

**Resolution No. 238**

**September 6, 2011  
Regular Board Meeting**

**RESOLUTION APPROVING THE REVISED MISSION  
STATEMENT OF THE ESSEX COUNTY MENTAL HEALTH  
SERVICES**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby approves the revised mission statement of the Essex County Mental Health Services.

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

**RESOLUTION AUTHORIZING THE EXECUTION OF ACCOUNT  
CHANGES WITH RESPECT TO ACCOUNTS HELD BY THE  
HORACE NYE HOME WITH CHAMPLAIN NATIONAL BANK AND  
CHANGING THE AUTHORIZED SIGNATURES AND ADDING  
ROBERTA VINCENT TO THE BANK SIGNATURE CARDS**

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 execution of account changes with respect to accounts held by the Horace Nye Home with Champlain National Bank, and changing the authorized signatures adding Roberta Vincent for the following purposes:

1. endorsing checks and/or orders for the payment of money and to withdraw funds on deposit with Champlain National Bank.
2. executing all documents and agreements as well as modifications thereto, pertaining to deposit relationship with Champlain National Bank.
3. executing all documents and agreement as well as modifications thereto that pertain to fund transfer authorization agreements.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR  
VARIOUS DEPARTMENTS**

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

Upon the recommendation 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 the Human Services Committee:**

1. For the Social Services Department, to increase revenues and appropriations by \$46,484.00 for NY Connects grant, as follows:

**REVENUES**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
6010 43610	State Aid - Admin.	\$46,484.00

**APPROPRIATIONS**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
60105 552	SS Contracts	\$46,484.00

2. For the Social Services Department, to increase revenues and appropriations by \$11,616.00 for HEAP grant, as follows:

**REVENUES**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
6010 44641135	Federal Aid - HEAP - Admin.	\$11,616.00

**APPROPRIATIONS**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
60101 5110	Salaries - Regular	\$ 7,517.00
60104 5400INV	Inventory	800.00
60104 5410	Office Supplies	200.00
60105 552	OFA Contract	2,500.00
60108 5820	Social Security	576.00
60108 5840	Disability	23.00
		<u>\$11,616.00</u>

3. For the Public Health Department, to increase revenues and appropriations by

\$4,000.00 for HIV mini-grant, as follows:

**REVENUES**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
4190 4340186	HIV Mini-Grant	\$4,000.00

**APPROPRIATIONS**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
41904.5473HIV	Prescription Drugs	\$1,689.00
41904.5420	Printing	150.00
41904.5486HIV	Educational Materials	<u>2,161.00</u>
		\$4,000.00

**From the Public Safety Committee:**

1. For the Probation Department, to increase revenues and appropriations by \$26,592.00, from STSJP grant, as follows:

**REVENUES**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
4331052	STSJP	\$26,592.00

**APPROPRIATIONS**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
3140.5440	Misc Fees and Services	\$26,118.00
3140.5423	Telephone	274.00
3140.5487	Misc. Expenses	100.00
3140.5497	Mileage	<u>100.00</u>
		\$26,592.00

**From the Ways and Means Committee:**

1. For the Department of Public Works, to increase revenues and appropriations by \$3,003.30, for sale of scrap metal, as follows:

**REVENUES**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
5130 42650	Sale of Scrap	\$3,003.30

**APPROPRIATIONS**

<b>Account Number</b>	<b>Account Name</b>	<b>Amount</b>
51302.5240	Highway & Street Equipment	\$3,003.30

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

**AYES:** 2390 votes  
**NOES:** 0 votes  
**ABSENT:** 453 votes (*Douglas, Ferebee, Canon, Moses*)

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A  
RESERVE VEHICLE ACCOUNT IN WEIGHTS AND MEASURES**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the establishment of a reserve vehicle account for Weights and Measures Department to be used for the purchase of a new vehicle in future.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

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

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

**From the Public Safety Committee:**

The Essex County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan for the Emergency Services Department.

