

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

The following resolution was offered by Supervisor Canon, 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 makes the following appointments:

From the Human Services Committee:

The appointment to the Community Service Board and Sub-Committee as follows:

Lauren Polvere for a term effective January 1, 2012 - December 31, 2015.

From the Economic Development Committee:

Lake Placid/Essex County Visitor's Bureau and Carol Joannette as the Project Manager for the 2012 - I Love New York Matching Funds Program.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR
VARIOUS DEPARTMENTS**

The following resolution was offered by Supervisor Morency, 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 Mental Health, to increase revenues and appropriations by \$5,000.00, for Systems Care Grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
4320-4162071	Systems of Care	\$5,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
43204-5451	Training/Schools/Conferences	\$5,000.00

2. For Horace Nye Home, to increase revenues and appropriations by \$24,000.00, for Medicare A as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
E6020 4E302010	Medicare A	\$24,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
E60204 5E01	Medicare A	\$24,000.00

3. For Horace Nye Home, to increase revenues and appropriations by \$282,704.00, for retro rate adjustment as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
E6020 4E302043	Retro Rate Adjustment	\$282,704.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
E60204 5E01	Retro Rate Adjustment	\$282,704.00

4. For Social Services, to increase revenues and appropriations by \$40,000.00 for Food Stamp Nutrition Education Plan as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6010 44611	Federal Aid - FS	\$40,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
60105	5COOP	\$40,000.00

5. For Transportation Department, to increase revenues and appropriations by \$129,152.00 - State Aide NYS DOT, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5631 440892	State Aid -NYS DOT ARRA	\$129,152.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
65312 5230	Champ Buses	\$129,152.00

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to execute a contract to purchase two buses from ARRA funds in the amount of \$140,000.00 minus a trade-in of \$10,848.00, upon the approval of the County Attorney.

6. For Transportation Department, to increase revenues and appropriations by \$44,234.47 - State Aid STOA, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
43594	State Aid - STOA	\$44,234.47

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
56312 5487LPV	Lake Placid Village	\$44,234.47

From the Public Safety Committee:

1. For the Sheriff's Department, increase revenues and appropriations by \$123.67 - rebate on food, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
42701	Rebate from Food Supplier	\$123.67

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31504.5452	Other Supplies	\$123.67

2. For the Sheriff's Department, increase revenues and appropriations by \$6,420.00, State Criminal Alien Assistance Program as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3150 446107	State Criminal Alien Assistance Program	\$6,420.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31504 5451	Training	\$6,420.00

3. For the Sheriff's Department, increase revenues and appropriations by \$100,000.00, inmate boarder income, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3110 41525	Boarder Income	\$100,000.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
31501 5120	Overtime Wages	\$100,000.00

From the Public Works Committee:

1. For DPW-Highway, to increase revenues and appropriations by \$6,168.00, sale of scrap, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
5130 42650	Sale of Scrap	\$6,186.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
51302 5240	Highway & Street Equipment	\$6,186.00

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

AYES: **2843 votes**
NOES: **0 votes**
ABSENT: **0 votes**

Resolution No. 343

**December 5, 2011
Regular Board Meeting**

**RESOLUTION AUTHORIZING AN INCREASE IN THE PRIVATE PAY
RATE FOR THE HORACE NYE HOME FOR NURSING HOME CARE
FROM \$285.00 PER DAY TO \$290.00 PER DAY, EFFECTIVE
JANUARY 1, 2012**

The following resolution was offered by Supervisor Blades, 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.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Horace Nye Home to increase the private pay rate for nursing home care from \$285.00 per day to \$290.00 per day, effective January 1, 2012.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION ADOPTING AND APPROVING QUALITY
IMPROVEMENT REVIEWS AND POLICIES/PROCEDURES
FOR THE CERTIFIED HOME HEALTH AGENCY AND
PREVENTIVE SERVICES**

The following resolution was offered by Supervisor Montgomery-Corey, who moved its adoption.

