

Resolution No. 170

June 7, 2010
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY MANAGER TO RESPOND
TO THE OWNERS OF THE OLD STATE POLICE BARRACKS AND
GENERAL COMPOSITES THAT THE COUNTY IS NOT INTERESTED
IN LEASING THEIR SPACE AT THIS TIME**

The following resolution was offered by Supervisor Connell, 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 County Manager to respond to the owners of the old State Police Barracks and General Composites that Essex County is not interested in leasing their buildings at this time.

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

Resolution No. 171

**June 7, 2010
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF BARBARA
REED TO THE MENTAL RETARDATION/DEVELOPMENTAL
DISABILITY 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 Barbara Reed to the Mental Retardation/Developmental Disability Sub-Committee for a term effective May 1, 2010 through December 31, 2014.

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

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS 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 amends the 2010 Essex County Budget as follows:

From Human Services Committee:

1. For Mental Health Department, increase revenues and appropriations by \$2,000.00 - funds from Safe Schools Healthy Students as follows:

REVENUES

Account Number	Account Name	Amount
4320-4349245	Safe Schools/Healthy Students	\$2,000.00

APPROPRIATIONS

Account Number	Account Name	Amount
43204-5440	Misc. Fees	\$1,000.00
43204-5487	Misc. Expenses	<u>1,000.00</u>
		\$2,000.00

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Manager or Chairman to execute a contract with CVES for Safe Schools Healthy Students upon the approval of the County Attorney.

2. For Public Health Department, increase revenues and appropriations by \$4,000.00 - funds from HIV Mini Grant as follows:

REVENUES

Account Number	Account Name	Amount
4190.4340186	HIV Education Grant	\$4,000.00

APPROPRIATIONS

Account Number	Account Name	Amount
41904.5473	Prescription/Drug	\$4,000.00

_____ **BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the County Manager or Chairman to execute a contract with Hudson Headwaters Health Network to conduct health education and outreach activities upon the approval of the County Attorney.

- For Public Health Department, increase revenues and appropriations by \$5,000.00 - funds from Medical Reserve Corp. Grant as follows:

REVENUES

Account Number	Account Name	Amount
41961.444891	Medical Reserve Corp	\$5,000.00

APPROPRIATIONS

Account Number	Account Name	Amount
41964.5410	Office Supplies	\$ 500.00
41964.5451	Training Schools	<u>4,500.00</u>
		\$5,000.00

_____ **BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the County Manager or Chairman to execute a contract with National Association of County and City Health Officials (NACCHO) upon the approval of the County Attorney.

From Public Safety Committee:

- For Emergency Services, to increase revenues and appropriations by \$8,072.00 - Local Emergency Planning Committee 2009 grant carried over into 2010 as follows:

REVENUES

Account Number	Account Name	Amount
44389060	LEPC Grant	\$8,072.00

APPROPRIATIONS

Account Number	Account Name	Amount
36404-5487 LEPC	LEPC Grant	\$8,072.00

From Department of Public Works Committee:

- For DPW-Highway, to increase revenues and appropriations by \$6,000.00 - reimbursement of sediment traps, as follows:

REVENUES

Account Number	Account Name	Amount
5110-4265570	Sale of Materials	\$6,000.00

APPROPRIATIONS

Account Number	Account Name	Amount
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51104-5459RM Road Materials Hwy \$6,000.00

From the Finance Committee:

1. For Youth Bureau, to increase revenues and appropriations by \$2,040.00 - Learn to Swim grant as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42070SWI	Learn to Swim	\$2,040.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
73104.5440SWIM	Learn to Swim	\$2,040.00

2. For Youth Bureau, to increase revenues and appropriations by \$3,113.81 - insurance recovery as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42680	Insurance Recovery	\$3,113.81

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
73104.5441	Auto Repair	\$3,113.81

3. For Public Health Department, to increase revenues and appropriations by \$4,500.00 - USDA reimbursement monies as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4082 USDA	USDA - WIC	\$4,500.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4082.5473	Prescription Drugs/Medical	\$4,500.00

