

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A
GRANT FROM HOMELAND SECURITY IN THE AMOUNT OF
\$229,000.00**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts a grant from Homeland Security in the amount of \$229,000.00 to be distributed as follows:

Emergency Services	\$143,972.00
Sheriff's Dept.	\$ 57,250.00
Public Health	\$ 27,778.00

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 AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF AGREEMENT WITH CLINTON AND
FRANKLIN COUNTY REGARDING THE COMPANION ANIMAL
SHELTERING EQUIPMENT (CASE) GRANT PROGRAM**

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 its County Chairperson and/or County Manager to enter into a Memorandum Agreement with Clinton and Franklin County regarding the Companion Animal Sheltering Equipment Grant Program.

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

AYES: 2843 votes

NOES: 0 votes
ABSENT: 0 votes

Resolution No. 357

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF
DEPUTY FIRE COORDINATORS/FIRE INVESTIGATORS**

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.

WHEREAS, the Essex County Fire Coordinator has submitted the following names to be considered as Deputy Fire Coordinators/Fire Investigators.

BE IT RESOLVED, that the Essex County Board of Supervisors pursuant to Sections 225(a) and 401 of the County Law hereby authorize and approve the appointment of the Deputy Fire Coordinators/Fire Investigators pursuant to recommendation of the Essex County Fire Coordinator:

1. Patrick Tromblee - Deputy Fire Coordinator in Training
2. Brad Jaques - Deputy Fire Coordinator/Fire Investigator
3. Matt Colby - Deputy Fire Coordinator/Fire Investigator
4. Dan LaFrance - Deputy Fire Coordinator/Fire Investigator
5. Jack Napper - Deputy Fire Coordinator with Air One
6. Matt Watts - Deputy EMS Coordinator

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

Resolution No. 358

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF
VARIOUS GRANTS RECEIVED IN THE SHERIFF'S
DEPARTMENT FOR 2010**

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

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

WHEREAS, the Sheriff's Department has received a state grant which pays half the purchase price of all bullet proof vests purchased for the Sheriff's Department in the sum of \$24,000.00; and

WHEREAS, the Sheriff's Department has received a CSAP Grant in the sum of \$1,703.00; and

WHEREAS, the Sheriff's Department has received a grant in the sum of \$188,080.00 through the stimulus package called the Recovery Act Rural Law Enforcement Assistance combating rural crime which will pay for a deputy for two years; and

WHEREAS, the Sheriff's Department has received a Homeland Security Grant in the sum of \$57,250.00.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts the following grants relative to the Sheriff's Department:

1. Grant relative to bullet proof vests in the sum of \$24,000.00
2. CSAP Grant in the sum of \$1,703.00
3. Stimulus Package Grant in the sum of \$188,080.00
4. Homeland Security Grant in the sum of \$57,250.00

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

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

Resolution No. 359

November 2, 2009
Regular Board Meeting

**RESOLUTION AMENDING THE 2007 CONTRACT WITH ST. JOSEPH'S
TO INCREASE THE CONTRACT AMOUNT BY \$253.00 AND
AMENDING THE 2009 MENTAL HEALTH BUDGET BY INCREASING
REVENUES AND APPROPRIATIONS BY \$253.00 - OASAS FUNDING
RECEIVED**

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, as a result of a meeting between the Department of Mental Health and the NYS Office of Alcohol and Substance Abuse Services, a final reconciliation of St. Joseph's fiscal report for 2007 revealed a \$253.00 error and, therefore, an amendment is needed to reflect the increase in the 2007 contract by \$253.00 and also an amendment is needed to change the current year's budget for Mental Health to pay for the increase of \$253.00.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the amendment of the 2007 Contract with St. Joseph's to increase the contract amount by \$253.00 and also hereby authorizes amending the 2009 Mental Health Budget regarding the receipt of OASAS Funding by increasing revenues and appropriations as follows:

REVENUE ACCOUNT #4250-43490091 - \$253.00

APPROPRIATION ACCOUNT #42504-544OALC - \$253.00

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

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

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

Resolution No. 360

November 2, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
BRADFORD H. BRINTON**

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

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

WHEREAS, Bradford H. Brinton of Port Kent, New York, passed away on September 27, 2009, with his loving family by his side; and

WHEREAS, Bradford H. Brinton was born in Manhattan on January 26, 1935, the son of Bradford H. Brinton, Sr. And Eva (LeDuc) Brinton, and grew up in Keeseville and graduated from Keeseville High School; and

WHEREAS, Bradford H. Brinton graduated from Union College and Albany Law School and for well over forty years was an attorney in Keeseville, New York regarded amongst his peers as having the highest degree of integrity, compassion and intelligence and was a consummate gentlemen both professionally and personally; and

WHEREAS, Bradford H. Brinton was the attorney for the Town of Chesterfield for many years; and

WHEREAS, Bradford H. Brinton was active in his community and donated his time to the Keeseville Youth Commission, served on the North Country Community College

Board of Trustees and was a Past Exalted Ruler for the Keeseville Elks Lodge 2072; and