Upon the recommendation and approval 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, listed below are the policies and procedures which were submitted and approved by the Professional Advisory/Public Health Advisory Committee on November 2, 2011:

CERTIFIED HOME HEALTH AGENCY

Policies and Procedures:

- ◆ [Revised] Advance Directives Policy and Procedure
- ◆ [Revised] Agency Evaluation Policy
- ◆ [Revised] Confidentiality and Disclosure Policy and Procedure
- ◆ [Revised] Employee Application Policy and Procedure
- ◆ [Revised] Employee Health Requirements
- ◆ [Revised] Hours of Work Policy
- ◆ [Revised] Patient/Client Complaint Policy and Procedure
- ◆ [Revised] Patient/Client Rights and Responsibilities Policy and Procedure
- ◆ [Revised] Personnel Policy
- ◆ [Revised] Reconciliation of Medications: General Guidelines Procedure
- ◆ [Revised] Records and Reports Policy and Procedure
- ◆ Accidents Involving Staff Members Policy and Procedure
- ◆ Corporate Compliance Policy and Procedure
- ◆ Department from Employment Procedure
- ◆ Drug Policy
- ◆ Governing Authority Policy
- ◆ Incident Report Policy
- ◆ Outside Employment Policy
- ◆ Patient/Client Rights and Responsibilities Policy and Procedure (Agencywide)
- ◆ Professional Advisory/Public Health Advisory Committee Policy and By-Laws

[no designation=no change]

Recommended Revisions

PREVENTIVE SERVICES

- ◆ Preventive Services Quality Improvement Report - November 1, 2011 - [No Specific Action Required]

Policies and Procedures:

- ◆ Communicable Disease Investigation Procedure
- ◆ ECLRS Reporting Protocol
- ◆ Failure to Report Communicable Diseases Protocol
- ◆ Court Ordered HIV Testing Procedure
- ◆ HIV Counseling and Testing Off-Site
- ◆ HIV Counseling and Testing Procedure
- ◆ Oraquick Advance Rapid HIV ½ Antibody Test Procedure
- ◆ Oraquick Advance Rapid HIV ½ Antibody Control Procedure
- ◆ Unigold Rapid HIV Test Procedure
- ◆ Orasure Procedure
- ◆ Quality Improvement Policy
- ◆ Quality Improvement Procedure
- ◆ [R] Rabies Report Procedure - Quick Guide
- ◆ Electronic Submission and Reporting of Animal Rabies Testing
- ◆ Childhood Lead Poisoning Prevention Program Policy and Procedure
- ◆ Procedure for collecting Fingerstick Samples in Microtainers for Lead Testing
- ◆ Lead Testing by Leadcare II Blood Lead Analyzer Policy and Procedure
- ◆ Referral to Health Care Providers and Insurance Resources
- ◆ Blood Pressure Screening Policy
- ◆ Blood Pressure Screening Procedure
- ◆ Storage, Handling and Transportation of Vaccine Policy and Procedure
- ◆ [R] Protocol for Rabies Management

[R = revised; N = new; no designation = no change]

D & TC (Preventive Services) records/reports for 4th Quarter 2011 - no specific action required.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts, adopts, approves, or places on file the following herein above referenced Policies and Procedures for both the Certified Home Health Agency and Preventive Services.

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

**RESOLUTION AUTHORIZING EMERGENCY SERVICES TO APPLY
FOR AND ACCEPT A THREE YEAR GRANT FROM THE NEW
YORK STATE DIVISION OF HOMELAND SECURITY FEDERAL
EMERGENCY MANAGEMENT AGENCY IN THE AMOUNT OF
\$151,000.00, WITH \$51,038.00 TO GO TO SHERIFF'S
DEPARTMENT**

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

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

WHEREAS, the New York State Division of Homeland Security Program has been awarded \$151,000.00 under the FY2011 State Homeland Security Program (SHSP) with funding for this grant provided by the NYS DHS FEMA. The NYS Division of Homeland Security and Emergency Services (DHSES) will administer the funding on behalf of FEMA with \$51,038.00 to go to the Sheriff's Department.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman or County Manager to apply for and accept a 3 year grant from the NYS Division of Homeland Security, in amount of \$151,000.00, with \$51,038.00 to go to the Sheriff's Department.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AUTHORIZING THE INTRODUCTION
OF PROPOSED LOCAL LAW NO. 5 OF 2011
ENTITLED "A LOCAL LAW IMPOSING PROBATION
FEES FOR ALL PERSONS SENTENCED TO, OR
CURRENTLY ON PROBATION, FOR A CRIMINAL
OFFENSE"**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the County Attorney to prepare the necessary paperwork proposing introduction of proposed Local Law No. 5 of 2011 entitled "A Local Imposing Probation Fees for All Persons Sentenced To Or Currently on Probation For a Criminal Offense".