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

**RESOLUTION URGING FEMA AND OUR FEDERAL  
REPRESENTATIVE TO RECONSIDER INDIVIDUAL ASSISTANCE  
FOR THOSE WHO RECEIVED DAMAGE RESULTING FROM THE  
RECENT FLOOD EVENTS**

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

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

**WHEREAS**, on or about April 26<sup>th</sup>, 2011, Essex County declared a state of emergency as a result of severe storms, flooding, tornadoes and straight-line winds; and

**WHEREAS**, the June 10, 2011, major disaster declaration FEMA-1993-DR authorized Public Assistance for 21 requested counties and Hazard Mitigation statewide and on June 29, 2011, a subsequent amendment authorized Public Assistance for two additional counties; and

**WHEREAS**, the damage to infrastructure was significant in each of the areas designated for Public Assistance, however, based on the results of the joint Individual Assistance Preliminary Damage Assessments, it had been determined that the damage to the residences as a result of this event was not of the severity and magnitude to warrant the designation of the Individual Assistance program under major disaster declaration, FEMA-1993-DR and the request for Individual Assistance was denied; and

**BE IT RESOLVED** that the Essex County Board of Supervisors strongly urges FEMA and our Federal Representatives to reconsider the Individual Assistance program relative to the disaster declared on April 26<sup>th</sup>, 2011, under major disaster declaration, FEMA-1993-CR and that provision can be made for individual property owners who were damaged as a result of the recent flood event; and

**BE IF FURTHER RESOLVED**, that copies of this Resolution be sent to Governor Andrew Cuomo, U.S. Department of Homeland Security (FEMA) and all those deemed necessary and proper.

This resolution was unanimously seconded and adopted.

**RESOLUTION ESTABLISHING AN ILLEGAL KNIVES  
RESERVE ACCOUNT IN THE DISTRICT ATTORNEY'S  
OFFICE TO BE USED FOR PROSECUTING ILLEGAL  
WEAPON CASES AND AUTHORIZING A TRANSFER OF  
\$14,438.00 FROM REVENUE ACCOUNT TO ILLEGAL  
KNIVES RESERVE ACCOUNT**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the establishment of an illegal knives account for the District Attorney's Office to be used to prosecute illegal weapons cases; and

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the transfer of \$14,438.00 into illegal knives account from the revenues account.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**



**RESOLUTION AUTHORIZING THE PROBATION  
DEPARTMENT TO ACCEPT A SUPERVISION AND  
TREATMENT SERVICES FOR JUVENILES GRANT IN  
THE AMOUNT OF \$57,240.00 FOR THE PERIOD 4/1/2011  
THROUGH 3/31/2012, AND AUTHORIZING CHAIRMAN  
OR COUNTY MANAGER TO EXECUTE A CONTRACT  
WITH THE NEW YORK STATE OFFICE OF CHILDREN  
AND FAMILY SERVICES**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the Probation Department to accept a Supervision and Treatment Services for Juveniles Grant in the amount of \$57,240.00 for the period 4/1/2011 through 3/31/2012; and

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to execute a contract with the NYS Office of Children and Family Services for the same, upon the approval of the County Attorney. for the 2010 Alternatives to Incarceration Service Plan with the New York State Division of Probation and Correction.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION OF APPRECIATION TO MOLLY HAHN  
FROM THE TOWN OF ST. ARMAND ON HER SUMMER  
INTERNSHIP IN THE PUBLIC DEFENDER'S OFFICE**

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

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

**WHEREAS**, Molly Hahn from the Town of St. Armand worked from May to August as an unpaid Summer intern in the Public Defender's Office; and

**WHEREAS**, Molly Hahn put in tireless hours and was able to appear in various town, village and County courts with her student practice license and was a force multiplier for the Public Defender's Office; and

