

**RESOLUTION IN SUPPORT OF SUNSHINE WEEK AND ASSERTING
ESSEX COUNTY'S COMMITMENT TO OPENNESS AND
TRANSPARENCY IN GOVERNMENT**

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

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

WHEREAS, James Madison, the father of our federal Constitution, wrote that "consent of the governed" requires that the people be able to "arm themselves with the power which knowledge gives;" and

WHEREAS, every citizen in our participatory democracy has an inherent right to access to government meetings and public records; and

WHEREAS, an open and accessible government is vital to establishing and maintaining the people's trust and confidence in their government and in the government's ability to effectively serve its citizens; and

WHEREAS, the protection of every person's right to access to public records and government meetings is a high priority of Essex County; and

WHEREAS, Essex County is committed to openness and transparency in all aspects of its operations and seeks to set a standard in this regard; and

WHEREAS, the week of March 13-19, 2011, has been established as Sunshine Week to strengthen governmental commitment to open government and access to public records;

BE IT RESOLVED, Essex County commits during this Sunshine Week, commemorating the 261st anniversary of James Madison's birth, and throughout the year 2011 and thereafter to work diligently to enhance the public's access to government records and information, to increase information provided electronically and online, and to ensure that all meetings of deliberative bodies under its jurisdiction, and their committees, are fully noticed and open to the public; and

BE IT FURTHER RESOLVED, that Essex County shall continue, as it has in the past, to adhere to all Federal, State and County rules and regulations relative to all Open Meetings and the provision of public records including but not limited to the New York State Open Meetings Law and the New York State Freedom of Information Law.

This resolution was unanimously seconded and adopted.

Resolution No. 61

**March 14, 2011
Re-Convened Regular Board Meeting**

**RESOLUTION EXTENDING CONTRACT NO. DPW-10-0085
BETWEEN ESSEX COUNTY AND VALLEY PETROLEUM
TO JUNE 30, 2011**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Manager and/or County Chairperson to execute a contract extension extending the contract between Essex County DPW and Valley Petroleum to June 30, 2011.

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

AYES: 2116 votes
NOES: 0 votes
ABSENT: 727 votes (Kosmider, Montgomery-Corey, Morency, Malaney)

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

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, Essex County has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code and the American Recovery and Reinvestment Act of 2009 (ARRA) and, for the purchase of one bus from ARRA funds in the amount of \$70,000.00; and

WHEREAS, this County and the State of New York are entering into an agreement which authorizes the undertaking of the project and reimbursement to the municipality of 100% of the project costs through ARRA up to an additional amount of \$70,000.00.

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

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

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

AYES: 2116 votes
NOES: 0 votes
ABSENT: 727 votes (Kosmider, Montgomery-Corey, Morency, Malaney)

**RESOLUTION SUPPORTING PARK-WIDE ECONOMIC
DEVELOPMENT STRATEGY
FOR THE TOWNS AND VILLAGES WITHIN
THE ADIRONDACK PARK**

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

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

WHEREAS, the Adirondack Park is often referred to as a “special place”, especially by persons who reside outside the Park, in recognition of the tremendous natural resources found in the Park; and

WHEREAS, the communities of the Park are “special” in another sense, in that it is especially difficult for residents of the Park’s communities to earn a living that is adequate to enjoy a decent standard of living, comparable to that enjoyed by residents in other parts of the State; and

WHEREAS, New York State Department of Environmental Conservation promotes the concept of Smart Growth for the Park and provides grants to municipalities in the Park to undertake projects that apply Smart Growth principles to address a variety of issues affecting the quality of life in Park communities; and

WHEREAS, Hamilton County intends to apply for Smart Growth funds on behalf of the Adirondack Partnership of Communities and Organizations;

BE IT RESOLVED, that the Essex County Board of Supervisors, as a member of the Adirondack Partnership, strongly supports the efforts of Hamilton County on behalf of all communities in the Park to secure Smart Growth funds for the purpose of developing an economic strategy that recognizes the Special Conditions of the Adirondack Park and seeks to bring about economic improvement through adherence to Smart Growth principles; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors urges Department of Environmental Conservation to fully fund the application submitted by Hamilton County.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE ESSEX COUNTY PUBLIC
DEFENDER TO APPOINT A SECOND
ASSISTANT PUBLIC DEFENDER AT A SALARY NOT TO
EXCEED \$52,000, THE APPOINTEE TO PAY 20% OF ALL
HEALTH INSURANCE PREMIUMS AND BENEFITS**

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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Essex County Public Defender to appoint a second Assistant Essex County Public Defender at an annual salary not greater than \$52,000.00 per year with appointee to pay 20% of all health insurance premiums and benefits.

