

Resolution No. 130

May 3, 2010
Regular Board Meeting

**RESOLUTION AUTHORIZING THE APPOINTMENT OF JOANNE
CASWELL TO THE MENTAL HEALTH SUB-COMMITTEE FOR A TERM
EFFECTIVE MAY 1, 2010 - DECEMBER 31, 2014**

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 appoints Joanne Caswell to the Mental Health Sub-committee for a term effective May 1, 2010 through December 31, 2014.

This resolution was seconded by Supervisor Montgomery-Corey, and duly adopted.

**RESOLUTION AUTHORIZING THE APPOINTMENT OF STEVE
VALLEY AS ACTING MENTAL HEALTH DIRECTOR EFFECTIVE
MAY 28, 2010**

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

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

WHEREAS, Nicole P. Bryant, Director of Mental Health will retire as of May 27, 2010; and

WHEREAS, Steve Vally, Assistant Director, shall be appointed Acting Mental Health Director effective May 28, 2010.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the appointment of Steve Valley as Acting Mental Health Director effective May 28, 2010, at a salary of \$78,106.84.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION PROCLAIMING THE MONTH OF MAY, 2010
AS MENTAL HEALTH MONTH AND THE WEEK OF
MAY 3-9, 2010 AS CHILDREN'S MENTAL HEALTH WEEK**

The following resolution was offered 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, Mental Health is critical for the well-being and vitality of our families, businesses and communities; and

WHEREAS, mental illness will strike one in five Americans in a given year regardless of age, gender, race, ethnicity, religion or economic status; and

WHEREAS, children throughout the United States have been diagnosed with emotional and behavioral disorders; and

WHEREAS, with early detection and appropriate treatment, chances are excellent that most children with emotional disorders can lead productive lives as adults; and

WHEREAS, Children's Mental Health Week and May as Mental Health Month will raise the awareness of the needs of children with such disorders, and the understanding of mental illness for all people.

BE IT RESOLVED, that the Essex County Board of Supervisors does hereby proclaim the month of May as "Mental Health Month in Essex County" and May 3-9, 2010 as "Children's Mental Health Week in Essex County" to increase awareness of the need for appropriate and accessible services for all people with mental illnesses.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE RENEWAL OF THE AGREEMENT
WITH CVES FOR SAFE SCHOOLS/HEALTHY STUDENTS PROJECT
FOR 2010-2011**

The following resolution was offered by Supervisor Moses, 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 renewal of the agreement with CVES for Safe Schools/Healthy Students Project for 2010-2011; 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 Boisen and duly adopted upon a roll-call vote as follows:

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION PROCLAIMING THE MONTH OF
MAY, 2010 AS OLDER AMERICANS MONTH AND WEEK
OF MAY 9-15, 2010 AS NATIONAL NURSING HOME WEEK**

The following resolution was offered Supervisor Moses, 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, May is “Older Americans Month” in the United States of America and New York State; and

WHEREAS, the “Older Americans” of Essex County have in the past and continue today to contribute in many ways to the quality of life in this County; and

WHEREAS, our County is fortunate to have among its residents individuals who are 60 years of age or over living and working in our County; and

WHEREAS, each of these citizens has made a significant contribution to Essex County as it has grown to become one of the fastest growing Counties in New York State; and

WHEREAS, because of the efforts of the “Older Americans” of Essex County, and in recognition thereof, it is incumbent on us to pause and express our appreciation for all that they have done and continue to do throughout this area.

BE IT RESOLVED, that the Essex County Board of Supervisors does hereby proclaim the month of May as “Older Americans Month in Essex County” and the week of May 9-15, 2010 as National Nursing Home Week; and

BE IT FURTHER RESOLVED that this Board of Supervisors, its Clerk of the Board, County Manager and County Attorney, do hereby pay tribute to Essex County's Older Americans for their contribution to the residents of Essex County.

This resolution was unanimously seconded 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 Human Services Committee:

1. For Social Services Department, transfer \$6,689.05 - from Uninsured Judgment and Claims to DSS budget as follows:

REVENUES

Account Number	Account Name	Amount
19104 5476	Uninsured Judgment & Claims	\$6,689.05

APPROPRIATIONS

Account Number	Account Name	Amount
60101 5110	Regular Salary	\$6,213.70
60108 5820	Social Security	475.35
		<u>\$6,689.05</u>

From Public Safety Committee:

1. For the Board of Elections, to increase revenues and appropriations by \$4,056.32 - from grant for poll site improvements as follows:

REVENUES

Account Number	Account Name	Amount
1450 44389	NYS Voter Access	\$4,056.32

APPROPRIATIONS

Account Number	Account Name	Amount
14504 5250	HAVA	\$4,056.32

2. For the Board of Elections, to increase revenues and appropriations by \$20,431.67 from grant for voter education and poll worker training as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
14503 44391	NYS Voter Education	\$20,431.67

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
14504 5451HAVA	Training	\$19,410.00
14504 5410	Office Supplies	<u>1,021.67</u>
		\$20,431.67

3. For the Board of Elections, to increase revenues and appropriations by \$137,119.68, grant from HAVA related machines as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1450 44382	HAVA	\$137,119.68

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
14504 5250HAVA	Election Equipment	\$137,119.68

From the DPW Committee:

1. For the DPW-Highway, to increase revenues and appropriations by \$1,680.00 - from the sale of scrap sign metal as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3310 42650	Sign Metal	\$1,680.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
33104 5431 TCM	Traffic Control Materials	\$1,680.00

From the Finance Committee:

