

**RESOLUTION AUTHORIZING THE REIMBURSEMENT OF
\$236.18 TO SABRINA WESTOVER OF HORACE NYE
HOME FOR TRAVEL EXPENSES**

The following resolution was offered by Supervisor Boisen, 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 reimbursement of \$236.18 for travel expenses to Sabrina Westover of Horace Nye Home for a training session.

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

AYES: 2691 votes
NOES: 0 votes
ABSENT: 152 votes (Canon, Dobie, Preston)

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Blades, 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 2011 Essex County Budget as follows:

From Human Services Committee:

1. For the Department of Social Services, to increase revenues and appropriations by \$4,522.00, HEAP grant received as follows:

REVENUES

Account Number	Account Name	Amount
6010 44641135	Federal Aid - HEAP Adm	\$4,522.00

APPROPRIATIONS

Account Number	Account Name	Amount
60101.5110	Salaries - regular	\$4,188.00
60108.5820	Social Security	321.00
60108.5840	Disability	13.00
		<u>\$4,522.00</u>

From Public Safety Committee:

1. For the Sheriff's Department, to increase revenues and appropriations by \$1,000.00, insurance recovery as follows:

REVENUES

Account Number	Account Name	Amount
42680	Insurance Recoveries	\$1,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31502.5230	Auto Equipment	\$1,000.00

2. For the Sheriff's Department, to increase revenues and appropriations by \$802.99 - from inmate disciplinary hearing surcharges as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42770	Unclassified Revenue	\$802.99

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31504.5424	Postage	\$124.35
31504.5412	Building Repairs	249.50
31504.5487	Misc.	<u>429.14</u>
		\$802.99

3. For the Sheriff's Department, to increase revenues and appropriations by \$203.25, from quarterly food service rebate from Premier Purchasing Partners as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42701	Rebate	\$203.25

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31504.5452	Other Supplies - food	\$203.25

4. For the District Attorney, to increase revenues and appropriations by \$14,438.00, receipt of funds from the sale of illegal knives as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
1165 4128970	Sale of knives	\$14,438.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
116504.5110	Regular Wages	\$14,438.00

From the Personnel Committee:

1. For the Public Health Department, to increase revenues and appropriations by \$175,000.00 - Community Health Grant, and to establish a budget for such grant as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4199 4340191	Community Health Grant / Creating Healthy Places Grant	\$175,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41991.5110	Wages	\$37,275.00
41994.5400CS	Misc Fees - CS	80,100.00
41994.5443	Travel Reimbursement	111.00
41994.5400INV	Misc Fees - Inventory	37,315.00
41998.5850	Health Insurance	<u>20,199.00</u>
		\$175,000.00

BE IT FURTHER RESOLVED, that the above mentioned Community Health Grant is rescinded from Resolution No. 418 of December 27, 2010, as it should have been for 2011 budget and not 2010 budget.

From the Finance Committee:

1. For the Public Health Department, to increase revenues and appropriations by \$25,000.00 - increase of H1N1 grant for Bio-terrorism Emergency Preparedness as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4197.4460169	H1N1 grant	\$25,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
41971.5110	Wages	\$2,250.00
40108.5850	Health Insurance	1,220.00
41974.5410	Office Supplies	5,309.00
41974.5443	Travel Reimbursement	2,500.00
41974.5410INV	Inventory	12,171.00
41974.5487	Misc.	<u>1,550.00</u>
		\$25,000.00

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

REVENUES

Account Number	Account Name	Amount
4196-444891	MRC Grant	\$5,000.00

APPROPRIATIONS

Account Number	Account Name	Amount
41964.5443	Travel Reimbursement	\$1,820.00
41964.5410	Office Supplies	200.00
41964.5424	Postage	43.00
41964.5436	Advertising	1,000.00
41964.5451	Training/Schools	1,837.00
		<u>\$5,000.00</u>

From Ways and Means Committee:

1. From the Treasurer's Office, increase revenues and appropriations by \$314,831.00 - special revenue fire and ambulance plan as follows:

REVENUES

Account Number	Account Name	Amount
1932.42222	Participants Assessments	\$314,831.00

APPROPRIATIONS

Account Number	Account Name	Amount
19324.5400PS	Professional Services	\$300,000.00
19324.5487	Misc. Expenses	14,831.00
		<u>\$314,831.00</u>

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

AYES: 2691 votes
NOES: 0 votes
ABSENT: 152 votes (Canon, Dobie, Preston)

**RESOLUTION OF CONDOLENCES TO THE FAMILY OF
RAMONA E. THWAITS**

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

Upon the approval and 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, Ramona E. Thwaits of New Port Richey, Florida and formerly of Jay, New York passed away on January 4, 2011; and

WHEREAS, Ramona E. Thwaits was born on September 20, 1937, the daughter of Raymond and Naomi (Hall) Williams; and

WHEREAS, Ramona E. Thwaits graduated from AuSable Valley High School worked at AuSable Acres in Jay, Essex County Office for the Aging, Mountain Lakes Services in Jay and served as Justice for the Town of Jay; and

WHEREAS, Ramona E. Thwaits was a member of the New York State Magistrates Association and Jay Volunteer Fire Department Ladies Auxiliary; and

