

Resolution No. 389

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF
JOSEPH KEEGAN TO THE ALCOHOL AND SUBSTANCE
ABUSE SUB-COMMITTEE TO FILL AN UNEXPIRED TERM
FROM DECEMBER 1, 2009 THROUGH DECEMBER 31, 2010**

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 appoints Joseph Keegan to the Alcohol and Substance Abuse Sub-Committee to fill an unexpired term from December 1, 2009 through December 31, 2010.

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

Resolution No. 390

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING AN INCREASE IN THE
PRIVATE PAY RATE FOR THE HORACE NYE HOME FOR
NURSING HOME CARE FROM \$250.00 PER DAY TO
\$257.50 PER DAY, EFFECTIVE JANUARY 1, 2010**

The following resolution was offered by Supervisor Spooner, 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 Horace Nye Home to increase the private pay rate for nursing home care to \$257.50 per day, effective January 1, 2010.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 391

*December 7, 2009
Regular Board Meeting*

**RESOLUTION AUTHORIZING A \$2.00/HOUR
COMPENSATION FOR RN CHARGE NURSE PAY FOR
100% PER DIEM EMPLOYEES, RETROACTIVE TO THE
OCTOBER 10, 2009 PAYROLL**

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 authorizes compensation of \$2.00 per hour for RN Charge Nurse pay for 100% per diem employees, retroactive to the October 10, 2009 payroll.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 392

*December 7, 2009
Regular Board Meeting*

**RESOLUTION TO RETAIN THE FIRM OF HISCOCK AND
BARCLAY TO COMPLETE AND PROVIDE A MEDICAID
COMPLIANCE PLAN FOR THE HORACE NYE HOME,
PUBLIC HEALTH DEPARTMENT, MENTAL HEALTH
DEPARTMENT AND ANY OTHER DEPARTMENTS, IN AN
AMOUNT NOT TO EXCEED \$2,400.00, WITH SUCH
FUNDS TO COME FROM CONTINGENCY ACCOUNT**

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 New York State Office of Medicaid Inspector General has finalized regulations for a compliance plan for medicaid assistance programs; and

WHEREAS, on December 1, 2009, every County in New York must have in place a Medicaid Compliance Plan to detect inaccurate billings or fraud throughout the Medicaid process for Medicaid providers.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Chairperson and/or County Manager to enter into a retainer with Hiscock and Barclay to complete and provide a Medicaid Compliance Plan for the Horace Nye Home, Public Health Department, Mental Health Department and any other County Departments at a cost not to exceed \$2,400.00, with such funds to come from Contingency Account #19904-5487 into County Attorney Account #14204-5433.

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

AYES: **2804 votes**
NOES: **0 votes**
ABSENT: **39 votes (Canon)**

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 11/2/09 :	\$286,786.77
Reduction Impact of this resolution:	\$ 2,400.00
FY2009 Contingent Account Balance:	\$284,386.77

Resolution No. 393

*December 7, 2009
Regular Board Meeting*

RESOLUTION AUTHORIZING THE COUNTY PURCHASING AGENT TO SOLICIT RFP'S, ACCEPT AND/OR REJECT RFP'S FOR CONSULTANTS TO DETERMINE THE FEASIBILITY, ADVANTAGES AND DISADVANTAGES OF BUILDING A NEW NURSING HOME VERSUS THE PRIVATIZATION AND/OR SALE OF THE EXISTING NURSING HOME

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 authorizes and directs the County Purchasing Agent to solicit RFP's, accept and/or reject RFP's in accordance with the Essex County Purchasing Policy for consultants to determine the feasibility, advantages and disadvantages of building a new nursing home versus the privatization and/or sale of the existing nursing home.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (*Canon*)

Resolution No. 394

December 7, 2009
Regular Board Meeting

RESOLUTION ADOPTING AND APPROVING QUALITY
IMPROVEMENTS REVIEW AND POLICIES AND PROCEDURES
FOR BOTH THE CERTIFIED HOME HEALTH AGENCY AND
PREVENTIVE SERVICES

The following resolution was offered by Supervisor Dedrick, 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, listed below are the policies and procedures which were submitted and approved by the Professional Advisory/Public Health Advisory Committee on November 3, 2009:

Certified Home Health Agency

- Quality Assurance Review for 3rd Quarter of 2009 - [No Specific Action Required]
- Adverse Events for 2nd Quarter of 2009 - [No Specific Action Required]

Preventive Services

- [Revised] Disposition of Needles and Sharps Policy and Procedure
- [No Change] Quality Improvement Policy and Procedure
- [Revised] Infection Control Procedure Exposure Control Plan
- [Revised] Nutrition Assessment Policy
- Preventive Services Quality Improvement Report for 3rd Quarter 2009 - [No Specific Action Required]

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves, accepts, adopts and places on file, the Quality Improvement Review and Policies and Procedures for both the Certified Home Health Agency and Preventive Services.

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

**RESOLUTION AUTHORIZING RENEWAL OF THE AFFILIATION
AGREEMENT WITH THE PUBLIC HEALTH DEPARTMENT AND
SUNY PLATTSBURGH FOR REGISTERED NURSES DOING
CLINICAL STUDIES
AT PUBLIC HEALTH DEPARTMENT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to execute a renewal of the Affiliation Agreement between the Department of Public Health and SUNY Plattsburgh for Registered Nurses doing clinical studies at the Public Health Department.

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

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
VICKIE RUTH KIRBY**

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

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

WHEREAS, Vickie Ruth Kirby of Peru, New York passed away on November 6, 2009; and

WHEREAS, Vickie Ruth Kirby was born in Elizabethtown, New York on March 22, 1952, the daughter of Morris T. And Grace (Hammond) Cowin; and

WHEREAS, Vickie Ruth Kirby was employed for nearly 20 years at the Plattsburgh Housing Authority; and

WHEREAS, Vickie Ruth Kirby was a member of the Peru Community Church and enjoyed quilting, gardening and exercising; and

WHEREAS, Vickie Ruth Kirby is survived by her husband Paul S. Kirby; a son and daughter-in-law, Brad and Patricia Hurlburt; and one granddaughter, Willa Ruth Hurlburt; and

WHEREAS, Vickie Ruth Kirby is also survived by her mother, Grace Drummond and her husband Bill Drummond, one sister, Carolyn Cowin and husband Barry O'Brien, a cousin Elizabeth Siskavich, two uncles, Robert Cowin and Earl Decker; two brothers-in-law, Ben and Jim Kirby and two sisters-in-law, Ann and Jane Kirby; and

WHEREAS, Vickie Ruth Kirby was a loving wife, mother, daughter, grandmother, sister 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 the County Attorney hereby express and extend their deepest sympathy and condolences to the family of Vickie Ruth Kirby; 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 Kirby family.