1. For the Public Health Department, to increase revenues and appropriations by \$20,000.00 - receipt of an ARRA grant for immunizations as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4190.41604160	NYS DOH - Immunizations	\$20,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4190.5110	Regular Wages	\$ 3,916.00
4010.5850	Health Insurance	2,154.00
4190.5410	Office Supplies	2,615.00
4190.5443	Travel Reimbursement	300.00
4190.5220	Office Equipment	<u>11,015.00</u>
		\$20,000.00

2. For the Public Health Department, to increase revenues and appropriations by \$19,991.00 - receipt of an ARRA Early Intervention grant as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4059-44894	Early Intervention	\$19,991.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
40594-5400CSAR	Contract Fees & Services	\$10,418.00
40594-5400INV	Inventory	3,918.00
40594-5410ARRA	Office Supplies	1,681.00
40594-5420ARRA	Printing/Copying	200.00
40594-5423ARRA	Tele/Air Cards	1,532.00
40594-5424ARRA	Postage	800.00
40594-5443ARRA	Travel	442.00
40594-5451ARRA	Training	<u>1,000.00</u>
		\$19,991.00

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION AUTHORIZING THE INSTALLATION OF A
SECOND LOCKING DEVICE ON EACH ACCESS DOOR
OF THE BOARD OF ELECTIONS POD AND DIRECTS
THAT ONE KEY FOR EACH LOCK BE HELD BY THE
COUNTY SHERIFF FOR EMERGENCY SITUATIONS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the installation of a second locking device on each access door of the Board of Elections POD and directs that one key for each lock be held by the County Sheriff for emergency situations.

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

**RESOLUTION AUTHORIZING A CONTRACT WITH
PRIVATE AND PUBLIC FACILITIES LOCATED IN THE
VARIOUS TOWNS FOR USE AS POLL SITES AND
URGING THE BOARD OF ELECTIONS TO RECONSIDER
THE MOVEMENT OR RELOCATION OF DISTRICTS
WITHIN TOWNSHIPS**

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

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

WHEREAS, the Board of Elections uses public facilities in each township for use as poll sites at no charge; and

WHEREAS, the Board of Elections rents facilities from private entities at a fixed fee of \$275.00 per poll site per election event

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes contracts with private facilities located in the various towns for use as poll sites at the fixed rate of \$275.00 per poll site per election event; and

BE IT FURTHER RESOLVED, that this Board further authorizes the Chairman and/or County Manager to execute contracts for the same upon the approval of the County Attorney; and

BE IT FURTHER RESOLVED, that this Board urges the Board of Elections to reconsider the movement or relocation of districts within townships.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION URGING THE STATE OF NEW YORK TO
DELAY IMPLEMENTATION OF LEANDRA'S LAW AS IT
RELATES TO THE IGNITION INTER-LOCK DEVICE AS
WELL AS OTHER COMPONENTS OF THE LAW**

The following resolution was offered Supervisor Canon, 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, Leandra's Law requires that anyone convicted of DWI (felony or misdemeanor) must be sentenced to Probation (five/three years) or a Conditional Discharge (one/three years) and have an ignition interlock device installed; and

WHEREAS, an ignition interlock device is defined under NYS Regulations as any blood alcohol concentration measuring device which connects to a motor vehicle ignition system and prevents a motor vehicle from being started without first determining through a deep lung breath sample that the operator's blood alcohol level does not exceed the calibrated setting on the device as required by standards of the Department of Health; and

WHEREAS, regulations require that each County develop a "County Ignition Interlock Program Plan" for submission to the New York State Division of Probation and Correctional Alternatives by June 15, 2010, with an effective date of August 15, 2010; and

WHEREAS, the cost of installing and maintaining the ignition interlock device for one year is approximately \$1,255.00 each vehicle for the offender and any vehicle in offender's household; and

WHEREAS, the offenders, under the proposed regulations are responsible for paying such fees unless the Court deems them indigent, in which case the County would be forced to pick up the costs; and

WHEREAS, based upon the many unanswered questions related to Leandra's Law and the fact that it represents another undefined mandate for Counties, it is urged that the State of New York delay implementation of Leandra's Law as it relates to the ignition interlock device, as well as other components of the law and the potential additional cost of this legislation could be devastating to the County taxpayers.

BE IT RESOLVED, that the Essex County Board of Supervisors strongly urges the State of New York to delay implementation of Leandra's Law as it relates to the ignition inter-lock device, as well as other components of the law; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Senator Elizabeth O'C. Little; Senate Minority Leader Brian Kolb; Assembly Speaker Sheldon Silver; and Assembly Members Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded and duly adopted.

Resolution No. 139

May 3, 2010
Regular Board Meeting

**RESOLUTION ACCEPTING AND PLACING
ON FILE THE ESSEX COUNTY INDUSTRIAL
DEVELOPMENT AGENCY 2009 ANNUAL REPORT**

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

Upon the recommendation and approval 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 accepts and places on file the 2009 Annual Report for the Essex County IDA.