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING A BUSINESS ASSOCIATE AGREEMENT
WITH ICS SOFTWARE FOR BILLING MEDICARE PART B SERVICES,
AT A COST OF \$20.00/MONTH PLUS SET-UP FEES, TO BE PAID
FROM BUDGETED FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Manager or Chairman to execute an agreement with ICS Software for billing Medicare Part B Services at a cost of \$20.00 per month plus set-up fees, which monies to come from budgeted funds and upon the approval of the County Attorney.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING A CONTRACT WITH PPS PLUS
SOFTWARE FOR HOME HEALTH CARE CONSUMER ASSESSMENT
OF HEALTH CARE PROVIDERS SYSTEMS (CAHPS), AT A COST OF
\$2,200.00 PER YEAR, TO BE PAID FROM BUDGETED FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Manager or Chairman to execute a contract with PPS Plus Software for Home Health Care CAHPS, at a cost of \$2,200.00 per year, which monies to come from budgeted funds and upon the approval of the County Attorney.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING EMERGENCY SERVICES
TO APPLY FOR AND ACCEPT A LOCAL EMERGENCY
PLANNING COMMITTEE GRANT**

The following resolution was offered by Supervisor Preston, 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 Emergency Services to apply for and accept a Local Emergency Planning Committee Grant.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING THE TRANSFER OF \$4,000.00 FROM
THE CONTINGENCY ACCOUNT TO THE PLANNING DEPARTMENT
TO PAY FOR NYSERDA ENERGY AUDITS ON SEVERAL
ESSEX COUNTY BUILDINGS**

The following resolution was offered by Supervisor Scozzafava, 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 sum of \$4,000.00 is needed to pay for NYSERDA energy audits on several County buildings, which monies are to come from the Contingency Account (#19904-5487) and be transferred into Planning Department Account (#80204-5440).

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the sum of \$4,000.00 be transferred from Contingency Account (#19904-5487) to Planning Department Account (#80204-5440) to pay for NYSERDA energy audits on County buildings.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING FOUR CHANGE ORDERS TO
CONTRACTS MISC-10-0027 AND MISC-10-0027A WITH VMJR
COMPANIES, LLC FOR SURROGATES AND FAMILY COURT WORK
IN THE TOTAL AMOUNT OF \$1,030.00 AND EXTEND THE CONTRACT
THROUGH JUNE 30, 2010 AND AUTHORIZING A CHANGE ORDER
TO CONTRACT MISC-10-0028 AND MISC-10-0028A WITH HAROLD
CLUNE, INC. IN THE TOTAL AMOUNT OF \$300.48 AND EXTEND THE
CONTRACT THROUGH JUNE 30, 2010 - FOR COURTHOUSE
RENOVATIONS**

The following resolution was offered by Supervisor Merrihew, 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, Essex County has currently contracted with VMJR Companies, LLC and Harold Clune, Inc. , pursuant to Contract Numbers MISC-10-0027 and MISC-10-0027A and 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 there are four additional change orders in the amount of \$1,030.00 for VMJR which are required to complete the project and to extend the date of the contract through June 30, 2010; and

WHEREAS, it has also been brought to the attention by the Department of Public Works that there is an additional change order in the amount of \$300.48 for Harold Clune, Inc. which are required to complete the project and to extend the date of the contract through June 30, 2010; and

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

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING A CONTRACT WITH SARANAC
LAKE HIGH SCHOOL FOR AN AFTER-PROM PARTY IN AN
AMOUNT NOT TO EXCEED \$1,000.00 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 Morency, who moved its adoption.

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Essex County Chairperson and/or County Manager to enter into a contract with the Saranac Lake High School for an after-prom party, in an amount not to exceed \$1,000.00, with funds to come from Stop DWI budget and all contracts to be approved by the County Attorney.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING THE TRANSFER OF \$5,580.00 FROM
THE CONTINGENCY ACCOUNT TO THE BOARD OF SUPERVISORS
AND CLERK OF THE BOARD VARIOUS ACCOUNTS
TO COVER EXPENSES**

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 authorizes the sum of \$5,580.00 to be transferred from the Contingency Account (#19904-5487) with \$4,467.00 to be transferred into Board of Supervisors Account #10104-5443 - Travel Reimbursement and \$690.00 into Board of Supervisors Account #10104-5451 - Training Schools/Conventions and \$423.00 into Clerk of the Board Account #10404-5420 - Printing.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 5/3/10:</i>	\$347,924.43
<i>Reduction Impact of this resolution:</i>	\$ 5,580.00
<i>FY2010 Contingent Account Balance:</i>	\$342,344.43

**RESOLUTION IN OPPOSITION OF ASSEMBLY BILL NO. A.9911 AND
SENATE BILL NO. S.6849 AMENDING THE PUBLIC OFFICERS LAW,
IN RELATION TO REQUIRING CERTAIN RECORDS WHICH ARE THE
SUBJECT OF A DISCUSSION CONDUCTED AT AN OPEN MEETING
BE MADE AVAILABLE TO THE PUBLIC**

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.