This resolution was unanimously seconded and adopted.

Resolution No. 397

December 7, 2009
Regular Board Meeting

**RESOLUTION IN SUPPORT OF THE TOWN OF SCHROON
APPLYING FOR A COMMUNITY DEVELOPMENT BLOCK
GRANT IN THE AMOUNT OF \$585,000 FOR MUNICIPAL
FACILITIES AND SEWER SYSTEM ON MAIN STREET**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby supports the Town of Schroon in the application for a Community Development Block Grant in the amount of \$585,000 for municipal facilities and sewer system on Main Street.

This resolution was unanimously seconded and adopted.

**RESOLUTION IN SUPPORT OF A JOINT APPLICATION BY
CLINTON COUNTY, ESSEX COUNTY AND WARREN COUNTY
FOR A NORTH COUNTRY EB-5 REGIONAL CENTER**

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

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

WHEREAS, the EB-5 program is a federal investment program run by the United States Citizenship and Immigration Services; and

WHEREAS, the goal of the program is to provide incentive to foreign investors to invest capital and create American jobs by setting aside a pool of green cards for qualified foreign investors that invest capital into approved EB-5 projects so that these people may live and do business in the United States and contribute to investment in American expansion; and

WHEREAS, Clinton, Essex and Warren County, as well as the Warren County Economic Development Corporation and the Essex County IDA are seeking to make application to establish an EB-5 Regional Center in the North Country.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby supports the joint application of Clinton, Essex and Warren Counties for a North Country EB-5 Regional Center.

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

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
VELETIA S. SHEPARD**

The following resolution was offered by Supervisor Spooner, 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, Veletia S. Shepard of Willsboro, New York passed away on November 4, 2009; and

WHEREAS, Veletia S. Shepard was born in Reber, New York on June 19, 1920, the daughter of Noah and Flora Belle (Palmer) Strong; and

WHEREAS, Veletia S. Shepard married Roy Shepard on her 17th birthday in 1937; and

WHEREAS, Veletia S. Shepard and her husband Roy owned and operated the Country Store in Willsboro for many years; and

WHEREAS, Veletia S. Shepard was a member of the Willsboro United Methodist Church; former president of the Willsboro Golden Agers; a charter member of the Kitchen Band; and was active with the Essex/Willsboro Nutrition Site; and

WHEREAS, Veletia S. Shepard is survived by her daughter Vickie Putman and her husband, Vic of Willsboro; her daughter-in-law, Dorothy Shepard; six grandchildren, Sarah and Lauren Putman, Hope Power, James Shepard, Shelley Bell, and Sheri Shepard; and her sister, Ella Murphy; and

WHEREAS, Veletia S. Shepard is the mother of Vickie Putman, a longtime employee of Essex County currently working for WIC in the Public Health Department; and

WHEREAS, Veletia S. Shepard was predeceased by her husband, Roy Shepard; her son, Morris Shepard; her brother, Carlton Strong; and sisters, Irene Lansing and Evelyn Poppalardo; and

WHEREAS, Veletia S. Shepard was a loving daughter, wife, mother, grandmother, sister 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 the County Attorney hereby express and extend their deepest sympathy and condolences to the family of Veletia S. Shepard; 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 Shepard family.

This resolution was unanimously seconded and adopted.

Resolution No. 400

December 7, 2009
Regular Board Meeting

**RESOLUTION COMMEMORATING THE 150TH ANNIVERSARY
OF JOHN BROWN'S DEATH**

The following resolution was offered by Supervisor Politi, 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, John Brown of North Elba, Essex County, is known throughout the world as an ardent abolitionist and opponent of slavery; and

WHEREAS, on the night of October 16, 1859, John Brown, in furtherance of the cause of abolition, raided the United States Arsenal at Harper's Ferry, Virginia in an attempt to capture weapons for slave revolts and to encourage slave uprisings; and

WHEREAS, this raid resulted not in the taking of weapons to arm freed slaves but in the capture of John Brown and the death of two of his sons, Oliver and Watson and in the death of his sons-in-law, William and Dauphin Watson; and

WHEREAS, John Brown was tried in Charles Town, Virginia for treason inciting slaves to rebellion and murder; and was found guilty and hanged on December 2, 1859; and

WHEREAS, John Brown's body was transported from Virginia to Baltimore, Maryland; Philadelphia, Pennsylvania; New York City and Vergennes, Vermont by railroad. His body was accompanied by his widow, Mary Brown, and Mr. Wendell Phillips and Mr. J. Miller McKim, two well-known members of the Anti-Slavery Society. The body was then transported from Vermont across Lake Champlain by sail ferry to Barber's Point at Westport, New York and from Westport via the Northwest Bay Road and plank road to Elizabethtown, New York; and

WHEREAS, John Brown's body arrived in the Town of Elizabethtown at 6:00 o'clock p.m., the evening of December 6, 1859, and was taken to the Essex County Court House and "watched" through the night by Henry Adams, Richard Lockhart Hand, A.C. Livingston and Orlando Kellogg; and

WHEREAS, throughout the night John Brown's wife, Mary Brown, and her companions spent the night at the Mansion House, now known as the Deer's Head Inn; and

WHEREAS, on the morning of December 7th, the party continued to North Elba and the body of John Brown was buried on December 8th, 1859 with a service being conducted by the Rev. Joshua Young of Burlington, Vermont and attended by many residents of the County of Essex; and

WHEREAS, all these events took place one hundred and fifty years ago.

BE IT RESOLVED, that the Board of Supervisors of the County of Essex, State of New York, do solemnly recognize these historic events and the significance of Citizen Brown's contribution to the abolition of slavery in the United States; and

BE IF FURTHER RESOLVED, that we recognize the efforts of the Lake Placid/Essex County Visitor's Bureau and the Essex County Historical Society in commemorating the history of one hundred and fifty years past; and

BE IT FURTHER RESOLVED, that we recognized and remember these events and the role that Essex County played in the history of our Nation.

This resolution was unanimously seconded and adopted.

Resolution No. 401

December 7, 2009
Regular Board Meeting

**RESOLUTION APPROVING THE DRAFT 2010 MARKETING
PLAN FOR THE ESSEX COUNTY VISITORS BUREAU**

The following resolution was offered by Supervisor Politi, 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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves the draft 2010 Marketing Plan for the Essex County Visitors Bureau.

