

RESOLUTION AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO APPLY FOR AND ACCEPT A GOVERNOR'S TRAFFIC SAFETY GRANT IN THE AMOUNT OF \$22,000.00 FOR THE LOCAL GRANT; AND \$6,120.00 FOR POLICE TRAFFIC SERVICES AND \$5,400.00 FOR CHILD PASSENGER SAFETY, AND AUTHORIZING EXECUTION OF THE CONTRACT WITH THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

The following resolution was offered by Supervisor Harrington, 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 Department of Social Services to apply for and accept a local grant in the amount of \$22,000.00 from the Governor's Office of Traffic Safety Committee, and a police traffic services grant in the amount of \$6,120.00 and a Child Passenger Safety grant in the amount of \$5,400.00; and

BE IT FURTHER RESOLVED, the Chairman and/or County Manager are hereby authorized to execute a contract with the NYS Governor's Office of Traffic Safety Committee, upon the approval of the County Attorney.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

Resolution No. 133

June 6, 2017
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS AND APPRECIATION TO
SUSAN HATHAWAY
UPON HER RETIREMENT FROM SERVICE WITH THE
ESSEX COUNTY DEPARTMENT OF SOCIAL SERVICES**

The following resolution was offered by Supervisor Monty, 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.

WHEREAS, Susan Hathaway began working for Essex County on February 18, 1986, in the Office of the Essex County Auditor; and

WHEREAS, Susan Hathaway has been a faithful public servant to the people of Essex County in her position as a Principal Account Clerk for the Department of Social Services for more than 31 years; and

WHEREAS, during her tenure at Essex County, Susan Hathaway has exhibited the highest degrees of professionalism, competency, integrity and attention to detail and has always treated the public, residents of Essex County and its employees with grace and respect.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney extend their appreciation and heartfelt thanks to Susan Hathaway for her dedicated, conscientious and exemplary public service to the people of Essex County and wish her continued health and success upon her retirement and the best of luck in all her future endeavors.

This resolution was unanimously seconded and adopted.

Resolution No. 134

June 6, 2017
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS AND APPRECIATION TO
LINDA DECKER
UPON HER RETIREMENT FROM SERVICE WITH THE
ESSEX COUNTY DEPARTMENT OF SOCIAL SERVICES**

The following resolution was offered by Supervisor Depo, 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.

WHEREAS, Linda Decker began working for Essex County on December 14, 2000, as a Typist for the Essex County Department of Social Services; and

WHEREAS, in January 2002, Linda Decker became a Senior Clerk for the Department of Social Services and has always exhibited the highest degrees of professionalism, competency, integrity and attention to detail and has always greeted and treated the public, residents of Essex County and its employees with grace and respect.

BE IT RESOLVED, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney extend their appreciation and heartfelt thanks to Linda Decker for her dedicated, conscientious and exemplary public service to the people of Essex County and wish her continued health and success upon her retirement and the best of luck in all her future endeavors.

This resolution was unanimously seconded and duly adopted.

Resolution No. 135

June 6, 2017
Regular Board Meeting

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

The following resolution was offered by Supervisor Monty, 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 authorizes the following appointments:

From the Human Services Committee:

1. Appointment of Suzie Dubay to the Essex County Office for the Aging Advisory Council for the term of May 1, 2017 through April 30, 2020.
2. Appointing the following Officers to the Essex County Office for the Aging Advisory Council, as recommended by the Nominating Committee:

Elizabeth Buysse, Chairperson
William Dolback, Vice Chairperson
Lynn Edmonds, Secretary

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

Resolution No. 136

June 6, 2017
Regular Board Meeting

**RESOLUTION OF CONGRATULATIONS TO
KATHRYN MAY GIANCOLA
UPON CELEBRATING HER 100TH BIRTHDAY**

The following resolution was offered by Supervisor Gilliland, 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.

WHEREAS, Kathryn May Giancola was born on May 24, 1917, and recently celebrated her 100th birthday; and

WHEREAS, Kathryn May Giancola was married to Richard Giancola; and

WHEREAS, Kathryn May Giancola resides in Willsboro, New York with her son, Allan Giancola.

BE IT RESOLVED, that the County of Essex hereby extends its deep appreciation and sincere congratulations and best wishes upon the occasion of her 100th birthday; 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 Kathryn May Giancola.

This resolution was unanimously seconded and adopted.

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

The following resolution was offered by Supervisor Miga, 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:

1. Accepting and placing on file the 2016 Board of Elections Annual Report.

From the Personnel Committee:

1. Accepting and placing on file the Workers Compensation & Self-Insurance 2016 Annual Report.

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

**RESOLUTION AUTHORIZING THE HIRING OF TEMPORARY,
PART-TIME, SUMMER EMPLOYMENT IN THE
SHERIFF'S DEPARTMENT**

The following resolution was offered by Supervisor Tyler, 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 hiring of a Temporary Part-Time Student Trainee (Grade 2) for the Essex County Sheriff's Department, for the Summer period beginning June 26, 2017 through September 1, 2017, at the hourly rate of \$12.19.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