WHEREAS, Bradford H. Brinton was predeceased by his parents and his beloved wife, Marilyn L. Brinton and is survived by his three children, Bradford T. Brinton and Lori D. Frappier of Toronto, Sara Brinton of Latham and Marcia Brinton of Port Kent; two grandchildren, Tristan C. Frappier-Brinton and Karina H. Frappier-Brinton and several nieces and nephews; and

WHEREAS, Bradford H. Brinton enjoyed hunting, photography, reading and spending time with his family and friends; and

WHEREAS, Bradford H. Brinton was a loving husband, father, grandfather, uncle and friend and will be sorely missed; and

WHEREAS, Brad will always be remembered for his pleasant and easy demeanor, his sense of fairness and his infectious laugh; and

WHEREAS, the residents of Keeseville and Essex County have suffered a great loss with Brad's untimely death; and

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 Bradford H. Brinton; 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 Bradford H. Brinton family.

This resolution was unanimously seconded and adopted.

Resolution No. 361

November 2, 2009
Regular Board Meeting

RESOLUTION OF CONDOLENCE TO THE FAMILY OF NELLIE STAVES

The following resolution was offered by Supervisors Moses and Canon, who moved its adoption.

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

WHEREAS, Nellie Staves, of Tupper Lake, New York, passed away peacefully at her home on October 7, 2009; and

WHEREAS, Nellie Staves was born in West Danville, Vermont in 1917 and grew up on Walden Mountain in a family with twelve children; and

WHEREAS, following graduation from high school, she married her beloved husband, Bernard Badger; and

WHEREAS, Nellie Staves was ubiquitously known as “The Queen of the Adirondacks” to everyone in outdoor sporting and conservation circles throughout the Adirondacks and the State of New York; and

WHEREAS, Nellie Staves treasured living in the Adirondacks; teaching hunting and trapping safety courses and was also a talented Adirondack artist; and

WHEREAS, Nellie Staves was a ardent supporter of The Wild Center Nature Museum in Tupper Lake and served on its Board of Directors; and

WHEREAS, Nellie Staves was at home in the forests and swamps of the Adirondacks trapping and hunting as well as at formal events wearing an evening gown and engaging in in depth conversation; and

WHEREAS, Nellie Staves was a firm believer in wildlife management and never missed an opportunity to promote her philosophy with those with whom she hunted, fished

and trapped as well as with the Department of Conservation and State representatives whom she tirelessly lobbied; and

WHEREAS, Nellie Staves, because of her unique talents and intelligence, was known throughout the Adirondacks as a hunter among men and a lady among women possessing a unique combination of backwoods know how with elegance and sophistication; and

WHEREAS, Nellie Staves was survived by her only daughter, Beverly LaMere, with whom she lived; and

WHEREAS, Nellie Staves was a loving wife, mother and friend and 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 hereby express and extend their deepest sympathy and condolences to the family of Nellie Staves; 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 Nellie Staves family.

This resolution was unanimously seconded and adopted.

Resolution No. 362

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING BUDGET AMENDMENT IN
DPW-HIGHWAY, TO INCREASE REVENUES AND
APPROPRIATIONS BY \$4,667.04 FROM THE SALE OF TIRES
TO SERKIL, LLC**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2009 budget for DPW as follows:

1. Increase revenues and appropriations by \$4,667.04 from the sale of tires to Serkil, LLC as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5130 4265520	Sale of Parts and Labor	\$4,667.04

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51304.5464	Highway Repairs and Parts	\$4,667.04

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. 363

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CHANGE ORDER AND AMENDMENT
TO THE CONTRACT WITH TOWN & COUNTY BRIDGE AND RAIL IN
REGARDS TO THE ALGONQUIN DRIVE BRIDGE SCOUR REPAIR; A
CHANGE ORDER AND AMENDMENT IN REGARD TO THE CAMPSITE
ROAD, TOWN OF NEWCOMB; AND A CHANGE ORDER AND
AMENDMENT IN REGARD TO THE CAMPSITE ROAD BRIDGE-
NEWCOMB RED FLAG REPAIR**

The following resolution was offered by Supervisor Canon, 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, a change order and amendment to the contract with Town & County Bridge and Rail is necessary with regard to the Algonquin Drive Bridge Scour Repair in the amount of \$6,930.00 with such funds to come from County Road-Maintenance; and

WHEREAS, a change order and amendment to the contract with Town & County Bridge and Rail is necessary with regard to the Campsite Road, Town of Newcomb, in the amount of \$9,150.00 with such funds to come from Capital Fund-Campsite Road/Bridge; and

WHEREAS, a change order and amendment to the contract with Town & County Bridge and Rail is necessary with regard to the Campsite Road Bridge-Newcomb Red Flag Repair in the amount of \$38,394.00 with such funds to come from Capital Fund-Campsite Road/Bridge Project.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to execute change orders and amendments to the following contracts as follows:

1. Change order and amendment to Contract DPW-10-0007 with Town & County Bridge and Rail relative to the Algonquin Drive Bridge Scour Repair in the amount of \$6,930.00 with such funds to come from County Road-Maintenance (#51104 5483).