WHEREAS, Ramona E. Thwaits was a devoted and loving wife and mother who took great pride in her family; and

WHEREAS, Ramona E. Thwaits is survived by her four children, Reginald Thwaits, Jr. and his companion, Kelly; Randy Thwaits and his wife, Gaby; Renita Lincoln and her husband, Bryan and Renee Baer and her husband, Robbe; and

WHEREAS, Ramona E. Thwaits was the beloved mother of Renee Baer a longtime employee for the Essex County Department of Social Services; and

WHEREAS, Ramona E. Thwaits was a loyal and devoted wife, mother, daughter, sister, grandmother, aunt, 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 Ramona E. Thwaits ; 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 Thwaits family.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING WELLS COMMUNICATION TO
DO A COMPLETE INVENTORY ON THE BELFRY MOUNTAIN
TOWER**

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

Upon the approval and 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 Wells Communications to do an inventory on the Belfry Mountain tower at a cost not to exceed \$2,000.00; and

BE IT FURTHER RESOLVED, that this Board authorizes the County Manager or Chairman to execute a contract with Wells Communications for the same upon the approval of the County Attorney.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION OF APPRECIATION TO
KEVIN CARSON
UPON HIS RETIREMENT FROM ESSEX COUNTY SHERIFF
DEPARTMENT**

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

Upon the approval and 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, Kevin Carson began employment with the Essex County Sheriff Department on December 19, 1980, as Deputy Sheriff Jailer and Civil Officer in June 1986; and

WHEREAS, Kevin Carson has dedicated his time, attention, knowledge and talent to the County of Essex and its residents; and

WHEREAS, Kevin Carson has graciously, competently and with professionalism performed his duties; and

WHEREAS, the Essex County Board of Supervisors wishes to extend its deep and abiding appreciation to Kevin Carson for his outstanding public service to the people of Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby extend their most heartfelt appreciation to Kevin Carson for his dedication and service to Essex County and upon his retirement as Civil Officer and wishes him continued success and best wishes in his future endeavors.

This resolution was unanimously seconded and duly adopted.

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT ON BEHALF OF ESSEX COUNTY WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR THE 2011 COMPREHENSIVE PLAN FOR YOUTH SERVICES TO INCLUDE YOUTH RECREATION PROGRAMS, YOUTH SERVICE PROGRAMS, YOUTH INITIATIVE PROGRAMS, AND SPECIAL DELINQUENCY PREVENTION PROGRAMS AS PROVIDED FOR IN THE 2011 ESSEX COUNTY BUDGET

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

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

BE IT RESOLVED that the Chairman of this Board is hereby authorized to enter into an agreement on behalf of Essex County with the New York State Office of Children and Family Services for the 2011 Comprehensive Plan for Youth Services to include Youth Recreation Programs, Youth Service Programs, Youth Initiatives Programs, and Special Delinquency Prevention Programs as provided for in the 2011 Essex County Budget, and that he/she be further authorized to contract with the various municipalities and other contract agencies for programs as hereafter listed:

ADMINISTRATION - STATE AID	\$	32,225.00
ADMINISTRATION - LOCAL MATCH		32,225.00
RECREATION - STATE AID	\$	14,457.00
RECREATION - LOCAL MATCH		14,457.00
YOUTH SERVICES - STATE AID	\$	13,008.00
YOUTH SERVICES - LOCAL MATCH		13,008.00
YOUTH INITIATIVES - STATE AID	\$	5,176.00
YOUTH INITIATIVES - LOCAL MATCH		5,176.00
SPECIAL DELINQUENCY PREVENTION PROGRAMS	\$	13,647.00
TYPE "A" STATE AID		10,105.00
TYPE "B" STATE AID		3,542.00

Section One: State Aid Reimbursable Amounts for Municipally Funded Recreation Programs (No County Advances Involved)

(Total = \$13,738.00)

1. Town of Chesterfield.....	\$ 719.00
2. Town of Crown Point.....	719.00
3. Town of Elizabethtown.....	719.00
4. Town of Essex.....	719.00
5. Town of Jay	719.00
6. Town of Keene.....	719.00
7. Town of Lewis.....	719.00
8. Town of Minerva.....	719.00
9. Town of Moriah.....	919.00
10. Village of Port Henry.....	196.00
11. Town of Newcomb.....	719.00
12. Town of North Elba.....	919.00
13. Town of North Hudson.....	719.00
14. Town of St. Armand.....	719.00
15. Town of Schroon.....	719.00
16. Town of Ticonderoga.....	919.00
17. Town of Westport.....	719.00
18. Town of Willsboro.....	719.00
19. Town of Wilmington.....	719.00

Section Two: State Aid Reimbursable Amounts for Municipally Funded Recreation Programs

(Total = \$ 719.00)

1. Village of Saranac Lake, Sponsored by the Essex County Youth Bureau.....	\$ 719.00
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BE IT FURTHER RESOLVED, that the sum of \$ 14,457.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organization.