**RESOLUTION OF APPRECIATION AND RECOGNITION
TO THE ESSEX COUNTY SHERIFF'S DEPARTMENT
CORRECTION STAFF IN HONOR OF NATIONAL
CORRECTIONAL OFFICERS WEEK,
MAY 7-13, 2017**

The following resolution was offered Supervisor Monty, 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, in 1984, President Ronald Reagan signed Proclamation 5187 creating "National Correction Officer's Week" being the first week of May each year; and

WHEREAS, in 2016, the Essex County Correctional Staff handled 670 bookings into our local facility, from traffic violations to the most serious of felonies and, as you know, no one gets into a state prison without first being a County inmate; and

WHEREAS, Essex County receives people from the street on initial arrests, who may be intoxicated, have mental health issues, medical issues, be drug addicted or in almost any condition imaginable; and

WHEREAS, Essex County officers handle all of these with professionalism and do so in compliance with all local, state and federal statutes which is best shown by the minimal amount of inmate litigation against Essex County.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby appreciates and recognizes the Essex County Sheriff's Department Correctional Staff in honor of National Correctional Officers Week of May 7-13, 2017; and

BE IT FURTHER RESOLVED that this Board hereby thanks the Essex County Sheriff's Department Correctional Staff for the outstanding job these men and women do day and night, weekends and holidays, and in good and bad weather.

This resolution was unanimously seconded and adopted.

**RESOLUTION RECOGNIZING MAY 15, 2017, AS
NATIONAL PEACE/POLICE OFFICERS MEMORIAL DAY
AND THE WEEK OF MAY 14-20, 2017, AS NATIONAL
POLICE WEEK**

The following resolution was offered Supervisor Gilliland, 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, in 1962, President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day; and

WHEREAS, on May 15th, 2017, we acknowledge National Peace/Police Officers Memorial Day by lowering flags to half-mast in remembrance and especially in memory of those officers who gave their all: Officer Earl Torrance, Sgt. Eric Loiselle, Trooper Larry Gleason, Trooper Ronald Donahue and those others whose sacrifice has kept us safe and protected.

BE IT RESOLVED, that this Board of Supervisors, its Clerk of the Board, County Manager and County Attorney, do hereby recognize May 15, 2017, as National Peace/Police Officers Memorial Day; and

BE IT FURTHER RESOLVED, this Board also recognizes the Week of May 14-20, 2017, as National Police Week.

This resolution was unanimously seconded and adopted.

**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 2017 Essex County Budget as follows:

From Economic Development Committee:

- 1. From the Community Resources Department increase revenues and appropriations in the amount of \$166,480.00, Champlain Valley Waterfront grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
8021 43989415	Champlain Valley Waterfront	\$166,480.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
80214 54CVWATE	Champlain Valley Waterfront	\$166,480.00

- 2. From the Community Resources Department increase revenues and appropriations in the amount of \$121,618.75, Minerva Lake Dam project, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
8021 43989417	Minerva Lake Dam	\$121,618.75

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
80214 54MINDAM	Minerva Lake Dam (Task 17-4)	\$121,618.75

- 3. From the Community Resources Department increase revenues and appropriations in the amount of \$121,618.75, Frontier Town Site Assessment, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
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8021 43989418 Frontier Town Site Assessment \$121,618.75

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
80214 54FRONT	Frontier Town Site (Task 17-5)	\$121,618.75

From the Ways and Means Committee:

1. From Office for the Aging, to increase revenues and appropriations in the amount of \$27,590.00, state aid AHI/DSRIP grant, as follows:

REVENUES

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
6772 43489DSR	State Aid AHI/DSRIP	\$27,590.00

APPROPRIATIONS

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
67724 54DSRIP	DSRIP	\$27,590.00

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

**RESOLUTION CHANGING THE DATE OF THE JUNE, 2017
REGULAR BOARD MEETING
FROM JUNE 5th TO JUNE 6th**

The following resolution was offered by Supervisor Gilliland, 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 changes the date for the June 2017 Regular Meeting of this Board from Monday, June 5, 2017 to Tuesday, June 6, 2017, in order to avoid a conflict with the AATV Conference on June 5, 2017.

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

STATE OF NEW YORK, COUNTY OF ESSEX)ss:

I, JUDITH A. GARRISON, Clerk of the Essex County Board of Supervisors, do hereby certify that I have compared the foregoing copy with the original resolution filed in this office on the 6th day of June, 2017, and that it is a correct and true copy thereof.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed my official seal this 6th day of June, 2017

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY
MANAGER TO EXECUTE A CONTRACT WITH DONALD HOFFMANN,
SRA FOR AN APPRAISAL OF PROPERTY LOCATED AT 8487 U.S.
ROUTE 9, IN THE TOWN OF LEWIS, BEARING TOWN OF LEWIS TAX
MAP NO. 47.13-1-28.100, IN THE AMOUNT OF \$1,750.00**

The following resolution was offered by Supervisor Monty, 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, the County of Essex is looking at property located at 8487 U.S. Route 9, Lewis, New York, which bears Tax Map No. 47.13-1-28.100 for purchase; and

WHEREAS, incident thereto the County is required to obtain an appraisal of the property before considering buying the same; and

WHEREAS, the County has solicited quotes from various appraisers in the area and has received only one response from Donald Hoffmann, SRA, in the amount of \$1,750.00.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes the County Chairman or County Manager to execute a contract with Donald Hoffmann, SRA, for an appraisal of property located at 8487 U.S. Route 9, in the Town of Lewis and bearing Town of Lewis Tax Map No. 47.13-1-28.100, in the amount of \$1,750.00.

