Essex County Chairperson and/or County Manager to enter into a contract between the Village of Lake Placid and the Stop DWI Program in the amount of \$10,000.00 for payment toward a police patrol car upon the approval of the County Attorney.

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

AYES: 2746 votes
NOES: 97 votes (Blades)
ABSENT: 0 votes

Resolution No. 272

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE
TOWN OF MORIAH AND THE STOP DWI PROGRAM IN THE
AMOUNT OF \$20,000.00,
FOR THE PURCHASE OF A VEHICLE**

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

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

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

the Essex County Chairperson and/or County Manager to enter into a contract between the Town of Moriah and the Stop DWI Program in the amount of \$20,000.00 for payment toward a police patrol car upon the approval of the County Attorney.

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

AYES: 2655 votes
NOES: 188 votes (Blades, Preston)
ABSENT: 0 votes

Resolution No. 273

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
VICTOR S. ORGANEK**

The following resolution was offered by Supervisor Moses, 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, Victor S. Organek of Schroon Lake passed away on July 19, 2009, after a long illness; and

WHEREAS, Victor S. Organek was born on September 16, 1934, the son of Victor S. And Helen (Tyrseck) Organek; and

WHEREAS, Victor S. Organek was the choral and instrumental orchestra teacher for the Schroon Lake Central School for many years, valued community member and played the organ for several years at the Saturday mass at Our Lady of Lourdes church; and

WHEREAS, Victor S. Organek married Betty (Rosenberg) Berry on June 24, 1967; and

WHEREAS, Victor S. Organek is survived by his wife Betty, sons Steven and Craig, step-son Kirk Berry, step-grandchildren, Jennifer Berry and Cory Berry, a sister Elaine Organek; and

WHEREAS, Victor S. Organek was a loving, loyal and devoted husband, son, father, step-father, brother, grandfather, uncle and good 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 the County Attorney hereby express and extend their deepest sympathy and condolences to the family of Victor S. Organek; 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 Organek family.

This resolution was unanimously seconded and adopted.

Resolution No. 274

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CONTRACT WITH PUBLIC
SECTOR HR CONSULTANTS LLC IN THE AMOUNT OF
\$19,000 FOR THE IMPLEMENTATION OF A WORKPLACE
VIOLENCE PREVENTION PROGRAM WITH THE FUNDS TO
COME FROM THE CONTINGENCY ACCOUNT**

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, RFPs have been solicited for consultants to advise and implement a policy and program regarding workplace violence prevention; and

WHEREAS, Public Sector HR Consultants LLC has submitted the lowest responsible bid in the amount of \$19,000.00.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the award of the bid and contract to the lowest responsible bidder, Public Sector HR Consultants LLC in the amount of \$19,000.00 upon the approval of the County Attorney, with such funds to come from the Contingency Account (19904-5487) into Account 14304-5440.

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

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

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 7/6/09:</i>	<i>\$322,959.77</i>
<i>Reduction Impact of this resolution:</i>	<i>\$ 19,000.00</i>

Resolution No. 275

August 3, 2009
Regular Board Meeting

**RESOLUTION ADVOCATING THAT CAPITAL DISTRICT
REGIONAL OFF-TRACK BETTING CORPORATION BE
ALLOWED TO OPERATE IN ITS CURRENT FORM
WHILE STILL CONTINUING TO PROVIDE A
REASONABLE SUPPORT FOR THE
GOVERNMENT OF ESSEX COUNTY WHILE
CONTINUING TO OPERATE IN A MANNER COMPATIBLE
WITH THE WELL BEING OF HORSE RACING AND
BREEDING IN NEW YORK STATE**

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

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

WHEREAS, New York State and its municipalities, including the County of Essex are facing financial and budget issues due to matters of the economy as well as other various reasons, and

WHEREAS, over the past 30 years, 43 counties and municipalities have received more than \$3 billion in revenue from the six New York Off-Track Betting Corporations that have been used to offset local tax increases, and

WHEREAS, Capital District Regional Off-Track Betting Corporation is a public benefit corporation created by statute that deals in pari-mutual wagering and disburses monies to each of its participating members, and

WHEREAS, counties and municipalities who are participating members in New York State are more than bystanders in any decision which affects the structure of Off-Track Betting and horse racing in New York State, and

WHEREAS, Essex County is a participating member of Capital District Regional Off-Track Betting Corporation, and

WHEREAS, Essex County uses the monies provided by its participation in Capital District Regional Off-Track Betting Corporation to help control the rising rate of property taxes; to specifically help such items such as (special education), the rising costs of Medicaid, retirement and health insurance, and to help other important County funded programs, and

WHEREAS, any such negative impact on the financial and operational relationship that Essex County has with Capital District Regional Off-Track Betting Corporation would negatively effect Essex County.