Section Three: State Aid Reimbursable Amounts for Municipally Funded Youth Service Programs

(Total = \$ 5,331.00)

1. Town of Crown Point.....	\$ 414.00
2. Town of Elizabethtown.....	989.00

3. Ticonderoga Youth Center.....	1,928.00
4. Westport.....	400.00
4. Paine Memorial Library.....	400.00
5. Wilmington Youth Center.....	400.00
6. Finding Magic Keys.....	400.00
7. Schroon Lake Library Prog.....	400.00

Section Four: State Aid Reimbursable Amounts for County Contracted Youth Services Programs

(Total = \$ 7,677.00)

1. Schroon Lake Enrichment Programs, Sponsored by the Schroon Lake Central School	837.00
2. Arts Trek, Sponsored by the Ticonderoga Festival Guild, Inc.	1,682.00
3. Etown Counselors in Training Program, Noel Merrihew.....	1,608.00
4. 4-H Advantage After School..... Cornell Cooperative Extension	1,228.00
5. Holidays Are For Sharing, Sponsored by Committee for Economic Improvement.....	746.00
6. Families First, Sponsored by Families First of Essex County.....	739.00
7. Essex County Youth Employment Program Essex County Youth Bureau.....	837.00

BE IT FURTHER RESOLVED, that the sum of \$ 13,008.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organizations.

Section Five: State Aid Reimbursable Amounts for County Contracted Youth Initiatives Programs

(Total = \$ 5,176.00)

1. Youth Conservation Corps - YCC, Sponsored by
The Town of St. Armand..... \$ 1,400.00
2. Youth Conservation Corps - YCC, Sponsored by
the Town of Moriah..... 1,400.00
3. Small Group Support - Substance Abuse TEAM,
Doug Terbeek..... 860.00
4. Thomas Shipman Sr. Youth Center,
Sponsored by The Town of North Elba..... 1,230.00
5. Positive Consequences for Positive Choices,
Sponsored by Substance Abuse Team..... 286.00

BE IT FURTHER RESOLVED, that the sum of \$5,176.00 be recovered from the New York State Office of Children and Family Services on a dollar-for-dollar basis by the above organizations.

Section Six: State Aid Reimbursable Amounts for County Contracted Special Delinquency Prevention Programs - Type "A" Monies

(Total = \$10,105.00)

1. Moriah Summer Success Program, Sponsored by
Moriah Central School 4,990.00
2. Moriah Youth Conservation Corps, Sponsored by
the Town of Moriah 3,854.00
3. Adirondack Experience Program, Sponsored by
St. Francis Academy (no County monies involved) 1,261.00

Section Seven: State Aid Reimbursable Amounts for County Contracted Special Delinquency Prevention Programs - Type "B" Monies

(Total = \$3,542.00)

1. Adirondack Experience Program, Sponsored by
St. Francis Academy (no County monies involved) 3,542.00

BE IT FURTHER RESOLVED that the sum of \$13,647.00 be received from the New York State Office of Children and Family Services at 100% reimbursement by the above organizations.

BE IT FURTHER RESOLVED that the Chairman of this Board of Supervisors be and he hereby is authorized to enter into an agreement for the sixteenth year of the Comprehensive Youth Services Plan, above described, with the New York State Office of Children and Family Services, on behalf of Essex County, which specifies Recreation, Youth Services, Youth Initiatives, and Special Delinquency Prevention Programs eligibility allocations to municipalities, community organizations, and the Essex County Youth Bureau and which will qualify the County for state reimbursement for Youth Programs in accordance with the level of funding provided for counties engaged in Comprehensive Planning for Youth Services.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

Resolution No. 20

**February 4, 2011
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF CRISTINA
LUSSI, MIKE MCGLYNN AND HEIDI HOLDERIED TO THE ESSEX
COUNTY OCCUPANCY TAX ADVISORY BOARD FOR A TWO YEAR
TERM BEGINNING JANUARY 1, 2011 AND
ENDING DECEMBER 31, 2012**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appoints the following people to the Essex County Occupancy Tax Advisory Board for a two year term beginning January 1, 2011 and ending December 31, 2012:

Cristina Lussi
Mike McGlynn
Heidi Holderied

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

Resolution No. 21

**February 4, 2011
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE APPOINTMENT OF JOHN
LETOURNEAU TO THE ESSEX COUNTY OCCUPANCY TAX
ADVISORY BOARD FOR A ONE YEAR TERM BEGINNING
JANUARY 1, 2011 AND
ENDING DECEMBER 31, 2011**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appoints John Letourneau to the Essex County Occupancy Tax Advisory Board for a one year term beginning January 1, 2011 and ending December 31, 2011.

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

Resolution No. 22

**February 4, 2011
Regular Board Meeting**

**RESOLUTION SCHEDULING A PUBLIC HEARING ON THE THREE
FARMS PROPOSED TO BE ADDED TO
THE AGRICULTURAL DISTRICT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby schedules a Public Hearing on the three farms proposed to be added to the Agricultural District which public hearing shall be held on March 14, 2011 at 11:00 a.m..

This resolution was seconded by Supervisors Moses and Merrihew, and duly adopted.