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

AYES: 2385 votes
NOES: 461 votes (Scozzafava, Tyler)
ABSENT: 75 votes (Gardner, Moore)

Resolution No. 144

June 6, 2017
Regular Board Meeting

**RESOLUTION AUTHORIZING THE COUNTY PURCHASING AGENT TO
GO OUT FOR RFP OR BID FOR SURVEYING SERVICES FOR THE
DEPARTMENT OF PUBLIC WORKS**

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

Upon the recommendation of the DPW 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 Purchasing Agent to go out for RFP or Bid for surveying services for the Department of Public Works, on an as needed basis.

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

**RESOLUTION AUTHORIZING A CONTRACT WITH NEW YORK
STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION FOR REIMBURSEMENT OF SOLID WASTE
TRANSPORTATION OF DISPOSAL COSTS OUTSIDE OF
ESSEX COUNTY FOR THE YEARS 2017 AND 2018**

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

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

WHEREAS, in 1988 the County of Essex entered into a twenty year Memorandum of Understanding with the New York State Executive Department providing for the inclusion in the governor's executive budget of a \$294,000.00 annual subsidy for the County's solid waste transportation of disposal cost outside of the Adirondack Park; and

WHEREAS, Essex County has been receiving the sum of \$294,000.00 and \$300,000.00, in past years pursuant to various Local Assistance Agreements with the New York State Department of Environmental Conservation; and

WHEREAS, it is now necessary to execute a new Local Assistance Agreement with the New York State Department of Environmental Conservation for the years 2017-2018.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes its Chairman of the Board and/or County Manager to execute a Local Assistance Agreement (Agreement #C304741) with the New York State Department of Environmental Conservation for the payment to the County in the sum of \$300,000.00 for the years 2017 and 2018.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

RESOLUTION AUTHORIZING THE SETTLEMENT OF AN ACTION ENTITLED, "FIDELITY AND DEPOSIT COMPANY OF MARYLAND VS. ESSEX COUNTY" VENUED IN THE SUPREME COURT, COUNTY OF ESSEX BEARING INDEX NO. 0659/2010, IN THE AMOUNT OF \$179,192.00, AND AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE ANY AND ALL RELEASES, STIPULATIONS OF DISCONTINUANCE OR OTHER DOCUMENTATION INCIDENT TO SETTLE THE LITIGATION, AND FURTHER AUTHORIZING THE DELIVERY OF A CHECK FROM THE COUNTY OF ESSEX IN THE AMOUNT OF \$179,192.00 TO FIDELITY AND DEPOSIT COMPANY OF MARYLAND AFTER RECEIPT OF A FULLY EXECUTED SETTLEMENT AGREEMENT

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

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

WHEREAS, Tougher Industries, Inc. and Essex County entered into an agreement in connection with the Essex County Public Safety Building in Lewis, New York in June of 2005, in the principal amount of \$2,044,000.00; and

WHEREAS, in connection with the contract, Fidelity and Deposit Company of Maryland (F&D) issued a performance and payment bond on behalf of Tougher; and

WHEREAS, as a result of additions and deletions to the project, the agreed contract amount was adjusted to \$2,073,072.00; and

WHEREAS, Tougher defaulted in the performance of the contract and Essex sought final performance by Fidelity and Deposit Company of Maryland as surety; and

WHEREAS, Tougher filed for Chapter 11 Bankruptcy protection on November 3, 2006; and

WHEREAS, pursuant to an order of the United States Bankruptcy Court of the Northern District of New York dated March 10, 2009, all Tougher's claims and causes of action were assigned to F&D; and

WHEREAS, on or about September 29, 2010, F&D served Essex County with an Amended Complaint under Index No. 0659/2010, seeking damages against Essex County

for alleged breaches of contract and additional work in the amount of \$1,452,659.00; and

WHEREAS, the parties have agreed to a settlement of the aforementioned lawsuit in the amount of \$179,192.00, which requires Board of Supervisors approval.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby agrees to settle the matter entitled, "Fidelity and Deposit Company of Maryland vs. Essex County" bearing Index No. 0659/2010 venued in the Essex County Supreme Court and any and all related causes of action or damages for the amount of \$179,192.00; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairman or County Manager to execute any and all Releases, Stipulations of Discontinuance or other documentation incident to settle the litigation; and

BE IT FURTHER RESOLVED, that the Board authorizes the delivery of a check from the County of Essex in the amount of \$179,192.00 to Fidelity and Deposit Company of Maryland after receipt of a fully executed settlement agreement.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

**RESOLUTION OF RECOGNITION AND CONGRATULATIONS TO
RICHARD GRAVER
AS RECIPIENT OF NEW YORK STATE OFFICE FOR THE AGING
VOLUNTEER OF THE YEAR**

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

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

WHEREAS, Richard Graver, a resident of the Town of Lewis, was recently honored as New York State Office for the Aging Volunteer of the Year; and