**WHEREAS**, Molly Hahn has returned to law school.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby extends their appreciation to Molly Hahn from the Town of St. Armand for her many hours spent as a Summer intern for the Public Defenders Office.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE COMMUNITY  
RESOURCE DEPARTMENT TO SUBMIT AN  
APPLICATION REQUESTING THE ESSEX COUNTY  
BOARD OF SUPERVISORS CHAMBERS BE PLACED ON  
THE NATIONAL HISTORIC REGISTRY**

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.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Community Resources Department to submit an application requesting the Essex County Board of Supervisors Chambers be placed on the National Historic Registry; and

**BE IT FURTHER RESOLVED**, that this Board further authorizes the Community Resources Department to accept any grant funds available for historic rehabilitation of the Chambers.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION TO RENEW THE CONTRACT WITH  
NORTH AMERICAN SALT FOR 2011-2012 TERM**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes a renewal of the shared salt contract with North American Salt Company with Clinton, Essex and Franklin Counties for the 2011-2012 contract term; and

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

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

**AYES: 2390 votes**

**NOES: 0 votes**

**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AUTHORIZING A CONTRACT WITH SIGNAL  
RISK MANAGEMENT RELATIVE TO THE ADMINISTRATION  
OF THE OF THE ESSEX COUNTY WORKER'S  
COMPENSATION POLICY AND GROUP PLAN FOR 2012 AND  
A CONTRACT WITH SIGNAL RISK MANAGEMENT RELATIVE  
TO THE ADMINISTRATION OF THE FIRE AND AMBULANCE  
POLICY AND GROUP PLAN FOR 2012**

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

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

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

1. Administration of the Essex County Worker's Compensation Plan with compensation to be paid directly from the policies issued on an effective date of January 1, 2012.
2. Administration of Essex County Fire and Ambulance Group Plan with compensation for brokered services to be paid directly for policies issued by PERMA.

**BE IT FURTHER RESOLVED**, that this Board further authorizes the Chairman and/or County Manager to execute said contracts, 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: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AUTHORIZING A CONTRACT WITH  
MICHAEL BRENISH FOR PROGRAMMING AND WEB DESIGN  
SERVICES AT A YEARLY COST NOT TO EXCEED \$25,000.00**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes a contract with Michael Brenish for Programming and Web Design Services, at a yearly cost not to exceed \$25,000.00; and

**BE IT FURTHER RESOLVED**, that this Board further authorizes the Chairman and/or County Manager to execute said contract, 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: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AMENDING RESOLUTION NO. 295 OF 2007, THE ESSEX COUNTY WEIGHTS AND MEASURES 2008 DEVICE FEE SCHEDULE, BY ADDING SECTION 11 - SCANNER ACCURACY INSPECTION, TO BECOME THE 2011 DEVICE FEE SCHEDULE**

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

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

***BE IT RESOLVED***, that the Essex County Board of Supervisors hereby amends Resolution No. 295 of 2007, the Essex County Weights and Measurers 2008 Device Fee Schedule, by adding Section 11 - Scanner Accuracy Inspection, to become the 2011 Device Fee Schedule.

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

***AYES: 2390 votes***

***NOES: 0 votes***

***ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)***

**RESOLUTION AUTHORIZING A TRANSFER OF UP TO  
\$1,703,594.00 FROM THE "TRANSFER TO HORACE NYE HOME  
ACCOUNT" AND AUTHORIZING \$48,136.00 FROM FUND  
BALANCE TO PAY THE 50% LOCAL SHARE MEDICAID TO THE  
NURSING HOME**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes a transfer of up to \$1,703,594.00 from the "Transfer to Horace Nye Home Account" - Account #99004 59904, and authorizing \$48,136.00 from Fund Balance Account #A 3909 for a total of \$1,751,730.00 from Account MMIS 61004 5487, to pay the 50% local share Medicaid to the Nursing Home.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**



