

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

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

Upon the recommendation of the various 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:

1. Appointing Joe Naji Choufani and Noori Al-Walili, as Director of Community Services' Designee Physicians, in accordance with New York State Mental Hygiene Law.
2. Appointing Wendy Beeman as a member of the Essex County Community Services Board for a term effective January 1, 2014 through December 31, 2017.
3. Appointing Mary Bell as a member of the Essex County Community Services Board Alcohol & Substance Abuse Sub-Committee, for a term effective January 1, 2014 through December 31, 2017.

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

**RESOLUTION AUTHORIZING FURTHER INVESTIGATION INTO
THE IMPLEMENTATION OF A TRAFFIC DIVERSION PROGRAM
IN ESSEX COUNTY**

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.

WHEREAS, several counties in New York State have a Traffic Diversion Program which is a program for first-time traffic offenders and the implementation of such a program in Essex County.

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes further investigation by the Essex County District Attorney, Essex County Manager, Essex County Attorney and Essex County Community Resources into the implementation of a Traffic Diversion Program in Essex County.

This resolution was duly seconded by Supervisor Moore, and adopted, with Supervisor Scozzafava being opposed.

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT IN
THE REGIONAL OFFICE OF SUSTAINABLE TOURISM
(ROOST) 2014 BUDGET**

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

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

BE IT RESOLVED that the Essex County Board of Supervisors hereby authorizes a budget amendment to the 2014 Budget of the Regional Office of Sustainable Tourism (ROOST) reducing the income and expenses by \$21,054.00.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

Resolution No. 283

November 3, 2014
Regular Board Meeting

**RESOLUTION DESIGNATING THE CARLOTT ROAD
BRIDGE IN THE TOWN OF LEWIS AS THE,
“CHARLIE H. MARTIN MEMORIAL BRIDGE”**

The following resolution was offered by Supervisor Blades, 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 designates the Carlott Road Bridge in the Town of Lewis as the “Charlie H. Martin Memorial Bridge”.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION AMENDING RESOLUTION NO. 239 OF SEPTEMBER
2, 2014, AUTHORIZING THE ADMINISTRATOR OF THE WORKERS'
COMPENSATION/SELF-INSURANCE PLAN TO RENEW
CONTRACTS WITH PERMA FOR WORKERS' COMPENSATION
AND EMPLOYERS LIABILITY INSURANCE FOR A
THREE YEAR TERM BEGINNING
JANUARY 1, 2015 THROUGH DECEMBER 31, 2017**

The following resolution was offered by Supervisor Canon, 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 amends Resolution No. 239 of September 2, 2014, authorizing the Administrator of the Workers' Compensation/Self-Insurance Plan to renew contracts with PERMA for Workers' Compensation and Employers Liability Insurance for a three year term beginning January 1, 2015 through December 31, 2017.

BE IT FURTHER RESOLVED, that the Chairman and/or County Manager are hereby authorized to execute contracts for the above referenced agreements with PERMA.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS RELATIVE TO THE ISSUANCE OF UP TO \$4,345,000.00 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE COUNTY OF ESSEX TO FINANCE THE COST OF THE CONSTRUCTION AND RECONSTRUCTION OF BRIDGES IN AND FOR THE COUNTY

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

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

WHEREAS, Schoder Rivers, a competent engineering firm, duly licensed by the State of New York (the "Engineer"), has, at the instance of the Board of Supervisors of the County of Essex (the "County"), a municipal corporation of the State of New York (the "State"), recommended the construction or reconstruction of bridges in and for the County (the "Project") and said engineering recommendations have been filed in the office of the County Clerk and are on file for public inspection; and

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

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project in its entirety is \$4,345,000 and that the costs of the Project, in whole or in part, are to be financed by the issuance of serial bonds of the County pursuant to the Local Finance Law of the State of New York and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of such serial bonds; and

WHEREAS, it is proposed that the costs of the Project, as aforesaid, are to be paid from a tax levied upon all the taxable property in the County in annual installments determined by the Board of Supervisors of the County at a County meeting held on November 3, 2014, pursuant to proceedings taken under the Local Finance Law;

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

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

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

Section 3. No agency other than the County is involved in said environmental review and no coordinated review is necessary or required.