WHEREAS, Richard Graver is an RSVP volunteer driver for the transportation program and has logged over 4,200 miles and over 150 volunteer hours just in 2016.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby congratulates Richard Graver on receiving the New York State Office for the Aging Volunteer of the Year award for his many years of dedication and service and extends its sincere gratitude, appreciation and congratulations; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby directs its Clerk of the Board to forward a suitably embossed copy of this Resolution to Richard Graver.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF APPRECIATION TO
ROBERT R. SWEATT
FOR HIS MANY YEARS OF SERVICE TO THE TOWN OF LEWIS**

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

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

WHEREAS, Robert R. Sweatt has served as Town Councilman for the Town of Lewis for almost 20 years; and

WHEREAS, Robert R. Sweatt is a lifelong resident of the Town of Lewis and even when not serving as a Councilman, he and his family were very active in the community; his father was a Town Justice and his mother was a teacher at Elizabethtown-Lewis Central School, as well as, Town Historian; and

WHEREAS, Robert R. Sweatt served on several committees while Councilman and played a large role in putting together the Town of Lewis Bicentennial and, most recently, helped organize, research and plan the Inez Milholland ceremony held in the Town of Lewis; and

WHEREAS, this Board wishes to extend its congratulations to Robert R. Sweatt and to express its deep appreciation for his service to Essex County.

NOW, THEREFORE, BE IT RESOLVED that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and its County Attorney hereby extend their heartiest congratulations and deepest thanks to Robert R. Sweatt for his outstanding, dedicated and exemplary public service to the People of Essex County; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby directs its Clerk of the Board to forward a suitably embossed copy of this Resolution to Robert R. Sweatt.

This resolution was unanimously seconded and adopted.

RESOLUTION ACCEPTING THE MORTGAGE TAX REPORT

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

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

WHEREAS, this Board is in receipt of the semi-annual Mortgage Tax Report, showing amounts to be credited to each tax district of the county of the money collected during the preceding six months ending March 31, 2017.

BE IT RESOLVED, that pursuant to Section 261 of the Tax Law, this Board issue Tax Warrants for the payment to the respective tax districts of the amount so credited as appropriated by the Clerk of the Board, and authorize and direct the County Treasurer to make payment of said amounts to the respective districts, in accordance with the report, as follows:

<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>	<u>TOWNS / VILLAGES</u>	<u>AMOUNT</u>
Chesterfield.	\$23,069.55	North Elba	
Crown Point.	10,328.00	Town.	105,134.90
Elizabethtown.	7,640.12	Village (Lake Placid).	40,932.78
Essex.	4,619.16	Village (Saranac Lake).. ...	4,394.33
Jay.	23,721.94	North Hudson.	1,813.66
Keene.	18,009.64	St. Armand	
Lewis.	6,110.12	Town.	14,322.80
Minerva.	5,432.10	Village (Saranac Lake).. ...	1,357.86
Moriah		Schroon.	26,171.62
Town.	16,617.64	Ticonderoga.	43,215.12
Village (Port Henry).	3,024.79	Westport.	13,236.78
Newcomb.	5,852.65	Willsboro.	30,646.62
		Wilmington.	<u>14,061.58</u>
		TOTAL:	\$419,713.76

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

**RESOLUTION AUTHORIZING CHANGES TO
THE ESSEX COUNTY AGRICULTURAL DISTRICT**

The following resolution was offered by Supervisor Tyler, 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, pursuant to Section 303(a) of the Agriculture and Markets Law, the County Legislative Body is required to review an agricultural district every eight years after its creation; and

WHEREAS, the Essex County Agriculture and Farmland Protection Board, the Essex County Planning Board and The Essex County Board of Supervisors have reviewed the eight agricultural districts and recommended they be combined into one along with addition and deletions; and

WHEREAS, a public hearing was held by the Essex County Board of Supervisors on Monday, May 1, 2017, at 9:30 a.m. at the Board of Supervisors Chambers, 7551 Court Street, Elizabethtown, New York upon the recommendations of the Essex County Agriculture and Farmland Protection Board and the Essex County Planning Board to add and delete parcels to Agricultural District #1, the revised agricultural district includes property in the towns of Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Keene, Lewis, Minerva, Moriah, North Elba, Schroon Lake, St. Armand, Ticonderoga, Westport, Willsboro and Wilmington; and

WHEREAS, all landowners affected by said recommended changes were notified by mail of the public hearing, and the notice of said public hearing was printed in the official newspapers of the County; and

WHEREAS, the Board of Supervisors has duly considered the recommended changes and comments at said public hearing; and

WHEREAS, the following changes were adopted: Add 69 parcels for a total of 4,074.25 acres; remove 12 parcels for a total of 503.98 acres for a proposed 2017 total of 65,911.29 acres for Agricultural District No. 1.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby designates 69 parcels be added to Agricultural District No. 1 for a total of 4,074.25 acres and the removal of 12 parcels from Agricultural District No. 1 for a total of 503.98 acres for a net addition of 57 parcels and 3,570.27 acres making the proposed 2017 Agricultural District

No. 1 a total of 65,911.29 acres, as described in the attached Summary of Changes; and