**RESOLUTION OF CONGRATULATIONS AND APPRECIATION  
TO LANITA SMITH ON THE OCCASION OF HER 25 YEARS OF  
DEDICATED SERVICE TO ESSEX COUNTY**

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

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

**WHEREAS**, Lanita Smith has dedicated 25 years of service to Essex County and during this time has exhibited the utmost competence, integrity and attention to detail in her work with the Essex County Treasurer's Office; and

**WHEREAS**, Lanita Smith continues to work at the Essex County Treasurer's Office; and

**WHEREAS**, the Essex County Board of Supervisors wishes to congratulate Lanita Smith on her accomplishments and thank her for her superior public service to the County of Essex.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby congratulates and commends Lanita Smith for her 25 years of service to Essex County and wishes her continued success in the future; 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 Lanita Smith.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE ADMINISTRATOR OF THE  
WORKERS' COMPENSATION/SELF-INSURANCE PLAN TO  
RENEW CONTRACTS WITH PERMA FOR WORKERS'  
COMPENSATION AND EMPLOYERS LIABILITY INSURANCE  
FOR 2012, 2013 AND 2014**

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

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

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the Administrator of the Workers' Compensation/Self-Insurance Plan to renew contracts with PERMA for Workers' Compensation and Employers Liability Insurance for 2012, 2013 and 2014; and

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

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION IN RECOGNITION AND APPRECIATION  
TO THE SUBSTANCE ABUSE PREVENTION TEAM OF  
ESSEX COUNTY AND PROCLAIMING OCTOBER 12<sup>TH</sup> AS  
PREVENTION DAY**

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

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

**WHEREAS**, the Substance Abuse Prevention Team of Essex County celebrates their 25<sup>th</sup> Anniversary this year and is proclaiming October 12<sup>th</sup> as Prevention Day; and

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby expresses its deep appreciation to the Substance Abuse Prevention Team of Essex County for its exemplary service and congratulations upon 25 years of service; and

**BE IT FURTHER RESOLVED** that this Board of Supervisors does hereby proclaim October 12<sup>th</sup> as Prevention Day.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
JOSEPH HERMAN FRANCIS SNIDE**

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

Upon the recommendation of the Ways and Means Committee, and it appearing proper and necessary.

**WHEREAS**, Joseph Herman Francis Snide of Mineville, New York passed away on August 18, 2011; and

**WHEREAS**, Joseph Herman Francis Snide was born in Moores Forks, New York on December 8, 1923, son of Frank and Eldora (DeCoste) Snide; and

**WHEREAS**, Joseph Herman Francis Snide proudly served in the U.S. Army during World War II in the European Theater; retired from Republic Steel Corporation as a miner and electrician after 32 years of service; operated Snide's Gulf Station in Mineville for twenty years; and

**WHEREAS**, Joseph Herman Francis Snide was a lifetime member of the The Knights of Columbus Council 384, Port Henry; Assembly 0756 4<sup>th</sup> Degree Council Knights of Columbus, Ticonderoga and Ticonderoga elks Lodge 1494; Past Commander of Veterans of Foreign War Post 5802, Mineville; and

**WHEREAS**, Joseph Herman Francis Snide was a Councilman for the Town of Moriah for 16 years; served on the Yandon Dillon Board of Education and Essex County ARC Board of Directors; and

**WHEREAS**, Joseph Herman Francis Snide enjoyed his family, dining out, watching his great-grandchildren, participating in sports, hunting and ice fishing; and

**WHEREAS**, Joseph Herman Francis Snide was predeceased by his beloved wife Pauline (Nedeau) Snide; and

**WHEREAS**, Joseph Herman Francis Snide is survived by his children, Suzanne and Thomas Morse and Joseph and Gloria Snide; grandchildren, Lisa Recore, Amy Burdo, William Larrow, Bob Larrow, Stephen Morse, Britteny Morse, Joseph, Kevin and Brian Snide; 13 great-grandchildren; one great-great-granddaughter; sisters Hilda Thornton and Joan McLean; sisters-in-law, Alberta Harriman, Shirley, Imogene and Joan Snide; brothers-in-law, Edward Nedeau and Tony Glebus; and