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

Resolution No. 347

December 5, 2011
Regular Board Meeting

**RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT WITH THE DEVELOPMENT
AUTHORITY OF THE NORTH COUNTRY FOR AN
ACCESS AND LICENSE AGREEMENT**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes the Chairman and/or County Manager to execute an agreement with the Development Authority of the North Country for an access and license agreement, upon the approval of the County Attorney.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION URGING PASSAGE OF SENATE BILL
S.5889-B AND ASSEMBLY BILL A.8644
IMPLEMENTING A MULTI-YEAR STATE TAKEOVER
OF THE LOCAL SHARE OF MEDICAID**

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

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

WHEREAS, when State lawmakers enacted a property tax cap, they pledged to also enact mandate relief that would enable and empower local leaders to implement that tax cap, but that mandate relief has not materialized; and

WHEREAS, at a local state-wide cost of \$7.3 billion, Medicaid is the number one mandate facing counties; and

WHEREAS, Essex County property taxpayers will pay approximately \$6.7 million in State Medicaid costs in 2011; and

WHEREAS, if a State takeover of Medicaid is enacted, County property taxes could be reduced by 44%; and

WHEREAS, Senate Bill S.5889-B/Assembly Bill A.8644 would require State legislators to take full fiscal responsibility for New York's largest-in-the-nation Medicaid program, by implementing an eight-year (8) gradual takeover of county Medicaid costs; and

WHEREAS, State lawmakers can fund the takeover with a combination of Medicaid program reforms, state-derived savings, and other spending controls, including applying the State's Medicaid Redesign Team reform savings to mandate relief and pursuing a Federal Medicaid waiver to leverage State cost-containment initiatives that can be applied to obtain property tax relief.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby urges State lawmakers to keep their promise, by enacting Senate Bill S.5889-B and Assembly Bill A.8644 into law to provide property tax relief for citizens of New York State, in the form of an eight year State takeover of County Medicaid costs; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator Elizabeth O'C. Little, Assemblywoman Teresa Sayward, Assemblywoman Janet Duprey, all New York State Counties, New York State Farm Bureau and the New York State Association of Counties.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE LOCAL FIRE
DEPARTMENTS TO DELAY THEIR COMPENSATION
CHARGES PAID TO ESSEX COUNTY
UNTIL MARCH 1, 2012**

The following resolution was offered by Supervisor Moses, 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 local fire departments to delay their compensation charges paid to Essex County until March 1, 2012.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AUTHORIZING DEPARTMENT OF
PUBLIC WORKS-HIGHWAY TO PURCHASE
CUTTING BLADES FROM WINTER EQUIPMENT
COMPANY, INC., A SOLE SOURCE, AT A COST OF
\$5,950.00, WITH FUNDS TO COME FROM DPW-
VEHICLE REPAIRS AND PARTS ACCOUNT**

The following resolution was offered by Supervisor Ferebee, 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 Department of Public Works to purchase cutting blades from Winter Equipment Company, Inc, a sole source, at a cost of \$5,950.00, with funds to come from DPW Vehicle Repairs and Parts Account #51304.5464.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AUTHORIZING DEPARTMENT OF
PUBLIC WORKS-HIGHWAY TO HIRE TRUCKING
AND CRANE SERVICES, ON AN EMERGENCY
BASIS, FOR TRANSPORT OF 7 SECTIONS OF USED
“INVERSET” PRECAST BRIDGES FROM
SCHYLerville TO ESSEX COUNTY, WITH FUNDS
TO COME FROM THE FLOOD ACCOUNT**

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.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the Department of Public Works to hire trucking and crane services, on an emergency basis, to transport 7 sections of used “inverset” precast bridges to be moved from Schylerville to Essex County, at a cost of approximately \$40,000.00, with funds to come from Flood Account H51234.5483.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

**RESOLUTION AUTHORIZING THE APPOINTMENT OF JAMES
HERRMANN TO THE ESSEX COUNTY ETHICS BOARD TO
IMMEDIATELY FILL THE UNEXPIRED TERM OF KEN DOYLE**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby appoints James Herrmann to the Essex County Ethics Board to immediately fill the unexpired term of Ken Doyle.

