

**RESOLUTION ACCEPTING THE RFP AND AUTHORIZING THE  
COUNTY CHAIR PERSON AND/OR COUNTY MANAGER TO  
ENTER INTO A LEASE AGREEMENT WITH NINE YARDS, INC.  
FOR STORAGE SPACE**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to award the RFP for additional storage space; and

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes its County Chairman and/or County Manager to execute a lease agreement with Nine Yards, Inc. upon the approval of the Essex County Attorney.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**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 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.

**WHEREAS**, listed below are the policies and procedures which were submitted and approved by the Professional Advisory/Public Health Advisory Committee on March 2, 2010:

**Certified Home Health Agency**

- Quality Assurance Review for 4th Quarter of 2009 - [No Specific Action Required]
- Adverse Events for 2nd Quarter of 2009 - [No Specific Action Required]

Policies and Procedures:

- [New] Timed Up & Go Test (TUG) Procedure
- [New] Suprapubic Catheter Care Procedure
- [New] Oxygen Therapy Procedure
- [New] Pulse Oximetry Procedure
- [Revised] Denial of Claims Procedure
- [Revised] Credit Balance Report Procedure
- [Revised] Write-off of Bad Debts Procedure

**Preventive Services**

- Preventive Services Quality Improvement Report for 4th Quarter 2009 - [No Specific Action Required]

Policies and Procedures:

- Non-patient specific standing orders for the administration of Vaccines, PPD and anaphylactic agents
- Administering Td/Tdap to children ages 7 years & older Procedure

- Administering DtaP to children younger than Age 7 Procedure
- [R] Administering Haemophilus Influenza type vaccine to children Procedure
- [R] Administering Meningococcal Vaccine to children & teens Procedure
- [R] Administering Pneumococcal Polysaccharide Vaccine to children & teens Procedure
- Administering Measles, Mumps & Rubella Vaccine to children & teens Procedure
- Administering Tetanus-Diphtheria Toxoids & Pertussis Vaccine (Td/Tdap) to adults Procedure
- Administering Measles, Mumps & Rubella Vaccine to adults Procedure
- [R] Administering Meningococcal Vaccine to adults Procedure
- [R] Administering Pneumococcal Vaccine to adults Procedure
- Administering Hepatitis B Vaccine to adults Procedure
- [R] Administering Influenza Vaccines to adults Procedure
- Administering Influenza A Vaccines to adults Procedure
- Administering Human Papillomavirus to adults Procedure
- Administering Varicella Vaccine to children & teens Procedure
- Administering Varicella (Chickenpox) Vaccine to adults Procedure
- Administering Zoster Vaccine to adults Procedure
- Deposition of Needles and Sharps Policy & Procedure
- Emergency Treatment Policy & Procedure
- Immunization Clinic Policy & Procedure
- Vaccine Ordering and Discarding Procedure
- Vaccine Adverse Event Reporting Policy & Procedure
- Emergency Kit Policy & Procedure
- Charges for Vaccinations Policy & Procedures
- NYS Department of Health Immunization Program Adult Hepatitis Vaccination Program Policy & Procedure
- Storage, Handling and Transportation of Vaccine Policy & Procedure
- Vaccine Information Statement (VIS) Policy & Procedure

[R=revised; N=new; no designation=no change]

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby accepts, adopts, approves, or places on file the following hereinabove referenced Policies and Procedures for both the Certified Home Health Agency and Preventive Services.

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

**RESOLUTION AUTHORIZING A CONTRACT WITH THE PUBLIC  
HEALTH DEPARTMENT AND WESTERN NEW YORK  
HEALTHNET, A WEB SITE TO DETERMINE INSURANCE  
ELIGIBILITY AND CLAIM STATUS OF CHHA PATIENTS AT NO  
COST TO THE COUNTY**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes its Chairman and/or County Manager to enter into a contract with Western New York Healthnet to provide the Public Health Department with a web site to determine insurance eligibility and claim status of CHHA patients at no cost to the County, upon approval by the Essex County Attorney.

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

**AYES:           2,615 votes**  
**NOES:           0 votes**  
**ABSENT:        228 votes (Ferebee, Moses)**

**RESOLUTION AMENDING RESOLUTION NO. 381 OF  
DECEMBER 1, 2008 CHANGING THE INDIVIDUAL ELIGIBILITY  
THRESHOLD FROM \$250.00 FROM THE CURRENT HEAP  
INCOME ELIGIBILITY GUIDELINES TO \$100.00 AND LIMITING  
TIME PERIOD WITHIN WHICH THIS CHANGE IS APPLICABLE  
TO SIXTY (60) DAYS FROM ADOPTION OF THIS RESOLUTION**

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

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

**WHEREAS**, the Essex County Board of Supervisors passed Resolution No. 381 of December 1, 2008, establishing the Essex County Last Stop Heating Assistance Program; and

**WHEREAS**, this Board of Supervisors is desirous of amending Paragraph 3 of Resolution No. 381 of December 1, 2008 to provide that each individual applicant must be within \$100.00 from the current HEAP income eligibility guidelines to qualify for the program; substituting \$100.00 for the \$250.00 threshold contained in Resolution No. 381.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby amends Resolution No. 381 of December 1, 2008, by amending Paragraph 3 thereof to provide as follows:

***Each individual applicant must be within \$100.00 from the current HEAP income eligibility guidelines to qualify for this program; and***

**BE IT FURTHER RESOLVED**, that this change shall only remain in legal force and effect for a period of sixty days from the adoption of this resolution at which time the \$250.00 limit from the current HEAP income guidelines required for qualification contained in Resolution No. 381 of December 1, 2008 shall be reinstated.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION ACCEPTING AND PLACING  
ON FILE THE 2009 ANNUAL REPORTS FOR VARIOUS  
DEPARTMENTS**

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

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

***BE IT RESOLVED*** that the Essex County Board of Supervisors hereby accepts and places on file the following:

**From the Public Safety Committee:**

- (a) The 2009 Weights and Measures Annual Report.
- (b) The 2009 Annual Report of the Office of Emergency Services.

**From the Personnel Committee:**

- (a) The 2009 Annual Report for the Personnel Office.
- (b) The 2009 Workers' Compensation/Self-Insurance Annual Report.