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

AYES: 1756 votes
NOES: 360 votes (Blades, Connell, Hatch)
ABSENT: 727 votes (Kosmider, Montgomery-Corey, Morency, Malaney)

**RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION IN THE AMOUNT
UP TO \$600,000 TO THE STATE OF NEW YORK IN MAY, 2011**

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.

WHEREAS, the County of Essex has identified affordable housing needs, assisting low/moderate income homeowners, and economic development as its most severe community development needs; and

WHEREAS, the only affordable means of financing programs designed to meet these needs is to secure funding from the State of New York Small Cities Community Development Block Grant Program.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the submission of a Community Development Block Grant application, in the amount up to \$600,000, to the State of New York in May, 2011 for County-wide Housing; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors authorizes Chairperson Randall Douglas to sign and submit an application to the State of New York for the Community Development Block Grant program and to act in connection with the submission as may be required; and

BE IT FURTHER RESOLVED, that the Housing Assistance Program of Essex County, Inc. will perform administrative services to accomplish the program activities; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors have adopted the following: Citizen Participation Plan, Displacement Plan, Excessive Force Policy, Drug-free Workplace Program, New Horizons Fair Housing Strategy, Community Development Plan and the Housing Rehabilitation Program Policy and Procedures and they are on file; and

BE IT FURTHER RESOLVED that this Board will hold public hearings on this grant application on March 18, 2011 at 5:00 p.m. and on March 21, 2011 at 9:15 a.m. at the Chambers of the Essex County Board of Supervisors in Elizabethtown, New York.

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

RESOLUTION AUTHORIZING TO FILE AN APPLICATION FOR FUNDS FROM THE ADIRONDACK PARK COMMUNITY SMART GROWTH GRANTS PROGRAM OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION IN AN AMOUNT NOT TO EXCEED \$120,000 AND UPON APPROVAL OF SAID REQUEST TO ENTER INTO AND EXECUTE A PROJECT AGREEMENT WITH DEC FOR FINANCIAL ASSISTANCE TO ESSEX COUNTY FOR HAMLETS 3, PHASE 2 - TRAINING AND IMPLEMENTATION PROJECT

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, Many communities in Essex County and throughout the Adirondack Park have need for hamlet expansion in order to provide additional land in which to grow; and

WHEREAS, the process of undertaking hamlet expansion has been greatly facilitated by the development of **Hamlets 3**, a handbook providing guidance on the principles and process to plan and to undertake hamlet expansion were available to all the communities in the Adirondack Park and to the staff of the Adirondack Park Agency; and

WHEREAS, said project will be a second phase of the well regarded **Hamlets 3** project completed and printed in 2011,

BE IT RESOLVED, that Randall T. Douglas as Chairman of the Essex County Board of Supervisors or such person’s successor in office, is hereby authorized and directed to file an application for funds from the Adirondack Park Community Smart Growth Grants Program of the New York State Department of Environmental Conservation in an amount not to exceed \$120,000 and upon approval of said request to enter into and execute a project agreement with the Department of Environmental Conservation for such financial assistance to the County of Essex for the park-wide Smart Growth project named **Hamlets 3, Phase 2 - Training and Implementation**.

BE IT FURTHER RESOLVED, that upon approval of said request the County of Essex agrees to enter into a contract with the Adirondack Community Housing Trust for the purpose of undertaking the professional tasks associated with the aforesaid Smart Growth project.

BE IT FURTHER RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233, together with the application for State Assistance.