2. Change order and amendment to Contract DPW-10-0007 with Town & County Bridge and Rail relative to the Campsite Road, Town of Newcomb, in the amount of \$9,150.00 with such funds to come from Capital Fund-Campsite Road/Bridge (#H52304 5483).

3. Change order and amendment to the Contract DPW-10-0007 with Town & County Bridge and Rail relative to the Campsite Road Bridge-Newcomb Red Flag Repair in the amount of \$38,394.00 with such funds to come from Capital Fund-Campsite Road/Bridge Project (#H52304 5483).

4. Change order and amendment to Contract DPW-09-0064 with Steven Fuller Excavating relative to the Stowersville Road realignment in the amount of \$22,940.67.

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

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

Resolution No. 364

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRPERSON
AND/OR COUNTY MANAGER TO EXECUTE AN EASEMENT
WITH NYSEG FOR THE INSTALLATION OF UNDERGROUND
ELECTRICAL CONDUIT FOR SUNSET DRIVE IN THE TOWN OF
WILLSBORO**

The following resolution was offered by Supervisor Spooner, 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, NYSEG has requested an easement for 854' of 4" - 40 PVC conduit to relocate underground power along Sunset Drive in the Town of Willsboro.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairwoman and/or County Manager to execute an easement with NYSEG for the installation of underground electrical conduit for Sunset Drive in the Town of Willsboro upon approval by the County Attorney.

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

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

Resolution No. 365

*November 2, 2009
Regular Board Meeting*

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO
TO BID, ACCEPT AND/OR REJECT BIDS AND PURCHASE A
USED ROLLER FOR DPW-HIGHWAY, IN AN AMOUNT NOT TO
EXCEED \$8,500.00 OF BUDGETED MONIES**

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, the Department of Public Works would like to purchase a used 5 or 6 ton roller and is requesting that the Purchasing Agent be allowed to go to bid for a used roller in an amount not to exceed \$8,500.00 of budgeted monies.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to go to bid, accept and/or reject bids and purchase a 5 or 6 ton used roller for the Department of Public Works in an amount not to exceed \$8,500.00 from budgeted monies.

This resolution was duly 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. 366

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME
PSYCHIATRIST IN THE MENTAL HEALTH DEPARTMENT AT THE
RATE OF \$95.00 PER HOUR (M/C), AND WAIVING THE
RESIDENCE REQUIREMENT**

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

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

WHEREAS, the Department of Mental Health has requested the services of a part time psychiatrist at a rate of \$95.00 per hour (M/C) and has further requesting the waiving of the residency requirement.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Department of Mental Health to employ a part-time psychiatrist at the hourly rate of \$95.00/hour (M/C) and waives the residency requirement.

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

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

Resolution No. 367

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE PERSONNEL DEPARTMENT BY INCREASING
REVENUES AND APPROPRIATIONS BY \$2,300.00 AND
AUTHORIZING THE PURCHASE OF A COPIER FROM STATE
CONTRACT**

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, the Personnel Department is requesting a budget amendment by increasing revenues and appropriations by \$2,300.00 and authorizing the purchase of a copier from State Contract.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the purchase of a copier from State Contract and amends the budget for the Personnel Department by \$2,300.00 by increasing revenues and appropriations as follows:

REVENUES	ACCOUNT	AMOUNT
#1430 41260	Personnel Fees	\$2,300.00

APPROPRIATIONS	ACCOUNT	AMOUNT
#1432 5220	Office Equipment	\$2,300.00

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. 368

November 2, 2009
Regular Board Meeting

RESOLUTION AUTHORIZING THE EXECUTION OF A SUB-RECIPIENT AGREEMENT WITH THE ESSEX COUNTY IDA RELATIVE TO COMMUNITY DEVELOPMENT BLOCK GRANT #382ED558-06 EXTENDING THROUGH 12/31/2010

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, the Essex County IDA administers CDBG grants and there is a need to extend through December 31, 2010, the sub-recipient agreement with the Essex County IDA relative to Community Development Block Grant ##382ED558-06.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to execute a sub-recipient agreement with the Essex County IDA relative to Community Block Grant #382ED558-06 extending through 12/31/2010.

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. 369

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY CHAIRPERSON
AND/OR COUNTY MANAGER, UPON APPROVAL BY THE
COUNTY ATTORNEY, TO EXECUTE RELEASE DOCUMENTS
FOR THE MINERVA AND NEWCOMB CENTRAL SCHOOLS AND
OTHER SCHOOLS USED BY THE ESSEX COUNTY PUBLIC
HEALTH DEPARTMENT FOR CLINICS AND/OR
DEMONSTRATIONS**

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.

WHEREAS, the Department of Public Health is requesting use of the Minerva School, Newcomb School and other schools within the County for health clinics and demonstrations, which schools are requesting that the County provide signed Releases and insurance as a condition of use.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Chairperson and/or County Manager to execute Releases and to provide insurance required by the Minerva School, Newcomb School and any other school within Essex County used by the Essex County Department of Public Health for health clinics and/or demonstrations upon approval of the County Attorney.