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

**RESOLUTION APPROVING THE PROPOSED
CERTIFICATE OF INCORPORATION AND CONSENTING
TO THE FORMATION OF A LOCAL DEVELOPMENT
CORPORATION**

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

Upon the recommendation and approval 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, on January 31, 2009, Section 854 of the General Municipal Law, commonly referred to as the Civic Facilities Legislation (the "Law") expired and, since the expiration of the Law, industrial development agencies have not been able to provide financial assistance to projects owned or operated by not-for-profit corporations (hereinafter referred to as "Civic Facility Projects"); and

WHEREAS, the ability to finance Civic Facility Projects with tax-exempt bonds has been a very important tool for the Essex County Industrial Development Agency (the "Agency"), as the Civic Facility Projects undertaken by the Agency have increased employment opportunities for residents of Essex County and allowed local not-for-profit corporations to upgrade their facilities at the lowest possible cost; and

WHEREAS, by resolution adopted by the members of the Agency on March 1, 2010 (the "Approving Resolution"), the members of the Agency agreed to request the consent and authorization of the Board of Supervisors to form a local development corporation under Section 1411 of the New York State Not For Profit Corporation Law (the "NFPCL"); and

WHEREAS, local development corporations formed under the NFPCL are created to assist, among others, not for profit corporations that are undertaking projects that further any of the following purposes for which local development corporations are created: (1) relieving and reducing unemployment, (2) promoting and providing for additional and maximum employment, (3) bettering and maintaining job opportunities, (4) instructing or training individuals to improve or develop their capabilities for such jobs, (5) carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, and (6) lessening the burdens of government and acting in the public interest; and

WHEREAS, in furtherance of the public purposes set forth above, a local development corporation formed under the NFPCL is empowered to take the following actions: (1) to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants in the territory in which its operations are principally to be conducted, (2) to assist financially in such construction, acquisition, rehabilitation and improvement,

to maintain such plants for others in such territory, (3) to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, (4) to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, (5) to borrow money and to issue negotiable bonds, notes and other obligations therefor, and (6) to sell, lease, mortgage or otherwise dispose of or encumber any such plants or any of its real or personal property or any interest therein upon such terms as it may determine to be suitable; and

WHEREAS, under the laws of the State of New York, local development corporations are permitted to issue tax-exempt bonds for the benefit of qualifying Civic Facility Projects; and

WHEREAS, in accordance with Section P1411(a) of the NFPCL, prior to forming a local development corporation, the Agency must obtain the Board of Supervisors' approval of the certificate of Incorporation that will be used to form the local development corporation; and

WHEREAS, the Agency has prepared a proposed certificate of incorporation for review by the Board of Supervisors and a copy of such proposed certificate of incorporation is attached hereto as Schedule A.

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

Section 1. The Board of Supervisors authorizes the Agency to form a local development corporation in accordance with Section 1411 of the NFPCL; provided, however, that any obligations issued by the local development corporation, and the premium (if any) and interest thereon, shall be special obligations of the local development corporation and shall never be a debt of the State of New York, the County of Essex, New York or any political subdivision thereof (other than the local development corporation), and neither the State of New York, the County of Essex, New York nor any political subdivision thereof (other than the local development corporation) shall be liable thereon.

Section 2. The Board of Supervisors approves the form and substance of the certificate of incorporation presented at this meeting and attached hereto as Schedule A, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairman (or Vice Chairman) and the County Attorney shall approve.

Section 3. This resolution shall take effect immediately.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION OF SUPPORT TO CREATE AND
IMPLEMENT A PLAN FOR THE LAKE CHAMPLAIN
BRIDGE BI-STATE PARK**

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

Upon the recommendation and approval 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, the historic 1929 Lake Champlain Bridge connecting Crown Point, New York and Chimney Point, Vermont was known as a “Gateway” to the Adirondacks and to New England; and

WHEREAS, the “new” Lake Champlain Bridge will be designed by an award-winning bridge engineer and may become every bit as much a visual icon in the Champlain Valley as the old bridge and, therefore, will become a “must-see” destination in the valley; and

WHEREAS, in the vicinity of the bridge crossing there is an abundance of historic sites and recreational facilities, including Fort St. Frederic and His Majesty’s Fort of Crown Point, the Chimney Point State Historic Site, Crown Point Pier, Champlain Lighthouse, boat launches, campground, day use areas, visitor centers and more, thus, providing the component parts for a Lake Champlain Bridge Bi-State Park; and

WHEREAS, the new bridge presents an opportunity to treat the various historic sites and recreational facilities as “whole” rather than as a collection of individual parts; and

WHEREAS, the new bridge has the potential to be a catalyst to bring about the unification of the collection of historic site and recreational facilities, together with the new bridge’s visual appeal and provision for safe use by bicyclists and pedestrians, into a Lake Champlain Bridge Bi-State Park; and

WHEREAS, the cost of accomplishing the goal of creating a Lake Champlain Bridge Bi-State Park will be minimal because the component parts of said park, the historic sites, recreational facilities and visitor centers already exist and many recently have been upgraded and/or renovated; and

WHEREAS, tying together all the historic sites and recreation facilities with the attraction of the new bridge will increase the number of visitors to the area and give this part of the Champlain Valley a much-needed economic boost by expanding opportunities for existing and new businesses.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby support the goal of establishing a Lake Champlain Bridge Bi-State Park; and

BE IT FURTHER RESOLVED, that this Board will participate in the planning process as part of the Lake Champlain Bridge Bi-State Working Group to create and implement a plan for the Lake Champlain Bridge Bi-State Park.

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

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO
TO BID, ACCEPT AND/OR REJECT BIDS FOR POLES AND
PROTECTIVE NETTING AT THE FISH HATCHERY**

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, the Essex County Fish Hatchery sustained damage from heavy snow to the nets and poles that cover the outside ponds and is requesting that the Purchasing Agent be allowed to go to bid for new poles and netting to be paid with insurance monies.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Purchasing Agent to go to bid, accept and/or reject bids and purchase poles and protective netting at the Fish Hatchery with such funds to come from insurance monies.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
JAMES S. HOOPER, SR.**

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.