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

Resolution No. 402

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE LAKE PLACID - ESSEX COUNTY VISITORS BUREAU, TO
DECREASE REVENUES AND APPROPRIATIONS BY
\$238,712.00, A REDUCTION IN REVENUE FROM
OCCUPANCY TAX**

The following resolution was offered by Supervisor Politi, 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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby approves a budget amendment in the Essex County - Lake Placid Visitors Bureau, to decrease revenues and appropriations by \$238,712.00, a reduction in revenue from Occupancy Tax as follows:

DECREASE REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6410 41113	Occupancy Tax	\$238,712.00

DECREASE APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
64104 5429	Promotion Industry/Tourism	\$238,712.00

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 403

December 7, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO WILLIAM OWENS
UPON BEING ELECTED CONGRESSMAN FOR THE 23RD
CONGRESSIONAL DISTRICT**

The following resolution was offered by Supervisor Dobie, 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, William Owens, a prominent and well-known attorney from our North Country neighbor, Plattsburgh, New York was elected Congressman for the 23rd Congressional District.

BE IT RESOLVED, that the Essex County Board of Supervisors congratulates William Owens upon his election as Congressman for the 23rd Congressional District and wishes him good luck and success in his future endeavors as our Congressman.

This resolution was unanimously seconded and adopted.

Resolution No. 404

December 7, 2009
Regular Board Meeting

**RESOLUTION SUPPORTING CAPE AIRLINES AT THE
ADIRONDACK REGIONAL AIRPORT IN SARANAC LAKE**

The following resolution was offered by Supervisor Politi, 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, Cape Airlines currently has a contract at the Adirondack Regional Airport in Saranac Lake to provide airline services to the residents of Essex County; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby supports the continuation of the contract for airline services with Cape Airlines at the Adirondack Regional Airport in Saranac Lake.

This resolution was unanimously seconded and duly adopted.

Resolution No. 405

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
DPW-HIGHWAY, TO INCREASE REVENUES AND
APPROPRIATIONS BY \$4,334.53 - SALE OF TIRES TO
SERKIL**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a budget amendment in DPW-Highway, to increase revenues and appropriations by \$4,334.53 for the sale of tires to Serkil as follows:

INCREASE REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5130 4265520	Sale of Parts and Labor	\$4,334.53

INCREASE APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51304.5464	Highway vehicle repairs & parts	\$4,334.53

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

**RESOLUTION AUTHORIZING A CHANGE ORDER IN AN
AMOUNT NOT TO EXCEED \$900.00 ON CONTRACT DPW-10-
0007A - TOWN AND COUNTRY BRIDGE AND RAIL, FOR
ADDITIONAL GUIDE RAIL POST INSTALLATION IN CROWN
POINT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a change order not to exceed \$900.00 on contract DPW-10-0007A with Town and Country Bridge and Rail, for additional guide rail post installation in Crown Point and further authorizes the Chairperson or County Manager to execute contract change order with Town and Country Bridge and Rail.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD
THE BID FOR THE HASELTON ROAD LEWIS BRIDGE
REPLACEMENT PROJECT TO TIOGA CONSTRUCTION COMPANY
AND AUTHORIZING THE CHAIRPERSON AND/OR COUNTY
MANAGER TO ENTER INTO CONTRACT WITH TIOGA
CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED
\$1,349,479.55**

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

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

WHEREAS, the Essex County Board of Supervisors established Capital Project 09-2 for the Department of Public Works for Lewis Bridge/Haselton Road in the total amount of

\$2.1 million (Account H52234-5487);and

WHEREAS, pursuant to Resolution No. 246 of July 13, 2009, this Board accepted the economic recovery project funding; and

WHEREAS, the Haselton Road Lewis Bridge Replacement Project was bid and Tioga Construction Company, Inc. was the lowest responsible bidder.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to award the bid for the Haselton Road Lewis Bridge Replacement Project to Tioga Construction Company and authorizes the County Chairperson and/or County Manager to enter into a contract with Tioga Construction Company in an amount not to exceed \$1,349,479.55.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 408

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF
ANTHONY LAVIGNE AS DPW SUPERINTENDENT
EFFECTIVE JANUARY 1, 2010**

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, DPW Superintendent, Frederick Buck, will retire effective January 1, 2010; and

WHEREAS, Anthony LaVigne, Deputy Superintendent, shall be appointed Superintendent effective January 1, 2010, to fill the unexpired term of Frederick Buck through September 27, 2010.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the appointment of Anthony LaVigne as Department of Public Works Superintendent to fill the unexpired term of Frederick Buck effective January 1, 2010 at a salary of \$85,649.00.

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

AYES: 2651 votes
NOES: 153 votes (Spooner)
ABSENT: 39 votes (Canon)

Resolution No. 409

December 7, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS AND APPRECIATION
TO
FREDERICK H. BUCK
FOR HIS EXEMPLARY AND DEDICATED SERVICE TO ESSEX
COUNTY AS ESSEX COUNTY DEPARTMENT OF PUBLIC
WORKS SUPERINTENDENT FROM 1994 THROUGH 2009**

The following resolution was offered by Supervisor Moses, 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, Frederick H. Buck, Essex County Department of Public Works Superintendent will retire effective January 1, 2010; and

WHEREAS, Frederick H. Buck began service with the County of Essex as its Department of Public Works Superintendent on September 26, 1994; and

WHEREAS, for the past sixteen years, Frederick H. Buck has performed his duties as Essex County Department of Public Works Superintendent tirelessly, conscientiously and with professionalism and competence; and

WHEREAS, Frederick H. Buck, has during these many years devoted himself to constantly improving the quality and condition of our County and Town road system, bridges and other infrastructure and has contributed and left his mark upon the betterment of Essex County; and

WHEREAS, during his tenure, Frederick H. Buck, has exhibited the ability to undertake complex and difficult projects demonstrating extraordinary devotion and energy in the furtherance of the public good; and

WHEREAS, Frederick H. Buck is regarded amongst his peers, employees, department heads of the County and those with whom he has dealt, as possessing the highest degree of integrity and character and selfless devotion to duty; and

WHEREAS, Frederick H. Buck, during his tenure, has overseen countless County and Town road, bridge and other infrastructure projects and played a major role in the construction of the new Essex County Public Safety Building and the impressive Town of Jay Historic Covered Bridge Project.

BE IT RESOLVED, that the Essex County Board of Supervisors wishes to extend its deep and abiding appreciation to Frederick H. Buck for his exemplary and outstanding service to the residents of Essex County and its various Towns and its thanks and commendation to Frederick H. Buck for his many years of leadership, foresight and exemplary service; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney extend their best wishes and continued good luck to their friend, Frederick H. Buck, upon his retirement and wish him continued success in his future endeavors; and

BE IT FURTHER RESOLVED, this resolution be spread upon the minutes of the Board of Supervisors, with a suitably embossed copy to be forwarded to Frederick H. Buck.