**RESOLUTION AUTHORIZING THE APPOINTMENT OF MEMBERS TO
THE FARMLAND PROTECTION BOARD FOR A TERM BEGINNING
JANUARY 1, 2011 AND ENDING DECEMBER 31, 2011**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appoints the following new members to the Farmland Protection Board for a term beginning January 1, 2011 and ending December 31, 2011:

Sam Sherman
Sally Evens
Bernard Leerkes
George Sayward
Tony Corwin

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

Resolution No. 24

**February 4, 2011
Regular Board Meeting**

**RESOLUTION AUTHORIZING THE PAYMENT OF A 2010 HEALTH
INSURANCE BUY-OUT TO COLLEEN HICKOK, CNA, HORACE NYE
HOME**

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 payment of a 2010 health insurance buy-out to Colleen Hickok, CNA at Horace Nye Home.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

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

The following resolution was offered by Supervisors Connell and Morency, 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 currently has entered into contracts with Signal Risk Management relative to the Administration of the Volunteer Firefighter Benefit Loss/Volunteer Ambulance Worker Benefit Worker's Compensation Policy (MISC-10-0103); Administration of the Essex County Worker's Compensation Plan (MISC-11-0014) and Administration of the Essex County Fire and Ambulance Group Plan (MISC-11-0013); and

WHEREAS, the parties are desirous of amending the contracts and extending the term of each of these contracts from April 30, 2011 to December 31, 2011.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby amends contract MISC-10-0103, MISC-11-0014 and MISC-11-0013 by extending the terms thereof through December 31, 2011; and

BE IT FURTHER RESOLVED, that the terms and conditions of each of the contracts shall remain in full force and effect except as herein amended.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION AUTHORIZING A CONTINUING AGREEMENT
WITH THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION FOR SECTION 5311 OPERATING
ASSISTANCE FUNDS AND THE SUBMISSION OF THE
ANNUAL GRANT APPLICATION FOR THOSE FUNDS TO
PROGRESS AND COMPLETE THE PROJECT FOR THE 2010
AND 2011 FISCAL YEARS**

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

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

WHEREAS, Essex County has submitted a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for Public Transit and Transportation Coordination for the 2010-2011 fiscal years; and

WHEREAS, Essex County and the State of New York have entered into a continuing agreement which authorizes the undertaking of the Project and payment of the Federal Share.

BE IT RESOLVED, that the Chairman of the Board of Supervisors and/or its County Manager is hereby authorized to act on behalf of Essex County to sign the application and progress and complete the above project; and

BE IT FURTHER RESOLVED, that the Chairman of the Essex County Board of Supervisors and/or its County Manager are hereby authorized to act on behalf of Essex County to sign any contracts or agreements between Essex County and any Third Party Subcontractor necessary to complete this public transportation project, subject to approval of the County Attorney.

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

**RESOLUTION AUTHORIZING THE CORRECTION OF THE 2011
TOWN AND COUNTY TAX ROLLS ON ONE PARCEL IN THE
TOWN OF NEWCOMB**

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

Upon the recommendation of the Finance Committee, 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 that the 2011 Town and County Tax Rolls for the Town of Newcomb be corrected by changing the classification on Account No. 665J106602, Tax Map No. 110.18-3-12.000, assessed to Donna Draper, from non-homestead to homestead and adjusting the amount taxes due as a result of this clerical error and that the same be charged back to the appropriating taxing authorities.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION ACCEPTING, ADOPTING AND PLACING ON FILE
POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS**

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

Upon the recommendation of the various committees, 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 accepts and places on file the following annual reports:

From the Finance Committee:

1. The 2010 Real Property Tax Services Annual Report.

From the Ways and Means Committee:

2. The 2010 Annual Report of the Lake Placid Convention Bureau/Regional Office of Sustainable Tourism.

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

Resolution No. 29
WITHDRAWN

February 4, 2011
Regular Board Meeting

**RESOLUTION AUTHORIZING ESSEX COUNTY TO BOND OUT
EQUIPMENT, USING OPTION A AS PREPARED BY THE
COUNTY MANAGER, IN A TOTAL AMOUNT OF \$950,000, WITH
THE BEST WAY TO BOND TO BE DETERMINED**

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

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

BE IT RESOLVED, the Board of Supervisors hereby authorizes Essex County to bond out the purchase of equipment, using Option A, as prepared by the County Manager, in a total amount of \$950,000.00, with the best way to bond to be determined.

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

AYES:	2713	votes	
NOES:	0	votes	
ABSENT:	130	votes	(Canon, Preston)

**RESOLUTION AUTHORIZING A WORK CHANGE ORDER IN
THE AMOUNT OF \$478,689.00 FOR THE MOTOROLA
CONTRACT AS IT PERTAINS TO THE RADIO PROJECT**

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

Upon the recommendation of the Finance Committee, 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 and directs the Chairman of this Board or the County Manager to execute a work change order in the amount of \$478,689.00 to the Motorola Contract as it pertains to the Radio Project.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION AUTHORIZING A CONTRACT WITH
ROOST IN AMOUNT OF \$5,000.00 FOR THE
EMPIRE STATE GAMES**

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

Upon the recommendation of the Finance Committee, 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 Chairman of this Board or the County Manager to execute a contract in the amount of \$5,000.00 with ROOST for the Empire State Games, upon the approval of the County Attorney.