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

**RESOLUTION DESIGNATING 2010 ESSEX COUNTY FIRE  
COORDINATORS, DEPUTY FIRE COORDINATORS, FIRE  
INVESTIGATORS AND DEPUTY FIRE INVESTIGATORS**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby approves and designates the 2010 Essex County Fire Coordinators, Deputy Fire Coordinators, Fire Investigators and Deputy Fire Investigators as follows:

<b>NAME</b>	<b>TITLE</b>
Donald Jaquish	Director
Michael Blaise	Deputy Director
Patty Bashaw	EMS Coordinator
Dan Benoit	DFC (Battalion 1)
Patrick Tromblee	DFC
Jack Waldron	DFC (Battalion 2)
Bill Minogue	DFC/Fire Inv. (Battalion 4)
Larry Shiell	DFC/Fire Inv. (Battalion 3)
Jack Napper	DFC Air 1
Ed Roberts	DFC
Jack Hanby	DFC/Fire Inv.
BJ Wright	DFC/Fire Inv.
Steve Duso	DFC/Fire Inv.
Danny Sweatt	DFC/Fire Inv.
Dan LaFrance	DFC/Fire Inv.
Lee Torrance	DFC/Fire Inv./Dep. EMS
Joseph Norton	DFC/Fire Inv.
Brad Jaques	DFC/Fire Inv.
Matt Colby	DFC/Fire Inv.
Harrold Napper	Dep. EMS
Matt Watts	Dep. EMS

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

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR  
VARIOUS DEPARTMENTS**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby amends the 2010 Essex County Budget as follows:

**From Public Safety Committee:**

1. For Sheriff's Department, increase revenues and appropriations by \$4,790.07 - insurance recovery as follows:

**REVENUES**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
42680	Insurance Recoveries	\$4,790.07

**APPROPRIATIONS**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
31102 5230	Auto Equipment	\$4,790.07

**From DPW Committee:**

1. For DPW, increase revenues and appropriations by \$92,860.00, from HBRR funds as follows:

**REVENUES**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
H52154-44089 OMR	HBRR	\$92,860.00

**APPROPRIATIONS**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
H52145.5445 OMR	Consultant - Old Military Road	\$92,860.00

**From Finance Committee:**

1. For Youth Bureau, increase revenues and appropriations by \$5,125.00 - lifeguard



training as follows:

**REVENUES**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
7310-42070	Lifeguard Training	\$5,125.00

**APPROPRIATIONS**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
73104-5451	Training/Schools	\$5,125.00

2. For Public Health Department, increase revenues and appropriations by \$4,003.00 - from Grants as follows:

**REVENUES**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
4193 44401103	Children with Special Healthcare Needs	\$ 683.00
4192 44401100	Immunizations	2,271.00
4013 44413	Childhood Lead Poisoning Prevention Program	<u>1,049.00</u>
		\$4,003.00

**APPROPRIATIONS**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
41934.5443	Travel	\$ 217.00
41934.5451	Training/Schools	374.00
41934.5497	Mileage	92.00
41924.5436	Advertising	2,271.00
40134.5410	Office Supplies	413.84
40134.5424	Postage	107.59
40134.5436	Advertising	<u>527.57</u>
		\$4,003.00

3. For the Public Health Department, increase revenues and appropriations by \$1,229.00 - Rabies COLA money received as follows:

**REVENUES**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
4014 43401663	Rabies COLA	\$1,229.00

**APPROPRIATIONS**

<b><u>Account Number</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
40144.5436	Advertising	\$1,229.00

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

**AYES:           2,615 votes**  
**NOES:            0 votes**  
**ABSENT:        228 votes (Ferebee, Moses)**

**RESOLUTION INCREASING THE SALARY OF HILLARY  
STANLEY, ESQ., AN ADA IN THE DISTRICT  
ATTORNEY'S OFFICE BY \$5,000.00 FOR 2010, SUCH  
FUNDS TO COME FROM A VIOLENCE AGAINST  
WOMEN ACT GRANT**

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

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

**WHEREAS**, the Essex County District Attorney's office has received a grant from Violence Against Women Act in the amount of \$5,000.00; and

**WHEREAS**, the Essex County District Attorney has determined that it would be appropriate to increase the salary of Assistant District Attorney, Hillary Stanley, Esq. by \$5,000.00; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Essex County District Attorney's office to increase the 2010 salary for Hillary Stanley, Esq. by \$5,000.00 which monies to come from the Violence Against Women Act grant; and

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

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION OF CONGRATULATIONS TO THE  
TICONDEROGA GIRLS BASKETBALL TEAM FOR WINNING  
THE 2009-2010 SECTION VII, CLASS C CHAMPIONSHIP**

The following resolution was offered by Supervisor Malaney, 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**, this Board of Supervisors is pleased to learn that the Ticonderoga Girls Varsity Basketball Team has won the 2009-2010 Section VII, Class C Championship; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, and County Attorney do hereby congratulate the Ticonderoga Girls Varsity Basketball Team, their coaches, assistants and fans for their outstanding accomplishments, including, but not limited to, earning the title of 2009-2010 Section VII, Class C Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONGRATULATIONS TO THE  
WESTPORT BOYS VARSITY BASKETBALL TEAM  
FOR WINNING THE MVAC DIVISION AND LEAGUE  
CHAMPIONSHIP**

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

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

**WHEREAS**, this Board of Supervisors is pleased to learn that the Westport Central School Boys Varsity Basketball Team has won the 2009-2010 Mountain Valley Athletic Conference Division and League Championship; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager, and County Attorney do hereby congratulate the Westport Central School Boys Varsity Basketball Team, their coaches assistants and staff for their outstanding accomplishments, including, but not limited to, earning the title of 2009-2010 MVAC Division and League Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE APPOINTMENT OF  
JEFFERY WINTERS AS DPW DEPUTY SUPERINTENDENT  
UNDER SECTION 102A OF THE NEW YORK STATE  
HIGHWAY LAW, AT AN INCREASED SALARY OF \$5,000.00  
PER YEAR**

The following resolution was offered by Supervisor Blades, 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 the appointment of Jeffery Winters as Department of Public Works Deputy Superintendent under Section 102A of the New York State Highway Law, at an increased salary of \$5,000.00 per year to come from budgeted funds, with such appointment effective upon the passage of this resolution.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

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

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

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

**WHEREAS**, a Project for the Reconstruction of Old Military Road (CR35, Essex County, P.I.N. 1754.96 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal funds and 20% non-federal funds; and

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

**NOW, THEREFORE**, the Essex County Board of Supervisors, duly convened does hereby

**RESOLVE**, that the Board hereby approved the above-subject project; and it is hereby further

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

**RESOLVED** that the sum of \$1,319,895.00 (One Million Three Hundred Nineteen Thousand Eight Hundred Ninety Five Dollars and No Cents) (\$793,025.00 for Preliminary Engineering and \$182,270.00 for Right of Way Incidentals); and \$344,600.00 for Construction) has already been appropriated from the County Road Fund and made available to cover the cost of participation in the Preliminary Engineering and Right of Way Incidentals phases of the Project; and it is further

**RESOLVED**, that the additional sum of \$92,860.00 (Ninety two thousand eight hundred sixty dollars and sixty cents) is hereby appropriated from **H52154 5445OMR** and made available to cover the cost of participation in the Design phase of the Project; and

it is further

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

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

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

**RESOLVED**, that this Resolution take effect immediately.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 288 votes (Ferebee, Moses)**



**RESOLUTION AUTHORIZING THE COUNTY CHAIR PERSON  
AND/OR COUNTY MANAGER TO EXECUTE AN AMENDMENT  
TO THE CONTRACT WITH FOIT ALBERT ASSOCIATES (DPW-  
08-0034 AND DPW-08-0034A) BY INCREASING THE TERM OF  
THE CONTRACT AND INCREASING THE CONTRACT AMOUNT  
BY AN ADDITIONAL \$92,860.00**