BE IT FURTHER RESOLVED, that Essex County's stake in the future of horse racing and Off- Track Betting Corporations in New York State be preserved, and

BE IT RESOLVED, that Essex County supports Capital District Regional Off-Track Betting Corporation and its continued efforts to increase revenue for its participating member, and

BE IT RESOLVED, that Essex County, a member of Capital District Regional Off-Track Betting Corporation, could not and will not support any recommendation by the Task Force on the Future of Off-Track Betting or the State of New York that would change the current structure of Off-Track Betting in New York State and put in jeopardy the financial and operational relationship between Essex County and Capital District Regional Off-Track Betting Corporation, and

BE IT RESOLVED, that Essex County supports and will support the legislative efforts of Capital District Regional Off-Track Betting Corporation to introduce and have passed the proposed 2009 OTB Omnibus Bill Legislation, including the right to operate Video Lottery Terminals (VLT's) in locations within its geographic area and Essex County. Such legislation includes many changes to current statutes that govern the operational and distribution of revenues of Capital District Regional Off-Track Betting Corporation; and

BE IT FURTHER RESOLVED, that those changes would permit Capital District Regional Off-Track Betting Corporation to return greater revenues to Essex County allowing Capital District Regional Off-Track Betting Corporation to continue to provide a reasonable support for the government of Essex County while continuing to operate in a manner compatible with the well being of horse racing and breeding in New York State.

This resolution was unanimously seconded and duly adopted.

Resolution No. 276

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF ROBERT LILLY UPON
THE RECENT LOSS OF HIS PARENTS**

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, Robert Lilly, past Information Services Director of Essex County has recently lost both of his parents within a very short time; and

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

This resolution was unanimously seconded and adopted.

Resolution No. 277

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING AN UNPAID INTERN IN THE COUNTY
ATTORNEY'S OFFICE**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Attorney's Office to secure the services of Brian Lamb as an unpaid intern with the County Attorney's Office.

This resolution was unanimously seconded, and adopted.

Resolution No. 278
AMENDED

August 3, 2009
Regular Board Meeting

**RESOLUTION TO ADVERTISE AND FILL A POSITION OF ASSISTANT CIVIL
ENGINEER IN THE DPW DEPARTMENT TO FILL THE POSITION OF LENNY
ZELKOWITZ UPON HIS RETIREMENT AND ESTABLISHING A SALARY RANGE
OF \$45,000 TO \$55,000 OR COMMENSURATE UPON EDUCATION AND
EXPERIENCE**

The following resolution was offered by Supervisor Morency, 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, Frederick H. Buck, Superintendent of the Essex County Department of Public Works has advised this Board that Lenny Zelkowitz will be retiring in the near future and the Essex County Department of Public Works will be in need of an Assistant Civil Engineer; and

WHEREAS, it is anticipated that a salary between \$45,000 and \$55,000 should be offered with said funds to come from budgeted funds.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the advertisement and search for an Assistant Civil Engineer in the Department of Public Works Department to fill the vacancy upon the retirement of Lenny Zelkowitz at a salary range of between \$45,000 and \$55,000 to come from budgeted funds or commensurate upon education and experience, in which case, the salary shall be established by this Board.

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

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

Resolution No. 279

August 3, 2009
Regular Board Meeting

**RESOLUTION PROCLAIMING SEPTEMBER 13-20, 2009 AS HARVEST
FESTIVAL WEEK IN ESSEX COUNTY**

The following resolution was offered by Supervisor Merrihew, 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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby proclaims the week of September 13-20, 2009 as harvest festival week in Essex County.

This resolution was unanimously seconded, and adopted.