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

AYES:	2713	votes	
NOES:	0	votes	
ABSENT:	130	votes	(Canon, Preston)

Resolution No. 32

**February 4, 2011
Regular Board Meeting**

**RESOLUTION OF CONGRATULATIONS AND BEST WISHES TO
JON ALEXANDER**

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

Upon the approval and 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, Jon Alexander has been a reporter at Denton Publications covering Essex County and the Essex County Board of Supervisors meetings and events; and

WHEREAS, Jon Alexander has exhibited the highest degree of competence and professionalism in his reporting and has earned the respect of his peers and this Board; and

WHEREAS, Jon Alexander has recently accepted a position at the Glens Falls Post Star.

BE IT RESOLVED that the Essex County Board of Supervisors hereby expresses its appreciation to Jon Alexander for his fair and professional reporting and expresses their congratulations upon his accepting his new position at the Glens Falls Post Star and extends their best wishes upon his new endeavor.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE COMMUNITY RESOURCES
DEPARTMENT TO APPLY FOR AND ACCEPT A GRANT FROM
THE ADIRONDACK PARK COMMUNITY SMART GROWTH
PROGRAM, IN AN AMOUNT NOT TO EXCEED \$80,000, FOR THE
ESSEX COUNTY ENERGY MANAGEMENT PROGRAM, AND TO
ENTER INTO A CONTRACT WITH DEC FOR STATE ASSISTANCE**

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

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

WHEREAS, the Department of Environmental Conservation is soliciting grant applications for the Adirondack Park Community Smart Growth Program from municipalities located wholly or partially within the Adirondack Park; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to apply for and accept a grant from the Adirondack Park Community Smart Growth Program, in an amount not to exceed \$80,000.00, for the Essex County Energy Management Program; and

BE IT FURTHER RESOLVED, that this Board hereby authorizes the Chairman or County Manager to execute a state assisted contract with the DEC for such financial assistance to the Essex County Energy Management Program.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

RESOLUTION AUTHORIZING THE COMMUNITY RESOURCES DEPARTMENT TO APPLY FOR AND ACCEPT A GRANT FROM THE ADIRONDACK PARK COMMUNITY SMART GROWTH PROGRAM, IN AN AMOUNT NOT TO EXCEED \$80,000, FOR THE ESSEX COUNTY ENERGY MANAGEMENT PROGRAM, AND TO ENTER INTO A CONTRACT WITH DEC FOR STATE ASSISTANCE

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

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

WHEREAS, the Department of Environmental Conservation is soliciting grant applications for the Adirondack Park Community Smart Growth Program from municipalities located wholly or partially within the Adirondack Park; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to apply for and accept a grant from the Adirondack Park Community Smart Growth Program, in an amount not to exceed \$80,000.00, for financial assistance to the Essex County Fish Hatchery Development Plan; and

BE IT FURTHER RESOLVED, that this Board hereby authorizes the Chairman or County Manager to execute a state assisted contract with the DEC for such financial assistance to the Essex County Fish Hatchery Development Plan.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

RESOLUTION AUTHORIZING THE COMMUNITY RESOURCES DEPARTMENT TO APPLY FOR AND ACCEPT A GRANT FROM THE ADIRONDACK PARK COMMUNITY SMART GROWTH PROGRAM, IN AN AMOUNT NOT TO EXCEED \$80,000, FOR THE ESSEX COUNTY PLANNING LIVABLE ACTIVE COMMUNITIES AND ENVIRONMENTS (PLACE), AND TO ENTER INTO A CONTRACT WITH DEC FOR STATE ASSISTANCE

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

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

WHEREAS, the Department of Environmental Conservation is soliciting grant applications for the Adirondack Park Community Smart Growth Program from municipalities located wholly or partially within the Adirondack Park; and

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to apply for and accept a grant from the Adirondack Park Community Smart Growth Program, in an amount not to exceed \$80,000.00, for the Essex County PLACE; and

BE IT FURTHER RESOLVED, that this Board hereby authorizes the Chairman or County Manager to execute a state assisted contract with the DEC for such financial assistance to the Essex County PLACE.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION AUTHORIZING CHALLENGER SPORTS
CORPORATION TO UTILIZE THE ESSEX COUNTY FAIRGROUNDS
FOR FIVE (5) DAYS DURING THE MONTH OF AUGUST 2011, FOR
THE PURPOSE OF A YOUTH SOCCER CAMP, WITH FEES TO BE
SET AT \$5.00 PER PARTICIPANT**

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

Upon 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 Challenger Sports Corporation to utilize the Essex County Fairgrounds for 5 days during the month of August 2011, for the purpose of a youth soccer camp, upon the presentment of proper insurance and the execution of a contract with Essex County, with fees to be set at \$5.00 per participant; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairperson and/or County Manager to execute a contract with Challenger Sports Corporation in this regard subject to terms and conditions inserted by the County Attorney.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION OF RECOGNITION AND CONGRATULATIONS TO
ALVIN PROVONCHA
FOR 50 YEARS OF SERVICE TO THE NORTH HUDSON VOLUNTEER
FIRE COMPANY**

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

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

WHEREAS, Alvin Provoncha, a resident of the Town of North Hudson, was recently honored as a 50 year member of the North Hudson Volunteer Fire Company, joining the company on March 14, 1960; and