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.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes an amendment to the Contract between Essex County and Foit Albert Associates bearing Contract Nos. DPW-08-0034 and DPW-08-0034A by extending the term of the Contract through December 31, 2010, and increasing the consideration in the Contract in the amount of \$92,860.00 for additional field survey work, additional design mapping, coordination with Permitting Agencies and Utilities and Right of Way Mapping, from budgeted funds.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION REQUESTING THE AVAILABILITY OF STIMULUS FUNDS FOR USE ON LOCAL TOWN AND COUNTY HIGHWAYS**

The following resolution was offered by Supervisor Scozzafava, 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**, it has come to the attention of this Board of Supervisors that there is very little, if any, Federal stimulus money available for local highways, County highways and Town highways; and

**WHEREAS**, one of the major expenses of the County and of the various Towns within Essex County are expenses associated with the maintenance of our highway system; and

**WHEREAS**, if Town and County highway rehabilitation projects were contracted out, this would not only add employment but would have a positive impact on the tax levy for the next twenty years if the highways were correctly built and modified resulting in less money being spent for maintenance and band-aid repairs in the future.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby respectfully requests of our Federal representatives that Federal stimulus monies be made available for the rehabilitation, maintenance and construction of County and Town highways as the same will increase employment opportunities in our County and could result in less expense in maintenance and repairs in the future.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be sent to President Barack H. Obama; United States Senators Charles E. Schumer and Kristen Gillibrand; Congressmen Bill Owens and Scott Murphy; Senate Majority Leader Harry Reid; Senate Minority Leader Mitch McConnell; Speaker of the House Nancy Pelosi; and House Minority Leader John Boehner.

This resolution was unanimously seconded, and adopted.

**RESOLUTION AUTHORIZING THE FILLING OF A VACANT  
SENIOR BUILDING MAINTENANCE HELPER POSITION BY  
PROMOTION IN DPW-BUILDINGS AND GROUNDS, TO FILL THE  
FULL-TIME BUILDINGS MAINTENANCE HELPER POSITION  
LEFT VACANT BY PROMOTION AND TO ABOLISH ONE PART-  
TIME BUILDING MAINTENANCE POSITION**

The following resolution was offered by Supervisor Dobie, 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 the filling of a vacant Senior Building Maintenance Helper Position by promotion in DPW Buildings and Grounds; filling one full-time Buildings Maintenance Helper Position left vacant by promotion and abolishing one part-time Building Maintenance Position.

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

**AYES:           2,615 votes**  
**NOES:           0 votes**  
**ABSENT:        228 votes (Ferebee, Moses)**

**RESOLUTION AUTHORIZING A CONTRACT WITH  
MILLIMAN GROUP TO PROVIDE ACTUARIAL SERVICES  
FOR MEDICARE PART D REIMBURSEMENT,  
AT A COST OF \$4,000.00 FROM BUDGETED FUNDS**

The following resolution was offered by Supervisor Lincoln, 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 a contract with Milliman Group to provide actuarial services for Medicare Part D reimbursement at a cost of \$4,000.00, from budgeted funds; and

**BE IT FURTHER RESOLVED**, that this Board further authorizes the Chairman and/or County Manager to execute a contract for the same upon the approval of the Essex County Attorney.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION OF CONGRATULATIONS TO THE  
WESTPORT CENTRAL SCHOOL LADY EAGLES BASKETBALL  
TEAM FOR WINNING THE MOUNTAIN AND VALLEY  
LEAGUE CHAMPIONSHIP AND THE SECTION VII,  
CLASS D CHAMPIONSHIP**

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

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

**WHEREAS**, this Board of Supervisors is pleased to learn that the Westport Central School Lady Eagles Basketball Team has won the 2009-2010 MVAC Championship and the Section VII, Class D Championship; and

**BE IT RESOLVED** that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Westport Central School Lady Eagles Basketball Team for their outstanding accomplishments, including but not limited to, winning the 2009-2010 MVAC Championship and the Section VII, Class D Championship.

This resolution was unanimously seconded and adopted.

**Resolution No. 103**

**April 5, 2010**  
**Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS TO THE  
CROWN POINT HIGH SCHOOL BOYS BASKETBALL TEAM FOR  
WINNING THE SECTION VII CHAMPIONSHIP**

The following resolution was offered by Supervisor Kosmider, 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**, this Board of Supervisors is pleased to learn that the Crown Point High School Boys Basketball Team has won the 2009-2010 Section VII Championship; and

**BE IT RESOLVED** that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney do hereby congratulate the Crown Point High School Boys Basketball Team for their outstanding accomplishments, including but not limited to, winning the 2009-2010 Section VII Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING A CONTRACT WITH CROWN  
POINT CENTRAL SCHOOL FOR A SADD LOCK-IN, IN AN  
AMOUNT NOT TO EXCEED \$2,500; WITH ELIZABETHTOWN-  
LEWIS CENTRAL SCHOOL FOR AN AFTER-PROM PARTY IN  
AN AMOUNT NOT TO EXCEED \$2,500; AND WITH THE  
SCHROON LAKE CENTRAL SCHOOL FOR AN AFTER-PROM  
PARTY, IN THE AMOUNT NOT TO EXCEED \$2,500 WITH  
FUNDS TO COME FROM STOP DWI BUDGET AND ALL  
CONTRACTS TO BE APPROVED BY THE COUNTY  
ATTORNEY**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Essex County Chairperson and/or County Manager to enter into contracts with the Crown Point Central School for a SADD Lock-In, in an amount not to exceed \$2,500.00; with the Elizabethtown-Lewis Central School for an after-prom party, in an amount not to exceed \$2,500.00; and with Schroon Lake Central School for an after-prom party, in an amount not to exceed \$2,500 with funds are to come from Stop DWI budget and all contracts to be approved by the County Attorney.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION AUTHORIZING THE COUNTY TREASURER  
AS THE SYSTEM ADMINISTRATOR FOR  
THE REMOTE DEPOSIT SERVICE WITH  
GLENS FALLS NATIONAL BANK AND TRUST**

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**, Essex County desires to utilize Glens Falls National Bank and Trust Company Remote Deposit service; and

**WHEREAS**, Glens Falls National Bank and Trust Company requires that the County designate a System Administrator which shall have full and complete authority and responsibility for establishing access for the use of Remote Deposit by the County; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby designates the Essex County Treasurer as the System Administrator, that Glens Falls National Bank and Trust Company may rely upon any and all actions taken by the System Administrator or any designee of the System Administrator, that the County indemnifies and holds harmless Glens Falls National Bank and Trust Company for any and all loss or damage arising in any way from the activity and/or transactions conducted by the System Administrator or any designee of the System Administrator, and that the County shall not change the System Administrator without providing prior written notice to the bank; and

**BE IT FURTHER RESOLVED**, that the authority conferred hereby shall continue in full force and effect until written notice of modification or revocation of this Resolution by a duly appointed official of Essex County shall be received by Glens Falls National Bank and Trust Company and reasonable time provided for Glens Falls National Bank and Trust Company to act thereon. Glens Falls National Bank and Trust Company shall be protected in acting upon any form of written notice which it in good faith believes to be genuine and what it purports to be.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**