BE IT FURTHER RESOLVED, that Essex County Agricultural District No. 1 shall now consist of a total of 65,911.29 acres located in the towns of Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Keene, Lewis, Minerva, Moriah, North Elba, Schroon Lake, St. Armand, Ticonderoga, Westport, Willsboro and Wilmington.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

5. List of Parcel Additions and Deletions

ADD TO AG DISTRICT 1 2017

	parcel number	acres
Chesterfield		
1. Cindy Pray	4.10-1-1.0000	105
2. Lorne and Rhonda Segerstrom	20.1-1-16.100	
	10.3-1-36.000	493
Crown Point		
3. Odin Brudie	127.1-1-20.000	160
	127.1-1-12.100	
4. Elmer and Suzanne Harper	117.3-1-42.000	18.8
5. Vernon Lang	117.3-1-45.000	37.6

	107.4-3-2.000	39
	107.4-3-3.000	34
	107.4-3-1.000	70
	116.-1-17.000	39.2
Elizabethtown		
6. Anita and John Deming	74.07-1-29.100	218
	74.07-1-13.002	8
7. Peter and Tamara Deming	74.2-1-9.010	23
Essex		
8. Daniel Arbour Sunset Farm	40.1-3-2.200	115
9. Nancy Dougal	39.4-1-44.121	13
	39.4-1-44.200	20
	48.2-1-4.000	40
10. Thomas Duca	66.2-1-2.122	120.5
Jay		
11. Alan and Marla Benway	27.1-1-23.110	52.58
12. David Brunner and Rhonda Butler	18.1-1-24.112	34.68
	18.-2-24.200	1.86
	18.1-1-29.100	11.23
	17.2-1-24.000	32.6
13. Frank and Mona Dubay	27.2-2-43.100	9.8
	27.2-2-43.200	3.2
14. Alex Eaton and Margo Brooks	35.8-1-1.000	21.27
15. Shannon and Alex Eaton	27.2-2-40.200	25.02
	27.2-2-40.110	8.5
16. Matt and Michele Gedeiko	27.3-1-10.000	58
	18.3-1-30.110	85.9
17. Matt and Meredith Gillman	27.2-2-47.000	37.9
Keene		
18. Conrad Knapp and son Brian	44.3-1-32.111	144.47
Lewis		
19. Anita and John Deming	47.02-1-26.000	409
20. Todd and Dawn Besette	47.3-2-9.100	34.02
	47.3-2-10.100	6.6
21. Larry and Nancy Bucuarzu	55.2-1-4.000	104
22. Julie and Steve Ives	47.3-2-12.000	23.86
23. Nancy Sczeshak and Francisco Sanchez	47.4-1-14.200	10.5
Minerva		
24. Thomas and Brenda McNally	154.4-6-10.000	16.63
25. Bruce Carpenter	154.29-1-5.000	37.67
Moriah		
26. Bernard and Sandy Beebe	107.3-1-16.00	192.3
	107.3-1-8.000	127.4
	107.5-2-20.000	3.3
	107.5-2-19.000	3

27. Jean and Douglas Gonyo	96,20-3-38.200	4.2
	96.20-3-38.100	19
North Elba		
28. Will Dexter	52.4-1-13.000	76.57
	52.4-1-25.000	53.8
29. Sheldon West	52.003-1-10.000	12.7
Saint Armand		
30. Michael and Lori Davis	13.004-1-28.971	25
	13.004-1-17.1	
Schroon Lake		
31. Denny and Nacidee Holland	147.2-1-9.111	58.4
	136.18-1-45.000	93
32. Michele Kiswa and Mike Kuba	147.2-1-6	61.3 ac
33. Anthony Ruiz	147.1-2-3.000	3.67
Ticonderoga		
34. Phil Huestis	139.4-1-40.000	30.5
35. William O'Connor	150.4-1-8.2	113.91
	150.4-1-14.210	
36. Chattie VanWert	161.5-1-3.210	23.6
Westport		
37. Dana Allen	66.3-1-2.111	20
38. John Patrick Campbell	65.2-1-39.000	26.6
	65.2-1-3.100	40.28
39. James Starbuck	66.2-2-22.111	5
40. Gerald, Dan, Kimberly Tromblee	87.1-1-10.000	91.33
Willsboro		
41. Dan Rivera	30.20-1-1.120	80.5
42. Tom Cushing	30.8-3-10,210	93.83
	30.8-3-10.100	4.24
43. Arthur Auch	30.20-1-5.100	88.7

Add 69 parcels with a total of 4,074.25 acres

REMOVE FROM AG DISTRICT 2017

Chesterfield		Parcel number
6. W. R. Soloski	4.14-1-5.120	7.64
Crown Point		
7. Timothy and Rebecca Barnard	117.2-4-2.000	3.2
	117.2-2-8.200	6.9
8. Elsie Osher	117.15-1-16.000	10
Essex		
9. Gary Heurick	49.4-1-9.110	121.80
Moriah		

10. Thomas Trow	107.6-1-11.114	2.26
Ticonderoga		
11. Ticonderoga Water District	139.2-2-8.00	60.1
Westport		
12. Gaynelle and Simon Gutierrez	76.1-1-28	45.7
13. Gordon L and Ann S Sherman Trust	57.4-2-20.100	190
	57.4-2-20.200	40
	57.4-2-11.001	10.5
14. Elizabeth and Sandy Treadwell	76.2-1-18.120	5.88

Remove 12 parcels @ 503.98 acres

If adopted Agricultural District Essex County #1 will include the following towns: Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Keene, Lewis, Minerva, Moriah, North Elba, Schroon Lake, St. Armand, Ticonderoga, Westport, Willsboro, and Wilmington. The complete list of landowners in the district is in the Appendix

Add 69 parcels with a total of 4,074.25 acres

Remove 12 parcels @ 503.98 acres

Net addition of 57 parcels and 3,570.27 acres.