WHEREAS, James S. Hooper, Sr., of Virginia Beach, Virginia passed away on April 15, 2010; and

WHEREAS, James S. Hooper, Sr. was born on July 26, 1929 in Bangor, Maine; and

WHEREAS, James S. Hooper, Sr. retired from the United States Navy after 27 years service as a Senior Chiefs Machinist Mate; and

WHEREAS, James S. Hooper, Sr. is survived by his children, Jaqueline Depeau, James Hooper, Jr., Virginia Perrier, Larry Hooper, Carol Hooper-Macuria; stepchildren, William Ferebee of Keene, New York, Patty Ferebee, Vernon Ferebee, Rodney Waterfield, James Waterfield and Vincent Waterfield; 21 grandchildren and several great grandchildren; and

WHEREAS, James S. Hooper, Sr., was the step-father of Supervisor William Ferebee, Supervisor of the Town of Keene; and

WHEREAS, James S. Hooper, Sr. was a loyal and devoted husband, son, father, grandfather, brother, uncle and friend who will 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 James Hooper; 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 Hooper family.

This resolution was unanimously seconded and adopted.

**RESOLUTION TO ADOPT SIGN POLICY FOR SIGN
MAINTENANCE METHOD TO MAINTAIN MINIMUM LEVELS OF
RETRO-REFLECTIVITY AS REQUIRED BY SECTION 2A.09 OF
THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES -
FEDERAL HIGHWAY ADMINISTRATION**

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

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

WHEREAS, federal law and regulation pursuant to MUTCD Section 2A.09 requires various municipalities and governmental divisions to maintain minimum reflectivity with respect to signs; and

WHEREAS, Essex County is desirous of instituting a maintenance policy to maintain minimal levels of retro-reflectivity with respect to its signage in order to meet the new standards for sign retro-reflectivity required by Section 2A.09 of the MUTCD - FHWA; and

WHEREAS, Essex County's ongoing effort to meet these new standards shall continue to reflect the County's commitment to traffic safety in Essex County and shall continue to be in compliance with these new standards by implementing these procedures contained in this assessment and management program.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby adopts the attached SIGN MAINTENANCE METHOD TO MAINTAIN MINIMUM LEVELS OF RETRO-REFLECTIVITY dated April 26, 2010, a copy of which is attached hereto and made a part hereof.

This resolution was seconded by Supervisors Boisen and Kosmider, and duly adopted.

**RESOLUTION AUTHORIZING ESSEX COUNTY TO PIGGY-BACK
ON THE EXISTING CONTRACT TO SUPPLY AND DELIVER
ROAD SALT ENTERED INTO BETWEEN CLINTON AND
FRANKLIN COUNTIES WITH NORTH AMERICAN SALT
COMPANY**

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, Clinton County has, on the 16th day of April, 2009, entered into a contract to supply and deliver road salt with the North American Salt Company; and

WHEREAS, said contract explicitly states that other agencies may be added to or deleted to the contract; and

WHEREAS, the County of Clinton must authorize and allow Essex County to piggy-back on the existing contract with North American Salt Company; and

WHEREAS, the contract with North American Salt provides that additional agencies may be added or deleted to the existing contract and the County of Clinton is in the process of approving Essex County's addition to this contract.

BE IT RESOLVED, that the Essex County Board of Supervisors and the Superintendent of Essex County Department of Public Works have evaluated a contract and considered all factors, including charges for service, material and delivery and have determined that this will result in cost savings and be cheaper for the County to purchase in this fashion; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the entry into the contract with Clinton County and North American Salt Company dated the 16th day of April, 2009, or any separate contract containing the same terms and conditions thereof, including any amendments thereto or additional terms and conditions as required by the County Attorney.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

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

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

WHEREAS, the Save Americas Treasures is a federal program to provide money to aid in highway and bridge projects; and

WHEREAS, the Mill Hill Bridge located in the Village of Keeseville is on the National Register and is in dire need of rehabilitation and repair and is an eligible project under the Save Americas Treasures program.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Planning Department to apply for a Save Americas Treasures grant seeking funding sufficient to rehabilitate and repair the Mill Hill Bridge in the Village of Keeseville.

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

RESOLUTION AUTHORIZING THE TRANSFER OF THE SUM OF \$1,775.57 FOR ADDITIONAL LEGAL FEES RELATIVE TO THE MATTER OF ERIC MCCRAY V. ESSEX COUNTY, ET AL FROM THE CONTINGENCY ACCOUNT INTO THE COUNTY ATTORNEY'S LEGAL FEES ACCOUNT

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

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

WHEREAS, Essex County had previously appropriated a sum not to exceed \$2,500.00 by Resolution No. 386 adopted at a Regular Board Meeting dated November 2, 2009, for the purpose of paying McNamee, Lochner, Titus & Williams, P.C. for their legal services relative to the matter of Eric McCray v. Essex County, et al; and

WHEREAS, the additional sum of \$1,775.57 is needed to pay for the balance of legal fees in this matter to McNamee, Lochner, Titus & Williams, P.C., which monies are to come from the Contingency Account (#19904-5487) and be transferred into County Attorney Legal Fees Account (#14204-5433).

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the additional sum of \$1,775.57 to pay the balance of legal fees due to McPhillips, Fitzgerald and Cullum, LLP, which monies are to come from the Contingency Account (#19904-5487) and be transferred into County Attorney Account (#14204-5433).

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

AYES: 2,298 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)
ABSTAIN: 351 votes (Scozzafava)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 4/5/10 :</i>	\$ 353,700.00
<i>Reduction Impact of this resolution:</i>	\$ 1,775.57
<i>FY2010 Contingent Account Balance:</i>	\$ 351,924.43

Resolution No. 148

May 3, 2010
Regular Board Meeting

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO
SIGN A RELEASE AND CONFIDENTIALITY AGREEMENT WITH
RESPECT TO THE MALBON LAWSUIT**

The following resolution was offered by Supervisor Blades, 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 Chairman of this Board to sign a release and confidentiality agreement with respect to the Malbon lawsuit.