WHEREAS, the New York State Assembly and New York State Senate have introduced Assembly Bill No. A.9911 and Senate Bill No. S.6849 requiring certain Agency records available to the public pursuant to the Freedom of Information Law, as well as any proposed resolution, law, rule, regulation, policy or any amendment thereto scheduled to be the subject of discussion by a public body during an open meeting be made available, to the extent practicable, prior to or at the meeting when such records will be discussed. Additionally the legislation mandates that records shall be posted on the website of the agency with which the public body is affiliated, as soon as practicable, but not less than twenty-four hours prior to the meeting during which they will be discussed, and a reasonable number of copies of such records shall be made available, to the extent practicable, at or prior to the meeting; and

WHEREAS, agencies are already required to make their documents available to the public upon request per the Freedom of Information Law; and

WHEREAS, said legislation would be a significant burden on staff and resources at the county and local government level, and could cost counties and local governments more money to make additional copies and to expand its technology to accommodate such requirements; and

WHEREAS, said legislation would require all agency boards to make their records available to the public in this fashion and Essex County has approximately seven legislative committees and approximately thirty four outside standing committees that this may affect in addition to the regularly board meeting; and

WHEREAS, Essex County also consists of municipalities and agencies that do not have websites, causing them to make paper copies available and causing additional expenses for those agencies; and

WHEREAS, Essex County is in full and complete support of open government and access to all records to the public however objects to the substance of this legislation as

it will be expensive, time consuming, cumbersome, impractical and difficult to implement.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby opposes Assembly Bill A.9911 and Senate Bill No. S.6849 as it would be a significant burden on staff and resources to comply with this requirement; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be sent to Senator Betty O'C. Little, Assemblywoman Teresa R. Sayward and Assemblywoman Janet Duprey, the New York State Association of Counties, Inter-County Association of New York, and any others deemed necessary.

This resolution was seconded by Supervisor Connell, and adopted with Supervisors Boisen, Kosmider, Montgomery-Corey and Scozzafava being opposed.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ELIZABETH "LIZ" BRYANT**

The following resolution was offered by Supervisor Scozzafava, 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, Elizabeth "Liz" Bryant of Port Henry, New York passed away on May 12, 2010; and

WHEREAS, Elizabeth "Liz" Bryant was born in Westport, New York on August 8, 1925, the eldest child of John A. and Frances Marvel (Ferrell) Ryan; and

WHEREAS, Elizabeth "Liz" Bryant graduated from Westport Central School as Salutatorian of the class of 1943; graduated from Manhattanville College in New York City with a Bachelor of Arts degree in 1947 and taught fourth grade at St. Patrick's School in Port Henry; and

WHEREAS, Elizabeth "Liz" Bryant married William J. Bryant on May 15, 1948, and ran the Bryant family business for many years which sold everything from coal to insurance; and

WHEREAS, Elizabeth "Liz" Bryant enjoyed traveling, spending summers at the family camp and looked forward to the family reunion every Memorial Day; and

WHEREAS, Elizabeth "Liz" Bryant attended St. Patrick's Church and served for many years as a Eucharistic minister and taught in the religious education program at St. Patrick's for many years; and

WHEREAS, Elizabeth "Liz" Bryant is survived by her husband of 62 years, William J. Bryant; son Bill and his wife Nicky, son John and his wife Karen and their children, Leah, Tarah and Ben Johnston; daughter, Cathy Leveille and her husband Bob; and daughter Margaret "Peggy" McCue; three grandchildren, Elizabeth Leveille, Brendan and Sarah McCue; her brothers, Jack Ryan and Jim Ryan; brother-in-law and sister-in-law, Charlie and Colleen Bryant; and

WHEREAS, Elizabeth "Liz" Bryant is the mother-in-law of Nicole Bryant, Director of Essex County Mental Health Department; and