2009 agricultural district was 62,341.02 acres

The proposed 2017 district would be 65,911.29 acres

RESOLUTION AUTHORIZING THE PAYMENT OF \$7,000.00 OF APPROPRIATED PUBLIC HEALTH FUNDS TOGETHER WITH AN ADDITIONAL \$7,000.00 OF GRANT MONEY IN PAYMENT OF THE ACCREDITATION APPLICATION FEE TO THE PUBLIC HEALTH ACCREDITATION BOARD (PHAB) AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT WITH RESPECT TO THE SAME

The following resolution was offered by Supervisor Tyler, 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, the Essex County Public Health Department is seeking accreditation from the Public Health Accreditation Board (PHAB) as a key strategy for strengthening public health infrastructure and constituency for public health funding and to further develop a systematic approach for public health improvement; and

WHEREAS, the total fee is \$14,000.00, which includes \$7,000.00 of appropriated public health funds, as well as an additional \$7,000.00, pursuant to grant.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a payment in the amount of \$7,000.00, of appropriated funds (from budgeted funds Account #41904 5400COMM) together with an additional \$7,000.00 of grant money in payment of the accreditation application fee to the Public Health Accreditation Board (PHAB), and further authorizes the Chairman or County Manager to execute a contract with respect to the same.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

RESOLUTION AUTHORIZING AND PERMITTING OFFICE FOR THE AGING TO APPLY AND ACCEPT FUNDING FROM ADIRONDACK HEALTH INSTITUTE (AHI) FOR THE COACHING FOR ACTIVATION GRANT OPPORTUNITY THROUGH DELIVERY SYSTEM REFORM INCENTIVE PROGRAM (DSRIP) FOR THE GRANT PERIOD JULY 1, 2017 THROUGH MARCH 31, 2018, IN THE AMOUNT OF \$27,590.00; AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE THE SAME

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

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

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes Office for the Aging to apply for and accept funding from the Coaching for Activation grant opportunity through Adirondack Health Institute (AHI) DSRIP for the period July 1, 2017 through March 31, 2018, in the amount of \$27,590.00; and

BE IT FURTHER RESOLVED, that this Board further authorizes the Chairman and/or County Manager to execute the same.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

**RESOLUTION AUTHORIZING A ONE-TIME SETTLEMENT PAYMENT
TO THE NEW YORK STATE OFFICE OF MEDICAID INSPECTOR
GENERAL (OMIG) IN THE AMOUNT OF \$157,593.00, TO BE PAID
FROM THE ESSEX COUNTY FUND BALANCE**

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

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

WHEREAS, OMIG Audit of Claims for Outpatient Mental Health Services at the Essex County Clinic for the period of January 1, 2011 through December 31, 2013, has estimated that the County of Essex was overpaid \$246,533.00, during this 3 year period for which Essex County is responsible for repayment; and

WHEREAS, the County and OMIG have agreed that OMIG will accept the sum of \$157,593.00, in full settlement of the \$246,533.00 due.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes a one-time settlement payment to the New York State Office of Medicaid Inspector General in the amount of \$157,593.00, which funds are to come from the Essex County Fund Balance, as follows:

REVENUE

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>DR</u>	<u>CR</u>
A 3510	Appropriated Fund Balance	\$157,593.00	

APPROPRIATION

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT NAME</u>	<u>DR</u>	<u>CR</u>
4320 5487PY	Misc Prior Year		\$157,593.00

; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute any documents necessary to settle this matter.

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

AYES: 2745 votes
NOES: 101 votes (Preston)
ABSENT: 75 votes (Gardner, Moore)

RESOLUTION AUTHORIZING ESSEX COUNTY TO SELL A PIECE OF PROPERTY IN THE TOWN OF JAY, BEARING TAX MAP NO. 27.10-4-11.000, TO FNT/WELLS FARGO BANK, IN AN AMOUNT NOT LESS THAN \$10,000.00, AUTHORIZING THE COUNTY ATTORNEY AND COUNTY TREASURER TO NEGOTIATE A HIGHER PRICE IN THEIR DISCRETION; AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO CONVEY THIS PROPERTY

The following resolution was offered by Supervisor Gilliland, 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, Essex County currently owns a piece of property bearing Town of Jay Tax Map No. 27.10-4-11.000, previously owned by James H. Lincoln; and

WHEREAS, Essex County acquired title through tax foreclosure and there currently exists, for the month of June, outstanding taxes in the amount of \$6,180.73; and