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

Resolution No. 370

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO
SETTLE THE MATTER OF DARREN DEVIETRO V. ESSEX
COUNTY BY THE EXECUTION OF QUITCLAIM DEEDS AS
WELL AS THE REPAYMENT OF THE PURCHASE PRICE AND
FEES PAID BY THE TAX SALE PURCHASER AND AN
ADDITIONAL \$750.00**

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 the County Attorney to settle the matter of Darren DeVietro v. Essex County by the execution of an exchange of Quitclaim Deeds as well as repayment of the purchase price and fees together with an additional \$750.00 to the Buyer and upon the payment by the original owner of the appropriate back taxes.

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

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

Resolution No. 371

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE TRANSPORTATION
COORDINATOR TO PROVIDE SHUTTLE BUS SERVICES TO
THE FERRY IN ESSEX, TICONDEROGA AND WESTPORT**

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, due to the closing of the Crown Point Bridge and the extreme hardship it places on the residents of Essex County relative to travel expenses to Vermont for employment and medical reasons, it has been determined that the Transportation Coordinator should be authorized to provide shuttle bus services to the Ferry in Essex, Ticonderoga and Westport and pursuant to the State of Emergency Declaration currently in effect.

BE IT RESOLVED, that the Essex County Board of Supervisors, pursuant to the current State of Emergency, hereby authorizes the Transportation Coordinator to provide shuttle bus services for residents of Essex County to the Ferry in Essex, Ticonderoga and Westport.

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

Resolution No. 372

November 2, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
AUDREY ANN MCKINSTRY**

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

adoption.

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

WHEREAS, Audrey Ann McKinstry of 668 Park Street, Bloomsburg, PA passed away on October 17, 2009; and

WHEREAS, Audrey Ann McKinstry was born in Bloomsburg on May 11, 1927, the daughter of the late Porter B. And Lenna (Applegate) McKinstry and is survived by one son, Lohr, and his wife, Brandy, of Port Henry, New York. Her son, Lohr McKinstry, is a staff writer for the Plattsburgh Press Republican; and

WHEREAS, Audrey Ann McKinstry graduated from Bloomsburg High School in 1945 and attended East Stroudsburg State College. She worked at Letterman's Bakery in Bloomsburg in the early part of her life and worked as an aide at the Columbia County Traveling Library in Bloomsburg; and

WHEREAS, Audrey Ann McKinstry was a member of the Ladies of the Moose and American Legion Auxiliary; and

WHEREAS, Audrey Ann McKinstry enjoyed going to stock car races and watching Bloomsburg Little League games. She also enjoyed the Bloomsburg Fair and attending many church socials and suppers with her friend, Ruth Ann Lemons; and

WHEREAS, Audrey Ann McKinstry was a loving mother, daughter and friend and 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 hereby express and extend their deepest sympathy and condolences to the family of Audrey Ann McKinstry and their friend, Lohr McKinstry; 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 Audrey Ann McKinstry family.

This resolution was unanimously seconded and adopted.

Resolution No. 373

*November 2, 2009
Regular Board Meeting*

**RESOLUTION CALLING ON THE GOVERNOR AND THE NEW
YORK STATE LEGISLATURE TO ADDRESS THE PROBLEM OF
PERSONAL IDENTIFYING INFORMATION WITHIN PUBLIC
DOCUMENTS**

The following resolution was offered by Supervisor Blades, 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, over the last decade, identity theft has become a growing and significant problem nationwide; and

WHEREAS, County officials across the State, particularly County Clerks whose offices hold massive amounts of public records, are in favor of State Legislation specifically aimed at reducing or eliminating the risk of identity theft to the public; and

WHEREAS, any solution to this problem proposed by the State Legislature should take into account several factors important to county governments including:

1. The growing public demand to make government documents, specifically county land records, available over the internet;
2. That there have been no demonstrated instances where a persons's identity was stolen using records maintained by any county office;
3. That records kept by County Clerk's offices are not created by the County Clerk, therefore the liability for any personal identifying information contained within a document that becomes public domain must remain on the souther of the document's originator;
4. Requiring County Clerks to redact specific information from all documents (both incoming and previously received) before making them available to the public inhibits their role as keepers of the record under the New York State Constitution, and would be an enormous unfunded mandate on each county, disrupting public access to these records, with serious consequences for real estate sales and financing; and

WHEREAS, a workable solution to this problem is to require that personal information not be included in documents that are submitted for recording which then become public domain.

BE IT RESOLVED that the Essex County Board of Supervisors hereby urges Governor Paterson and the New York State Legislature to address the problem of personal identifying information appearing within public documents.