WHEREAS, Elizabeth "Liz" Bryant is the mother-in-law of Bob Leveille of Essex

County Department of Public Works; and

WHEREAS, Elizabeth “Liz” Bryant was a loving daughter, wife, mother, grandmother, sister and friend who will be sorely missed but never forgotten.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest and most sincere sympathy and condolences to the family of Elizabeth “Liz” Bryant ; 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 Bryant family.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
ROBERT WICKER DEDRICK**

The following resolution was offered by Supervisor Malaney, 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, Robert Wicker Dedrick of Ticonderoga, New York passed away on May 10, 2010; and

WHEREAS, Robert Wicker Dedrick was born in Putnam Station, New York on December 30, 1925, the son of Clarence and Alice (Ottenburg) Dedrick; and

WHEREAS, Robert Wicker Dedrick was a resident of Ticonderoga for most of his life; employed by International Paper Company; a member of IP's Quarter Centry Club; and acting President of the E.M.B.A. and was instrumental in the construction of its existing building; and

WHEREAS, Robert Wicker Dedrick was self-employed in the restaurant and bar business as owner and operator of "Bob's T.V. Bar" and "Robert's Restaurant" located in Ticonderoga; and

WHEREAS, Robert Wicker Dedrick was a distinguished public servant having conscientiously, selflessly and with the highest degree of integrity served the Ticonderoga community as Village Trustee, Town Supervisor, member of the Essex County Board of Supervisors, Police Commissioner, Ticonderoga School Board of Education and, most recently, as an Emergency Services Committeeman; and

WHEREAS, Robert Wicker Dedrick was a lifelong member of the United Presbyterian Church of Putnam Station and served as a Deacon; lifelong member of the Benevolent & Protective Oder of Elks #1494 of Ticonderoga; and served as Chairman of the District Chapter of the March of Dimes for many years; and

WHEREAS, Robert Wicker Dedrick ,as a young man was an outstanding, natural athlete well-known and recognized throughout the area; and

WHEREAS, Robert Wicker Dedrick promoted Ticonderoga Little League as President and Coach; served as a Little League and High School Umpire and later became President of the local Umpire's Association; and enjoyed attending Ticonderoga High School and other local athletic events; and

WHEREAS, Robert Wicker Dedrick was predeceased by his first wife, Anita Bevilacqua Dedrick; and

WHEREAS, Robert Wicker Dedrick is survived by his wife Elizabeth Ann (Vanderhoof) Dedrick; two sons, Robert C. Dedrick and his wife, Annette; and Thomas C. Dedrick and his wife, Ruthie; two daughters, Judith McLaughlin and Darlene Treadway and her husband, Harry; two step-daughters, Kimberly Taylor and her husband, Wayne, Sr.; and Nancy Quesnell and her husband, Dale, Jr.; one brother, Donald Dedrick and his wife, Doris; two sisters, Joyce Martin Barker and Norma Alice Carrier; several grandchildren, great-grandchildren, nieces and nephews; and

WHEREAS, Robert Wicker Dedrick is the father of former Supervisor and member of the Essex County Board of Supervisors, Robert C. Dedrick; and

WHEREAS, Robert Wicker Dedrick was a loving son, husband, father, grandfather, brother, uncle and friend who will be sorely missed but never forgotten.

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

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONGRATULATIONS TO
EMMA NYE
OF KEENE CENTRAL SCHOOL FOR BEING NAMED TO 2008-
2009 NEW YORK STATE SPORTS WRITERS ASSOCIATION ALL-
STATE TEAM FOR GIRLS BASKETBALL**

The following resolution was offered by Supervisor Ferebee, 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, Emma Nye, a junior guard on the Keene Central School varsity girls basketball team has been named to the 2008-2009 New York State Sports Writers Association All-State team for girls basketball; and

WHEREAS, Emma Nye has been the only member of the Keene Central School varsity girls basketball team to be ranked 7th on the New York State All-State Team in Keene Central's long and illustrious history; and

WHEREAS, during the 2008-2009 season, Emma Nye averaged 19.8 points per game leading the North County Section VII in scoring with 138 field goals and 68 free throws for a total of 377 points and finished the season with 34 three-point baskets; and