Resolution No. 280

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY MANAGER WITH THE
APPROVAL OF THE COUNTY ATTORNEY TO APPROVE
MISCELLANEOUS DEPARTMENTAL EXPENSES UNDER \$800.00**

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, the County Manager, with the approval of the County Attorney, is hereby authorized and directed to approve miscellaneous departmental expenses which may fall outside the adopted Policy Manual language as it relates to department heads and elected officials who during the normal course of performing their duties, provide meals and/or other such incidental expenses to representatives of other governmental agencies, and/or volunteers who are performing services which are of benefit to Essex County Government operations; and

BE IT FURTHER RESOLVED, such officials must notify and obtain permission from the County Manager prior to the expenditure of such funds. No such expense shall exceed \$800.00 without prior approval of the Board of Supervisors.

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

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

Resolution No. 281

August 3, 2009
Regular Board Meeting

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS
AND DETERMINATIONS RELATIVE TO THE ISSUANCE OF UP TO \$6,000,000.00
AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS FOR THE COUNTY OF
ESSEX PURSUANT TO THE CONSTRUCTION AND RECONSTRUCTION OF
BRIDGES IN AND FOR THE COUNTY**

The following resolution was offered by Supervisor Ferebee, 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, Schoder Rivers Associates Consulting Engineers, P.C., a competent engineering firm, duly licensed by the State of New York (the "Engineer"), has, 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 construction and reconstruction of bridges, including equipment, apparatus and appurtenances, land, rights-in-land, 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 County has determined that upon the examination of an environmental assessment form ("EAF") the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(a) and as set forth in 6 NYCRR §617.5, and therefore the County caused the EAF to be prepared and promptly filed with the County Clerk; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project in its entirety is \$6,000,000 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 pursuant to the Local Finance Law of the State of New York and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of such serial bonds; and

WHEREAS, it is proposed that the costs of the Project, as aforesaid, 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 at a County meeting held on August 3, 2009, pursuant to proceedings taken under the Local Finance Law;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“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 continuing environmental review of the Project.

Section 2. It is hereby determined that the Project as aforesaid, is a “Type II action,” as that term is defined in 6 NYCRR §617.2(aj) and as set forth in 6 NYCRR §617.5 as these projects are replacement in kind, repair and repair of bridges.

Section 3. No agency other than the County is involved in said environmental review and no coordinated review is necessary or required.

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. This resolution shall take effect immediately upon its adoption by the

Board of Supervisors of the County.

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

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

Resolution No. 282

August 3, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$6,000,000
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 CONSTRUCTION AND RECONSTRUCTION OF
BRIDGES IN AND FOR THE COUNTY**

The following resolution was offered by Supervisor Canon, 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, the Board of Supervisors of the County of Essex (the "County"), located in the State of New York, hereby determines that it is in the public interest of the County to authorize the financing of the costs of the construction and reconstruction of bridges in and for the County, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$6,000,000, 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 the 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, in the aggregate principal amount not to exceed \$6,000,000, pursuant to the Local Finance Law, in order to finance the costs of the construction and reconstruction of bridges in and for the County, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor 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 is not to exceed \$6,000,000, (b) no

money has heretofore been authorized to be applied to the payment of the costs 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, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, except to the extent of Federal or State aid received by the County which shall reduce the principal amount of the serial bonds or bond anticipation notes issued in anticipation of the issuance of such serial bonds, authorized herein *pro tanto*, (d) the maturity of the obligations authorized herein will be in excess of five (5) years, and (e) on or before the expenditure of moneys to pay for the Project, for which proceeds of any obligations are to be applied to reimburse the County, the Board of Supervisors of the County took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is of a class of object or purpose described in subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probably usefulness of the Project is forty (40) years. The serial bonds authorized herein shall have a maximum maturity of the forty (40) 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 serial bonds, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including the renewal 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 issued pursuant to this bond resolution 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 (or to have imprinted a facsimile thereto) of the County to or 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 shall cause the same to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Press Republican, Post Star, Adirondack Daily Enterprise and Times of Ti, newspapers having a general circulation in the County. 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 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, 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 are 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 and issued pursuant to this bond resolution as the same shall become due.