BE IT FURTHER RESOLVED that counties have made great progress in automating and preserving their records and providing improved access to them in recent decades, and any State Legislation that seeks to remedy this problem should take into account the concerns and recommendations of NYSAC and Essex County as outlined above.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

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

***RESOLUTION SUPPORTING THE MODERNIZATION OF COUNTY
LAND RECORDS AND URGING THE STATE TO ADOPT A SYSTEM
OF ELECTRONIC LAND RECORD RECORDING***

The following resolution was offered by Supervisor Spooner, 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, tens of the thousands of parcels of property are bought and sold every year in New York State, generating hundreds of millions of dollars in annual revenue for both the State and local governments; and

WHEREAS, counties have played a key role in land transactions since the pre-revolution era of the New York colony; and

WHEREAS, while maintaining these records has evolved far beyond the book and quill days of the early 1700's, there exists a need to modernize how these records are recorded with the county; and

WHEREAS, State law still requires the documents generated during a property transaction be hand delivered or mailed to the County Clerk's Office for recording while every other state in the nation allows some form of electronic recording (e-recording) of these documents; and

WHEREAS, in other states, e-recording has had great success providing land record recorders with the ability to handle large volumes of documents, cut transaction times, improve recording accuracy and greatly reduce document rejections; and

WHEREAS, a Federal statute already exists that allows New York the option to give counties the option of accepting both electronic records and signatures for interstate and foreign commercial transactions but not intrastate property conveyances; and

WHEREAS, model legislation, the Uniform Real Property Electronic Recording Act (URPERA), exists and has been used by many states to draft legislation that empowers counties to elect to implement electronic recording within their county.

BE IT RESOLVED that Essex County supports the concept of modernizing the recording of land records in New York State and urges the adoption of an e-recording statute that will empower counties and the City of New York to accept property conveyances through electronic means.

BE IT FURTHER RESOLVED that Essex County urges state leaders to work in conjunction with county officials on this complex issue so that a statute that is beneficial and workable for all involved parties can be adopted during the 2010 state legislature session.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to

Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O’C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

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

Resolution No. 375

November 2, 2009
Regular Board Meeting

***RESOLUTION SUPPORTING CHANGES TO THE NEW YORK
STATE PENAL LAW TO ALLOW COUNTIES TO PROTECT
SENSITIVE PISTOL PERMIT APPLICATION INFORMATION FROM
CRIMINAL USE***

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

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

WHEREAS, the right to keep and bear arms is guaranteed under both the Constitution of the United States and New York State Constitution; and

WHEREAS, New York State law requires the licensing and registration of all handguns through the New York State Pistol Permit system administered by the New York State police in conjunction with the County Sheriff’s Office and the Office of the County Clerk; and

WHEREAS, in 1981 the New York State Court of Appeals ruled that information contained within any pistol permit application, if granted, was part of the public record and thus subject to the Freedom of Information Law (see *Kwitny v. McGuire*, 53 N.Y. 2d 968); and

WHEREAS, in the mid 1900’s Section 400.00 of the New York State Penal Law was changed to limit the application information subject to FOIL to only the name and address of the permit holder; and

WHEREAS, prior to this amendment, all information, including a list of handguns owned by the permit holder, was subject to FOIL and available to the general public; and

WHEREAS, recently the State Legislature has sought to further limit the level of public access by amending Section 400.00 of the Penal Law, making all information within a pistol permit application confidential and limiting its release to law enforcement agencies only; and

WHEREAS, this proposed amendment will protect law abiding gun owners by lowering the possibility of being burglarized by criminals seeking to obtain firearms illegally or otherwise place under unwanted public scrutiny on gun owners for exercising their individual Second Amendment rights.

BE IT RESOLVED that Essex County hereby supports amending Section 400 of the

New York State Penal Law limiting access to information on pistol permit application to use by law enforcement agencies only.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O’C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

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

Resolution No. 376

November 2, 2009
Regular Board Meeting

***RESOLUTION IN OPPOSITION TO THE 2010 LICENSE PLATE RE-
ISSUANCE PROJECT***

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

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

WHEREAS, Governor Patterson, through the New York State Budget, has outlined a new plate reissuance project to commence on April 1, 2010; and

WHEREAS, New York State is in our 8th year of the existing plate re-issuance project; and

WHEREAS, the prior license plate re-issuance project commenced in 1986 and lasted 15 years; and

WHEREAS, the Essex County Board of Supervisors hereby strongly opposes the 2010 license plate re-issuance project because of the increased costs;\$25.00 for a new plate, and an additional \$20 if you desire to keep your present number; and

WHEREAS, with recent increases in Motor Vehicle fees, the Essex County Board of Supervisors fears that much of our motoring constituents will find the new license plate re-issuance project a burden in these present economic times; and

WHEREAS, the Essex County Board of Supervisors has had concerns expressed to them about the inability to pay for any more DMV fees.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly opposes the 2010 license plate re-issuance project.