**WHEREAS**, Joseph Herman Francis Snide was a devoted husband, father, son, brother, grandfather, great-grandfather, 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 Joseph Herman Francis Snide; 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 Snide family.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACT NO.  
MISC-10-0006 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  
\$175,000.00 CEILING ESTABLISHED BY RESOLUTION NO. 68 OF  
MARCH, 2011, ABOVE WHICH THE CONTRACTOR CANNOT BE  
PAID, SUCH FUNDS TO COME  
FROM THE RADIO BOND MONIES**

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

Upon the recommendation of the Ways and Means Committee, 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, MISC-10-0006A, MISC-10-0006B and MISC-10-0006C between Essex County and The Murray Law Firm, PLLC to increase the ceiling by an additional \$75,000.00 over and above the previous \$175,000.00 ceiling established by Resolution No. 68 of March 14, 2011, above which the contractor cannot be paid, such funds to come from the Radio Bond Monies; and

**BE IT FURTHER RESOLVED**, that this resolution amends Resolution No. 68 of March 14, 2011; and

**BE IT FURTHER RESOLVED**, that this Board authorizes the Chairman or County Manager to execute the contract amendment for the Murray Law Firm, PLLC, upon the approval of the County Manager.

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

**AYES: 2237 votes**  
**NOES: 153 votes (Hatch)**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION OF CONGRATULATIONS TO  
DELLA STRONG GARVEY  
ON HER 100<sup>TH</sup> BIRTHDAY**

The following resolution was offered by Supervisor Hatch, 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**, Della (Strong) Garvey was born on October 7, 2011; and

**WHEREAS**, Della (Strong) and Rolland Garvey were married for 58 years and owned a dairy farm in Willsboro where they raised five children; and

**WHEREAS**, the farm is still in operation by their grandson which is the fourth generation; and

**WHEREAS**, Della (Stong) Garvey enjoyed working in her vegetable and flower gardens and was regarded to have a green thumb when it came to her beautiful houseplants; and

**BE IT RESOLVED**, that this Board of Supervisors hereby wholeheartedly congratulates Della (Strong) Garvey on the celebration of her 100<sup>th</sup> birthday and for the many contributions that she has made to her community and friends; 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 Della (Strong) Garvey.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING PAYMENT TO GIRVIN & FERLAZZO, P.C. IN AN ADDITIONAL AMOUNT NOT TO EXCEED THE SUM OF \$50,000.00 FOR LEGAL SERVICES RELATIVE TO DELAY CLAIMS AGAINST THE COUNTY WITH RESPECT TO THE CONSTRUCTION OF THE ESSEX COUNTY JAIL/PUBLIC SAFETY BUILDING**

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

Upon the recommendation of the Ways and Means Committee, 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; further bills totaling the sum of \$3,256.50 have been paid pursuant to Resolution 198 of June, 2010 and the sum of \$10,000.00 pursuant to Resolution 283 of September, 2010, and additional amounts totaling \$9,894.50 are and will be currently outstanding.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the further payment to Girvin & Ferlazzo, P.C. in a sum not to exceed \$50,000.00 relative to Tougher Industries delayed claims and O’Connell Electric delayed claims, which monies are to come from Contingency Account #19104-5487 into County Attorney Account 14204-5433 for legal fees and services.