**RESOLUTION OF CONGRATULATIONS TO  
LINCOLN STYLES CAHILL OF PERU FOR OBTAINING  
THE EAGLE SCOUT AWARD**

The following resolution was offered by Supervisor Lincoln, 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**, Lincoln Styles Cahill is a resident of the Town of Peru; and

**WHEREAS**, Lincoln is entitled to receive Scouting's highest honor, the rank of Eagle Scout; and

**WHEREAS**, to earn the rank of Eagle Scout you must earn a total of at least 21 badges, 12 of which are Eagle Merit Badges, you must spend 6 months as a youth leader in your troop demonstrating leadership and do service projects that would benefit your community, school or church; and

**WHEREAS**, being an Eagle Scout requires the scout to master scouting skills, outdoor knowledge, render leadership services, practice citizenship & ethical behavior of the highest order; and

**WHEREAS**, Lincoln Styles Cahill has more than fulfilled all of the necessary requirements to receive scouting's highest honor, Eagle Scout which he received on November 17, 2009; and

**WHEREAS**, Lincoln Styles Cahill is the son of Stephen and Wendi Cahill of Peru, New York and the grandson of George and Muriel Cahill of Willsboro, New York and Bob Rulfs of Peru, New York.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby extend their heartiest congratulations to Lincoln Styles Cahill on a job well-done and for all of his accomplishments as a Boy Scout and for receiving the Eagle Scout Award; and

**BE IT FURTHER RESOLVED**, that this resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to Lincoln Styles Cahill.

This resolution was unanimously seconded and adopted.

**Resolution No. 107**

**April 5, 2010  
Regular Board Meeting**

**RESOLUTION AMENDING RESOLUTION NO. 300 OF 2009  
AMENDING THE TERM OF NANCY COOPER ON THE CLINTON-  
ESSEX-FRANKLIN LIBRARY BOARD OF TRUSTEES FROM  
DECEMBER 31, 2013 TO DECEMBER 31, 2011**

The following resolution was offered by Supervisor Lincoln, 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 amends Resolution No. 300 of 2009 amending the term of Nancy Cooper on the C-E-F Library Board of Trustees from December 31, 2013 to December 31, 2011.

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

**Resolution No. 108**

**April 5, 2010  
Regular Board Meeting**

**RESOLUTION AMENDING RESOLUTION NO. 429 OF 2009 -  
AMENDING THE TERM OF CHARLES THOMPSON ON THE  
CLINTON-ESSEX-FRANKLIN LIBRARY BOARD OF TRUSTEES  
FROM DECEMBER 31, 2015 TO DECEMBER 31, 2014**

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.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby amends Resolution No. 429 of 2009 amending the term of Charles Thompson on the C-E-F Library Board of Trustees from December 31, 2015 to December 31, 2014.

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

**RESOLUTION CALLING ON THE GOVERNOR OF THE STATE OF  
NEW YORK TO ENFORCE THE COLLECTION OF SALES TAXES  
ON TOBACCO SOLD ON INDIAN LANDS**

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

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

**WHEREAS**, NYSAC commends the Governor for his efforts in directing the New York State Department of Taxation and Finance to rescind its forbearance letter which allows tobacco sales by Native Americans to non-members to go untaxed; and

**WHEREAS**, local governments are highly dependent on sales tax revenues to deliver and fund a wide range of critical programs and services necessary for the health, welfare and safety of their citizens; and

**WHEREAS**, sales and excise tax collections provide a significant revenue source enabling the State of New York to fund programs for the benefit of new York's citizens, governments, schools and businesses; and

**WHEREAS**, local governments across upstate and downstate New York are facing unprecedented challenges in meeting current funding needs; and

**WHEREAS**, due to the rate at which sales and excise taxes are levied on tobacco products and motor fuels, both classes of product generate significant revenue for the State of New York, counties, cities, towns and villages across New York State; and

**WHEREAS**, Indian tribes and Indian retailers across New York state do not, on their own initiative, collect and remit to the State of New York or to local governments any sales and excise taxes on sales of tobacco products or motor fuels to non-tribal members; and

**WHEREAS**, failure to collect sales and excise taxes on tribal and Indian sales to non-tribal members has been particularly damaging to the citizens and governments of New York because this failure deprives the State of New York and local governments of legitimate legal sales tax revenues which are desperately needed to continue delivering the current level of programs and services while keeping property taxes under control; and

**WHEREAS**, failure to collect these taxes on tribal and Indian sales further creates a grossly unfair business environment for non-Indian retailers across the State of New York by diverting business to tribal and Indian retailers and by giving tribal and Indian retailers a grossly unfair competitive advantage; and

**WHEREAS**, numerous federal court cases involving the application of state and local excise and sales taxes to sales by tribal retailers to non-tribal members, including the United State Supreme court case of *Department of Taxation and Finance of New York et. al. V. Milhelm Attea and Bros., Inc., et. al. (No 93-377)*, have repeatedly affirmed that state have a right to the sales and excise tax revenues on such transactions; and

**WHEREAS**, the Legislature of the State of New York, by legislation contained in Chapter 62 of 2003 amending various laws of the State regarding taxation, required the Commissioner of Taxation and Finance to implement, not later than September 16, 2003, measures to effectively collect sales and excise taxes on tribal and Indian sales of tobacco and motor fuels to non-tribal members, but collection of taxes has been avoided by three successive administrations for over four years through a series of disingenuous actions; and

**WHEREAS**, New York State has, on this date, still not begun to collect sales and excise taxes on Native American sales to non-tribal members; and

**WHEREAS**, The Governors proposed increase in the cigarette tax should not be imposed until collection on reservation lands occur as an increase before collection will only divert more of the smoking population to purchase cigarettes on reservation tax havens; and

**WHEREAS**, Governor Paterson is looking for ways to close a substantial projected budget deficit; and

**WHEREAS**, the New York State Association of Counties (NYSAC) and its individual members have repeatedly expressed strong support for implementation of such measures to collect these taxes on tribal sales to non-Indians; and

**BE IT RESOLVED**, that NYSAC calls on the Governor of the State of New York to enforce State law and take any and all necessary action to insure collection of all sales and excise taxes on tribal and Indian sales of all goods and services to non-tribal members for the benefit of state and local governments without further delay; and

**BE IT FURTHER RESOLVED**, that New York State take action to affirmatively assert its sovereign prerogatives and jurisdiction consistent with recent court decisions, the intent of the New York State Legislature and New York State and federal law; and

**BE IT FURTHER RESOLVED**, that the New York State Association of Counties shall forward copies of this Resolution to Governor Paterson and all others deemed necessary and proper.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF APPRECIATION TO CONGRESSMAN MURPHY,  
CONGRESSMAN OWENS, SENATOR GILLIBRAND AND SENATOR  
SCHUMER FOR TAKING TIME TO MEET WITH ESSEX COUNTY  
OFFICIALS**

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**, recently Supervisors Douglas, Kosmider, Moses and Scozzafava traveled to Washington, D.C. to meet with our representatives in both the House and the Senate regarding issues important to Essex County; and

**WHEREAS**, our representatives were able to meet with Congressman Murphy, Congressman Owens, Senator Gillibrand and Senator Schumer during a very busy time in Washington while the Health Care Bill was being debated and were able to discuss and ask for assistance relative to numerous County issues including, but not limited to water and sewer infrastructure, the closing of the Moriah Shock Incarceration Facility, the need to keep ORDA funded in order to keep our country nationally competitive, road and bridge issues and the new P25 radio communications project.