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

AYES: 2843 votes
NOES: 0 votes
ABSENT: 0 votes

RESOLUTION AUTHORIZING THE LEVY OF CHARGEBACKS

The following resolution was offered by Supervisor Connell, 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 Clerk of the Board of Supervisors is hereby authorized and directed to levy, from towns as accumulated chargebacks accrued, consisting of chargebacks from corrections to the tax rolls, as well as any incidental charges to the towns of Essex County as follows:

<u>TOWN</u>	<u>2011 SELF-INSURANCE</u>	<u>2011 TREASURERS</u>	<u>2011 REAL PROPERTY</u>
Chesterfield	\$.00	.00	\$.00
Crown Point	.00	.00	.00
Elizabethtown	.00	.00	.00
Essex	27,367.84	.00	.00
Jay	20,989.25	81.76	1,614.00
Keene	20,926.74	.00	1,193.85
Lewis	.00	.00	.00
Minerva	16,021.90	.00	.00
Moriah	.00	.00	.00
Newcomb	.00	.00	.00
North Elba	.00	.00	.00
North Hudson	4,181.77	.00	.00
St. Armand	.00	.00	.00
Schroon	.00	.00	.00
Ticonderoga	.00	.00	.00
Westport	.00	.00	.00
Willsboro	.00	.00	.00
Wilmington	24,972.69	.00	816.90

BE IT FURTHER RESOLVED, that no charge back shall be made against any town which, prior to the close of business on December 1, 2011, furnishes the Essex County Real Property Tax Services Director with a written statement that such Town will be making payment of an amount above on or before December 31, 2011

This resolution was duly seconded by Supervisors Merrihew and Canon, and adopted, upon a 60 percent roll-call vote as follows:

AYES: 2566 votes
NOES: 277 votes (Douglas, Preston)
ABSENT: 0 votes

Resolution No. 354

December 5, 2011
Regular Board Meeting

**RESOLUTION SCHEDULING THE 213TH
ORGANIZATIONAL MEETING FOR JANUARY 3, 2012**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby schedules the 2012 Organizational Meeting for January 3, 2012, to commence at 10:00 a.m.

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

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
NADINE A. KILCULLEN**

The following resolution was offered by Supervisor Montgomery-Corey, who moved its adoption.

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

WHEREAS, Nadine A. Kilcullen, of Brant Lake, New York, passed away on Monday, December 5, 2011; and

WHEREAS, Nadine was born on December 14, 1961, the daughter of Anthony and Rosemarie (DiCerbo) Conde; and

WHEREAS, Nadine enjoyed cooking, camping, snowmobiling, and spending time with her husband and girls; and

WHEREAS, Nadine is survived by her mother; husband, Mark Kilcullen; daughters, Alana and Emily; brother, Dominic (Theresa Ward) Conde; and aunt, Gloria Conde; and

WHEREAS, Nadine A. Kilcullen was a loving wife, mother, daughter, sister, niece 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 Nadine A. Kilcullen; 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 Kilcullen family.

This resolution was unanimously seconded and adopted.

**RESOLUTION ADOPTING PROPOSED LOCAL LAW
NO. 3 OF 2011 ENTITLED "A LOCAL LAW TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW §3-C"**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby adopts proposed Local Law No. 3 of 2011 entitled "A Local To Override the Tax Levy Limit Established in General Municipal Law §3-c," reading and provided as follows:

"ESSEX COUNTY LOCAL LAW NO. 3 OF 2011"

A Local Law To Override the Tax Levy Limit Established in General Municipal Law §3-c.