Section 7. The County intends to issue the obligations authorized by this bond resolution 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 such serial bonds or any other provisions hereof until the date which is sixty (60) days after the final maturity date or 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 adoption date 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 obligations authorized herein, the Board of Supervisors of the County shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, the regulations promulgated thereunder by the New York State Department of Environmental Conservation, 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 such obligations authorized herein upon the advice of bond counsel. It is hereby and has been 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 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 to 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, 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 McSweeney, and duly adopted upon a two-thirds roll-call vote as follows:

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

Resolution No. 283

August 3, 2009
Regular Board Meeting

***RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ROBERT MOUSSEAU***

The following resolution was offered by Supervisor Douglas, 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, Robert "Moose" Mousseau, of Au Sable Forks, New York passed away on Wednesday, July 15, 2009; and

WHEREAS, Robert Mousseau was a lifelong resident of Au Sable Forks, New York and a graduate of Au Sable Forks High School, Class of 1953; and

WHEREAS, Robert Mousseau worked at the J&J Rogers Company and at the Pepsi-Cola Plant until his retirement in 1997 when he then went to work for the Town of Jay and the Zaumetzer-Sprague Funeral Home; and

WHEREAS, Robert Mousseau was known as an exceptional athlete and sportsman who enjoyed athletic events of all kinds as well as, hunting, fishing and boating; and

WHEREAS, Robert Mousseau could always be counted upon to offer a kind word, a laugh and a handshake to those whom he met and was regarded as an honest, sincere and good person; and

WHEREAS, Robert Mousseau was a loyal and devoted husband, son, father, brother, grandfather, uncle and good 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 the County Attorney, his friend, hereby express and extend their deepest sympathy and condolences to the family of Robert Mousseau; 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 Mousseau family.

This resolution was unanimously seconded and adopted.

Resolution No. 284

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO FORT TICONDEROGA ON
THE OCCASION OF THEIR 100TH ANNIVERSARY AND UPON THE
OPENING OF THE FORT MUSEUM**

The following resolution was offered by Supervisor Dedrick, 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.

BE IT RESOLVED that the Essex County Board of Supervisors is pleased to learn that Fort Ticonderoga has celebrated its 100th anniversary and offers its sincere and heartfelt congratulations upon said occasion and upon the opening of the Fort museum.

BE IT FURTHER RESOLVED, that a suitably embossed copy of this Resolution be forwarded to Fort Ticonderoga.

This resolution was unanimously seconded and adopted.

Resolution No. 285

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
LEO HENRY JEWTRAW, SR.**

The following resolution was offered by Supervisor Politi, 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, Leo Henry Jewtraw, Sr., of Lake Placid, New York passed away on July 27, 2009; and

WHEREAS, Leo Henry Jewtraw, Sr. attended Lake Placid High School and served in the U.S. Marine Corp., was an active participant in the Lake Placid Volunteer Fire Department and served 13 years as a local police officer; and

WHEREAS, Leo Jewtraw was also a heavy equipment operator for the Village of Lake Placid, Village of Lake Placid Highway Superintendent until his retirement in 1997 and was an avid outdoorsman who enjoyed fishing and camping with his family; and

WHEREAS, Leo Jewtraw married Winifred Winchell in 1959 and his greatest pleasure was spending time with his family and loved ones; and

WHEREAS, Leo Jewtraw was survived by six children, Judith Geesler and her husband Kevin of Lake Placid, New York; Julie Barney and her husband, Brian of Lake Placid, New York; Leo Jewtraw, Jr. of Lake Placid, New York; Amy Mace and her husband, Greg of Saranac Lake, New York; Amanda Redman and her husband Patrick of Saranac Lake, New York, Alexis Chapman and her husband Mike of Virginia, and one brother, Glen Flag and his wife, Teresa of Tupper Lake, New York; and

WHEREAS, Leo Henry Jewtraw, Sr. was a loyal and devoted husband, son, father, brother, grandfather, uncle and good 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 the County Attorney hereby express and extend their deepest sympathy and condolences to the family of Leo Henry Jewtraw, 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 Jewtraw family.

This resolution was unanimously seconded and adopted.