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

AYES: 2116 votes
NOES: 0 votes
ABSENT: 727 votes (Kosmider, Montgomery-Corey, Morency, Malaney)

**RESOLUTION OPPOSING THE NAME CHANGE OF BALD PEAK
SITUATE IN ELIZABETHTOWN, ESSEX COUNTY, NEW YORK
TO TWISTED CEDAR PEAK**

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 United States Board of Geographic Names has received a proposal to change the name of Bald Peak located in Elizabethtown, Essex County, New York to Twisted Cedar Peak; and

WHEREAS, the United States Board of Geographic Names has requested an opinion by Essex County relative to this change in name.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby opposes the change of the name of Bald Peak located in Elizabethtown, Essex County, New York to Twisted Cedar Peak and strongly requests that the name Bald Peak remain and not be changed; and

BE IT FURTHER RESOLVED, that Essex County forward to the United States Board of Geographic Names a notice of rejection of this proposed name change.

This resolution was unanimously seconded and adopted.

RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT NO. MISC-10-0006 AND MISC-10-0006A BETWEEN THE COUNTY OF ESSEX AND THE MURRAY LAW FIRM, PLLC TO INCREASE THE CEILING BY AN ADDITIONAL \$75,000.00 OVER AND ABOVE THE PREVIOUS \$100,000.00 CEILING ESTABLISHED BY RESOLUTION NO. 285 OF SEPTEMBER 7, 2010, ABOVE WHICH THE CONTRACTOR CANNOT BE PAID, SUCH FUNDS TO COME FROM THE RADIO BOND MONIES

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes an amendment to Contract No. MISC-10-0006 and MISC-10-0006A between Essex County and The Murray Law Firm, PLLC to increase the ceiling by an additional \$75,000.00 over and above the previous \$100,000.00 ceiling established by Resolution No. 285 of September 7, 2010, above which the contractor cannot be paid, such funds to come from the Radio Bond Monies.

BE IT FURTHER RESOLVED, that this resolution amends Resolution No. 285 of September 7, 2010.

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

AYES: 1963 votes
NOES: 153 votes (Hatch)
ABSENT: 727 votes (Kosmider, Montgomery-Corey, Morency, Malaney)

**RESOLUTION OF CONGRATULATIONS TO
ALEXIS COOLIDGE
OF THE AUSABLE VALLEY GIRLS VARSITY BASKETBALL
TEAM UPON SCORING HER 1,000TH POINT AND UPON HER
BEING NAMED CVAC SECTION 7 MOST VALUABLE PLAYER
FOR THE 2010-2011 SEASON**

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby commends and congratulates Alexis Coolidge of the AuSable Valley Central School Girls Varsity Basketball Team upon her scoring 1,000 career points and upon her being named CVAC Section 7 Girls Varsity Most Valuable Player for the 2010-2011 season.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE WITH
INDEPENDENT TOWERS AND WIRELESS, INC. RELATIVE TO THE
AINGER HILL PROPERTY FOR SPACE ON THE TRANSMITTER
TOWER SITE AND ANTENNAS AND TRANSMITTER LINES IN THE
AMOUNT OF \$1,800 FOR AN INITIAL TERM OF TEN YEARS WITH
THE OPTION TO RENEW FOR SEVEN SUCCESSIVE FIVE YEAR
TERMS**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to execute a lease with Independent Towers and Wireless, Inc. relative to the Ainger Hill property for space on the transmitter tower site, antennas and transmitter lines in the amount of \$1,800.00 for an initial term of ten (10) years with the option to renew for seven successive five year terms, upon the approval of the County Attorney.

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

AYES: 2116 votes
NOES: 0 votes
ABSENT: 727 votes (Kosmider, Montgomery-Corey, Morency, Malaney)

**RESOLUTION OF CONGRATULATIONS TO THE MORIAH
CENTRAL SCHOOL BOYS VARSITY BASKETBALL TEAM
FOR WINNING THE 2010-11 SECTION 7 CVAC CLASS B
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, this Board of Supervisors is pleased to learn that the Moriah Central School Boys Varsity Basketball Team has won the 2010-11 Section 7 CVAC Class B Championship.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the 2010 Moriah Central Boys Varsity Basketball Team, their Coach, Brian Cross and his Assistants and Staff for their outstanding accomplishments including, but not limited, earning the title of 2010-11 Section 7 CVAC Class B Championship.

This resolution was unanimously seconded and adopted.

Resolution No. 72

March 14, 2011
Re-Convened Regular Board Meeting

**RESOLUTION APPOINTING GERALD MORROW TO THE ESSEX
COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD**

The following resolution was offered by Supervisor Blades, 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 appoints Gerald Morrow to the Essex County IDA Board.

This resolution was unanimously seconded and adopted.