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

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

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

Section 7. The findings and determinations made herein shall apply prospectively to each parcel comprising a portion of the Project as identified; provided, that the lead agency shall take a hard look at each such parcel and may advise that further SEQRA review, financings or determinations be undertaken solely to secure the validity of the County’s said general obligations and the resolution under which they were authorized.

Section 8. The County shall include a true copy of this resolution in the file maintained, readily accessible to the public, in the office of the County Clerk, containing the plans and studies.

Section 9. This resolution shall take effect immediately upon its adoption by the Board of Supervisors of the County.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

AUTHORIZING THE ISSUANCE OF UP TO \$4,345,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE COUNTY OF ESSEX, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION AND RECONSTRUCTION OF BRIDGES IN AND FOR THE COUNTY

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

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

WHEREAS, the Board of Supervisors of the County of Essex (the "County"), located in the State of New York, hereby determines that it is in the public interest of the County to authorize the financing of the costs of construction or reconstruction of bridges, in and for the County, including the acquisition of land or rights in land and retaining walls or approaches thereto, of stone, concrete, or steel or of a combination of two or more of these materials necessary therefor and any preliminary and incidental costs related thereto, pursuant to the Local Finance Law (the "Project"), and

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the issuance of \$4,345,000.00 in Serial Bonds for the construction and reconstruction of bridges in and around Essex County, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the County and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$4,345,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, as set forth hereinabove the ("Project").

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

- (i) The construction or reconstruction of bridges in and for the County, including the

acquisition of land or rights in land and retaining walls or approaches thereto, of stone, concrete, or steel or of a combination of two or more of those materials, necessary therefor and any preliminary and incidental costs related thereto, at a total estimated maximum cost of \$4,345,000 for which \$4,345,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of twenty (20) years pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized herein or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;

Section 3. The Board of Supervisors of the County has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$4,345,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Supervisors of the County plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maturity of the serial bonds authorized in herein shall not be in excess of twenty (20) years; and (e) on or before the expenditure of moneys to pay for any costs related to the Project, for which proceeds of any obligations authorized herein are to be applied to reimburse the County, the Board of Supervisors of the County took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

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

Section 5. When this bond resolution takes effect, the Clerk of the Board of Supervisors shall cause the same to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the official newspapers having a general circulation in the County. The validity of such serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object

or purpose, for which the County is not authorized to expend money, or the provisions of law, which should have been complied with as of the date of the publication of this bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

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

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

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

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, or bond anticipation notes issued in anticipation of the issuance of such serial bonds, the County agrees, in accordance with, and as an obligated person with respect to the obligations under, Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the County's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the County Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the County, the commitment authorized by subsection 6(c) of the Rule (the "Commitment") to be placed on file with the County Clerk, which shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the County and that are approved by the County Treasurer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the County's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet the costs the County would be required to incur to perform thereunder. The County Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the County with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the County Treasurer shall consult with, as appropriate, the County Attorney and bond counsel or other qualified independent special counsel to the County and shall be entitled to rely upon any legal advice provided by the County Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. Any benefit incurred by any individual person or corporation from the objects or purposes authorized by this Resolution is incidental. The purpose of the financing authorized herein is to serve the public interest of the County.

Section 11. This bond resolution shall take effect immediately upon its adoption by the Board of Supervisors of the County.