This resolution was unanimously seconded and adopted.

Resolution No. 410

*December 7, 2009
Regular Board Meeting*

**RESOLUTION AUTHORIZING THE EXECUTION OF THE
RENEWAL AGREEMENTS BETWEEN ESSEX COUNTY-
TOWN OF LONG LAKE-HAMILTON COUNTY FOR
ENHANCED E-911 SYSTEM FOR 2009 AND 2010**

The following resolution was offered by Supervisor McSweeney, 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 Chairwoman to execute the 2009 renewal agreement between Essex County, Hamilton County and the Town of Long Lake for the Enhanced E-911 Telephone System and to execute a similar renewal agreement for 2010.

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

AYES: 2217 votes
NOES: 0 votes
ABSENT: 626 votes (*Canon, Merrihew and Politi*)

Resolution No. 411

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PAYMENT OF \$9,500.00
TO STANDARD AND POOR FINANCIAL SERVICES FOR
UPGRADED CREDIT RATINGS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the payment of \$9,500.00 to Standard and Poor Financial Services, LLC for their review and upgrade of Essex County's credit rating in relation to \$6,650,000 Public Improvement Serial Bonds, Series 2009A and \$3,000,000 Bond Anticipation Notes, Series 2009C.

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

AYES: 2217 votes
NOES: 0 votes
ABSENT: 626 votes (Canon, Merrihew and Politi)

Resolution No. 412

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PAYMENT OF \$1,811.80
TO SQUIRES, SANDERS & DEMPSEY FOR LEGAL WORK
OUTSIDE OF THE CONTRACT**

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 payment of \$1,811.80 to Squires, Sanders & Dempsey for legal work performed prior to Essex County's present contract with them.

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

AYES: 2323 votes
NOES: 0 votes
ABSENT: 520 votes (Canon, Politi)

**RESOLUTION AUTHORIZING THE PAYMENT OF \$1,500.00
TO FISCAL ADVISORS & MARKETING FOR
SERVICES RENDERED IN CONNECTION WITH
MONITORING CREDIT RATINGS**

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 authorizes the payment of \$1,500.00 to Fiscal Advisors and Marketing, Inc. for services rendered in connection with reporting requirements of S.E.C. Rule 15c-12 requiring reporting of any downgrades in the credit rating of companies that insure our serial bonds.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE TREASURER'S OFFICE IN THE AMOUNT OF \$18,000.00,
TO COVER COSTS RELATED TO BORROWING**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a budget amendment in the Treasurer's Office in the amount of \$18,000.00, to cover costs related to borrowing for Serial Bonds and Bond Anticipation Notes, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1900 41051	Gain or Loss on Sale	\$18,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
13804 5487	Borrowing Expense	\$18,000.00

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 415

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
 THE TREASURER'S OFFICE IN THE AMOUNT OF \$96,225.00 -
 CDBG DRAW DOWN**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a budget amendment in the Treasurer's Office in the amount of \$96,225.00, CDBG draw down as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6989 4499712	Home Purchase	\$96,225.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
69894 5400 HP07	CDBG Home Purchase	\$96,225.00

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
PUBLIC HEALTH DEPARTMENT, TO INCREASE REVENUES
AND APPROPRIATIONS IN THE AMOUNT OF \$53,340.00 AND
DECREASE REVENUES AND APPROPRIATIONS IN THE
AMOUNT OF \$48,681.32, GRANT FUNDING FOR PANDEMIC
FLU PREVENTION**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a budget amendments in the Public Health Department, grant funding for pandemic flu prevention as follows:

INCREASE REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4198 4460169	Office of Homeland Security	\$7,297.00

INCREASE APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41984 5400INV	Inventory	\$2,770.00
41984 5410	Office Supplies	200.00
41984 5443	Travel Reimbursement	300.00
41984 5445	Consulting Fees	3,143.00
41984 5497	Mileage	884.00
		<u>\$7,297.00</u>

INCREASE REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4197 4460169	H1N1	\$46,043.00

INCREASE APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41971 5110	Regular Wages	\$19,764.00
41971 5130	Part Time Wages	6,137.00
41974 5410	Office Supplies	440.00
41974 5424	Postage	1,000.00
41974 5425	Copier Expense	3,500.00
41974 5440	Misc Fees and Services	1,100.00
41974 5486	Educational Materials	900.00
41978 5497	Mileage	3,000.00

41978 5850	Health Insurance	<u>10,202.00</u>
		\$46,043.00

DECREASE REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4191 444891	Bio-terrorism	(\$48,681.32)

DECREASE APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41911 5110	Regular Wages	(\$22,022.00)
41911 5130	Part Time Wages	(1,079.00)
41911 5150	Longevity Wages	(200.00)
41912 5230	Auto Equipment	(1,791.50)
41914 5400INV	Inventory	2,935.40
41914 5410	Office Supplies	48.00
41914 5423	Telephone	1,442.00
41914 5424	Postage	(20.00)
41914 5436	Advertising Fees	300.00
41914 5443	Travel Reimbursement	(673.22)
41918 5497	Mileage	(888.00)
41918 5810	Retirement	(4,566.00)
41918 5820	Social Security	(3,925.00)
41918 5830	Workers Compensation	(1,588.00)
41918 5840	Disability Insurance	(99.00)
41918 5850	Health Insurance	(14,030.00)
41918 5851	Pharmacy Expense	<u>(2,525.00)</u>
		(\$48,681.32)

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 417

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CHANGE ORDER IN AN
AMOUNT NOT TO EXCEED \$1,469.76 TO CONTRACT DPW-
09-0039 WITH STEPHEN MILLER GENERAL CONTRACTORS,
INC., FOR ADDITIONAL BASE PLATE POSTS - RIVER ROAD
BRIDGE OVER COLD BROOK PROJECT**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a change order in an amount not to exceed \$1,469.76 to contract DPW-09-0039 with Stephen Miller General Contractors, Inc., for additional base plate posts on River Road Bridge over Cold Brook project and further authorizes the Chairman and/or County Manager to execute such change order.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 418

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CHANGE ORDER IN AN
AMOUNT NOT TO EXCEED \$5,789.00 TO CONTRACT DPW-
09-0063 WITH PECKHAM ROAD CORPORATION, FOR
SHOULDER REPAIR TO THE BLUE RIDGE ROAD
RESURFACING PROJECT**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a change order in an amount not to exceed \$5,789.00 to contract DPW-09-0063 with Peckham Road Corporation, for shoulder repair to the Blue Ridge Road resurfacing project, and further authorizes the Chairman and/or County Manager to execute such change order.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