**BE IT RESOLVED**, that the Essex County Board of Supervisors and those Supervisors who traveled to Washington express their deep appreciation to Congressman Murphy, Congressman Owens, Senator Gillibrand and Senator Schumer for taking time out of their busy schedule during the Health Care Bill debate to meet with them to address and consider issues important to Essex County and upstate New York.

**BE IT FURTHER RESOLVED**, that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Congressman Scott Murphy, Congressman Bill Owens, Senator Charles E. Schumer and Senator Kirsten Gillibrand.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE TRANSFER OF \$35,000.00 FROM  
THE CONTINGENCY ACCOUNT INTO THE BOARD OF ELECTIONS  
BUDGET FOR ELECTION SYSTEM MANAGEMENT TRAINING**

The following resolution was offered by Supervisors Morency and Morrow, who moved its adoption.

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes a transfer of \$35,000.00 from the Contingency Account into the Board of Elections budget for Election System Management Training.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 4/5/10 :</i>	<b>\$ 396,200.00</b>
<i>Reduction Impact of this resolution:</i>	<b>\$ 35,000.00</b>
<i>FY2010 Contingent Account Balance:</i>	<b>\$ 361,200.00</b>

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
LYNN M. LEE**

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

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

**WHEREAS**, Lynn M. Lee of Willsboro, New York passed away on March 17, 2010, after a long and courageous battle with cancer; and

**WHEREAS**, Lynn M. Lee was born in Plattsburgh, New York on June 30, 1958, the daughter of Atwood and Carrie (Dickerson) Pierce; and

**WHEREAS**, Lynn M. Lee graduated from Elizabethtown-Lewis Central School in 1976; Our Lady of Victory Secretarial School and served in the United States Air Force for four years; and

**WHEREAS**, Lynn M. Lee was a social worker with the Essex County Department of Social Services for more than 24 years and was a dedicated, conscientious and tireless employee of Essex County; and

**WHEREAS**, Lynn M. Lee is survived by her husband of 23 years, Timothy M. Lee; her daughter and son-in-law, Celeste and Stephen Fox; three grandchildren, Mason Michael, Larkin Rose and Alaina Lynn; her parents, Atwood and Carrie Pierce; one sister and brother-in-law Laurie and William Mero; one brother and sister-in-law, Joseph and Renee Pierce; three brothers-in-law and their spouses, John and Laura Lee, Terry and Sandy Lee and Carlton Lee; six nephews, two nieces and many aunts, uncles and cousins; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest and most sincere sympathy and condolences to the family of Lynn M. Lee; 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 Lee family.

This resolution was unanimously seconded and adopted.



**RESOLUTION AUTHORIZING AMENDMENT TO  
CONTRACT DPW-10-0038 WITH REALE CONSTRUCTION, INC. IN  
THE TOTAL AMOUNT OF \$23,176.89 RELATIVE TO THE  
STOWERSVILLE ROAD PROJECT WHICH MONIES ARE TO COME  
FROM BUDGETED PROJECT FUNDS**

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

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

**WHEREAS**, Essex County has currently contracted with Reale Construction, Inc. relative to the Stowersville Road Project in the total amount of \$778,000.00; and

**WHEREAS**, it has been determined that extra work items in the amount of \$16,754.15 (Stand-by due to permit delay); \$3,338.06 (Extra sediment trap - storm water); \$17,734.70 (Pavement underdrain section); and \$11,439.64 (Excavate slope and install stone) totaling \$49,315.55 are needed and appropriate; and

**WHEREAS**, it has been determined that there are credited items against the contract to be credited to Essex County in the amount of \$1,295.66 (County equipment stand-by and transport) and \$24,843.00 (paving top - not required) for a total credit to Essex County under the contract in the amount of \$26,138.66; and

**WHEREAS**, the difference between the extra work items which are required and the credits to Essex County is \$23,176.89.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes an amendment to contract DPW-10-0038 with Reale Construction, Inc. for a change order in the total amount of \$23,176.89 relative to the Stowersville Road Project thereby increasing the overall contract price to \$801,176.89 to come from budgeted funds.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**Resolution No. 114**

**April 5, 2010**  
**Regular Board Meeting**

**RESOLUTION OF APPRECIATION TO ESSEX COUNTY PLANNER,  
VICTOR PUTMAN AND HIS OFFICE FOR THE WORK THEY DID FOR  
THE TOWNS ON THE NYSERDA GRANTS**

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

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

**BE IT RESOLVED**, the Essex County Board of Supervisors hereby extends its deep appreciation to Essex County Planner, Victor Putman and his office for all the work they have done for the Towns of Essex County on obtaining NYSERDA grants.

This resolution was unanimously seconded and adopted.

**RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 2 OF  
2010 AMENDING LOCAL LAW #5 FOR 2006 AND AUTHORIZING THE  
ESSEX COUNTY EMPIRE ZONE TO MAKE APPLICATION FOR  
REDESIGNATION OF CERTAIN AREAS WITHIN ESSEX COUNTY AS  
AN EMPIRE ZONE**

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**, pursuant to Local Law #4 of 2005, Essex County was authorized and empowered to submit an application for redesignation of certain areas within the Towns of Chesterfield, Moriah, Jay, Schroon, Ticonderoga, Wilmington and North Hudson and the Village of Port Henry as an Empire Zone; and

**WHEREAS**, pursuant to Local Law #4 for 2005, the boundaries of said areas to be included in said Empire Zone were designated by Tax Map Number; and

**WHEREAS**, the State of New York subsequently informed Essex County that designation by Tax Map Number of the boundaries of areas to be included in said Empire Zone is improper and that said boundaries must be designated by GIS Property Description and this must be done by Local Law; and

**WHEREAS**, pursuant to Local Law #5 for 2006, Essex County designated the boundaries of the Empire Zone by GIS Property Description; and

**WHEREAS**, this Board is desirous of amending Local Law #5 for 2006 by substituting the present Schedule A attached to Local Law #5 for 2006 with a revised Schedule A which removes certain areas located in the Town of Schroon from the Empire Zone and adds additional new areas within the Town of Schroon to the Essex County Empire Zone; and

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby introduces proposed Local Law No. 2 of 2010, amending Local Law #5 for 2006 and authorizing the Essex County Empire Zone to make application for redesignation of certain areas within Essex County as an Empire Zone, the same to read and provide as follows:

**"ESSEX COUNTY PROPOSED LOCAL LAW NO. 2 OF 2010**

A local law amending Local Law #5 for 2006 and authorizing the Empire Zone to make application for redesignation of certain areas within Essex County as an Empire Zone.