WHEREAS, Emma Nye was also chosen for the All-State basketball team for 2009-2010 varsity season and the All-State soccer team for the 2009 season.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate Emma Nye of Keene Central School upon being chosen to the 2008-2009 New York State Sports Writers Association All-State Girls Basketball Team and for her further impressive accomplishments during the 2009-2010 varsity basketball season; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney further congratulate Emma Nye upon her being chosen for the All-State Basketball Team for the 2009-2010 season and the New York State All-State Soccer Team for the 2009 season.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby appreciates the hard work, dedication and sportsmanship of Emma Nye in all of her athletic endeavors.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING A CONTRACT AMENDMENT WITH
APCO FOR RADIO FREQUENCY COORDINATION AND RE-
COORDINATION AT A PRICE OF \$210/UNIT AND ADDITIONAL
SERVICE FEES AT \$100/UNIT**

The following resolution was offered by Supervisor Preston, 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 the County Manager or Chairman to execute a contract amendment with APCO bearing Contract No. MISC-07-0046, for with additional radio frequency coordination and re-coordination, at a price of \$210.00 per unit for frequency coordination and \$100.00 per unit for additional service fees, upon the approval of the County Attorney.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AMENDING THE CONTRACT WITH NORTH WOODS
ENGINEERING TO COVER CHANGES TO THE ORIGINAL CONTRACT
AS WELL AS FOR ADDITIONAL STRUCTURAL
AND SOIL ANALYSIS OF THE TERRY MOUNTAIN TOWER SITE
FOR A TOTAL COST OF \$31,000.00**

The following resolution was offered by Supervisor Preston, 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 the County Manager or Chairman to execute a contract amendment with North Woods Engineering to cover changes to certain tower sites at an additional cost of \$6,000.00 over and above the existing contract and an additional cost of \$25,000.00 over and above the original contract for structural and soil analysis of Terry Mountain for a total additional contract price of \$31,000.00, upon such terms and conditions as approved by the County Attorney; and

BE IT FURTHER RESOLVED, that funds shall come from the current Radio Project Bond monies.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING COUNTY MANAGER AND/OR COUNTY
CHAIRMAN TO SIGN A CONTRACT WITH THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION RELATIVE TO THE USE OF
THE BRIDGE THAT SPANS NORTH MEADOW BROOK IN THE TOWN
OF NORTH ELBA, ESSEX COUNTY, NEW YORK**

The following resolution was offered by Supervisor Politi, 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 the County Manager or Chairman to execute a contract with the New York State Department of Transportation relative to the use of the bridge that spans North Meadow Brook in the Town of North Elba, Essex County, New York upon approval of the County Attorney.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION OF CONGRATULATIONS TO THE MORIAH
CENTRAL SCHOOL BOYS VARSITY BASEBALL TEAM UPON
WINNING THE 2010 SECTION VII CLASS D BASEBALL
CHAMPIONSHIP**

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, the Board of Supervisors is pleased to learn that the Moriah Central School Boys Varsity Baseball Team has won the 2010 Section VII Class D baseball championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Moriah Central School Boys Varsity Baseball Team, their coach and his assistants and staff, for their outstanding accomplishments, including, but not limited to, winning the 2010 Section VII Class D Baseball Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION PROCLAIMING APPRECIATION TO HON.
VALERIE BROWN, PRESIDENT OF THE NATIONAL
ASSOCIATION OF COUNTIES AND EXTENDING A WARM
WELCOME TO ESSEX COUNTY**

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

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

WHEREAS, counties in New York are fortunate to have organizations such as the New York State Association of Counties (NYSAC) and the National Association of Counties (NACo) to represent the needs and concerns of local government officials who serve the interests of local taxpayers; and

WHEREAS, the National Association of Counties (NACo) is the only national organization that represents county governments in the United States; and

WHEREAS, founded in 1935, NACo provides essential services to the nation's 3,066 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money; and

WHEREAS, Essex County has been and continues to be a member in good standing of the NACo; and

WHEREAS, Essex County has recently benefitted from the advocacy efforts of NACo to secure federal Medicaid funding (FMAP) for New York Counties; and

WHEREAS, the Hon. Valerie Brown, Supervisor, Sonoma County, California and President of the National Association of Counties (NACo) will visit Essex County, New York, in early June as part of a NYSAC meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors hereby expresses their appreciation for the leadership provided by the Hon. Valerie Brown as President of the National Association of Counties; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby welcomes and extends the courtesies of the Board to the President of the National Association of Counties, the Honorable Valerie Brown of Sonoma County, California, upon her visit to Essex County, New York.