Resolution No. 286

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
DONALD L. McQUEEN, SR.**

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

WHEREAS, Donald L. McQueen, Sr. passed away on June 2, 2009; and

WHEREAS, Donald L. McQueen was born on April 5, 1937 in Queens, New York, the son of George Sr. and Blanche V. (Holmes) McQueen; and

WHEREAS, Don was the owner and operator of McQueens Food and Fountain for 17 years. He also worked for the New York State Department of Conservation, the Department of Transportation for 29 years, and as Night Watchman for Essex County for 5 years; and

WHEREAS, In his younger years, Don was an avid bowler and big-game hunter and an accomplished water skier. He also owned and operated Standard Bred Horses. His proudest moment came when he won the Billy Direct Race at the Vermont State Fair, with his horse Queenie's Empire, being the only filly in the race; and

WHEREAS, Don was a member of the Westport Federated Church, the Lewis Fish and Game Club and the United States Trotting Association; and

WHEREAS, As his health failed, Don enjoyed the company of his children and grandchildren. Don will be remembered by those who knew him best for his enormous generosity; and

WHEREAS, Don's daughter, Kellie King, is an employee of the Essex County Public Defender's Office; and

WHEREAS, Donald L. McQueen, is survived by his wife of 47 years, Sandra Lee (Mauran) of Westport; and

WHEREAS, Donald L. McQueen is also survived by one son and his wife, Donald and Wanda McQueen of Westport; one daughter and her husband, Kellie and Robert King of Westport; eight grandchildren, Bradley, Donovan and Garrett McQueen, Devin, Austin, Connor, Rielly Martin and R.J. King; his mother-in-law and father-in-law Irving and Gladys Mauran of Westport; a sister, Joan Newcomb; two sisters-in-law, Jean and Pat McQueen; brother and sisters-in-law, William and Brenda LaHendro, Irving H. and Cheryl Mauran and Sam and Derinda Sherman; and

WHEREAS, Donald L. McQueen was a loving son, husband, father, grandfather, brother, uncle, and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Donald L. McQueen, 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 McQueen family.

This resolution was unanimously seconded and adopted.

Resolution No. 287

August 3, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
VIRGINIA FISH**

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, Virginia “Ginny” Fish passed away on July 26, 2009, surrounded by her loving family; and

WHEREAS, Virginia “Ginny” Fish is survived by her husband of 59 years, Orlie Fish; her sister, Pauline Bezio; three daughters, Bonnie Java, Mary Endres and Sandra Allen; eight grandchildren and 12 great-children, as well as several nieces and nephews; and

WHEREAS, Virginia “Ginny” Fish was a caring and loving person who was always willing to help others; and

WHEREAS, Virginia “Ginny” Fish worked for Essex County and for the Essex County ARC having retired in 1993 to spend her leisure time traveling, playing cards, working puzzles, watching the Boston Red Sox, sharing recipes with family and friends and, most importantly, spending time with her beloved family; and

WHEREAS, Virginia “Ginny” Fish was a loving daughter, wife, mother, grandmother, great grandmother, sister, aunt and friend who will be sorely missed by never forgotten.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the

Board, County Manager and the County Attorney hereby express and extend their deepest sympathy and condolences to the family of Virginia “Ginny” Fish; 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 Fish family.

This resolution was unanimously seconded and adopted.

Resolution No. 288

August 3, 2009
Regular Board Meeting

***RESOLUTION OF APPRECIATION TO
NANCY DOUGAL
FOR HER PROVISION OF THE INFORMATION
ON THE CLOSURE OF THE CHAMPLAIN BRIDGE***

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby extends its appreciation to Nancy Dougal, Essex County Transportation Coordinator for prompt provision of information detailing the impact that the closure of the Champlain Bridge will have with respect to the economic, business and medical needs of the residents of Essex County.

This resolution was unanimously seconded and adopted.

Resolution No. 289

August 3, 2009
Regular Board Meeting

***RESOLUTION INTRODUCING PROPOSED LOCAL LAW #3 OF 2009 CREATING
THE OFFICE OF ESSEX COUNTY DEPARTMENT OF TRANSPORTATION
COORDINATOR***

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 introduces proposed Local Law #3 of 2009 entitled “Essex County Department of Transportation Coordinator” reading and providing as follows:

“ESSEX COUNTY LOCAL LAW NO. 3 OF 2009

A local law to create the office of Essex County Department of Transportation Coordinator and assigning to said office specified administrative functions, powers and duties to be performed on behalf of the Board of Supervisors.