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

AYES:	3921	votes
NOES:	0	votes
ABSENT:	118	votes (Ferebee)

EXTRACTS FROM MINUTES OF MEETING OF THE BOARD OF SUPERVISORS

OF THE COUNTY OF ESSEX, NEW YORK

(Construction and Reconstruction of Bridges)

A Regular Board meeting of the Board of Supervisors of the County of Essex (the "County"), in the State of New York, was held on November 3, 2014, at 10:00 o'clock, a.m., at Supervisors Chambers, Elizabethtown, New York, at which meeting a quorum was at all times present and acting.

PRESENT: Supervisors Morrow, Harrington, Merrihew, Gardner, Douglas, Blades, McNally, Scozzafava, Canon, Politi, Moore, Marnell, Whitson, Grinnell, Gilliland, Connell and Preston.

ABSENT: Supervisor Ferebee

ALSO PRESENT: County Manager Daniel Palmer, County Attorney Daniel T. Manning

Supervisor Moore submitted the following bond resolution and moved for its adoption. The motion was seconded by Supervisor Morrow. The Board of Supervisors of the County was polled. The motion was adopted by a vote of 3921 affirmative votes (being at least two-thirds of the voting strength of the Board of Supervisors of the County) and 0 negative votes with 118 votes absent.

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

1. A Regular Board Meeting of the Board of Supervisors of the County was duly held on November 3, 2014, and minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of the Board of Supervisors of the County.
2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.
3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Supervisors of the County who attended such meeting.
4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of Supervisors of the County, this 3rd day of November, 2014.

(SEAL)

JUDITH A. GARRISON
Clerk of the Board of Supervisors
County of Essex, New York

COUNTY OF ESSEX, NEW YORK

ESTOPPEL NOTICE

The bond resolution published herewith was adopted by the Board of Supervisors of the County of Essex (the "County"), located in the State of New York on November 3, 2014. The validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose, or class of object or purpose, for which the County is not authorized to expend money or the provisions of law, which should have been complied with as of the date of publication of such bond resolution, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of such bond resolution, or such obligations were authorized in violation of the provisions of the Constitution of the State of New York.

Dated: November 3, 2014

JUDITH A. GARRISON
Clerk of the Board of Supervisors
County of Essex, New York

**RESOLUTION SUPPORTING WAYNE COUNTY IN ITS
CURRENT LITIGATION INVOLVING IN REM TAX
FORECLOSURE/FEDERAL BANKRUPTCY MATTERS AND
AUTHORIZING THE EXPENDITURE AND CONTRIBUTION
OF \$2,000.00 TO BE USED FOR LEGAL FEES INVOLVED IN
THE CURRENT LITIGATION AND/OR ANY SUBSEQUENT
APPEALS**

The following resolution was offered by Supervisor Canon, 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 supports Wayne County in its current litigation involving in rem tax foreclosure/federal bankruptcy matters; and

BE IT FURTHER RESOLVED, that this Board authorizes the expenditure and contribution of \$2,000.00 to be used for legal fees involved in the current litigation and/or any subsequent appeals.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

**RESOLUTION IN SUPPORT OF THE ADIRONDACK HIGH
PEAKS SUMMIT STEWARDSHIP PROGRAM**

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.

WHEREAS, the Summit Stewardship Program was created 25 years ago by Dr. Edwin Ketchledge, Forty-Sixer #507, to protect and restore Adirondack High Peaks summit meadows; and

WHEREAS, in August 2014, #507 Fund was designated and used to support the High Peaks Summit Stewardship Program, currently administered by the Adirondack Mountain Club in partnership with the Adirondack Chapter of the Nature Conservancy and New York State Department of Environmental Conservation and used to support the outdoor education, research and conservation efforts in the high peaks of the Adirondack Mountains.

BE IT RESOLVED that the Essex County Board of Supervisors hereby supports the Adirondack High Peaks Summit Stewardship Program.

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

**RESOLUTION INTRODUCING PROPOSED LOCAL
LAW NO. 3 OF 2014 ENTITLED "A LOCAL LAW TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW §3-C"**

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

Upon the recommendation 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 introduces proposed Local Law No. 3 of 2014 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 2014"

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 2015 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 2015 and authorizes Essex County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2015 that requires a tax levy that is greater than the tax levy limit calculated for 2015 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.