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

**Section 1.** It is the desire of this Board of Supervisors to authorize an application to revise the Essex County Empire Zone to include 10.5 additional acres in the Town of Schroon and to delete 10.66 acres located in the Town of Schroon.

**Section 2.** The County of Essex is hereby authorized to submit an application to revise the Empire Zone to include the property described in Schedule A of this local law and remove property located in the Town of Schroon previously described in the Schedule A contained in Local Law #5 of 2006.

**Section 3.** The Commission of the New York State Department of Economic Development has hereby requested to revise the boundaries of the Empire Zone in accordance with this local law.

**Section 4.** Section 1 of Local law #5 for 2006 is hereby amended to provide that the Schedule A attached to Local Law #5 for 2006 shall be removed and supplemented with the Schedule A attached hereto and made a part hereof which removes certain areas located in the Town of Schroon from the current Empire Zone and adds certain contiguous areas within the Town of Schroon.

**Section 5.** In all other respects, Local Law #4 for 2005 and Local Law #5 for 2006 shall remain in full force and effect.

**Section 6.** This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.”

**AND BE IT FURTHER RESOLVED** that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on May 3, 2010, at 9:45 a.m. o'clock in the forenoon of that day, to hear any and all persons concerning the same and to obtain public input and comment regarding the potential environmental impact, if any, arising from the adoption of Local Law #2 for 2010.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
REV. HERMAN FORREST "WOODY" COLE, JR.**

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

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

**WHEREAS**, Rev. Herman Forrest "Woody" Cole, Jr. passed away on March 9, 2010; and

**WHEREAS**, Rev. Cole was born on August 4, 1931, in Washington, PA and grew up in Wheeling, West Virginia, attended West Liberty State College and continued his education at the University of Chicago Divinity School; and

**WHEREAS**, Rev. Cole was a retired United Church of Christ clergyman, philosophy professor at Buffalo State, former Adirondack Park Agency chairman and in 1976 appointed liaison to the Lake Placid Olympic Organizing Committee; and

**WHEREAS**, Rev. Cole is survived by his wife, Rosalea; four children, Rachel Cole, Deborah Cole, Martin Cole and Marcus Dana; six grandchildren; and two great-grandchildren; and Peter's wife, Tootie, is an employee with the Essex County Department of Social Services;

**WHEREAS**, Rev. Herman Forrest "Woody" Cole, Jr. was a loving husband, father, grandfather, great-grandfather and friend who will be sorely missed but never forgotten.

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest and most sincere sympathy and condolences to the family of Rev. Herman Forrest "Woody" Cole, Jr.; 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 Cole family.

This resolution was unanimously seconded and adopted.

**RESOLUTION TO SURPLUS AN ESSEX COUNTY SUPREME COURT  
BENCH TO THE TOWN OF WILLSBORO FOR \$10.00**

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

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

**WHEREAS**, there exists in Essex County Supreme Court a judge's bench which no longer of any further use by the County of Essex.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the surplus of the existing Essex County Supreme Court bench and the sale thereof to the Town of Willsboro for the sum of \$10.00.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
CARSON A. JONES**

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

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

**WHEREAS**, Carson A. Jones passed away on March 18, 2010; and

**WHEREAS**, Carson A. Jones was born on October 24, 1919, in Glens Falls, New York, the son of Van S. Jones and Edna West Jones, and was married for 27 years to Dolores Waterbury. He graduated from South Glens Falls and Albany Business College and was a member of the South Glens Falls Baptist Church for more than 60 years; and

**WHEREAS**, Carson A. Jones served during World War II and was awarded the Navy E for excellence medal in the production of the LST landing gear used on D-Day and also in the production of mine sweepers for the English Channel; and

**WHEREAS**, Carson A. Jones was in real estate and was also an insurance broker for 50 years. He had real estate branch offices throughout the Adirondacks and had a general insurance business in the Town of Moreau and also held several business management positions; and

**WHEREAS**, Carson A. Jones relocated to Rutland, Vermont where he became a member of the Green Mountain Foster Grandparent Association and in 2005 he received the President's Call to Service Award; and

**WHEREAS**, Carson A. Jones enjoyed gardening, stamp collecting, coin collecting and musci and he retired as a member of the Inter Age Group in Rutland, Vermont; and

**WHEREAS**, Carson A. Jones is survived by his children, Dan Jones and wife Marie "Coleman" Jones from Nashua, NH, Donald Jones from Cedarville, Ohio, Garry Jones and wife Eunice from Campobello, SC, Patricia Savarie, who is presently the Town Clerk of the Town of Schroon, and her husband, Chris, of Schroon Lake, NY and his grandchildren, January Joy Jones from Nashua, NH and Matthew Savarie from Schroon Lake; and

**WHEREAS**, Carson A. Jones was a loving husband, father, grandfather and friend who will be sorely missed but never forgotten.

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest and

most sincere sympathy and condolences to the family of Carson A. Jones; 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 Carson A. Jones family.

This resolution was unanimously seconded and adopted.



**RESOLUTION AUTHORIZING THE ESSEX COUNTY HEALTH & SAFETY OFFICER TO ACCEPT RESPONSIBILITY FOR THE NEW YORK STATE DEPARTMENT OF STATE DIVISION OF CODE ENFORCEMENT AND ADMINISTRATIVE REQUIREMENTS FOR THE YEARLY INSPECTION OF COUNTY OWNED BUILDINGS FOR ALL FIRE AND SAFETY INSPECTIONS AT A STIPEND OF \$5,000 PER YEAR TO BE ADDED TO HIS SALARY WITH SUCH FUNDS TO COME FROM THE CONTINGENCY ACCOUNT**

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

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

**WHEREAS**, New York State Department of State Division of Code Enforcement and Administration will no longer provide fire and safety inspections at no cost to Essex County; and

**WHEREAS**, the Essex County Health & Safety Officer has agreed to accept responsibility for these required yearly inspections at a stipend of \$5,000.00 to be added to his salary, which funds are to come from the Contingency Account #19904-5487 to be transferred to Safety Officer Wages Account #39891-5110.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the Essex County Health & Safety Officer to accept responsibility for the NYS Department of State Division of Code Enforcement and Administration's requirement for the yearly inspection for all fire and safety inspections at a stipend of \$5,000.00 per year to be added to his salary with such funds to come from the Contingency Account #19904-5487 to be transferred to Safety Officer Wages Account #39891-5110.