***BE IT ENACTED* by the Board of Supervisors as follows:**

Section 1. ESSEX COUNTY DEPARTMENT OF TRANSPORTATION COORDINATOR

The Office of Essex County Department of Transportation Coordinator is hereby created and established, with such office to be in the competitive class of the civil service.

Section 2. TERM

The term of office of the Essex County Department of Transportation Coordinator shall commence on the first day of January of each even numbered calendar year.

Section 3. COMPENSATION

The compensation to be paid to the Essex County Department of Transportation Coordinator shall be annually negotiated with and set by the Board of Supervisors.

Section 4. APPOINTMENT; QUALIFICATIONS

The Essex County Department of Transportation Coordinator shall be appointed by resolution duly adopted by the Board of Supervisors. At the time of appointment, the Essex County Department of Transportation Coordinator shall possess

- (a) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree in planning, transportation planning, civil engineering, transportation engineering or closely related field and one year of transportation planning experience; OR**
- (b) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree in economics, geography, government, public administration, statistics or closely related field and two years of experience in transportation planning; OR**
- (c) Graduation from a regionally accredited or New York State registered college or university with an Associates' Degree in planning, transportation planning, civil engineering, transportation engineering or closely related field and three years of transportation planning experience; OR**
- (d) An equivalent combination of training and experience as defined by the limits of A), B) and C) above; OR**
- (e) Education beyond a Bachelor's Degree in a specified field may be**

substituted for experience on a year for year basis

Section 5. REMOVAL AND DISCIPLINE

The Essex County Department of Transportation Coordinator may be disciplined by the Board of Supervisors in accordance with the procedures set forth in Section 75 of the Civil Service Law.

If the Essex County Department of Transportation Coordinator is found guilty of disciplinary charges, the penalty imposed may consist of either "1. A reprimand; 2. A suspension for a period not exceeding two months; or 3. Termination from office.

If the Essex County Department of Transportation Coordinator is found guilty, he or she shall be provided a copy of the charges, the written answer thereto, a transcript of the hearing, and the determination rendered by the appointing authority.

The determination rendered by the Board of Supervisors shall constitute a final determination by the County of Essex and may be reviewed upon a Petition filed in accordance with the provisions of Article 78 of the Civil Practice Law and Rules or an application to the state of municipal commission having jurisdiction pursuant to Section 76 of the Civil Service Law.

Section 6. POWERS AND DUTIES

Without curtailing, diminishing or transferring the powers of any elected or appointed County official or the Essex County Board of Supervisors, the Essex County Department of Transportation Coordinator/ shall be responsible for the overall administration of the Essex County Department of Transportation, and shall perform all the duties now and hereafter conferred or imposed upon such office by law and directed by the Board of Supervisors, and shall have all powers and perform all duties necessarily implied or incidental thereto. All of the powers and duties of the Essex County Department of Transportation Coordinator shall be exercised and performed on behalf of the Board of Supervisors and subject to said Board's supervision, direction and control. The powers and duties of Essex County Department of Transportation Coordinator include, but are not limited to, the following:

- (a) Preparation of a variety of reports and applications necessary to secure funding or reimbursement for the department;
- (b) Provides fiscal, statistical and business management information in support of Federal or State grant applications and leverage of funding for transportation projects;
- (c) Submits grant proposals for operating and capital assistance;

(d) Coordination of fiscal, management and administrative functions to assure compliance with Federal, State and local requirements;

(e) Acts as the liaison, and maintains effective relationships with Federal, State and local agencies, individuals and groups in matters relating to the operation, funding, planning, marketing and analysis of transportation projects and mandates for continuation of services;

(f) Preparation and management of program budget;

(g) Creation of promotional, marketing, public relations materials and assists in organization of staff training and orientation;

(h) Creation, planing, implementing, scheduling and dispatching protocols and evaluates the programs and services;

(i) Interpretation of federal, state and local rules and regulations relating to the implementation of the transportation system;

(j) Establishment and maintenance liaison with representatives from partner agencies to enlist their participation;

(k) Development and management all contracts with outside agencies;

(l) Development of varied research assignments related to community and master planning;

(m) Assistance in developing long-range plans to maintain continuous improvement for effective program development and budget development;

(n) Preparation and interpretation of a wide variety of narrative and tabular records and reports necessary for control and operation of activities;

(o) Oversees Countywide public transportation system, including three operators in the County operating system. This includes all reporting to NYS DOT, completing applications for grant funding and grant administration;