BE IT FURTHER RESOLVED that the Essex County Board of Supervisors shall hold and conduct a public hearing on the foregoing proposed local law on the 1st day of December, 2014, at 9:15 o'clock in the forenoon of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors will publish a notice of such hearing in the designated County newspaper at least five days prior to said hearing.

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

AYES: 1979 votes (Morrow, Harrington, Merrihew, Gardner, Blades, McNally, Scozzafava, Canon, Politi, Moore, Marnell, Whitson, Connell)
NOES: 852 votes (Douglas, Grinnell, Gilliland, Preston)
ABSENT: 90 votes (Ferebee)

**RESOLUTION ACCEPTING THE REPORT OF THE OCTOBER 22,
2014 REAL PROPERTY AUCTION SALE AND AUTHORIZING
THE SALE OF SUCH PARCELS TO THE HIGHEST BIDDER FOR
EACH PARCEL**

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.

WHEREAS, sixty-two (62) Essex County properties were sold by Haroff Auction & Realty, Inc. at a duly advertised auction held in Ticonderoga, New York on October 22, 2014; and

WHEREAS, bids were accepted, subject to the approval of this Board, with respect to each of the 62 pieces of property.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby accepts and approves the Final Financial Report of Haroff Auction & Realty, Inc. of Schroon Lake, New York dated October 22, 2014 (attached hereto and consisting of 7 pages) and authorizes the sale of these properties to the highest bidder listed thereon; and

BE IT FURTHER RESOLVED, that all other properties contained in the Auction Report prepared by Haroff Auction & Realty, Inc. Of Schroon Lake, which is attached hereto and made a part hereof, shall be sold pursuant to the Terms and Conditions of Sale to the highest bidders.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

**RESOLUTION AUTHORIZING TO ENTER INTO A CONTRACT
WITH THE ESSEX COUNTY AGRICULTURAL SOCIETY
RELATIVE TO THE USE OF THE ESSEX COUNTY
FAIRGROUNDS FOR A DEMOLITION DERBY EVENT TO BE
HELD ON NOVEMBER 29, 2014**

The following resolution was offered by Supervisor Connell, 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 to contract with the Essex County Agricultural Society relative to the use of the Essex County Fairgrounds for a demolition derby event to be held on November 29, 2014; and

BE IT FURTHER RESOLVED, that this Board further authorizes the County Chairman and/or County Manager to enter into a contract with respect thereto and which contract shall provide indemnification and insurance and is subject to any additional terms and conditions required by the County Attorney.

This resolution was duly seconded by Supervisor Gilliland, and adopted

**RESOLUTION AUTHORIZING A TRANSFER FROM
CONTINGENCY ACCOUNT IN THE AMOUNT OF \$6,000.00 TO
REIMBURSE RSVP VOLUNTEER DRIVERS FOR
TRANSPORTING SENIORS TO MEDICAL APPOINTMENTS**

The following resolution was offered by Supervisor Marnell, 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 \$6,000.00 from Contingency Account #19904-5487 to Office for the Aging Account #67724-54463B, to be used to reimburse RSVP volunteer drivers for transporting seniors for medical appointments.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

BUDGET IMPACT STATEMENT:	
<i>Contingent Account Balance as of 8/4/14 :</i>	\$186,128.12
<i>Reduction Impact of this resolution:</i>	\$ 6,000.00
<i>FY2014 Contingent Account Balance as of 11/3/14:</i>	\$180,128.12

**RESOLUTION AUTHORIZING THE ESSEX COUNTY
PURCHASING AGENT TO ISSUE AN RFP SOLICITING
PROPOSALS FOR THE CONSTRUCTION OF SOLAR ENERGY
PANELS/FIELDS ON COUNTY PROPERTY FOR THE PROVISION
OF DISCOUNTED ELECTRICAL POWER**

The following resolution was offered by Supervisor Harrington, 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 Essex County Purchasing Agent to issue an RFP soliciting proposals for the construction of solar energy panels/fields on County property for the provision of discounted electrical power.