BE IT ENACTED, by the Essex County Board of Supervisors as follows:

Section 1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Essex pursuant to General Municipal Law §3-c, and to allow the County of Essex to adopt a budget for the fiscal year 2012 that requires a real property tax levy in excess of "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Board of Supervisors to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Board of Supervisors.

Section 3. Tax Levy Limit Override - Budget Authorization.

The Board of Supervisors of the County of Essex hereby overrides the tax levy limit for Essex County for 2012 and authorizes Essex County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2012 that requires a tax levy that is greater than the tax levy limit calculated for 2012 pursuant to §3-c of the General Municipal Law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, form or corporation, or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

This resolution was duly seconded by Supervisors Merrihew and Canon , and adopted upon a 60% weighted roll call vote as follows:

AYES: 2566 votes
NOES: 277 votes (Douglas, Preston)
ABSENT: 0 votes

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**RESOLUTION OF CONGRATULATIONS FOR
SPENCER STAFFORD, SR., OF WILLSBORO, WHO
IS RETIRING FROM THE TOWN BOARD
AFTER 30 YEARS**

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

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

WHEREAS, Spencer Stafford, Sr. served as a Councilman on the Town of Willsboro Town Board for well over 30 years; and

WHEREAS, during his tenure on the Willsboro Town Board, Spencer Stafford, Sr. exhibited the highest degree of competency, knowledge and integrity in his duties and in his representation of the people of the Town of Willsboro.

BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate Spencer Stafford, Sr. upon his retirement from the Town of Willsboro Town Board after 30 years of faithful service and wishes him continued success and best wishes in his future endeavors.

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 Spencer Stafford, Sr.

This resolution was unanimously seconded and adopted.

**RESOLUTION ADOPTING PROPOSED LOCAL LAW
NO. 4 OF 2011 ENTITLED "A LOCAL LAW TO
AUTHORIZING ENCLOSURE OF ADDITIONAL
INFORMATION WITH REAL PROPERTY TAX BILLS"**

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, by Resolution No. 319 duly adopted on November 7, 2011 the County of Essex introduced Local Law No. 4 for 2011, entitled "Local Law to Authorize Enclosure of Additional Information with Real Property Tax Bills; and

BE IT RESOLVED, that a Public Hearing was duly held on the 5th day of December, 2011 at 9:45 o'clock in the forenoon to hear any and all persons concerning the adoption of said local law; and

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors hereby adopts proposed Local Law No. 4 of 2011 entitled "Local Law to Authorize Enclosure of Additional Information with Real Property Tax Bills," reading and providing as follows:

**"LOCAL LAW AUTHORIZING ENCLOSURE OF ADDITIONAL
INFORMATION WITH REAL PROPERTY TAX BILLS"**

BE IT ENACTED, by the Essex County Board of Supervisors as follows:

Purpose

It is the intent of this local law to provide a legal mechanism to ensure that citizens receive accurate tax bill information and are aware of the New York State Medicaid Mandate on an annual basis.

Section 1. Annual Property Tax Bill Data

The County of Essex is hereby authorized to identify the portion of each annual property tax bill dedicated to NYS Medicaid Mandate within the taxing purpose section of each County Real Property tax bill.

Section 2. Procedure

The procedure required by this Local Law shall be carried out in addition to, and in

accordance with, other annual tax billing procedures existing within the County of Essex.

Section 3. Effective Date

This Local Law shall become effective upon filing with the Secretary of State.

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

AYES:	2843	votes
NOES:	0	votes
ABSENT:	0	votes

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
HENRY DAVID CAITO**

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

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

WHEREAS, Henry David Caito, age 7, of Jay, New York, passed away on Wednesday, November 30, 2011; and

WHEREAS, Henry was born on May 28, 2004 the son of Gregory and Lisa (Ransom) Caito; and

WHEREAS, Henry is survived by his parents; his beloved brothers, Matthew, Benjamin and Jonathan; his grandfather, Phillip Caito; and his grandparents, William and Mary Anne Ransom; and

WHEREAS, Henry attended first grade at AuSable Valley Elementary School where he used his big and vibrant smile to brighten the day of all he met; and