**RESOLUTION AUTHORIZING A CHANGE ORDER IN A
CREDIT AMOUNT OF \$15,180.00 TO CONTRACT DPW-09-
0039 WITH STEPHEN MILLER GENERAL CONTRACTORS,
INC., FOR PAVING CREDIT TO THE RIVER ROAD BRIDGE
OVER COLD BROOK PROJECT**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a change order in a credit amount of \$15,180.00, to contract DPW-09-0039 with Stephen Miller General Contractors, Inc., for paving credit to River road Bridge over Cold Brook project and further authorizes the Essex County Chairman and/or County Manager to execute such change order.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

**RESOLUTION AUTHORIZING A CHANGE ORDER IN AN
AMOUNT NOT TO EXCEED \$2,832.00 TO CONTRACT DPW-
10-0004 WITH EVERGREEN TESTING AND ENVIRONMENTAL
SERVICES, INC., FOR TCLP RELATED ANALYTICAL
TESTING FOR THE DPW-HIGHWAY FACILITY EPA
COMPLIANCE AND ENVIRONMENTAL TESTING PROJECT**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a change order in an amount not to exceed \$2,832.00 to contract DPW-10-0004 with Evergreen Testing and Environmental Services, Inc., for TCLP related analytical testing for the DPW Highway Facility EPA Compliance and Environmental Testing project, and further authorizes the Chairperson and/or County Manager to execute change order for same.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 421

December 7, 2009
Regular Board Meeting

**RESOLUTION A BUDGET AMENDMENT IN THE ASSIGNED
COUNSEL BUDGET, TO INCREASE REVENUES AND
APPROPRIATIONS BY \$14,584.00**

The following resolution was offered by Supervisor Jackson, 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 authorizes a budget amendment in the Assigned Counsel budget, to increase revenue Account Number 1171 43389 by \$14,584.00 and increase appropriation Account Number 11714 5420FC by \$14,584.00.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 422

December 7, 2009
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE MORIAH
CENTRAL SCHOOL BOYS VARSITY FOOTBALL TEAM FOR
WINNING THE 2009 SECTION 7 AND 10 CLASS D
CHAMPIONSHIP; SECTION 2, 7 AND 10 CLASS D REGIONAL
CHAMPIONSHIP, SECTIONS 1, 2, 7, 9 AND 10 CLASS D**

**EASTERN CHAMPIONSHIP AND UPON BEING THE NEW
YORK STATE OVERALL CLASS D RUNNER-UP FOR THE
SECOND CONSECUTIVE YEAR; TOGETHER WITH
CONGRATULATIONS TO NICK GILBO ON RECEIVING THE
DEFENSIVE MVP PLAYER AWARD AND TO DYLAN ORR FOR
RECEIVING THE SPORTSMANSHIP AWARD AT THE STATE
CHAMPIONSHIP GAME**

The following resolution was offered by Supervisor Scozzafava, 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 of Supervisors is pleased to learn that the Moriah Central School Boys Varsity Football Team has won the 2009 Section 7 and 10 Class D Championship; Section 2, 7 and 10 Class D Regional Championship; Section 1, 2, 7, 9 and 10 Class D Eastern Championship and upon being the New York State Overall Class D Runner-up for the second consecutive year; and

WHEREAS, this Board of Supervisors is also pleased to learn that Nick Gilbo of Moriah Central School has received the Defensive MVP Player Award at the State Championship Game; and

WHEREAS, this Board of Supervisors is further pleased to learn that Dylan Orr has received the Sportsmanship Award at the New York State Championship game.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the 2009 Moriah Central School Boys Varsity Football Team, their coach, Don Tesar and his assistants and staff for their outstanding accomplishments including, but not limited to, earning the title of 2009 Section 7 and 10 Class D Champions; Section 2, 7 and 10 Class D Regional Champions; Section 1, 2, 7, 9 and 10 Class D Eastern Champions and upon being the New York State Overall Class D Runner-up for the second consecutive year; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate Nick Gilbo upon receiving the Defensive MVP Player Award at the New York State Championship game; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate Dylan Orr upon his receipt of the Sportsmanship Award at the New York State Championship game.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF APPRECIATION TO THE CANADIAN
PACIFIC RAILROAD FOR THE HOLIDAY TRAIN AND THE
DONATION OF \$1,000 TO THE LOCAL FOOD BANKS**

The following resolution was offered by Supervisors Dedrick and Scozzafava, 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 extends its deepest and abiding appreciation to the Canadian Pacific Railway for establishing and sponsoring the Toys For Tots Holiday Train; and

BE IT FURTHER RESOLVED, that the Board of Supervisors further thanks the Canadian Pacific Railway for the donation of \$1,000.00 to the local food banks.

This resolution was unanimously seconded and adopted.

**POSTHUMOUS RESOLUTION OF APPRECIATION TO
ANTHONY MORETTE
FOR HIS DEDICATION AND FORTITUDE IN PRESERVING
AND SUPPORTING THE COMMUNICATIONS IN SOUTHERN
ESSEX COUNTY BY MAINTAINING
EMERGENCY BACKUP AND RADIO SYSTEMS
ON TOP OF MOUNT DEFIANCE**

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.

WHEREAS, Anthony Morette has, for countless years, maintained the emergency backup and radio systems on top of Mount Defiance making sure that they were monitored and maintained and properly functioning and in working order; and

WHEREAS, Anthony "A.T." Morette monitored these systems on a daily basis at no charge and for no compensation to the Town of Ticonderoga and County; and

WHEREAS, Anthony Morette was locally known as "Keeper of Mount Defiance" by

virtue of his daily runs to the top of Mount Defiance to monitor the Public Safety radios and transmitters; and

WHEREAS, on December 2, 2009, Anthony Morette tragically died as a result of being struck by a tractor trailer while completing his regular morning run.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby posthumously expresses its sincere appreciation to Anthony Morette for his dedication and fortitude in preserving and supporting the communication systems in southern Essex County and monitoring and maintaining the emergency backup and radio systems on top of Mount Defiance; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby directs its Clerk of the Board to forward a suitably embossed copy of this Resolution to the family of Anthony Morette.

This resolution was unanimously seconded and adopted.