This resolution was duly seconded by Supervisors Gilliland and Gardner, and adopted.

**RESOLUTION CHANGING THE TIME OF THE NOVEMBER
WAYS AND MEANS COMMITTEE MEETING TO 6:00 P.M. AND
SCHEDULING THE PUBLIC HEARING ON THE TENTATIVE
2015 ESSEX COUNTY BUDGET FOR THE SAME DAY
AT 7:00 P.M.**

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

Upon 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 changes the time of the November 24, 2014 Ways and Means Committee Meeting from 10:00 a.m. to 6:00 p.m.;

BE IT FURTHER RESOLVED, that this Board hereby schedules the Public Hearing on the Tentative 2015 Essex County Budget to immediately follow the Ways and Means Committee Meeting on November 24, 2014 at 7:00 p.m.

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

**RESOLUTION OF CONGRATULATIONS
TO THE 2014 MINERVA-NEWCOMB MOUNTAINEERS GIRLS
VARSITY SOCCER TEAM UPON WINNING THE SECTION VII
CLASS D SEMI-FINALS**

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

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

WHEREAS, this Board is pleased to learn that the 2014 Minerva-Newcomb Central School Girls Varsity Soccer Team has won the Section VII, Class D Semi-Final game against Moriah Vikings.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulates the Minerva-Newcomb Central School Girls Varsity Soccer Team for winning the 2014 Section VII, Class D Semi-Finals.

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

**RESOLUTION AWARDING THE TIMBER SALE BID IN THE
TOWN OF KEENE IN THE AMOUNT OF \$41,318.60 TO
G. ATKINS TRUCKING, LLC
AND FURTHER AUTHORIZES THE CHAIRMAN OR COUNTY
MANAGER TO EXECUTE A CONTRACT FOR THE SAME**

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

Upon 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 awards the timber sale bid in the Town of Keene to G. Atkins Trucking, LLC, in the amount of \$41,318.60; and

BE IT FURTHER RESOLVED, that the Chairman or County Manager are hereby authorized to execute the contract for the same, upon the approval of the County Attorney.

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

AYES: 2831 votes
NOES: 0 votes
ABSENT: 90 votes (Ferebee)

**RESOLUTION OF CONGRATULATIONS TO THE
TICONDEROGA CENTRAL SCHOOL BOYS VARSITY
FOOTBALL TEAM FOR WINNING THE 2014 SECTION VII,
CLASS D CHAMPIONSHIP**

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

Upon 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 Ticonderoga Central School Sentinels Boys Varsity Football Team has won the 2014 Section VII, Class D Championship.

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the Sentinels of Ticonderoga Central School Boys Varsity Football Team, their Coaches and Staff for capturing the 2014 Section VII, Class D Championship.

This resolution was seconded by Supervisor Canon, and unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN
AND/OR COUNTY MANAGER TO EXECUTE A MEMORANDUM
OF AGREEMENT WITH THE NEW YORK STATE EXECUTIVE
DEPARTMENT DIVISION OF VETERANS' AFFAIRS (DVA)
PERMITTING COUNTY EMPLOYEES TO HAVE ACCESS TO
DVA ELECTRONIC CASE MANAGEMENT DATABASE
SYSTEM**

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

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

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Chairman and/or County Manager to execute a Memorandum of Agreement with the New York State Executive Department Division of Veterans' Affairs (DVA) permitting County employees to have access to DVA electronic web-enabled case management database system to aid in the preparation, presentment and procurement of claims before the VA, and for the purposes of assisting the Department of Veterans' Affairs office in Elizabethtown, New York.

This resolution was unanimously seconded and adopted.