WHEREAS, Alvin Provoncha has throughout his 50 years, served as a fire fighter, captain, assistant chief and chief; and

WHEREAS, Alvin Provoncha served in the Company as Secretary/Treasurer, Vice-President and President and a member of the Board of Directors; and

WHEREAS, Mr. Provoncha was serving in Korea with our Country's Armed Services when the Fire Company formed. In honor of his many years of service, the Fire Company bestowed upon him the title of Honorary Charter Member; and

WHEREAS, on January 14, 2011, the North Hudson Volunteer Fire Company honored Mr. Provoncha for his 50 years of service; and

WHEREAS, this Board of Supervisors commends all firefighters for their selfless acts of bravery and their dedication to all; and

WHEREAS, Alvin Provoncha 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, Alvin Provoncha has set an example for all by his selfless, professional, civil and community dedication performing his duties for the good of the residents of North Hudson and Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors joins its voice with the residents of the Town of North Hudson as it celebrates Alvin Provoncha's years of dedication and service as a firefighter in the North Hudson Volunteer Fire Company and extends its sincere gratitude, appreciation and congratulations; 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 Alvin Provoncha.

This resolution was unanimously seconded and adopted.

**RESOLUTION TO ACCEPT GRANT MONEY IN THE AMOUNT OF
\$19,543.00 FROM THE NEW YORK STATE OCCUPATIONAL SAFETY
AND HEALTH HAZARD ABATEMENT BOARD**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts a grant in the amount of \$19,543.00 for a Hazard Abatement Grant through the New York State Occupational Safety and Health Hazard Abatement Board.

REVENUES	ACCOUNT NAME	AMOUNT
Account #3989 43089	Other State Aid	\$19,543.00

APPROPRIATIONS	ACCOUNT NAME	AMOUNT
Account #39894 5440	Misc. Fees/Services	\$19,543.00

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

AYES: 2713 votes
NOES: 0 votes
VACANT: 130 votes (Canon, Preston)

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

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby makes the following appointment:

1. The re-appointment of Dr. Barbara Stowe to the Clinton-Essex-Franklin Library System Board of Trustees, with such term to end December 31, 2015.

This resolution was seconded by Supervisor Blades, and adopted.

Resolution No. 40

February 4, 2011
Regular Board Meeting

**RESOLUTION APPOINTING MICHAEL MASCARENAS AS DIRECTOR
OF THE ESSEX COUNTY COMMUNITY RESOURCES DEPARTMENT
FOR A TERM OF FOUR YEARS**

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

Upon 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 Michael Mascarenas as Director of the Essex County Community Resources Department for a term of four years.

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

**RESOLUTION ACCEPTING, ADOPTING AND PLACING ON FILE
POLICIES, PLANS, PROCEDURES AND ANNUAL REPORTS**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts, adopts and/or places on file the following:

1. From the Finance Committee
 - a. The 2010 Annual Accounting of Receipts and Disbursements of the Essex County Clerk.

This resolution was duly seconded by Supervisor Moses and adopted.

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS RELATIVE TO THE FOOTBRIDGE REPLACEMENT PROJECT LOCATED IN THE TOWN OF ELIZABETHTOWN, COUNTY OF ESSEX, STATE OF NEW YORK

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

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

WHEREAS, the County of Essex in conjunction with the Town of Elizabethtown have prepared plans and studies for the construction and reconstruction, including equipment, apparatus and appurtenances, land, rights-in-land, and preliminary and incidental costs related thereto; and

WHEREAS, Essex County has determined that upon an examination of an environmental assessment form ("EAF") prepared, the Project is a "Type II action," as that term is defined in 6 NYCRR §617.2(aj) and as set forth in 6 NYCRR §617.5, and therefor the County caused the EAF to be prepared and promptly filed with the County Clerk.

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ESSEX, STATE OF NEW YORK, as follows:

Section 1. The County, by and through its Board of Supervisors, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(u), with respect to the continuing environmental review of the Project.

Section 2. It is hereby determined that the Project as aforesaid, is a "Type II action," as that term is defined in 6 NYCRR §617.2(aj) and as set forth in 6 NYCRR §617.5.

Section 3. The Town of Elizabethtown is also involved in the Project and has deemed this a "Type II action."

Section 4. No hearing as set forth in 6 NYCRR §617.9(a)(4) is required in making the determinations contained herein with respect to the costs of the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all facts and circumstances, it is determined the Project (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. It is hereby determined that for purposes of the SEQRA regulations the serial bond resolution to be adopted under the LFL to finance the Project shall not be or be deemed to be an "action," as that term is defined in 6 NYCRR §617.2(b).

Section 7. The County shall include a true copy of this resolution in the file maintained, readily accessible to the public, in the office of the County Clerk, containing the plans and studies.

Section 8. This resolution shall take effect immediately upon its adoption by the Board of Supervisors of the county.

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

**RESOLUTION OF CONDOLENCES TO THE FAMILY OF
PHIL WOLFF**

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.