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

**AYES: 2,264 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**  
**ABSTAIN: 351 votes (Scozzafava)**

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 4/5/10 :</i>	\$ 361,200.00
<i>Reduction Impact of this resolution:</i>	\$ 5,000.00
<i>FY2010 Contingent Account Balance:</i>	\$ 356,200.00

**RESOLUTION OPPOSING THE PROPOSED CLOSING OF SCAROON  
MANOR**

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

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

**WHEREAS**, the Scaroon Manor campground is located on the west shore of Schroon Lake on Taylor's Point and straddles the boundaries of the Town of Schroon in Essex County and the Town of Chester in Warren County; and

**WHEREAS**, the property consists of 241.4 acres and has been designated as a public campground and day use area; and

**WHEREAS**, the Town of Schroon and others have, for thirty years been working to keep Scaroon Manor operational; and

**WHEREAS**, bath houses have been constructed, sites have been laid out facing the lake, the ranger camp has been partially completed and both Supervisor Monroe and Supervisor Moses worked extremely hard to keep Scaroon Manor going; and

**WHEREAS**, it has come to the attention of this Board that the State of New York intends to close Scaroon Manor.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby vehemently and forcefully opposes the closure of Scaroon Manor Campground, requests that it not be left vacant and that it be immediately put to use; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Board is hereby directed to send copies of this Resolution 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 adopted.

**RESOLUTION AUTHORIZING THE APPEAL AND APPROPRIATING THE SUM OF \$2,500.00 FOR LEGAL FEES IN ORDER TO PERFECT THE APPEAL RELATIVE TO THE CURRENT ACTION ENTITLED CLINTON COUNTY, ET AL VERSUS ADIRONDACK PARK AGENCY, ET AL**

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

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

**WHEREAS**, Essex County has been a named Petitioner together with various other counties and towns located in upstate New York relative to a certain lawsuit entitled, Clinton County, et al v. Adirondack Park Agency, et al; and

**WHEREAS**, Essex County has previously appropriated the sum of \$3,000.00 for legal fees incident to payment to McPhillips, Fitzgerald and Cullum, LLP relative to the commencement of the action; and

**WHEREAS**, a Decision by the Hon. Robert J. Muller, Justice of the Supreme Court dated November 19, 2009 has been rendered which the County feels is contrary to its best interest and, therefore, it is necessary to file an Appeal and perfect the same and appropriate sufficient funds for the perfection of the Appeal in order to protect the interests of Essex County and the residents of the County.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the Appeal of the Decision of the Hon. Robert J. Muller dated November 19, 2009 in Clinton County, et al v. Adirondack Park Agency, et al and further authorizes that the sum of \$2,500.00 be appropriated and reserved for legal fees to be paid, upon proper voucher to McPhillips, Fitzgerald and Cullum, LLP for the perfection of this Appeal which monies are to come from the Contingency Account (#19904-5487) and transferred into County Attorney Account (#14204-5433).

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

**AYES:** 2,551 votes  
**NOES:** 0 votes  
**ABSENT:** 228 votes (Ferebee, Moses)  
**ABSTAIN:** 64 votes (Montgomery-Corey)

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 4/5/10 :</i>	\$ 356,200.00
<i>Reduction Impact of this resolution:</i>	\$ 2,500.00
<i>FY2010 Contingent Account Balance:</i>	\$ 353,700.00

**RESOLUTION IN OPPOSITION TO THE PROPOSED OLYMPIC  
REGIONAL DEVELOPMENT AUTHORITY BUDGET CUTS**

The following resolution was offered by Supervisors Politi and Preston, who moved its adoption.

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

**WHEREAS**, the NYS Senate has, in its proposed Budget for the 2011 fiscal year, cut all funding for the Olympic Regional Development Authority; and

**WHEREAS**, this loss of revenue amounts to 6.7 million dollars; and

**WHEREAS**, the Olympic Regional Development Authority (ORDA) runs multiple Olympic venues in Lake Placid and the Whiteface Mountain and Gore Mountain Ski Resorts and draws approximately 350 million dollars in revenue annually to the region; and

**WHEREAS**, the Olympic Regional Development Authority (ORDA) employs hundreds of workers throughout the County of Essex and upstate New York; and

**WHEREAS**, if this budget cut occurs, it would eliminate 6.7 million in State funding which is approximately 20% of ORDA's overall annual budget and would effectively bring ORDA to its knees and totally destroy the economy of Lake Placid and Wilmington, New York, and severely impact the economies of Clinton, Essex, Franklin and Warren Counties; and

**WHEREAS**, without this New York State appropriation, it is extremely unlikely that ORDA will be able to afford to operate all of its facilities at Whiteface, Gore and in Lake Placid.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby vehemently oppose the removal of the 6.7 million in appropriations by the State of New York for the Olympic Regional Development Authority (ORDA) and urges Governor Paterson, the New York State Senate and the New York State Assembly to reinsert this funding to insure that ORDA continues to provide the excellent and high caliber tourism and sports facilities which have helped to make Lake Placid and Northern New York a major destination for winter outdoor sports and recreational activities; and

**BE IT RESOLVED**, that a certified copy of this Resolution 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.

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This resolution was unanimously seconded and adopted.

**RESOLUTION GRANTING A LIMITED AND CONDITIONAL  
LICENSE TO LAVALLEY LOGGING/MATT LAVALLEY AND  
DENNIS KENNICUTT OVER PROPERTY OWNED BY ESSEX  
COUNTY BEARING TOWN OF LEWIS TAX MAP NUMBER  
56.01-2-3.000 FOR THE PURPOSES OF LOGGING ADJACENT  
PROPERTY OWNED BY DENNIS KINNICUTT BEARING TOWN  
OF LEWIS TAX MAP NUMBER 56.01-2-5.000**

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

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

**WHEREAS**, Essex County has received a request by LaValley Logging/Matt LaValley and Dennis Kennicutt for a limited and conditional license to use the Woods Road which travels from property owned by Essex County designated Town of Lewis Tax Map Number 56.01-2-3.000 to premises owned by Dennis Kinnicutt bearing Town of Lewis Tax Map Number 56.01-2-5.000; and

**WHEREAS**, LaValley Logging/Matt LaValley and Dennis Kennicutt wishes to log the 48 acres south of the Essex County property and has no access to the property from the main road; and

**WHEREAS**, County Law Section 215 allows the County to grant easements, rights of way and licenses and property provided that they do not interfere with a lawful County purpose and that the County receives fair consideration for the grant.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes a limited and conditional license to LaValley Logging/Matt LaValley and Dennis Kennicutt for the purposes of traveling from Town of Lewis Tax Map Number 56.01-2-5.000 and over and across property owned by Essex County bearing Tax Map Number 56.01-2-3.000 for the limited and sole purpose of transporting logs and other wood products to the main road; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors has determined that the use of this Woods Road on County property does not interfere with the lawful County purpose; and

**BE IT FURTHER RESOLVED**, that this license shall be for no longer than a four month term to begin April 15, 2010 and to terminate no later than August 15, 2010 with the consideration to be paid Essex County to be in the sum of \$500 per month with an additional \$1,000 deposit to be made and held by Essex County to ensure that there is no damage to the Woods Road and that the same is returned to its present state together with

any and all additional terms and conditions as may be determined by the County Attorney;  
and

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

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

**AYES:           2,615 votes**  
**NOES:            0 votes**  
**ABSENT:        228 votes (Ferebee, Moses)**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
JOSEPH E. BOONE**

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.