WHEREAS, FNT/Wells Fargo Bank currently owns an adjacent piece of property bearing Town of Jay Tax Map No. 27.10-4-16.000, which it took in foreclosure from James Lincoln and Kathleen Lincoln upon which is partially situate a home; and

WHEREAS, the hereinabove referenced home is partially on Tax Map No. 27.10-4-11.000 and partially on Tax Map No. 27.10-4-16.000 and the pool associated with the home and a fenced-in area is currently situated on Tax Map No. 27.10-4-11.000 currently owned by Essex County; and

WHEREAS, it is in the parties best interest for Essex County to convey Tax Map No. 27.10-4-11.000 to FNT/Wells Fargo Bank such that the entire dwelling, swimming pool and the remaining lands will now be owned by FNT/Wells Fargo Bank and will be restored to the Town of Jay tax rolls.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby authorizes Essex County to sell a piece of property in the Town of Jay, bearing Tax Map No. 27.10-4-11.000, to FNT/Wells Fargo Bank, in an amount not less than \$10,000.00, authorizing the County Attorney and County Treasurer to negotiate a higher price in their discretion; and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute any and all documents necessary to convey the property.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

RESOLUTION AUTHORIZING THE VILLAGE OF LAKE PLACID, AS THE APPLICANT TO BECOME A PARTICIPANT IN THE ESSEX COUNTY SELF-INSURANCE PLAN AS DEFINED WITHIN LOCAL LAW NO. 3 OF 1959, AS AMENDED BY LOCAL LAW NO. 1 OF 1981, AND FURTHER AMENDED BY LOCAL LAW NO. 3 OF 2006

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

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

WHEREAS, Local Law # 3 of 1959, under Section 1., Sub Section A. Participation, provides for the following;

In addition to the County, participation in the Essex County Self-Insurance Plan shall be available to:

- (1) Cities
- (2) Towns
- (3) Villages

WHEREAS, Such participation shall be allowable provided that a certified copy of a resolution of the governing body of the applicant shall be filed with the Committee by the preceding July 1st, and

WHEREAS, Section 50, Subdivision 4-a of the New York State Workers' Compensation Law as amended by Chapter 61, laws of 1989, effective April 1, 1989 and provided for the following as it applies to group coverage;

A county, city, village, town, school district, fire district or other political subdivision of the state may secure compensation to its employees in accordance with subdivision one or two or three-a of this section, and a public corporation as defined in subdivision one of section sixty of this chapter may also secure such compensation in accordance with article five of this chapter. If compensation is not so secured, a county, city, village, town, school district, fire district or other political subdivision shall be deemed to have elected to secure compensation pursuant to subdivision three of this section and in such case, no proof of financial ability or deposit or securities need be made in compliance with such subdivision. All other requirements prescribed by this chapter for employers so electing shall be complies with and notice of such elections shall be filed with the Chair. For failure to file such notice of election, prescribed in form by the Chair, within ten days after the election was made, the treasurer, or other financial officer shall be liable to pay to the Chair the sum

of one hundred dollars as a penalty, to be transferred to the state treasury.

WHEREAS, Essex County Local Law No. 3 of 2006, defines the contributions formulas for the participating members, whereby such participating members allocate the overall cost of such plan among the participants, and

WHEREAS, the Village of Lake Placid as a new participant of the plan shall hereby agree to the following formula as their allocated cost of such overall plan costs;

The annual estimated expenses shall be apportioned among the participants based upon the following three factors:

- A. 50% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants on the basis of claims paid over the previous five (5) completed years of claims and shall be calculated based upon the following;
 1. The Administrator of the Plan shall compile and certify the dollar amount of claims for all participants based upon the previous (5) completed years of claims attributable to such participant.
 2. The percentage of claims for each participant shall be determined by dividing the five (5) year claims totals of each participant into the aggregate five (5) year claims total.
 3. Each participants contribution amount attributable to Claims Experience shall be determined using the following formula; multiply 50% of the estimated amount needed to operate the plan by the percentage of claims as determined in Section A., subsection 2. above.
- B. 25% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants on the basis of budgeted payroll for the current year and shall be calculated based upon the following;
 1. The Administrator of the Plan shall compile and certify the dollar amount of participants payroll based upon adopted budgets as submitted yearly to the Clerk of the Board.
 2. The percentage of payroll for each participant shall be determined by dividing the payroll totals of each participant into the aggregate payroll total.

3. Each participants contribution amount attributable to payroll shall be determined using the following formula; multiply 25% of the estimated amount needed to operate the plan by the percentage of payroll as determined in Section B., subsection 2., above.
- C. 25% of the estimated amount needed to operate the plan, as adopted in August of each year as required by law, shall be apportioned among the participants as follows;
1. Shares for the towns shall be apportioned among them based upon simple majority weighted votes as determined every ten years by population census, and shall be calculated based upon percentage of weighted vote.
 2. The percentage of weighted vote for each town shall be determined by dividing the simple majority weighted votes of each town into the aggregate simple majority weighted vote total.
 3. The Village as a new participant does not have weighted votes, therefore the Village apportionment for Section C., shall be set at 50% of the amount determined necessary for Section C., as defined in Section B.
 4. The County as an entity does not have weighted votes, therefore the County apportionment for Section C., shall be set at 75% of the amount determined necessary for Section C.
 5. The Town participant share shall be determined using the following formula; use the amount determined for Section C., subtract the County's 75% share, then multiple by the percentage of weighted vote as determined in Section C., subsection 2., above.