Resolution No. 425

December 7, 2009
Regular Board Meeting

**RESOLUTION OF APPRECIATION TO THE CANADIAN
PACIFIC RAILROAD AND UNITED STATES MARINE CORP**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby extends its deepest and abiding appreciation to the Canadian Pacific Railway and the United States Marine Corps for establishing and sponsoring the Toys for Tots Train; and

WHEREAS, the Toys for Tots Train rolled through Essex County on December 6, 2009 with Santa and Mrs. Claus stopping along the way to bring happiness and joy to many children who anxiously awaited their arrival; and

WHEREAS, the generosity of Canadian Pacific Railway and the United States Marine Corps brought sparkling eyes and ear-to-ear smiles from the children that received gifts and winter apparel; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors further thanks the Canadian Pacific Railway and the United States Marine Corps for their donation of Christmas presents and winter apparel for the children of our communities.

This resolution was unanimously seconded and adopted.

Resolution No. 426

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE
DEPARTMENT OF PUBLIC WORKS WITH RESPECT TO A
CONTRACT BETWEEN ESSEX COUNTY AND STEVEN E.
FULLER EXCAVATING, INC. BEARING ESSEX COUNTY
CONTRACT NUMBER DPW-09-0064 IN THE AMOUNT OF
\$28,080.00**

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 a change order with respect to a contract entered into between Essex County and Steven E. Fuller Excavating, Inc. bearing Essex County Contract No. DPW-09-0064 in the amount of \$28,080.00 decreasing the contract amount in favor of Essex County by \$28,080.00 as a credit for 360 tons of hot mix asphalt, top coarse not installed under the terms of the contract; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors authorizes its County Chairperson, County Manager and/or DPW Superintendent to execute the change order.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 427

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING CHAIRWOMAN, CATHY L.
MOSES TO SIGN A CONSENT TO CHANGE ATTORNEY
FORM IN THE MATTER OF TERANCE FINNAN AGAINST
KEVIN K. RYAN, ET AL**

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairwoman, Cathy L. Moses to execute a consent to change attorney with respect to the above captioned lawsuit changing the attorney from Ryan and Smallacombe, LLC to Towne, Ryan and Partners, PC.

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

Resolution No. 428

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING COUNTY CLERK TO
WITHHOLD NECESSARY EXPENSES INCURRED IN 2010 IN
ADMINISTERING THE MORTGAGE TAX RECORDING LAW**

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

WHEREAS, by Section 262 of the Tax Law, recording officers are entitled to receive their necessary expenses for purposes of administration of mortgage taxes in their offices upon approval and allowance by the State Tax Commission; and

WHEREAS, the State Tax Commission did on July 1, 1946, by resolution duly adopted, determine that such mortgage tax expense be approved at the amount certified to the State Tax Commission by the County Board of Supervisors, provided it is a reasonable and necessary allowance for such expenses.

BE IT RESOLVED, that the sum of \$24,000.00 per annum be and hereby is determined to be a reasonable and necessary allowance of the Recording Officer of Essex County for the hire of clerks and assistants to perform the administration of the Mortgage Recording Tax Law in his office; and

BE IT FURTHER RESOLVED, that effective January 1, 2010, the County Clerk shall collect or withhold from his disbursements in twelve (12) equal monthly installments of \$2,000.00 per month, the total annual sum of \$24,000.00, which this Board does hereby certify to the New York State Tax Commission and the New York State Department of Audit and Control, as the reasonable and proper allowance for expenses; and

BE IT FURTHER RESOLVED, that the Clerk of this Board provide 3 original resolutions for submission to the Department of Taxation and Finance.

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

**RESOLUTION NAMING CHARLES “KIP” THOMPSON FOR
CONSIDERATION OF REAPPOINTMENT TO THE BOARD OF
THE CLINTON-ESSEX-FRANKLIN
LIBRARY SYSTEM**

The following resolution was offered by Supervisor Blades, 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 appoints Charles “Kip” Thompson to the Clinton-Essex-Franklin Library System Board for a five year term ending December 31, 2015.

This resolution was unanimously seconded and duly adopted .

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE TRANSPORTATION DEPARTMENT TO INCREASE
REVENUES AND APPROPRIATIONS IN THE AMOUNT OF
\$6,100.00, WITH FUNDS TO COME FROM STATE OPERATING
ASSISTANCE**

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 approves a budget amendment in the Essex County Transportation Department to increase revenues and appropriations in the amount of \$6,100.00, with funds to come from State Operating Assistance as follows:

INCREASE REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5630 43089121	State Aid Operating Assistance	\$6,100.00

INCREASE APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
56302 5230	Auto Equipment	\$6,100.00

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 431

December 7, 2009
Regular Board Meeting

RESOLUTION SCHEDULING THE 211th ORGANIZATIONAL MEETING FOR JANUARY 4, 2010

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Essex County Board of Supervisors hereby schedules the 2010 Organizational Meeting for January 4, 2010 to commence at 10:00 a.m.

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

Resolution No. 432

December 7, 2009
Regular Board Meeting

RESOLUTION AUTHORIZING THE LEVY OF CHARGEBACKS

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Clerk of the Board of Supervisors is hereby authorized and directed to levy, from towns as accumulated chargebacks accrued, consisting of chargebacks from corrections to the tax rolls, as well as any incidental charges to the towns of Essex County as follows:

<u>TOWN</u>	<u>2010 SELF-INSURANCE</u>	<u>2010 TREASURERS</u>	<u>2010 REAL PROPERTY</u>
Chesterfield	\$.00	\$.00	\$.00
Crown Point	.00	.00	.00
Elizabethtown	.00	.00	.00
Essex	.00	.00	.00
Jay	23,353.76	.00	3,970.72
Keene	19,325.33	.00	3,688.54
Lewis	.00	.00	.00
Minerva	9,095.24	.00	2,425.68

Moriah	.00	.00	.00
Newcomb	.00	.00	.00
North Elba	.00	.00	.00
North Hudson	3,914.73	.00	.00
St. Armand	.00	.00	.00
Schroon	.00	.00	.00
Ticonderoga	.00	.00	.00
Westport	.00	.00	.00
Willsboro	.00	.00	.00
Wilmington	28,809.56	.00	2,469.08

BE IT FURTHER RESOLVED, that no chargeback shall be made against any town which, prior to the close of business on December 1, 2009, furnishes the Essex County Real Property Tax Services Director with a written statement that such Town will be making payment of an amount above on or before December 31, 2009.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 433

December 7, 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 Connell, who moved its adoption.