WHEREAS, Phil Wolff, passed away on February 3, 2011 at the age of 95; and

WHEREAS, Phil Wolff was born in Buffalo, New York on October 19, 1915; and

WHEREAS, Phil Wolff graduated from Cornell University and served in the Army Corps of Engineers in the South Pacific from 1943 until 1945 and was among troops occupying Japan; received the Purple Heart, Silver Star and other citations and served an additional 17 years as an Army Reserve Officer; and

WHEREAS, Phil Wolff and his wife Elsie (Hughes) Wolff operated a greenhouse in Ray Brook and a florist shop in Saranac Lake for 40 years; and

WHEREAS, Phil Wolff was elected Town Justice of the Town of North Elba in 1960 and served for 16 years, performing many marriage ceremonies including those of his children; and

WHEREAS, Phil Wolff was the oldest living licensed bobsled driver, founder of the Lake Placid Winter Olympic Museum and a member of the 1976 and 1980 Winter Olympic bid committees; and

WHEREAS, Phil Wolff was appointed Chief of Staff of the Lake Placid Winter Olympic Organizing Committee in 1978, and served as Chief of the Security Committee for the 1980 Winter Games; and

WHEREAS, Phil Wolff was instrumental in the Lake Placid Winter Olympic Museum being awarded the 2005 Olympic Cup by the International Olympic Committee; played a key role in getting Lake Placid's 1932 and 1980 Olympic bobsled track named to the National Register of Historic Places; worked hard to preserve and protect historical artifacts from the 1980 Games for the museum and made a lasting impact by preserving the Olympic history of two Olympic Winter Games in Lake Placid; and

WHEREAS, Phil Wolff served as president of Saranac Lake Chamber of Commerce and Rotary Club, member of the North Elba Town Board, Chairman of the Saranac Lake Winter Carnival Committee and a member of the Northwood School Board of Directors; and

WHEREAS, Phil Wolff was inducted into the Lake Placid Hall of Fame in 2002, and was also a founding member and treasurer of ADKAction.org, which began in 2006 as an advocacy group against high property tax assessments; and

WHEREAS, Phil Wolff is survived by his wife, Elsie, three children and four grandchildren; and

WHEREAS, Phil Wolff was a loyal and devoted husband, father, grandfather and friend who will be sorely missed but never forgotten.

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

This resolution was unanimously seconded and adopted.

**RESOLUTION REQUESTING THE STATE OF NEW YORK,
COMMISSIONER OF ENVIRONMENTAL CONSERVATION
AND COMMISSIONER OF GENERAL SERVICES ISSUE AN
ORDER AMENDING LETTERS PATENT DATED SEPTEMBER
20, 1982 CONVEYING THE FISH HATCHERY REAL
PROPERTY IMPROVEMENTS BY THE STATE OF NEW YORK
TO THE COUNTY OF ESSEX TO ALLOW THE SALE BY
ESSEX COUNTY OF SURPLUS FISH AND AUTHORIZING THE
COUNTY CHAIRPERSON TO NEGOTIATE AND SIGN ALL
NECESSARY DOCUMENTATION INCIDENT TO THIS
AMENDMENT**

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

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

WHEREAS, Letters Patent dated September 20, 1982 recorded at book 782, page 215 in the office of the Essex County Clerk on February 8, 1983, the State of New York conveyed to the County of Essex the real property and improvements upon which is situate the Essex County Fish Hatchery; contained in these Letters Patent certain reservations and restrictive covenants which could be interpreted to prevent the sale of fish stocked in waters accessible to the public and waters owned by private interest; and

WHEREAS, it is necessary for the County of Essex to seek an amendment of the present Letters Patent which will permit the sale of surplus fish by Essex County; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby requests the State of New York, Commissioner of Environmental Conservation and Commissioner of General Services issue an order amending Letters Patent dated September 20, 1982 conveying the Fish Hatchery real property improvements by the State of New York to the County of Essex to allow the sale by Essex County of surplus fish.

BE IT FURTHER RESOLVED, that this Board authorizes the Essex County Chairperson, Randall Douglas, to negotiate and sign all necessary documentation incident to this amendment.

BE IT FURTHER RESOLVED, that the County acknowledges that in order to comply and obtain this amendment it will need to obtain a Spdes permit before accepting any OGS order that amends the 1982 Letters Patent.

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

AYES: 2713 votes
NOES: 0 votes
ABSENT: 130 votes (Canon, Preston)

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO
\$656,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS
OF THE COUNTY OF ESSEX, STATE OF NEW YORK,
PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE
THE COSTS OF (I) THE ACQUISITION OF VARIOUS
EQUIPMENT AND FURNISHINGS, (II) THE ACQUISITION,
CONSTRUCTION AND RECONSTRUCTION OF CERTAIN
BUILDING ALTERATIONS, INCLUDING REPAIRS TO HVAC
SYSTEMS AND (III) THE ACQUISITION OF MACHINERY AND
APPARATUS FOR CONSTRUCTION AND MAINTENANCE ALL
IN AND FOR THE COUNTY**

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

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

WHEREAS, the Board of Supervisors of the County of Essex (the "County"), located in the State of New York, hereby determines that it is in the public interest of the County to authorize the financing of the costs of (i) the acquisition of various equipment and furnishings in and for the County \$76,500, (ii) the acquisition, construction and reconstruction of certain building alterations, including repairs to HVAC systems \$36,860 and (iii) the acquisition of machinery and apparatus for construction and maintenance \$542,640, including the acquisition of any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$656,000, pursuant to the Local Finance Law, and

WHEREAS, the Board of Supervisors has not taken any action or adopted any local law which would require the effectiveness of this bond resolution to be subjected to a permissive or mandatory referendum.