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

**AYES:** 2390 votes  
**NOES:** 0 votes  
**ABSENT:** 453 votes (Douglas, Ferebee, Canon, Moses)

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 8/1/11:</i>	\$282,500.00
<i>Reduction Impact of this resolution:</i>	\$ 50,000.00
<i>FY2011 Contingent Account Balance:</i>	\$232,500.00

**RESOLUTION TO RENEW THE CONTRACT WITH HAROFF  
AUCTION AND REALTY FOR INTERNET AUCTION SERVICES  
FOR ONE YEAR TO EXPIRE ON JUNE 30, 2012**

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

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

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the renewal of the contract with Haroff Auction and Realty for internet auction services for surplus motor vehicles, associated equipment and other surplus personal property for one year to expire on June 30, 2012, subject to the approval of the County Attorney; and

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

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

**AYES:           2390 votes**  
**NOES:            0 votes**  
**ABSENT:        453 votes**



**RESOLUTION AUTHORIZING THE REIMBURSEMENT OF  
\$266.21 TO CARL RUBINO, ASSISTANT COUNTY  
ATTORNEY, FOR MAY TRAVEL EXPENSES**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the reimbursement of \$266.21 to Carl Rubino, Assistant County Attorney, for May travel expenses.

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

**AYES: 2237 votes**  
**NOES: 153 votes (Hatch)**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION OF APPRECIATION TO THE EAST BAY INCIDENT MANAGEMENT TEAM  
OF ALAMEDA COUNTY AND CONTRA COSTA COUNTY CALIFORNIA**

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

**WHEREAS**, on Saturday, August 27, 2011, thirty-four members of the East Bay Incident Management Team from Alameda County and Contra Costa County, California, were mobilized and deployed to the State of New York in preparation for Hurricane Irene making landfall; and

**WHEREAS**, a resource of the California Fire and Rescue Mutual Aid System, the East Bay Incident Management Team is a Type 3 Incident Management Team that includes personnel from fire departments throughout Alameda and Contra Costa Counties; and

**WHEREAS**, on Tuesday, August 30, 2011, seventeen members of the East Bay Incident Management Team arrived at the Essex County Emergency Operations Center with a mission to support the Emergency Operations Center operations and ensure successful recovery efforts through the coordination of cooperating agencies and County assets; and

**WHEREAS**, the objectives for the East Bay Incident Management Team's assignments at the Essex County Emergency Operations Center included expanding the operational capabilities of the Emergency Operations Center, providing timely and accurate public information to the community, and conducting and documenting damage assessments and resource assessments throughout the County's eighteen towns; and

**WHEREAS**, the East Bay Incident Management Team also aided in the development of a Debris Removal Plan, and worked alongside representatives from the Environmental Protection Agency and state agencies to assist with the County plans for Household Hazardous Waste Removal and General Hazardous Waste; and

**WHEREAS**, the East Bay Incident Management Team supported the opening of two FEMA Disaster Recover Centers in the Towns of Jay and Moriah and facilitated the distribution of 18,000 sandbags, 600 cleaning kits, 330 shovels, and 280 rakes throughout the entire County.

**NOW, THEREFORE, 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 the East Bay Incident Management Team for all the assistance given to the Emergency Operations Center and Essex County during the Hurricane Irene flood disaster; 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 East Bay Incident Management Team.

This resolution was unanimously seconded and adopted.

**RESOLUTION ESTABLISHING CAPITAL PROJECT #11-7 FOR  
BRIDGE AND ROAD INFRASTRUCTURE AND OTHER REPAIRS  
RESULTING FROM HURRICANE IRENE AND THE STATE OF  
EMERGENCY FLOODING WHICH OCCURRED ON AUGUST 28,  
2011, AND FUNDS TO BE LOANED FROM THE  
UNAPPROPRIATED GENERAL FUND CASH SURPLUS**

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.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby establishes Capital Project #11-7 for bridge and road infrastructure and other repairs resulting from Hurricane Irene and the State of Emergency flooding which occurred on August 28, 2011 as follows:

**Capital Project #11-7 for Bridge and Road Infrastructure and Other Repairs**

**APPROPRIATIONS**

H51234 5484	Flood repairs Irene (Road Repairs)	\$2,000,000
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**REVENUES**

44089 IRE	FEMA Aid	\$2,000,000
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**BE IT FURTHER RESOLVED**, that the sum of \$2,000,000.00 be and hereby is loaned from unappropriated general fund cash surplus (Account No. A3909) for transfer to Capital Project #11-7 (99004 59905) to cover expenses for bridge and road infrastructure and other repairs.