(p) Oversees one call center and County operated public transit including all employees, accounting, route justification, planning, development, funding and procurement;

(q) Coordination bringing providers of services together to share services, to reduce cost and duplication;

- (r) Reports to the Board of Supervisors on an at least monthly basis as to all activities of the Department of Transportation;
- (s) Attend all regular meetings of the Board of Supervisors and the transportation committee meetings;
- (t) Responsibility for the supervision and performance of a variety of public transportation business functions including budgeting, accounting, finance, grant writing and office management.
- (u) Any and all other powers and duties determined by the Essex County Board of Supervisors.

Section 7. LIMITATIONS

No provision, clause or sentence of this local law shall operate to divest the Board of Supervisors of any of its administrative or legislative functions, powers and duties; nor shall the grant herein of any of the powers and duties to the Essex County Department of Transportation Coordinator operate or be construed as a transfer of any such functions, powers and duties by said Board.

Section 8. SEPARABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

Section 9. EFFECTIVE DATE

This local law shall take effect on the first day of the month following the date of adoption and compliance with the requirements of law.”

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors shall hold and conduct a Public Hearing on the proposed Local Law on the 17th day of August, 2009 at 9:15 o'clock in the forenoon of that day, to hear any and all persons concerning the same.

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

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

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

Resolution No. 290

*August 3, 2009
Regular Board Meeting*

**RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE
WORKERS' COMPENSATION SELF-INSURANCE PLAN TO
RENEW CONTRACTS WITH PERMA FOR WORKERS'
COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE
FOR 2010 AND 2011**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the administrator of the County Workers' Compensation Self-Insurance Plan to renew its contract with PERMA workers' compensation employers' liability coverage for third-party administration and for GASBY 10 actuarial/accounting services for the Self-Insurance Plan for the Years 2010 and 2011, at a cost of \$565,197.00 for the year 2010, and for the year 2011 at a cost of \$582,440.00 to be paid from 2010 and 2011 Plan revenues.

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

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

Resolution No. 291

*August 3, 2009
Regular Board Meeting*

***RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN THE
EMERGENCY SERVICES DEPARTMENT AND A CONTRACT WITH LIEBERT
SERVICES, INC. FOR THE MAINTENANCE OF AN UNINTERRUPTED
POWER SUPPLY***

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

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

WHEREAS, this is an exception to the bidding process as it is a sole source contract. Liebert Services holds the trademark therefore the necessary codes that would be required to fix the system are not divulged.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a contract with Liebert Services, Inc., also known as Emerson Network, for the maintenance of Uninterrupted Power Supply (UPS) in the amount of \$7,672.80 for the Emergency Services Department; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes a budget amendment in Emergency Services, to increase appropriations by \$7,672.80 for the contract with Liebert Services, Inc., for maintenance of the Uninterrupted Power Supply; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes an appropriation of \$5,173.00 from the contingency account (19904-5487) to Account Number (36404 5413 - Building Maintenance), to cover the balance of the maintenance charge that the Emergency Services Department could not absorb.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes its Chairperson and/or County Manager to execute such contract.

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

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 7/6/09:	\$303,959.77
Reduction Impact of this resolution:	\$ 5,173.00
FY2009 Contingent Account Balance:	\$298,786.77

Resolution No. 292

**August 3, 2009
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE ESSEX COUNTY PLANNING DEPARTMENT
 TO APPLY FOR A TIGER GRANT FOR THE MILL HILL BRIDGE IN THE VILLAGE
 OF KEESEVILLE**

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

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

WHEREAS, the Transportation Investment Generating Economic Recovery (TIGER) Program is a federal program created as part of the American Recovery and Reinvestment Act (Recovery Act) to provide money and aid to state and local governments for highway and bridge projects, public transportation projects and other infrastructure projects; and

WHEREAS, the Mill Hill Bridge located in the Village of Keeseville is in dire need of rehabilitation and repair and is an eligible project under the TIGER program.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Planning Department to apply for a Transportation Investment Generating Economic Recovery (TIGER) grant seeking funding sufficient to rehabilitate and repair the Mill Hill Bridge in the Village of Keeseville.

This resolution was seconded by Supervisors Merrihew and Canon and duly adopted.