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

Resolution No. 149

May 3, 2010
Regular Board Meeting

**RESOLUTION AUTHORIZING THE PURCHASE OF A PITNEY BOWES
POSTAGE METER IN THE MAIL AND SUPPLY DEPARTMENT, AT A
COST OF \$17,000.00, FROM BUDGETED FUNDS**

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 purchase of a Pitney Bowes postage meter, at a cost of \$17,000.00, from budgeted funds.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

Resolution No. 150

May 3, 2010
Regular Board Meeting

**RESOLUTION ESTABLISHING A PETTY CASH ACCOUNT OF \$100
FOR THE STOP DWI VICTIM'S IMPACT PANEL TO BE USED AS A
CASH DRAWER**

The following resolution was offered by Supervisor Boisen, 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 establishment of a petty cash account of \$100 for the Stop DWI Victim's Impact Panel to be used as a cash drawer.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION AUTHORIZING A CONTRACT WITH
SUBSTANCE ABUSE PREVENTION TEAM FOR THE
TICONDEROGA CENTRAL SCHOOL FOR AN AFTER-PROM
PARTY IN AN AMOUNT NOT TO EXCEED \$2,500; MORIAH
CENTRAL SCHOOL FOR AN AFTER-PROM PARTY IN AN
AMOUNT NOT TO EXCEED \$2,500; KEENE CENTRAL
SCHOOL FOR AN AFTER-PROM PARTY IN AN AMOUNT NOT
TO EXCEED \$2,000; CROWN POINT CENTRAL SCHOOL FOR
AN AFTER-PROM PARTY IN AN AMOUNT NOT TO EXCEED
\$1,000.00 AND AUSABLE VALLEY CENTRAL SCHOOL FOR
AN AFTER-PROM PARTY, IN AN AMOUNT NOT TO EXCEED
\$2,500.00, WITH FUNDS TO COME FROM STOP DWI BUDGET
AND ALL CONTRACTS TO BE APPROVED BY THE COUNTY
ATTORNEY**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Chairperson and/or County Manager to enter into contracts with the Ticonderoga School for an after-prom party, in an amount not to exceed \$2,500.00; and with the Moriah Central School for an after-prom party, in an amount not to exceed \$2,500.00; and with Keene Central School for an after-prom party, in an amount not to exceed \$2,000.00; Crown Point Central School for an after-prom party, in an amount not to exceed \$1,000.00 and AuSable Valley Central School for an after-prom party, in an amount not to exceed \$2,500.00, with funds to come from Stop DWI budget and all contracts to be approved by the County Attorney.

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

AYES: 2,463 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)
ABSTAIN: 186 votes (Douglas)

**RESOLUTION AUTHORIZING A CONTRACT WITH THE TOWN
OF WILMINGTON, RETROACTIVE TO JANUARY 1, 2009
THROUGH DECEMBER 31, 2009, FOR THE TOWN OF
WILMINGTON CHRISTMAS PROGRAM, IN AN AMOUNT NOT
TO EXCEED \$2,500.00, TO BE PAID FROM 2009 FUNDS**

The following resolution was offered by Supervisor Preston, 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 contract with the Town of Wilmington, retroactive to January 1, 2009 through December 31, 2009, for the Town of Wilmington Christmas Program, in an amount not to exceed \$2,500.00, to be paid from 2009 funds; with such contract to be approved by the County Attorney.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

Resolution No. 153

May 3, 2010
Regular Board Meeting

**RESOLUTION AUTHORIZING THE TRAFFIC SAFETY BOARD
TO APPLY FOR AND ACCEPT SAFETY GRANTS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Traffic Safety Board to apply for and accept safety grants.

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

**RESOLUTION AUTHORIZING THE TOWN OF MORIAH TO
PIGGY-BACK ON ESSEX COUNTY'S CONTRACT WITH
FOUNTAIN FORESTRY FOR A TOWN TIMBER HARVEST**

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, Essex County has entered into a contract with Fountain Forestry bearing contract number MISC-12-0001 for the contract term May 1, 2007 through April 31, 2012; and

WHEREAS, the Town of Moriah is desirous of piggy-backing on to Essex County's contract with Fountain Forest; and

WHEREAS, the County has no problem allowing the Town of Moriah to piggy-back on said contract pursuant to General Municipal Law Section 103-(3) and County Law Section 408-a(2).

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Town of Moriah pursuant to Section 408-a of the County Law and Section 103(3) of the GML to piggy-back on the existing contract between Essex County and Fountain Forestry, Inc. bearing contract number MISC-12-0001 for the contract term 5/1/07 through 4/30/12 and authorizes purchases of the services to be made under such contract by the Town of Moriah.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION AUTHORIZING THE COUNTY OF ESSEX
TOGETHER WITH THE TOWN OF MORIAH TO MARKET THE
COUNTY-OWNED REPUBLIC STEEL BUILDING WITH THE
TOWN-OWNED MINEVILLE HOSPITAL PROPERTY**

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 County of Essex together with the Town of Moriah to market the county-owned Republic Steel Building together with the town-owned Mineville Hospital property jointly provided, and on condition that any terms and conditions or costs involved in the marketing and solicitation for sale of the property are examined by the County Manager and County Attorney and approved by this Board prior into the entry into any negotiation, services or expense.