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

**AYES: 2390 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AUTHORIZING ESSEX COUNTY TO  
ENTER INTO A LEASE OR LICENSE WITH VERMONT  
ETV, INC. RELATIVE TO SPACE ON A TOWER  
LOCATED AT GRANDPA'S KNOB IN THE AMOUNT OF  
\$20,630 A YEAR FOR A FIVE YEAR TERM WITH THREE  
ADDITIONAL FIVE YEAR RENEWALS**

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 the Chairman or County Manager to execute a lease or license with Vermont ETV, Inc. relative to the Grandpa's Knob property for space on the transmitter tower site, antennas and transmitter lines in the amount of \$20,630.00 a year for an initial term of five years with the option to renew for three additional 5 year terms, upon approval of the County Attorney.

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

**AYES:           2930 votes**  
**NOES:           0 votes**  
**ABSENT:       453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AUTHORIZING VARIOUS TOWNS AND VILLAGES WITHIN ESSEX COUNTY TO PURCHASE MATERIALS, EQUIPMENT AND SUPPLIES, AND TO OBTAIN SERVICES AND PIGGY-BACK ONTO ESSEX COUNTY CONTRACTS THAT RELATE TO THE CURRENT STATE OF EMERGENCY AND HURRICANE IRENE**

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

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

**WHEREAS**, County governing boards may make provision in County contracts for towns, villages and districts located wholly or partly within the County, or within an adjoining County, to purchase materials, equipment, supplies and services under and through County contracts; and

**WHEREAS**, pursuant to General Municipal Law §103(3) procurement through County contracts in this fashion is exempted from the competitive bidding requirements of GML §103; and

**WHEREAS**, Essex County has entered into certain emergency contracts relative to the purchase of goods and services which were necessitated by the State of Emergency occasioned by Hurricane Irene; and

**WHEREAS**, the County of Essex is desirous of allowing any of its political sub-divisions, towns, villages and districts located wholly or partly within the County or within any adjoining County, to purchase materials, equipment, supplies and services under currently existing Essex County contracts provided that said purchase and contracts are made upon the same terms, conditions and specifications as existing contracts with Essex County.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the its political sub-divisions, towns, villages and districts located wholly or partly within the County or within any adjoining County, to purchase materials, equipment, supplies and services under the existing emergency contracts currently entered into between Essex County and various vendors, suppliers and contractors providing work thereunder; and

**BE IT FURTHER RESOLVED**, that the procurement will be in accordance with Essex County rules and County Law §408-a and such procurement through the County contracts is exempt from the competitive bidding requirements of GML §103 provided, and on condition that the political sub-divisions enter into the contracts under the same terms, conditions and specifications as the County contracts.

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

**AYES: 2930 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF  
FLORENCE CATHERINE GLEBUS**

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

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

**WHEREAS**, Florence Catherine Glebus of Witherbee, New York passed away on August 25, 2011; and

**WHEREAS**, Florence Catherine Glebus was born in Ticonderoga, New York on April 3, 1921, daughter of Ella (Crossman) and George Trudeau; and

**WHEREAS**, Florence Catherine Glebus was employed by the Ticonderoga International Paper Mill for over 25 years; and

**WHEREAS**, Florence Catherine Glebus was a longtime member of St. Michael's Church in Witherbee and the Catholic Daughters; and

**WHEREAS**, Florence Catherine Glebus was an active participant of women's bowling teams in both Mineville, New York and Vero Beach, Florida, enjoyed water color painting, crocheting, traveling to Florida every winter upon her retirement, was an avid baseball fan who rarely missed a Dodgers or Mets televised game and attended the Dodgers Spring training practices daily in Vero Beach, Florida; and