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors prays that the Governor and Members of the New York State Legislature rescind their budgetary

act of the new plate re-issuance project.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O’C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 377

November 2, 2009
Regular Board Meeting

**RESOLUTION AMENDING THE 2009 ESSEX COUNTY
BUDGET AUTHORIZING A BUDGET AMENDMENT IN THE
TREASURER’S OFFICE, TO INCREASE REVENUES AND
APPROPRIATIONS BY \$128,932.96 - CDBG GRANTS
RECEIVED AND INCREASING REVENUES AND
APPROPRIATIONS BY \$64,300.00 - TOBACCO SETTLEMENT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends the 2009 Essex County Budget as follows:

1. From the Finance Committee:
 - (a) For the Treasurer’s Office increase revenues and appropriations by \$128,932.96 from a CDBG grant as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6989 4499712	Home Purchase	\$128,932.96

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
69894 5400HP07	Home Purchase	\$128,932.96

- (b) For the Treasurer’s Office increase revenues and appropriations by \$64,300.00 from Tobacco Settlement monies as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1900 42690	Tobacco Settlement	\$64,300.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
24904 5478	Community College Operating	\$62,000.00
24904 5479	Community College Capital	\$ 2,300.00

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

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

Resolution No. 378

November 2, 2009
Regular Board Meeting

RESOLUTION URGING THE STATE COMPTROLLER TO RE-ADJUST THE INCREASE IN RETIREMENT CONTRIBUTIONS WHICH TOWNS ARE REQUIRED TO PAY AS A RESULT OF INVESTMENT LOSSES FROM A TWO YEAR PLAN TO A FOUR TO FIVE YEAR PLAN

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.

WHEREAS, the State has increased the retirement contributions which the Towns must make on behalf of their employees substantially as the result of losses incurred in the investment of these monies by the New York State Comptroller; and

WHEREAS, the State has adjusted these increased retirement costs to be paid over a two year period which has resulted in large, unanticipated increases in Town budgets and has made it extremely difficult for the Towns to repay within one to two years as requested.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly urges the State Comptroller to re-adjust the increase in retirement contributions which Towns are required to pay as a result of investment losses from a two year plan to a four or five year plan so as not to strain existing and future Town budgets.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to State Comptroller Thomas P. DiNapoli, Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O’C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 379

**November 2, 2009
Regular Board Meeting**

**RESOLUTION CHANGING THE TIME OF THE NOVEMBER
WAYS AND MEANS COMMITTEE MEETING AND
SCHEDULING THE PUBLIC HEARING ON THE TENTATIVE
2010 ESSEX COUNTY BUDGET**

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 changes the time of the November Ways and Means Committee Meeting from 10:00 a.m. November 30, 2009 to 6:00 p.m. on Tuesday, December 1, 2009; and

BE IT FURTHER RESOLVED, that this Board hereby schedules the Public Hearing on the Tentative 2010 Essex County Budget to immediately follow the Ways and Means Committee Meeting on December 1, 2009 at 7:00 p.m.

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

Resolution No. 380

**November 2, 2009
Regular Board Meeting**

**RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT AND
ISSUING WARRANTS PURSUANT TO TAX LAW §261 FOR
PAYMENT OF THE NET REVENUES TO THE TOWNS & VILLAGES**

The following resolution was offered by Supervisor McSweeney, 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, this Board is in receipt of the semi-annual Mortgage Tax Report jointly prepared by the County Treasurer and County Clerk, and showing the amounts to be credited to each tax district out of the County of the monies collected during the preceding six months ending September 30, 2009.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby issues Tax Warrants, pursuant to Tax Law §261, for the payment to the respective tax districts of the amounts so credited, and does further authorize and direct the County Treasurer to make payment of said amounts to the respective districts in accordance with the report as follows:

TOWNS & VILLAGES

AMOUNTS

TOWNS & VILLAGES

AMOUNTS

Chesterfield		North Elba	
Town.	22,500.13	Town.	90,688.75
Village (Keeseville).	1,847.94	Village (Lake Placid).	32,438.91
Crown Point.	13,175.85	Village (Saranac Lake)..	3,446.96
Elizabethtown.	12,183.96	North Hudson.	2,798.97
Essex.	7,495.87	St. Armand	
Jay.	25,534.20	Town.	11,515.87
Keene.	19,105.92	Village (Saranac Lake)..	934.57
Lewis	3,767.71	Schroon.	50,668.18
Minerva.	11,176.65	Ticonderoga.	38,600.50
Moriah		Westport.	15,816.16
Town.	20,924.23	Willsboro.	16,915.38
Village (Port Henry).	4,086.06	Wilmington.	16,949.95
Newcomb.	4,928.22		
		TOTAL:	<u>\$427,500.94</u>

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

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

Resolution No. 381

November 2, 2009
Regular Board Meeting

**RESOLUTION URGING OUR STATE AND FEDERAL
REPRESENTATIVES TO CONTINUE TO SUBSIDIZE THE COST
OF THE FERRY TRAVEL DUE TO THE CLOSURE OF THE
CROWN POINT BRIDGE**

The following resolution was offered by Supervisor French, 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 Crown Point Bridge is a vital and critical link between New York State and Vermont and is used by approximately four thousand drivers each day, the majority of which use the bridge as their only means of access to medical and surgical procedures at specialty clinics and hospitals; for daily employment, ambulance and emergency services; and the trucking of farm goods and other business commodities to and from Vermont; and*

WHEREAS, *with the closure of the Crown Point Bridge, many residents of New York State, Essex County and Vermont will have no other economically viable alternative to crossing into Vermont and New York for work, business and commerce and will greatly suffer economically and financially by virtue of having to daily pay costs associated with travel, which in many cases will take an additional two hours and increase costs to farmers and businessmen who produce or grow their products in New York/Vermont and transport them to Vermont/New York for distribution; and*