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

**RESOLUTION IN SUPPORT OF SENATE BILL S.6999 AND
ASSEMBLY BILL A-1010 IN REGARD TO NOMINATIONS TO
THE ADIRONDACK PARK AGENCY**

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

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

WHEREAS, Senate Bill S.6999 and Assembly Bill A-1010 are currently before the Finance Committee of the State of New York; and

WHEREAS, S.6999 and A-1010 seek to amend Section 803 of the Executive Law, as amended by Chapter 986 of the Laws of 1984, to provide that five members of the Adirondack Park Agency shall be appointed by the governor and shall reside in the Adirondack Park, which names shall be obtained from a list established by the legislative bodies of the counties in the Adirondack Park and the Adirondack Associations of Towns and Villages; and

WHEREAS, it is the strong opinion and desire that five members of the Adirondack Park Agency should reside in the Adirondack Park and a list should be provided to the governor from the legislative bodies in the Adirondack Park and the Adirondack Associations of Towns and Villages from which the governor may appoint the five members of the Adirondack Park Agency in order to provide balance to the Adirondack Park Agency and a voice and perspective on issues before the board from persons who actually reside within the Adirondack Park.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby wholeheartedly supports Senate Bill S.6999 and Assembly Bill A-1010 with regard to nominations to the Adirondack Park Agency; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor David A. Paterson; New York State Senate Majority Leader Malcolm A. Smith; Senator Elizabeth O’C. Little; Senate Minority Leader Brian Kolb; Assembly Speaker Sheldon Silver; and Assembly Members Teresa R. Sayward and Janet Duprey.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION IN SUPPORT OF AN ECONOMIC CAUCUS TO
MAKE THE ADIRONDACK PARK AN ECONOMIC ZONE**

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

Upon the recommendation of the Legislative 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 is hereby in support of an economic caucus to make the Adirondack Park an economic zone.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
GRETNA MAE LEWIS LONGWARE**

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

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

WHEREAS, Gretna Mae Lewis Longware passed away on April 22, 2010; and

WHEREAS, Gretna Mae Lewis Longware was born on June 1, 1932, the daughter of Arthur W. And Mildred (Wilson) Lewis; and

WHEREAS, Gretna Mae Lewis Longware graduated from Westport Central School and Plattsburgh Business Institute; and

WHEREAS, Gretna Mae Lewis Longware worked as a secretary for the Museum of Resource Center and as office manager/bookkeeper for M. Longware & Sons; and

WHEREAS, Gretna Mae Lewis Longware served as a leader and on the Board of Directors for the North Country Girl Scouts; a charter member of Coast Guard Auxilliary Flotilla 15-12 and past commander of the Westport Flotilla; taught New York State Youth Boating courses; and

WHEREAS, Gretna Mae Lewis Longware was an avid Morse Code operator; member of the Elizabethtown Planning and Zoning Board; co-author of the Elizabethtown Bicentennial Book; considered a champion for saving the historic Baptist church steeple weather vane located on the present Elizabethtown Town Hall; and

WHEREAS, Gretna Mae Lewis Longware served as secretary of the Friends of Hurrican Tower, a group established to save the landmark fire tower so that it could be used for educational purposes for future generations; and

WHEREAS, the Essex County Board of Supervisors hereby extends their deep appreciation to Gretna and Stub Longware for their efforts on saving the Hurricane Fire Tower; and

WHEREAS, Gretna Mae Lewis Longware is survived by her husband Melvin C. Longware; four daughters and their husbands, Janice and George Hainer, Judy and David King, Alta Longware and Brad Caldwell and Charlene and Stan Neer; three grandchildren,

Heidi King Johnson, Adam Hainer and Brittany Hainer; one great-grandchild, Geoffrey Noah Johnson; and one sister, Pauline Marshall; and

WHEREAS, Gretna Mae Lewis Longware was a loving daughter, wife, mother, grandmother, great 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 County Attorney hereby express and extend their deepest and most sincere sympathy and condolences to the family of Gretna Mae Lewis Longware; 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 Longware family.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION OF CONGRATULATIONS TO KATHLEEN KRAH
FOR OBTAINING THE GIRL SCOUT GOLD AWARD**

The following resolution was offered by Supervisor Moses, 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, Kathleen Krah is entitled to receive the highest honor for Girl Scouts, the Gold Award; and

WHEREAS, the Gold Award recipient must prove her love for God, her dedication to Country and concern for her 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 Kathleen Krah on a job well-done and for all of her accomplishments as a Girl Scout and for receiving the Gold 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 Kathleen Krah.

This resolution was unanimously seconded and adopted.

**RESOLUTION REQUESTING INTRODUCTION OF HOME RULE
LEGISLATION TO ALLOW ESSEX COUNTY THE OPTION OF
INCREASING LOCAL SALES TAX PERCENTAGE FROM 3¾% TO 4%**

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

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

WHEREAS, Essex County's budget for fiscal year 2011 will cause the County real property tax levy to be raised by approximately \$6.5 million or 30% over 2010 due to:

- ▶ a steady decline in sales tax in 2009 from \$24 million in 2008 to \$22 million in 2009
- ▶ a loss of revenues from all sources which caused our unreserved fund balance to drop by \$4.1 million dollars during the April 2009 to April 2010 time frame
- ▶ Increase in health insurance premiums

WHEREAS, this loss of revenue is unsustainable without a 30% or more raise in the tax levy for the year 2011; and

WHEREAS, although Essex County will attempt to reduce its 2011 budget in order to decrease the projected 30% or more raise in the tax levy for 2011, it is clear that the budget can not be reduced enough to avoid a double digit increase in real property taxes unless vital and necessary programs and services are eliminated; and

WHEREAS, it is anticipated that an additional 1/4% increase in our County sales tax would generate over \$1.5 million dollars in badly needed revenue necessary to offset the real property tax levy; and