WHEREAS, Henry was a good, kind, and vibrant child who, despite his disability, never failed to show love and kindness to everyone; and

WHEREAS, Henry loved school, Veggie Tales, his teachers and friends and aspired to one day be like and work with his dad; and

WHEREAS, Henry met his everyday challenges with a smile and untiring enthusiasm and courage; and

WHEREAS, Henry was the "Mayor of AuSable", knew everyone in the town by name and never failed to say hello; and

WHEREAS, although his life was brief, Henry left an indelible impression upon all whom he met and his legacy of kindness, joy and love will forever live on through his family, friends, schoolmates and teachers; and

WHEREAS, in death Henry was joined by his beloved grandmother, Theresa Caito, who will be forever by his side, and together they will most assuredly be watching over each other and those that they love; and

WHEREAS, Henry David Caito was a loving son, brother, grandson, nephew, cousin and always 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 Henry D. Caito; 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 Caito family.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF
THERESA ROSE MARCOCCIA CAITO**

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

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

WHEREAS, Theresa Rose Marcoccia Caito, of Jay, New York, passed away on Wednesday, November 30, 2011; and

WHEREAS, Theresa Rose was born on July 3, 1936, in East Rochester, New York, the daughter of Vespasiano and Edith Marcoccia; and

WHEREAS, Theresa raised her family in Geneva, New York, was a communicant of St. Francis of DeSales Parish and, in 2004, moved to Jay, New York; and

WHEREAS, Theresa was well known for her cooking and it is said that the Caito children never knew what a sandwich or pizza was until they reached high school; and

WHEREAS, Theresa was a deeply religious and genuinely good person who without hesitation came to the aid of anyone in need and less fortunate than she; and

WHEREAS, Theresa was a loving and attentive wife, mother and grandmother who tirelessly and selflessly gave of herself to her family and whose success as a mother can be measured by the family that she raised; and

WHEREAS, Theresa Rose Caito is survived by her beloved husband, Phillip Anthony Caito; son, Gregory Caito (Lisa Caito); daughter, Caroline Perks (William Perks); five grandsons, Matthew Caito, Cameron Perks, Benjamin Caito, Colin Perks, and Jonathan Caito; two sisters, Anna Marcoccia Robertson and Mary Ann Lasher; and multiple nieces and nephews; and

WHEREAS, Theresa Caito was a loving wife, mother, grandmother, daughter, sister, aunt and friend who will be dearly missed by 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 Theresa Rose Marcoccia Caito; 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 Caito family.

This resolution was unanimously seconded and adopted.

**RESOLUTION ENDORSING THE EAGLE SCOUT
PROJECT BY WILLIAM BELLOWS TO REFURBISH
THE 10TH MOUNTAIN DIVISION MEMORIAL ON
RIVER ROAD IN LAKE PLACID WHICH WAS
DETERIORATED BY HURRICANE IRENE**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby endorses the Eagle Scout project by William Bellows to refurbish the 10th Mountain Division Memorial on River Road in Lake Placid which was deteriorated by Hurricane Irene by cleaning up the site, replacing existing benches, planting flowers and installing a power lighted flagpole upon confirmation that his volunteer work is covered under County insurance.

This resolution was unanimously seconded and adopted.

Resolution No. 362

December 5, 2011
Regular Board Meeting

**RESOLUTION SETTING A DATE FOR A SPECIAL
BOARD MEETING ON THE PROPOSED 2012 ESSEX
COUNTY BUDGET - DECEMBER 12, 2011 AT 11:30 AM**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby schedules a special Board Meeting on the proposed 2012 Essex County Budget for December 12, 2011 at 11:30 AM.

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

Resolution No. 363
WITHDRAWN

December 5, 2011
Regular Board Meeting

**RESOLUTION REMOVING FROM THE TABLE A
RESOLUTION AUTHORIZING A RESIDENCY WAIVER
FOR JOHN GOODROE OF THE DPW DEPARTMENT**

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors authorizes a resolution removing from the table a resolution authorizing a residency waiver for John Goodroe of the DPW Department.

This resolution was duly seconded by Supervisor Boisen, and ***withdrawn***.