WHEREAS, as many residents of Essex County have lower incomes, it would be an extreme hardship for the residents to pay for the additional fees associated with the cost of travel, including additional gas fees and the costs of paying for ferry fees which would be extremely expensive on a daily basis and would cause drastic economic hardships for many residents and businesses in New York State and Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby strongly urges and implores New York State and the Federal Government to continue to subsidize the cost of ferry travel to residents of Essex County and New York State who must use the ferries for medical and surgical treatment and employment and business purposes as a result of the closure of the Crown Point Bridge.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be immediately forwarded to President Barack H. O'Bama; United States Senators Charles E. Schumer and Kristen Gillibrand, Congressman Scott Murphy, Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and adopted.

Resolution No. 382

*November 2, 2009
Regular Board Meeting*

RESOLUTION AUTHORIZING THE PURCHASE OF A GROUP VOLUNTEER FIREFIGHTER BENEFIT LAW (VFBL), VOLUNTEER AMBULANCE WORKERS BENEFIT LAW (VAWBL) AND WORKERS COMPENSATION LAW (WCL) POLICY FROM PERMA BY THE COUNTY OF ESSEX FOR BENEFIT OF ALL ELIGIBLE FIRE AND RESCUE DISTRICTS, DEPARTMENTS, SQUADS AND COMPANIES, AND AMBULANCE DISTRICTS, COMPANIES AND SQUADS WITHIN THE COUNTY OF ESSEX, THEIR PARTICIPATION UPON WHICH CAN BEGIN AS EARLY AS JANUARY 1, 2010, PARTICIPATION IS TO BE AT THE SOLE DISCRETION OF THE GOVERNING BODY OF THE PARTICIPANT, THE ENTIRE ANNUAL COST OF A POLICY AND ITS ANNUAL ADMINISTRATION FEE WILL BE DISTRIBUTED BETWEEN PARTICIPANTS USING A FORMULA BASED ON THE PARTICIPANTS' INDIVIDUAL LOSS HISTORY, THE POPULATION SERVED, THE ANNUAL PAYROLL OF ITS EMPLOYEES, IF ANY, OR NUMBER OR AMBULANCES, IF THE PARTICIPANT IS AN AMBULANCE DISTRICT

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the purchase of a Group Volunteer Firefighter Benefit Law (VFBL), Volunteer Ambulance Workers Benefit Law (VAWBL) and Workers Compensation Law (WCL) policy from PERMA by the County of Essex for the benefit of all eligible fire and rescue districts, departments, squads and companies; and ambulance districts, companies and squads within Essex County; their participation upon which can begin as early as January 1, 2010; participation is to be at the sole discretion of the governing body of the participant, the annual cost of a policy and its annual administration fee will be distributed between participants using a formula based on the participants' individual loss history, population served, annual payroll of its employees, if any, or number of ambulances, if participant is an ambulance district.

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

Resolution No. 383

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID
VILLAGE AND SCHOOL TAXES, AND ALL ROAD, WATER,
SEWER AND GARBAGE RENTS ON THE 2010 TAX LEVY**

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

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

WHEREAS, the Supervisors of the several towns within Essex County have transmitted to the Clerk of the Board the amounts of unpaid road, water, sewer and garbage rents on the 2009 tax rolls; and

WHEREAS, the several Village and School Districts within Essex County have transmitted to the Essex County Treasurer the amounts of unpaid Village and School taxes, duly verified and certified as provided by Real Property Tax Law Sections 1330 and 1440; and

WHEREAS, the unpaid Village and School taxes, together with an additional 7% thereon are subject to relevy and collection pursuant to Real Property Tax Law Section 1330 and Essex County Local Law No. 3 of 1979, respectively.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes and directs that the amounts of 2009-10 Village and School Taxes, and 2009 Road, Water, Sewer and Garbage rents remaining unpaid be relevied upon the 2010 tax roll; and

BE IT FURTHER RESOLVED that payments for 2009-10 School Taxes which are mailed and contain a postmark as of November 30, 2009, shall be deemed to have been actually received by the County Treasurer prior to 5:00 p.m. on said date, provided such payments shall have been tendered by certified check, cashier's check, money order, or cash only.

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

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

Resolution No. 384

November 2, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A THREE YEAR RENEWAL OF
THE CONTRACT WITH VENESKY & COMPANY CONSULTING
SERVICES FOR THE HOME CARE CONSULTING CONTRACT**

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 property and necessary.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a three year renewal of the contract with Jack Venesky & Company for the Home Care Consulting Contract #09-0066, which includes the preparation and audit of the Medicaid and Medicare Cost Reports for Public Health for 2010, 2011, and 2012 in the amount of \$24,500 of budgeted funds, and further authorizes the execution of this contract by the County Manager.