WHEREAS, 46 of 57 counties currently have implemented sales tax percentages that are at 4% or higher. Essex County's current 3 3/4% is not adequate to offset these significant increases in the property tax; and

WHEREAS, Essex County already does not impose sales tax on residential home energy products and has no intention of imposing sales tax thereon should it be allowed by home rule legislation to increase its local sales tax amount by one quarter of one percent; and

WHEREAS, all additional income to be derived from the one quarters of one percent sales tax increase will go directly to reduce the real property tax levy; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby requests that the State Legislature introduce home rule legislation allowing Essex County the option of increasing its local sales tax by an additional one quarter of one percent as a means of avoiding an overwhelming property tax increase; and

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor David E. Paterson, NYS Senate Majority Leader Malcolm A. Smith, Assembly Minority Leader Brian Kolb, Assembly Speaker Sheldon Silver; Senator Elizabeth O’C. Little; and Assembly Members Teresa R. Sayward and Janet Duprey.

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

AYES: 2,227 votes
NOES: 422 votes (Kosmider, Moses, Connell)
ABSENT: 194 votes (Morrow)

RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT

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

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

WHEREAS, this board is in receipt of the semiannual Mortgage Tax Report, showing amounts to be credited to each tax district of the county of the money collected during the preceding six months ending March 31, 2010.

BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amount so credited as appropriated by the Clerk of the Board, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts, in accordance with the report, as follows:

<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>	<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>
Chesterfield		North Elba	
Town	13,532.52	Town	81,099.72
Village (Keeseville)	1,111.43	Village (Lake Placid)	29,008.96
Crown Point	10,271.83	Village (Saranac Lake)	3,082.49
Elizabethtown	7,369.86	North Hudson	4,015.50
Essex	4,875.50	St. Armand	
Jay	21,342.63	Town	7,645.35
Keene	20,393.52	Village (Saranac Lake)	620.46
Lewis	5,240.77	Schroon	25,852.86
Minerva	3,893.89	Ticonderoga	22,560.02
Moriah		Westport	11,790.99
Town	8,181.82	Willsboro	14,477.34
Village (Port Henry)	1,597.74	Wilmington	14,037.74
Newcomb	2,988.12	TOTAL:	\$314,991.06

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

**RESOLUTION OF RECOGNITION AND CONGRATULATIONS TO
LESTER P. DABY
FOR 50 YEARS OF SERVICE TO THE PORT HENRY
VOLUNTEER FIRE DEPARTMENT**

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

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

WHEREAS, Lester P. Daby has been a volunteer fireman for 50 years with the Port Henry Volunteer Fire Department, joining the department on October 8, 1959; and

WHEREAS, Lester has tirelessly, selflessly, conscientiously and with all degree of professionalism performed his duties as volunteer fireman for fifty years, during which time he covered thousands of fire calls; and

WHEREAS, Lester has set an example for all by his selfless, professional, civil and community dedication performing his duties for the good of the residents of Port Henry and Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors wishes to extend its sincere gratitude and appreciation to Lester P. Daby for his 50 years of dedicated service to the Port Henry Volunteer Fire Department and the residents of Essex County; 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 Lester P. Daby.

This resolution was unanimously seconded and adopted.

**RESOLUTION EXTENDING THE TERM OF CONTRACT
BETWEEN THE COUNTY OF ESSEX AND LAKE PLACID
MUNICIPAL ELECTRIC, INC. BEARING CONTRACT NUMBER
DPW-10-0039 AND EXTENDING THE TERM OF CONTRACT
BETWEEN THE COUNTY OF ESSEX AND
VERIZON COMMUNICATIONS BEARING
CONTRACT NUMBER DPW-10-0040**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the extension of a certain Contract bearing Contract No. DPW-10-0039 entered into between the County of Essex and Lake Placid Municipal Electric, Inc. extending the term thereof to December 31, 2010, and further authorizes the extension of a certain Contract bearing Contract No. DPW-10-0040 entered into between the County of Essex and Verizon Communications extending the term thereof to December 31, 2010,

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION PROHIBITING ESSEX COUNTY EMPLOYEES
FROM WORKING AS PER DIEM EMPLOYEES IF THE PER
DIEM HOURS AND WORK WILL RESULT IN OVERTIME**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby prohibits Essex County employees from working as per diem employees if the per diem hours and work will result in overtime.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

RESOLUTION AUTHORIZING A CONTRACT WITH SIGNAL RISK MANAGEMENT RELATIVE TO THE ADMINISTRATION OF THE VOLUNTEER FIREFIGHTER BENEFIT LOSS/VOLUNTEER AMBULANCE WORKER BENEFIT WORKER'S COMPENSATION POLICY; A CONTRACT WITH SIGNAL RISK MANAGEMENT RELATIVE TO ADMINISTRATION OF THE ESSEX COUNTY WORKER'S COMPENSATION PLAN AND A CONTRACT WITH SIGNAL RISK MANAGEMENT RELATIVE TO THE ADMINISTRATION OF ESSEX COUNTY'S FIRE AND AMBULANCE GROUP PLAN

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the entry into the following three Contracts:

1. Contract with Signal Risk Management relative to administration of Volunteer Firefighter Benefit Loss and Volunteer Ambulance Worker Benefit Worker's Compensation Policy in an amount not to exceed \$200 per participant together with reimbursement for mileage at the then current IRS rate, lodging reimbursement in an amount not to exceed \$100.00 and meal allowances in an amount not to exceed \$25.00.
2. Administration of Essex County Fire and Ambulance Group Plan with compensation for brokered services to be paid directly for policies issued by PERMA.
3. Administration of the Essex County Worker's Compensation Plan with compensation to be paid directly from the policies issued on an effective date of January 1, 2011.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2010
AMENDING LOCAL LAW NO. 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 Supervisors Moses and Scozzafava, who moved its adoption.