**WHEREAS**, Florence Catherine Glebus was predeceased by her beloved husband, Anthony Glebus; and

**WHEREAS**, Florence Catherine Glebus is survived by her two sons, Anthony Glebus and Gary and Shelly Glebus; three grandsons, Tim and Mary Glebus, Scott and Stephanie Glebus and Dr. Geoffrey and Rachel Glebus; five great-grandchildren; and

**WHEREAS**, Florence Catherine Glebus was the beloved mother of Anthony Glebus former Town of Lewis Supervisor and member of the Essex County Board of Supervisors; and

**WHEREAS**, Florence Catherine Glebus was a loving wife, daughter, mother, grandmother, great grandmother, sister and friend who will be sorely missed but never forgotten.

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

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING AN OPTION TO  
PURCHASE AGREEMENT WITH RESPECT TO THE  
PURCHASE OF APPROXIMATELY ONE-HALF ACRE OF  
PROPERTY FROM SHELDON STERNBACH, FOR  
\$21,000.00 FOR PURPOSES OF PLACEMENT OF RADIO  
EQUIPMENT AND ACCESS, TO BE EXECUTED BY THE  
COUNTY CHAIRPERSON AND/OR COUNTY MANAGER  
UPON THE APPROVAL OF THE COUNTY ATTORNEY**

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

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

**WHEREAS**, Sheldon Sternbach owns a 38 acre parcel located at Dalton Hill Road, Moriah, Essex County, New York; and

**WHEREAS**, Essex County is desirous of entering into an exclusive right, and option to purchase this .5 acre parcel and non-exclusive right-of-way by option, exercisable by Essex County in its sole and exclusive discretion; and

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the execution of an option to purchase an approximate one-half acre piece of property from Sheldon Sternbach, at a purchase price of \$21,000.00 for purposes of placement of radio equipment and access to be executed by the County Chairperson and/or County Manager upon review and approval of the County Attorney.

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

**AYES: 2930 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**

**RESOLUTION AUTHORIZING THE ENTRY INTO A  
CONTRACT WITH AT&T TO BUILD A RADIO  
COMMUNICATIONS TOWER FOR ESSEX COUNTY AT  
NO CHARGE TO ESSEX COUNTY, THE  
CONSIDERATION BEING RENT ABATEMENT TO AT&T  
FOR A PERIOD OF TEN YEARS ON THE BELFRY  
MOUNTAIN SITE OR THE .5 ± ACRE PARCEL TO BE  
PURCHASED FROM SHELDON STERNBACH, TO BE  
EXECUTED BY THE COUNTY CHAIRPERSON AND/OR  
COUNTY MANAGER UPON APPROVAL OF THE  
COUNTY ATTORNEY**

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

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

**WHEREAS**, as part of the new Essex County Interoperable Radio Communications Project, the Belfry Mountain site or the adjoining Sternbach site is a necessary and integral component of the overall tower communications system; and

**WHEREAS**, it has been determined that the Belfry Mountain tower must be replaced and, in this regard, AT&T has proposed that it would be willing to build a radio communications tower either at the Belfry Mountain site or at the Sternbach site pursuant to Essex County's specifications free of charge, provided, and on condition, that AT&T be able to co-locate on the tower with a lease abatement for a period of 10 years.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes the entry into a contract with AT&T to build a radio communications tower for Essex County at no charge to Essex County, the consideration being rent abatement to AT&T for a period of ten years on either the Belfry Mountain site or the .5± acre parcel to be purchased from Sheldon Sternbach, to be executed by the County Chairperson and/or County Manager upon review and approval of the County Attorney.

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

**AYES: 2930 votes**  
**NOES: 0 votes**  
**ABSENT: 453 votes (Douglas, Ferebee, Canon, Moses)**