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

Section 1. There is hereby authorized to be issued serial bonds of the County and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$656,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, as set forth herein (collectively, the "Project").

Section 2. The respective estimated maximum costs of such specific objects or purposes, or class of objects or purposes, the principal amount of serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, for such specific objects or purposes, or class of objects or purpose, and the period of probable usefulness of such specific objects or purposes, or class of objects or purposes, pursuant to the applicable subdivision of paragraph A of Section 11.00 of the Local Finance Law, are as follows:

(i) The acquisition of various equipment and furnishings in and for the County and including any preliminary and incidental costs related thereto, at a total estimated maximum costs of \$76,500 for which \$76,500 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 32 of Paragraph A of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized herein or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(ii) The acquisition, construction and reconstruction of certain building alterations, including repairs to HVAC systems, in and for the County and including any preliminary and incidental costs related thereto, at a total estimated maximum cost of \$36,860 for which \$36,860 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 13 of Paragraph A of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized herein or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

(iii) The acquisition of machinery and apparatus for construction and maintenance, in and for the County and including any preliminary and incidental costs related thereto, at a total estimated maximum cost of \$542,640 for which \$542,640 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 32 of Paragraph A of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized herein or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

Section 3. The Board of Supervisors has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$656,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Supervisors plans to finance the costs of the Project from the proceeds of the

serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, except to the extent of Federal or State aid received by the County which shall reduce the principal amount of such serial bonds or bond anticipation notes *pro tanto*; (d) the maturity of the serial bonds authorized in Section 2(I) herein shall not be in excess of five (5) years and the maturity of the serial bonds authorized in Sections 2(ii) and 2(iii) herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs related to the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the County, the Board of Supervisors took "official action" for federal income tax purposes to authorize the capital financing of such expenditures.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds, and bond anticipation notes issued in anticipation of the issuance of such serial bonds, including the renewal thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the County Treasurer, as chief fiscal officer of the County. The County Treasurer is hereby authorized to execute, by manual or facsimile signature, on behalf of the County, all serial bonds issued pursuant to this bond resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the County Clerk is hereby authorized to impress the seal (or to have imprinted a facsimile thereto) of the County to or on all such serial bonds and all such bond anticipation notes, and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds, shall be authenticated by the manual or facsimile signature of the County Treasurer. In the absence of the County Treasurer, the Deputy County Treasurer is hereby authorized to exercise the powers delegated to the County Treasurer by this bond resolution.

Section 5. When this bond resolution takes effect, the Clerk of the Board of Supervisors shall cause the same to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in official newspaper, a newspaper having a general circulation in the County. The validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the County is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 6. The faith and credit of the County are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 7. The County intends to issued the obligations authorized by this bond resolution to finance the costs of the Project. The County covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonable expected to be used to pay the principal of or interest on such obligations, or any funds of the County, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by Section 55 of the Code), or subject the County to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would case the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the County to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of such serial bonds or any other provisions hereof until the date which is sixty (60) days after final maturity date or earlier prior redemption date thereof. The proceeds of the serial bonds authorized herein, and of any bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be applied to reimburse expenditures or commitments made in connection with the Project on or after a date which is not more than sixty (60) days prior to the adoption date of this bond resolution and the County may expend general funds or other available moneys for the Project which shall be reimbursed from the proceeds of such obligations.

Section 8. Prior to the issuance of the obligations authorized herein, the Board of Supervisors shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, the regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Supervisors covenants that it will re-adopt, amend or modify this bond resolution prior to the issuance of such obligations authorized herein upon the advice of bond counsel. It is hereby and has been determined by the board of Supervisors that the Project will not have significant impact or effect on the environment.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, the County agrees, in accordance with, and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the County's continuing disclosure

agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the County Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the rule (the "Commitment") to be placed on file with the County Clerk, which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the County and that are approved by the County Treasurer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the County's continuing disclosure agreement for the purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet the costs the County would be required to incur to perform thereunder. The County Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the County with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the County Treasurer shall consult with, as appropriate, the County Attorney and bond counsel or other qualified independent special counsel to the County and shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Essex County Board of Supervisors.

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

AYES: 3284 votes
NOES: 203 votes (Hatch)
ABSENT: 429 votes (Canon, Preston, Morrow)

I, **DEBORAH L. PALMER**, Clerk of the Board of Supervisors of the County of Essex, located in the State of New York (the "County"), HEREBY CERTIFY as follows:

1. A Regular Board Meeting of the Board of Supervisors of the County was duly held on February 4, 2011, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of the Board of Supervisors of the County.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Supervisors of the County who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County, this 4th day of February, 2011.

(SEAL)

DEBORAH L. PALMER
Clerk of the Board of Supervisors
County of Essex, New York