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

WHEREAS, by Resolution No. 115 duly adopted at a Regular Board Meeting on April 5, 2010, the Essex County Board of Supervisors introduced Local Law No. 2 for 2010, a local law amending Local Law No. 5 for 2006 and authorizing the Empire Zone to make application for redesignation of certain areas within Essex County as an Empire Zone, and scheduled a Public Hearing thereon for the determination of the environmental significance related thereto on the 3rd day of May, 2010, at 9:45 a.m. to hear any and all persons concerning the same; and

WHEREAS, the aforesaid Public Hearing has been held by this Board, and due deliberation having been had regarding said proposed Local Law and the environmental significance of its passage and the comments made with respect thereto at said Public Hearing.

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts and approves the short environmental assessment form filed with the Clerk of this Board, and upon review and consideration thereof and of all documents and information acquired and obtained, and in view of the fact that the adoption of the proposed Local Law maintains the already existing situation in Essex County and only made a pro form of adjustment to the prior Local Law, this Board hereby makes the following findings:

1. The adoption of the proposed Local Law will not:
 - (A) result in a physical change to the project site,
 - (B) affect any water body designated as protected,
 - (C) affect air quality,
 - (D) affect any threatened or endangered species,
 - (E) affect agricultural land resources,
 - (F) affect aesthetic resources,
 - (G) impact any site or structure of historic, prehistoric or paleontological importance,
 - (H) affect the quantity or quality of existing or future open spaces or recreational opportunities,
 - (I) result in an effect to existing transportation systems,
 - (J) affect the community's sources of fuel or energy supply,

- (K) result in objectionable odors, noise or vibration,
- (L) affect public health and safety,
- (M) affect the character of the existing community
- (N) affect the visibility of the property; and

2. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts from the adoption of the Local Law; and

3. The adoption of the proposed Local Law will not result in:

- (A) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels;
- (B) a substantial increase in solid waste production;
- (C) a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (D) the removal or destruction of large quantities of vegetation or fauna;
- (E) a substantial interference with the movement of any resident or migratory fish or wildlife species;
- (F) impacts on a significant habitat area;
- (G) substantial adverse effects on a threatened or endangered species of animal or plant, or the habitat of such a species;
- (H) other significant adverse effects to natural resources or the impairment of the environmental characteristics of a critical environmental area as designated pursuant to 6 NYCRR §617.14(g);
- (I) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (J) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (K) the impairment of the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character;
- (L) a major change in the use of either the quantity or type of energy;
- (M) the creation of a hazard to human health;
- (N) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (O) the creation of a material demand for other actions which would result in one of the above consequences;
- (P) changes in two or more elements of the environment, no one of which has a significant effect on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (Q) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant effect on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR §617.7(c); and

BE IT FURTHER RESOLVED that this Board hereby finds and determines that the proposed action will not have a significant effect on the environment.

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby adopts Local Law No. 2 of 2010, amending Local Law No. 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 LOCAL LAW #2 OF 2010

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 immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.”

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION AUTHORIZING A CONTRACT WITH WELLS
COMMUNICATIONS SERVICE, INC. FOR CONSULTING
SERVICES RELATIVE TO FREQUENCY ACQUISITION,
PURCHASE, COORDINATION AND USE RELATIVE TO THE
NEW P25 RADIO SYSTEM PROJECT AT A COST OF \$125.00
PER HOUR, NOT TO EXCEED \$10,000.00 WHICH FUNDS ARE
TO COME FROM THE RADIO COMMUNICATIONS BOND
MONIES**

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 Essex County Board of Supervisors hereby authorizes a contract with Wells Communications Service, Inc. for consulting services relative to frequency acquisition, purchase, coordination and use relative to the new P25 Radio System at a cost of \$125.00 per house, not to exceed \$10,000.00, which funds are to come from the Radio Communications Bond monies; and

BE IT FURTHER RESOLVED, that this shall also encompass payment for work previously done by Wells Communications in this regard relative to the P25 Radio System Project.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION AUTHORIZING THE ENTRY INTO A CONTRACT
WITH HUDSON MOHAWK AHEC FOR MASH CAMP FOR HIGH
SCHOOL STUDENTS FOR THE EXPLORATION OF HEALTH
CARE CAREER OPTIONS BY OBSERVATION AND
PARTICIPATION AT THE HORACE NYE NURSING HOME AT
NO CHARGE TO THE COUNTY**

The following resolution was offered by Supervisor Moses, 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 entry into a Contract with Hudson Mohawk AHEC for M.A.S.H. Camp for high school students for the exploration of health care career options by observation and participation at the Horace Nye Nursing Home at no charge to Essex County upon such terms and conditions as approved by the County Attorney.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)

**RESOLUTION AUTHORIZING THE COUNTY MANAGER
AND/OR CHAIRMAN TO EXECUTE A CONTRACT WITH THE
TOWN OF JAY INCIDENT TO THE PURCHASE OF GASOLINE
OR DIESEL FUEL AT THE TOWN OF JAY PUMPS FOR ANY
COUNTY VEHICLES**

The following resolution was offered by Supervisor Moses, 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 County Manager and/or Chairman to execute a contract with the Town of Jay for the purchase of gasoline and diesel fuel which purchase will be in the same amount that the Town of Jay pays for these commodities in the event that County vehicles need to purchase from the Town of Jay.

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

AYES: 2,649 votes
NOES: 0 votes
ABSENT: 194 votes (Morrow)