This resolution was unanimously seconded and adopted.

WITHDRAWN
Resolution No. 189

June 7, 2010
Regular Meeting

**RESOLUTION APPOINTING A DEMOCRATIC ELECTION
COMMISSIONER**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby appoints Robert Pell deChame to fill the unexpired term of David Mace as Democratic Election Commissioner effective July 3, 2010 through December 31, 2010.

This resolution was seconded by Supervisor Montgomery-Corey, and thereafter **withdrawn**.

**RESOLUTION AMENDING THE APPENDICES OF
THE ESSEX COUNTY CIVIL SERVICE RULES**

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, the Essex County Personnel Officer deems it necessary to make certain changes to the Appendices of the Essex County Civil Service Rules; and

WHEREAS, the Essex County Personnel Officer has duly advertised and has on Tuesday, June 1, 2010, held a public hearing on the matter.

NOW THEREFORE, BE IT RESOLVED, that subject to the approval of the New York State Civil Service Commission, the following changes be made to the Appendices of the Essex County Civil Service Rules:

APPENDIX A

NON-COMPETITIVE CLASS

ADD: Public Health Director

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

**RESOLUTION OF CONGRATULATIONS TO THE CROWN POINT
HIGH SCHOOL GIRLS VARSITY SOFTBALL TEAM UPON
WINNING THE 2010 SECTION VII CLASS D
SOFTBALL CHAMPIONSHIP**

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

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

WHEREAS, the Board of Supervisors is pleased to learn that the Crown Point High School Girls Varsity Softball Team has won the 2010 Section VII Class D Softball Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Crown Point High School Girls Varsity Softball Team, their coach, assistants and staff, for their outstanding accomplishments, including, but not limited to, winning the 2010 Section VII Class D Softball Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING PAYMENT TO McNAMEE, LOCHNER,
TITUS & WILLIAMS, P.C. IN THE AMOUNT OF \$1,775.57 FOR FINAL
LEGAL FEES REGARDING MCCRAY V. O'NEILL TO BE
TRANSFERRED FROM THE CONTINGENCY ACCOUNT INTO THE
COUNTY ATTORNEY'S LEGAL FEES ACCOUNT**

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 payment to McNamee, Lochner, Titus & Williams, P.C. relative to legal representation in the matter of McCray v. Essex County and McCray v. the Town of Moriah in an additional amount of \$1,775.57, with said monies to come from the contingency account (account #19904-5487) into County Attorney legal fees account (account #14204-5433).

BE IT FURTHER RESOLVED, that this amount authorized is above and beyond the original \$2,500 authorized in Resolution 386 of November 2, 2009.

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

AYES: 2,311 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)
ABSTAIN: 351 votes (Scozzafava)

BUDGET IMPACT STATEMENT:	
Contingent Account Balance as of 5/3/10 :	\$342,344.43
Reduction Impact of this resolution:	\$ 1,775.57
FY2010 Contingent Account Balance:	\$340,568.86

**RESOLUTION AUTHORIZING CHANGES TO THE ESSEX COUNTY
CAREMARK SELF INSURED DRUG PLAN TO ALLOW DRUG
COVERAGE FOR CHILDREN AND DEPENDENTS AGES 19 THROUGH
26 FOR ALL MANAGEMENT CONFIDENTIAL EMPLOYEES TO
COMPLY WITH THE REQUIRED CHANGES MANDATED BY THE
PATIENT PROTECTION AND AFFORDABLE CARE ACT 2010, THE
HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010
AND ADDITIONAL HEALTH CARE REFORM LEGISLATION RULES
AND REGULATIONS ENACTED BY THE FEDERAL GOVERNMENT**

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.