Upon the passage of a motion to consider 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 2010 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 relieved 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 Dedrick, and adopted upon a roll-call vote as follows:

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 434

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING A CHANGE ORDER IN A
CREDIT AMOUNT OF \$139,623.88 TO CONTRACT DPW-09-0063
WITH PECKHAM ROAD CORPORATION FOR PROJECT
CLOSE-OUT**

The following resolution was offered by Supervisor Dobie, 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 change order in a credit amount of \$139,623.88, to contract DPW-09-0063 with Peckham Road Corporation, for project close-out to the Blue Ridge Road re-surfacing project and further authorizes the Essex County Chairman and/or County Manager to execute such change order.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 435

December 7, 2009
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY ATTORNEY
TO SETTLE THE MATTER OF ERIC MCCRAY AGAINST
JOHN P. O'NEILL, AS THE COMMISSIONER OF ESSEX
COUNTY DEPARTMENT OF SOCIAL SERVICES, AND
THE TOWN OF MORIAH, NEW YORK VENUED IN THE**

**UNITED STATES DISTRICT COURT NORTHERN
DISTRICT OF NEW YORK BEARING CASE NUMBER
8:09-CV-0818**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Attorney to settle the matter of Eric McCray against John P. O'Neill, as Commissioner of the Essex County Department of Social Services, and the Town of Moriah, New York.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 436

December 7, 2009
Regular Board Meeting

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ANTHONY THOMAS MORETTE**

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

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

WHEREAS, Anthony Thomas Morette of Ticonderoga, New York, tragically passed away on Wednesday, December 2, 2009; and

WHEREAS, Anthony Thomas Morette was born in Ticonderoga, New York on May 10, 1949, the son of Edward J. and Carmela (Ciccione) Morette; and

WHEREAS, Anthony Thomas Morette was a lifelong resident of Ticonderoga and the owner and operator of A.T. Morette Electric & Sound & Communications of Ticonderoga; and

WHEREAS, Anthony Thomas Morette was an electrical inspector for residential and commercial wiring in Essex, Clinton, Warren, Washington and Saratoga counties and was employed by WAMC Public Radio of Albany as a field engineer and the Town of Ticonderoga, where he maintained the fire radio generator and power supply atop Mount Defiance; and

WHEREAS, Anthony Thomas Morette was an avid and lifelong fireman having been a junior Ticonderoga fireman as a teenager, having served as Ticonderoga fire marshal and assistant fire chief, Essex County senior fire investigator and deputy fire coordinator as well as a member of the Ticonderoga Police Commission; and

WHEREAS, Anthony Thomas Morette was also well known and recognized as a long distance runner and ran every day for the sheer joy of the sport; and

WHEREAS, Anthony Thomas Morette was known as the “Keeper of Mount Defiance” opening and closing the road to this historic site for the last decade and maintaining the public safety radios housed in the transmitter hub at the top of the mountain during his daily runs; and

WHEREAS, Anthony Thomas Morette was a tireless and dedicated volunteer and community activist and was known for his veteran’s Christmas tree atop Mount Defiance which used lengths of colored lights strung from the flag pole creating a tree effect that could be seen for miles and was also instrumental in hanging Christmas lights throughout the Town of Ticonderoga; and

WHEREAS, Anthony Thomas Morette was a loving husband, father, grandfather, brother, uncle and friend and 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 Anthony Thomas Morette; 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 Morette family.

This resolution was unanimously seconded and adopted.

Resolution No. 437

December 7, 2009
Regular Board Meeting

**RESOLUTION ACCEPTING THE 2010 TENTATIVE ESSEX
COUNTY BUDGET SUBJECT TO AMENDMENT AND
FINAL ADOPTION OF THE 2010 ESSEX COUNTY
BUDGET**

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 accepts the submission of the 2010 Tentative Essex County Budget subject to amendment and final adoption of the 2010 Essex County Budget.

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

Resolution No. 438

December 7, 2009
Regular Board Meeting

**RESOLUTION AMENDING THE 2010 TENTATIVE ESSEX
COUNTY BUDGET FOR CONTRACT AGENCY'S TO
DECREASE APPROPRIATIONS IN THE TOTAL AMOUNT
OF \$1,000.00 RESULTING FROM ELIMINATION OF
TOWN OF MORIAH CELEBRATION**

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2010 Tentative Budget by decreasing appropriations in the total amount of \$1,000.00 resulting from elimination of Town of Moriah Labor Day Celebration and increase of estimated revenues of \$1,000.00 as follows:

Department - 6410-Town of Moriah

Decrease Appropriations

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
64104 5487	Moriah Labor Day Celebration	\$1,000.00	\$0

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 439

December 7, 2009
Regular Board Meeting

RESOLUTION AMENDING THE 2010 TENTATIVE ESSEX COUNTY BUDGET FOR EQUIPMENT AND BUILDINGS TO DECREASE APPROPRIATIONS IN THE TOTAL AMOUNT OF \$204,300.00 RESULTING FROM ELIMINATION OF A VIPER CAD UPGRADE IN THE COMMUNICATIONS DEPARTMENT

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2010 Tentative Budget for the Public Safety Office by decreasing appropriations in the total amount of \$204,300.00 resulting from elimination of a Viper CAD upgrade in the Communications Department as follows:

Department - 3020 - Public Safety

Decrease Appropriations

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
30202 5250	Communications Equipment	\$204,300.00	\$0

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

<p>TENTATIVE BUDGET IMPACT \$1,000.00 decrease in appropriations</p>

<p>TENTATIVE BUDGET IMPACT \$204,300.00 decrease in appropriations</p>

Resolution No. 440

*December 7, 2009
Regular Board Meeting*

RESOLUTION AMENDING THE 2010 TENTATIVE ESSEX COUNTY BUDGET FOR EQUIPMENT AND BUILDINGS TO INCREASE ESTIMATED REVENUE IN THE TOTAL AMOUNT OF \$30,000.00 TRANSFER OF FUNDS FROM STOP DWI FOR THE PURCHASE OF ONE VEHICLE FROM THE SHERIFF DEPARTMENT

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2010 Tentative Budget for RPT to increase estimated revenue in the total amount of \$30,000.00 transfer of funds from Stop DWI for the purchase of one vehicle from the Sheriff Department as follows:

Department - 3110

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
3110 4280130	Transfer from Stop DWI	\$30,000.00	\$0

TENTATIVE BUDGET IMPACT
\$30,000.00 increase in estimated

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 441

December 7, 2009
Regular Board Meeting

**RESOLUTION AMENDING THE 2010 TENTATIVE ESSEX
COUNTY BUDGET FOR PUBLIC SAFETY BUILDING
WATER METER AND STORAGE BUILDING TO
DECREASE APPROPRIATIONS IN THE TOTAL AMOUNT
OF \$100,000.00**

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2010 Tentative Budget for the Public Safety Building Water Meter and Storage Building to decrease appropriations in the total amount of \$100,000.00 as follows:

Department - 1620

Decrease Appropriations

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
16202 5285PSB	Building Construction	\$100,000.00	\$0

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

TENTATIVE BUDGET IMPACT \$100,000.00 decrease in appropriations
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Resolution Number 47, 2009
Regular Board Meeting

**RESOLUTION DIRECTING AND AUTHORIZING THE COUNTY
MANAGER AND PERSONNEL OFFICER TOGETHER WITH THE
PERSONNEL COMMITTEE TO DEVELOP A THREE AND/OR FIVE
YEAR MANAGEMENT/CONFIDENTIAL SALARY SCHEDULE**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby directs and authorizes the County Manager and County Personnel Officer working in conjunction with the Personnel Committee to develop a three and/or five year Management/Confidential Salary schedule which shall identify proposed hourly and/or annual salaries for all M/C positions and shall identify proposed starting salaries for Department Head positions in the event they become vacant; and

BE IT FURTHER RESOLVED that a proposed draft schedule should be presented to the Personnel Committee no later than April 1, 2010.

This resolution was seconded by Supervisors Douglas and Scozzafava, and duly

adopted.

Resolution No. 443

December 7, 2009
Regular Board Meeting

**RESOLUTION AMENDING THE 2010 TENTATIVE ESSEX
COUNTY BUDGET FOR THE BOARD OF SUPERVISORS SALARY TO DECREASE
APPROPRIATIONS IN THE TOTAL AMOUNT OF \$17,370.00**

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

Upon the passage of a motion to consider from the floor, and it appearing proper and necessary;

BE IT RESOLVED that the Essex County Board of Supervisors hereby amends the 2010 Tentative Essex County Budget for the Board of Supervisors salary to decrease appropriations in the total amount of \$17,370.00 as follows:

Department - 10101

Decrease Appropriations

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>FROM</u>	<u>TO</u>
10101-5110	Board of Supervisors Regular Wages	\$17,370.00	\$0

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

TENTATIVE BUDGET IMPACT
\$17,370.00 decrease in appropriations

Resolution No. 444

December 7, 2009

Regular Board Meeting

**RESOLUTION ADOPTING THE 2010 TENTATIVE ESSEX
COUNTY BUDGET AS THE 2010 ESSEX
COUNTY BUDGET AND APPROPRIATING FUNDS
PURSUANT TO COUNTY LAW §356**

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

WHEREAS, the Essex County Board of Supervisors has met and considered the 2010 tentative budget and conducted a public hearing thereon on December 1, 2009, as required by County Law §359; and

WHEREAS, the Board thereafter conducted budget hearings with each department head to review and consider amendments to the tentative budget in order to reduce the projected tax increase, and based upon such hearings has amended the tentative budget.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts the 2010 Tentative Essex County Budget, as heretofore amended, as the final 2010 Essex County Budget; and

BE IT FURTHER RESOLVED that the several amounts specified in such budget in the column entitled "Adopted" for the several objects set forth in said 2010 budget, totaling \$92,950,635.00, be appropriated for such objects effective January 1, 2010, with said budget containing total revenues of \$71,956,477.00; and

BE IT FURTHER RESOLVED that the sum of \$6,188,817.00 is hereby appropriated from the General Fund Balance for the 2010 Essex County Budget hereby adopted; and

BE IT FURTHER RESOLVED that the sum of \$200,000.00 is hereby appropriated from the County Road Fund Balance, and the additional sum of \$300,001.00 from the County Road Machinery Fund Balance and the sum of \$750,000.00 from Capital Fund for the 2010 Essex County Budget hereby adopted; and

BE IT FURTHER RESOLVED that the sum of \$13,553,340.00 shall be raised by taxes levied upon the real property within the County for the 2010 Essex County Budget hereby adopted.

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

AYES: 2666 votes
NOES: 177 votes (Ferebee, Preston)
ABSENT: 39 votes (Canon)

Resolution No. 445

December 7, 2009
Regular Board Meeting

**RESOLUTION LEVYING 2010 COUNTY AND TOWN TAXES
AND ASSESSMENTS, APPROVING THE COMPLETED
TAX ROLLS, AND DIRECTING THE EXECUTION**

AND DELIVERY OF THE TAX WARRANTS

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

WHEREAS, there has been presented to this Board of Supervisors a duly certified copy of the annual budget for each of the eighteen towns of Essex County for the fiscal year commencing January 1, 2010; and

WHEREAS, the Essex County Board of Supervisors has duly adopted its annual budget for the fiscal year 2010 by Resolution No. 443, which budget provides for appropriation of funds in the total amount of \$92,956,635.00, for revenues of \$71,956,477.00, and for a total tax levy of \$13,555,340.00.

BE IT RESOLVED that pursuant to Town Law §115, the amounts specified in the annual town budgets, as adopted by the respective Town Boards, to be raised by tax or assessment shall be levied, assessed, raised and collected against, from, and upon the real property of the respective towns liable therefor at the time and in the manner provided by law for the levy of county taxes; and

BE IT FURTHER RESOLVED that pursuant to County Law §360, the amounts specified in the 2010 County budget to be raised by tax, amounting to \$13,555,340.00 shall be levied, assessed, raised and collected against, from, and upon the real property of the County liable therefor at the time and in the manner provided by law; and

BE IT FURTHER RESOLVED that the Town and County taxes be extended against each parcel on said rolls, with such taxes as extended being hereby determined to be the taxes due on each such parcel as set forth thereon; and

BE IT FURTHER RESOLVED that there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Board, as provided by Real Property Tax Law §904, that such warrants should be in the respective amounts heretofore authorized to be levied upon said rolls, that under the seal of the Essex County Board of Supervisors the said rolls with said warrants are to be forthwith collected within and from the several tax districts of the County; and

BE IT FURTHER RESOLVED that such taxes and assessments, when collected, shall be paid to the Supervisor of the respective town and to the Essex County Treasurer in the amounts as shown on the Contents of Collectors Warrants for distribution by them in the manner provided by law.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)

Resolution No. 446

December 7, 2008
Regular Board Meeting

RESOLUTION AUTHORIZING CONTRACTS FOR FISCAL

**YEAR 2010 FOR WHICH FUNDS ARE APPROPRIATED IN
THE 2010 ESSEX COUNTY BUDGET**

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 and directs the County Manager and/or Chairman of the Board to execute all contracts for fiscal year 2010 for the various departments of County Government for which funds have been appropriated in the 2010 Essex County Budget as adopted.

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

AYES: 2804 votes
NOES: 0 votes
ABSENT: 39 votes (Canon)