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 AUTHORIZING THE EXTENSION OF THE
EXISTING AGREEMENT BETWEEN THE COUNTY OF ONEIDA
AND ESSEX COUNTY RELATIVE TO ONEIDA COUNTY
PROVIDING SECURITY SERVICES FOR ESSEX COUNTY AT
THE CENTRAL NEW YORK PSYCHIATRIC CENTER FORENSIC
UNIT FOR THE TERM JANUARY 1, 2010 THROUGH DECEMBER
31, 2010 AND AUTHORIZING THE COUNTY CHAIRPERSON
AND/OR COUNTY MANAGER TO EXECUTE THE SAME**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the extension of the existing Agreement between the County of Oneida and Essex County relative to Oneida County providing security services for Essex County at the Central New York Psychiatric Center Forensic Unit for the term January 1, 2010 through December 31, 2010 and authorizes its County Chairperson and/or County Manager to execute the same.

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

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

**RESOLUTION AUTHORIZING THE RETENTION OF AN
ATTORNEY TO EVALUATE AND REPRESENT ESSEX COUNTY
WITH RESPECT TO THE MATTER OF ERIC MCCRAY AGAINST
JOHN P. O'NEILL AND THE TOWN OF MORIAH VENUED IN THE
UNITED STATES DISTRICT COURT OF THE NORTHERN
DISTRICT OF NEW YORK**

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, Essex County and the Town of Moriah are Defendants in a certain lawsuit

entitled Eric McCray against John P. O'Neill, et al which alleges that the County of Essex and the Town of Moriah violated the Federal Fair Labor Standards Act in the implementation of Essex County's, New York State's Work Experience Program (WEP) in their retention a portion of Mr. McCray's SSI benefits as reimbursement for program benefits extended by the County and the Town; and

WHEREAS, as there is a paucity of case law and guidance which exists, it is necessary to seek outside counsel for advices relative to this lawsuit.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to sign a Retainer Letter with an attorney or firm chosen by the Essex County Attorney for services and advices relative to the above captioned lawsuit in an amount not to exceed \$2,500.00 to be terminated upon the County Attorney's discretion, with said monies to come from the contingency account (account #19904-5487) into County Attorney legal fees account (account #14204-5433).

This resolution was duly seconded by Supervisor French, and adopted 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 9/8/09 :</i>	\$289,286.77
<i>Reduction Impact of this resolution:</i>	\$ 2,500.00
<i>FY2009 Contingent Account Balance:</i>	\$286,786.77

Resolution No. 387

*November 2, 2009
Regular Board Meeting*

RESOLUTION DIRECTING THE COUNTY ATTORNEY TO ASSESS THE FEASIBILITY OF FILING A CLASS ACTION LAWSUIT AGAINST THE STATE OF NEW YORK FOR NEGLIGENCE IN THE STATE'S MAINTENANCE OF THE CROWN POINT BRIDGE, THE SUBSEQUENT CLOSURE OF THE BRIDGE AND THE FAILURE TO HAVE A CONTINGENCY PLAN IN PLACE TO ALLEVIATE THE DISRUPTION TO COMMUTERS, BUSINESSES AND ALL WHO RELY ON THIS BRIDGE IN THEIR DAILY LIVES

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 directs the County Attorney to assess the feasibility of filing a class action lawsuit against the State of New York for negligence in the State's maintenance of the Crown Point Bridge, the subsequent closure of the bridge and the failure to have a contingency plan in place to alleviate the disruption to commuters, businesses and all who rely on this bridge in their daily lives.

This resolution was unanimously seconded and duly adopted.

Resolution No. 388

November 2, 2009
Regular Board Meeting

**RESOLUTION URGING THE GOVERNORS OF THE STATE OF
NEW YORK AND THE STATE OF VERMONT AND THE
COMMISSIONERS OF THE DEPARTMENT OF
TRANSPORTATION FROM THE STATE OF NEW YORK AND
STATE OF VERMONT TO IMMEDIATELY IMPLEMENT THE
TEMPORARY PLAN FOR 24-HOUR FERRY SERVICE IN THE
DIRECT VICINITY OF THE LAKE 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.

WHEREAS, with the closure of the Crown Point Bridge, many residents of New York State, Essex County and Vermont will have no economically viable alternative to crossing into Vermont and New York for work, business and commerce and have greatly suffered economically and financially in having to pay costs associated with travel; and

WHEREAS, the loss of the use of the bridge has critically endangered the health and lives of many New York and Vermonters delaying and impeding their ability to obtain badly needed medical procedures and care; and

WHEREAS, it is vital to the protection to the economic, health, safety and well being of the residents of both Vermont and New York that a temporary ferry service be established to allow residents access to their work, medical and emergency procedures and care during the period of time which the Crown Point Bridge is closed.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby urges the governors of New York and Vermont and the Commissioners of the Departments of Transportation from New York and Vermont to immediately implement the temporary plan for 24-hour ferry service in the direct vicinity of the Lake Champlain Bridge; and

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be immediately forwarded to United States Senators Charles E. Schumer and Kristen Gillibrand, Congressman Scott Murphy, Governor David Paterson, Governor James

Douglas, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Elizabeth O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey.

This resolution was unanimously seconded and duly adopted.