WHEREAS, the Patient Protection and Affordable Care Act of 2010, the Health Care and Education Reconciliation Act of 2010 and associated legislation rules and regulations were enacted in April mandating health care coverage for all Americans pursuant to the provisions thereof; and

WHEREAS, this newly enacted legislation provides for drug and insurance coverage for children and dependents ages 19 through 26 for eligible employees; and

WHEREAS, at this time coverage shall be limited to Management Confidential Employees due to the refusal and/or unwillingness of CSEA to agree to reopen health insurance coverage pursuant to Article 36 of the Collective Bargaining Agreement which reads as follows:

A. The parties hereby agree to a reopener regarding health insurance coverage in the event a National Health Insurance Plan is enacted by the Federal Government.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes changes to the Essex County CareMark Self Insured Drug Plan to allow drug coverage for children and dependents ages 19 through 26 for all Management Confidential Employees to comply with the required changes mandated by the Patient Protection and Affordable Care Act 2010, the Health Care and Education Reconciliation Act of 2010 and additional health care reform legislation rules and regulations enacted by the Federal Government, such coverage for children and dependents ages 19 through 26 for the Management Confidential Group shall be effective July 1, 2010, or as soon as administratively possible.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

RESOLUTION AUTHORIZING THE ENTRY INTO A MEMORANDUM OF UNDERSTANDING WITH CSEA RELATIVE TO THE PAYMENT OF A PRORATED AMOUNT OF AN EMPLOYEE'S CLOTHING ALLOWANCE IN THE EVENT THE EMPLOYEE LEAVES OFFICE PRIOR TO THE END OF THE YEAR

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to enter into an MOU with CSEA relative to the payment by an employee who leaves service of the County prior to the end of the year of a prorated amount of the clothing allowance previously given.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION AUTHORIZING A CONTRACT WITH FAZZI
ASSOCIATES FOR OASIS TRAINING AND ASSESSMENT PROGRAM
IN HOME HEALTH CARE IN PUBLIC HEALTH DEPARTMENT
AT A COST OF \$3,050.00 FOR THE CONTRACT TERM, TO BE PAID
FROM BUDGETED FUNDS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Manager or Chairman to execute a contract with Fazzi Associates to provide OASIS C Training and Assessment Program to staff in Home Health Care, at a cost of \$3,050.00 for the term of the contract, which monies to come from budgeted funds and upon the approval of the County Attorney.

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION OF CONGRATULATIONS TO THE TICONDEROGA
VARSITY BOYS BASKETBALL TEAM UPON WINNING THE 2010
SECTION VII, CLASS C CHAMPIONSHIP**

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

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

WHEREAS, the Board of Supervisors is pleased to learn that the Ticonderoga Varsity Boys Basketball Team has won the 2010 Section VII Class C Basketball Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Ticonderoga Varsity Boys Basketball Team, their coach, assistants and staff, for their outstanding accomplishments, including, but not limited to, winning the 2010 Section VII Class C Basketball Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 197

June 7, 2010
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO THE TICONDEROGA
VARSITY GIRLS SOFTBALL TEAM UPON WINNING THE 2010
SECTION VII, CLASS C CHAMPIONSHIP**

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

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

WHEREAS, the Board of Supervisors is pleased to learn that the Ticonderoga Varsity Girls Softball Team has won the 2010 Section VII Class C Softball Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Ticonderoga Varsity Girls Softball Basketball Team, their coach, assistants and staff, for their outstanding accomplishments, including, but not limited to, winning the 2010 Section VII Class C Softball Championship.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING PAYMENT TO GIRVIN & FERLAZZO,
P.C. IN AN ADDITIONAL AMOUNT OF \$3,256.50 FOR LEGAL
SERVICES RELATIVE TO DELAYED CLAIMS AGAINST THE COUNTY
WITH RESPECT TO THE CONSTRUCTION OF THE ESSEX COUNTY
JAIL/PUBLIC SAFETY BUILDING**

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, pursuant to Resolution 404 of December, 2008, the County of Essex appropriated the sum of \$7,500.00 for the purposes of defending delayed claims with respect to the Essex County Jail/Public Safety Building and for the hiring of outside counsel; and

WHEREAS, the said sum of \$7,500.00 has been totally expended and there are new bills which total the sum of \$3,256.50.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the payment to Girvin & Ferlazzo, P.C. in the sum of \$468.00 relative to Tougher Industries delayed claims and in the sum of \$2,788.50 relative to O'Connell Electric delayed claims in the total amount of \$3,256.50, which monies are come from the fees and services account (Project No. 98-3a, Budget Unit H31504, Account #5440).