**WHEREAS**, Joseph E. Boone passed away on March 31, 2010, at his home in West Palm Beach, Florida; and

**WHEREAS**, Joseph E. Boone was born in Brooklyn, New York, on October 16, 1927, the son of Joseph Emmett and Anna Boone; and

**WHEREAS**, Joseph E. Boone joined the United States Navy and proudly served his country during World War II from 1944-1946; and

**WHEREAS**, Joseph E. Boone returned to Long Island after his discharge from the Navy and worked as a carpenter before joining the New York State Police where his law enforcement career included three years with Nassau County Police Department; Trooper with "B" Troop at many different stations including, Port Henry, Keeseville and Malone; served as BCI Investigator at Malone; Sergeant/Station Commander in Westport; Zone Lieutenant in "K" Troop at Putnam Valley and "B" Troop at Saranac Lake and Plattsburgh; Uniform Captain in "F" Troop at Middletown and "B" Troop in Malone and Ray Brook; Joe retired in 1982 after serving 31-1/2 years with the New York State Police; and

**WHEREAS**, Joseph E. Boone served as Town Justice for the Town of Lewis; as Supervisor for the Town of Lewis, as a member of the Essex County Board of Supervisors from 1990 until 1993, and served as chairman of the Board of Supervisors from 1992 until 1993; and

**WHEREAS**, Joseph E. Boone is survived by his wife, Margaret and his daughter, Patti Boone, LTC (retired) U.S. Army and his son, Dr. Joseph Boone and his wife, Sheila; his sister, Rosemary Haroff, nephews, Edward Haroff, John and Fred Rowe; nieces Betty Ann Force and Jan Bigalow; and

**WHEREAS**, Joseph E. Boone made a significant and lasting contribution to the people of New York State, the Town of Lewis and the people of Essex County through his dedicated, selfless and exemplary public service; and

**WHEREAS**, Joseph E. Boone was a loving husband, father, brother, uncle and friend who will be sorely missed but never forgotten; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby express and extend its deepest sympathy and condolences to the family of their friend, Joseph E. Boone; and

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

This resolution was unanimously seconded and adopted.

**Resolution No. 125**

**April 5, 2010**  
**Regular Board Meeting**

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

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

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

**BE IT RESOLVED** that the Board of Supervisors of Essex County hereby appoints Lori Lincoln, Supervisor of the Town of Willsboro, to the IDA Board to replace Robert Dedrick.

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



**RESOLUTION AUTHORIZING AMENDMENT TO  
CONTRACTS MISC-10-0027 AND MISC-10-0027A WITH VMJR  
COMPANIES, LLC FOR CHANGE ORDERS IN THE TOTAL AMOUNT  
OF \$6,940.00 AND EXTEND THE CONTRACT TO APRIL 30, 2010 -  
FOR COURTHOUSE RENOVATIONS - PHASE III**

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

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

**WHEREAS**, Essex County has currently contracted with VMJR Companies, LLC, pursuant to Contract Numbers MISC-10-0027 and MISC-10-0027A for Courthouse renovations; and

**WHEREAS**, it has been brought to the attention by the Department of Public Works that there are additional change orders which are required to complete the project and to extend the date of the contract to April 30, 2010; and

**WHEREAS**, the original contract was in the amount of \$139,383.00 and there are sufficient funds available to cover these change orders; and

**WHEREAS**, these change orders are in the amounts of \$1,738.00; \$5,451.00 and a credit of (\$249.00) for a total of \$6,940.00.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes its County Manager or Chairman to approve and execute the contract amendment approving the hereinabove referenced change orders.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW  
YORK STATE DEPARTMENT OF TRANSPORTATION FOR  
SECTION 5311 FUNDS**

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

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

**WHEREAS**, Essex County has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code and the American Recovery and Reinvestment Act of 2009 (ARRA) and, for the purchase of two buses from ARRA funds in the amount of \$152,000.00; and

**WHEREAS**, Essex County has received notification that additional Rural Transit Capital Funding through the American Recovery and Reinvestment Act of 2009 (ARRA) is being made available to Essex County in the additional amount of \$240,000.00; and

**WHEREAS**, Essex County and the State of New York previously entered into an Agreement which authorized the undertaking of the project and reimbursement to the municipality of 100% of the project costs through ARRA up to \$152,000.00; and

**WHEREAS**, Essex County and the State of New York are entering into an Agreement which authorizes the undertaking of the project and reimbursement to the municipality of 100% of the project costs through ARRA up to an additional amount of \$240,000.00; and

**WHEREAS**, the combined amounts authorized now total \$392,000.00.

**BE IT RESOLVED**, that the Essex County Chairperson and/or the County Manager is authorized to sign the following:

1. Any and all Agreements between Essex County and the State of New York for the above named Project;
2. Any and all Agreements between Essex County and any third party subcontractors necessary to complete the Project;
3. Any and all Municipality/Vendor Contracts for the purchase and/or installation of vehicles and/or equipment.
4. ARRA Transit Capital Assistance Agreement Supplemental Grant Agreement No. 1- Comptroller's Contract No. C003845.

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

**AYES:** 2,615 votes  
**NOES:** 0 votes  
**ABSENT:** 288 votes (Ferebee, Moses)

**RESOLUTION AUTHORIZING AMENDMENT TO  
CONTRACTS MISC-10-0028 AND MISC-10-0028A WITH HAROLD  
CLUNE, INC. TO EXTEND THE DATE TO APRIL 30, 2010 IN ORDER  
TO COMPLETE THE COURTHOUSE RENOVATIONS PROJECT**

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

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

**WHEREAS**, Essex County has currently contracted with Harold Clune, Inc., pursuant to Contract Numbers MISC-10-0028 and MISC-10-0028A for Courthouse renovations; and

**WHEREAS**, it has been brought to the attention by the Department of Public Works that an amendment to extend the date of said contracts to April 30, 2010 are required to complete the Courthouse renovation.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes its County Manager or Chairman to approve and execute the contract amendment to extend the date to April 30, 2010.

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

**AYES: 2,615 votes**  
**NOES: 0 votes**  
**ABSENT: 228 votes (Ferebee, Moses)**

**RESOLUTION OF CONGRATULATIONS TO JOSEPH BOYCE OF  
JAY FOR OBTAINING THE EAGLE SCOUT AWARD**

The following resolution was offered by Supervisors Douglas and Preston, who moved its adoption.

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

**WHEREAS**, Joseph Boyce is a resident of the Town of Jay; and

**WHEREAS**, Joseph is entitled to receive Scouting's highest honor, the rank of Eagle Scout; and

**WHEREAS**, the Eagle Scout recipient must prove his love for God, his dedication to Country and concern for his fellow human beings.

**BE IT RESOLVED** that the Essex County Board of Supervisors, its Clerk of the Board, County Attorney and County Manager hereby extend their heartiest congratulations to Joseph Boyce on a job well-done and for all of his accomplishments as a Boy Scout and for receiving the Eagle Scout Award; and

**BE IT FURTHER RESOLVED**, that this resolution be spread upon the minutes of this Board of Supervisors, with a suitably embossed copy thereof to be forwarded to Joseph Boyce.