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

AYES: 2,662 votes
NOES: 0 votes
ABSENT: 181 votes (Canon, Moses)

Resolution No. 199

June 7, 2010
Regular Board Meeting

**RESOLUTION PURSUANT TO RPTL §1182, TO REMOVE THE
NAME OF ALAN G. SAWYER, JR. FROM THE ESSEX COUNTY
FORECLOSURE LIST AND TO WAIVE OUTSTANDING INTEREST
AND PENALTIES**

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, pursuant to RPTL §1182 hereby agrees to remove the name of Alan G. Sawyer, Jr. from the Essex County Foreclosure List and waives outstanding interest and penalty fees with respect to an admitted tax of 2005 levied on the 2006 tax bill in the base amount of \$264.13 together with any additional interest.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE TRANSFER OF \$10,000.00 FROM
CONTINGENCY ACCOUNT INTO THE COUNTY ATTORNEY'S LEGAL
FEES ACCOUNT TO PROVIDE FOR THE PAYMENT OF LEGAL FEES
FOR THE BALANCE OF THE YEAR 2010**

The following resolution was offered by Supervisors Morency and 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 the transfer of the sum of \$10,000.00 to provide for the payment of legal fees for the balance of the year 2010, with said monies to come from the contingency account (account #19904-5487) into County Attorney legal fees account (account #14204-5433).

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

AYES: **2,662 votes**
NOES: **0 votes**
ABSENT: **181 votes (Canon, Moses)**

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 5/3/10 :</i>	\$340,568.86
<i>Reduction Impact of this resolution:</i>	\$ 10,000.00
<i>FY2010 Contingent Account Balance:</i>	\$330,568.86

**Resolution No. 201
DEFEATED**

**June 7, 2010
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE COUNTY MANAGER AND/OR
CHAIRMAN TO ENTER INTO A COOPERATIVE AGREEMENT
WITH THE ESSEX COUNTY DEPARTMENT OF SOCIAL
SERVICES RELATIVE TO THE PROVISION OF LEGAL
SERVICES TO PERSONS SEEKING CHILD SUPPORT
MODIFICATIONS, PETITIONS, DEFENSE AND
PATERNITY ACTIONS PURSUANT TO
SOCIAL SERVICES LAW SECTION 111-G**

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 the County Manager and/or Chairman to enter into a cooperative agreement with the Essex County Department of Social Services relative to the provision of legal services to persons seeking child support modifications, petitions, defense and paternity actions pursuant to Social Services Law §111-g.

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

AYES: 322 votes (Morrow, Merrihew, Dobie)
NOES: 2,340 votes
ABSENT: 181 votes (Canon, Moses)

**RESOLUTION OF APPRECIATION TO
LORI E. LINCOLN
FOR HER CONTRIBUTION AND DEDICATION TO THE
PEOPLE OF ESSEX COUNTY AND
THE TOWN OF WILLSBORO**

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

WHEREAS, effective government depends upon those individuals who dedicate their time and talent to public service; and

WHEREAS, Lori Lincoln possesses the rare characteristics of leadership and commitment to the public good, and has demonstrated an extraordinary devotion of time and energy to the conduct of responsible government; and

WHEREAS, Lori Lincoln has represented the Town of Willsboro and Essex County admirably and with the highest degree of character contributing to the overall betterment of these communities through her public service as Supervisor of the Town of Willsboro and as a member of the Essex County Board of Supervisors; and

WHEREAS, Lori Lincoln is respected by her colleagues and peers and regarded with high esteem as a person of honor, dedication, ability and humility; and

WHEREAS, this Board is pleased and proud to have worked and served alongside Lori Lincoln and acknowledges and appreciates her insight and all of her hard work as a member of the Essex County Board of Supervisors; and

WHEREAS, the members of the Essex County Board of Supervisors would like to extend their deep appreciation to Lori Lincoln for her contributions and accomplishments by serving as Supervisor of the Town of Willsboro and as a member of the Essex County Board of Supervisors.

BE IT RESOLVED, that the Essex County Board of Supervisors, Clerk of the Board, County Manager and County Attorney hereby wish to extend their deep appreciation to their friend, Lori Lincoln, for her outstanding, dedicated and exemplary public service to the people of Willsboro and Essex County during her tenure as Supervisor of the Town of Willsboro and as a member of the Essex County Board of Supervisors.

BE IT FURTHER RESOLVED, that the members of this Board extend their best wishes to Lori Lincoln for continued success and best wishes in her future endeavors.

This resolution was unanimously seconded and adopted.