WHEREAS, the Village has a fiscal year which does not run according to the calendar year as does the other participants of the plan, therefore the County agrees to prorate such contributions of the plan according to the Village Fiscal year beginning July 1st of the year and running until June 30th., and

WHEREAS, the plan is currently administered by PERMA for coverage and PERMA has a one time entry fee of \$7, 237.00, which the Village shall be responsible for payment of the same directly to PERMA.

BE IT RESOLVED, the County of Essex hereby agrees to allow the Village of Lake Placid to become a participant in the Essex County Self Insurance Plan as defined within the various Local Laws as noted, effective July 1, 2017, upon presentment by the Village of Lake Placid of a certified copy of a resolution requesting admission as a participant and, unless as modified herein, which admission shall be subject to the hereinabove referenced local laws of 1959, 1981 and 2006.

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO
AWARD BIDS AND ISSUE CONTRACTS OR PURCHASE
ORDERS IN THE DEPARTMENT OF PUBLIC WORKS, AND
FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR
COUNTY MANAGER TO EXECUTE THE SAME**

The following resolution was offered by Supervisor Marnell, 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 authorizes the Purchasing Agent to award bids and issue contracts or purchase orders for the following:

1. Hynes Electric Supply Company, in the amount of \$60,897.50, to supply LED light fixtures, from budgeted funds (Account No. 16204-5415 LED)
2. Reale Construction Company, Inc. in the amount of \$872,000.00, for the replacement of County Route 34 (Trout Brook Road) Bridge over Minerva Stream, with funds to come from the Bridge Bond (Account No. H52634-5483); and

BE IT FURTHER RESOLVED, that the County Chairman or County Manager are hereby authorized to execute contracts or purchase orders for the above referenced.

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

AYES: 2491 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)
ABSTAIN: 355 votes (Scozzafava)

Resolution No. 157

June 6, 2017
Regular Board Meeting

**RESOLUTION WELCOMING THE ASSOCIATION OF COUNTY
CLERKS TO LAKE PLACID FOR THEIR ANNUAL MEETING ON
JUNE 11-13, 2017**

The following resolution was offered by Supervisor Merrihew, 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 welcomes the Association of County Clerks to Lake Placid for their Annual Meeting on June 11-13, 2017.

This resolution was unanimously seconded and adopted.

**RESOLUTION AUTHORIZING THE COUNTY OF ESSEX TO TAKE
OWNERSHIP OF A .64 MILE PORTION OF BROAD STREET
LOCATED IN THE TOWN OF MORIAH FROM THE TOWN OF
MORIAH AND TO INCORPORATE THE SAME INTO THE COUNTY
ROAD 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.

WHEREAS, by virtue of the dissolution of the Village of Port Henry, a .64 mile portion of Broad Street which was once a village road has been transferred to the Town of Moriah; and

WHEREAS, the Town of Moriah is desirous of deeding ownership of this .64 mile length of Broad Street to the County of Essex; and

WHEREAS, Christopher Garrow, Superintendent of the Essex County Department of Public Works has agreed to this transfer.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby agrees to accept a .64 mile stretch of road located on Broad Street in the Town of Moriah and to incorporate the same into the County Road system and amend the County map system pursuant to §115 of the Highway Law upon proper resolution presented by the Town of Moriah and upon delivery of a deed deeding this portion of property to the Town of Moriah.

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

AYES: 2629 votes
NOES: 217 votes (Monty, Tyler)
ABSENT: 75 votes (Gardner, Moore)

RESOLUTION AUTHORIZING THE SETTLEMENT OF AN ACTION ENTITLED, "LIFE SAFETY ENGINEERED SYSTEMS, INC., VS. ESSEX COUNTY" VENUED IN THE SUPREME COURT, COUNTY OF ESSEX, BEARING INDEX NO. CV16-0539, IN THE AMOUNT \$11,564.60, AND AUTHORIZING THE CHAIRMAN OR COUNTY MANAGER TO EXECUTE ANY AND ALL RELEASES, STIPULATIONS OF DISCONTINUANCE OR OTHER DOCUMENTATION INCIDENT THERETO SETTLE THE LITIGATION

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

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

WHEREAS, Essex County entered into a contract with Life Safety Engineered Systems, Inc. having Contract No. DPW-15-0015; and

BE IT RESOLVED, that the Essex County Board of Supervisors hereby agrees to settle the matter entitled, "Life Safety, Inc. Fire and Safety Solutions vs. Essex County" bearing Index No. CV16-0539, and venued in the Essex County Supreme Court and any and all related causes of action or damages for the amount of \$11,564.60; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors hereby authorizes its County Chairman or County Manager to execute any and all Releases, Stipulations of Discontinuance or other documentation incident to settle the litigation; and

BE IT FURTHER RESOLVED, that the Board authorizes the delivery of a check from the County of Essex in the amount of \$11,564.60, to Gottlieb Ostrager LLP as Attorneys for Life Safety Engineered Systems, Inc..

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

AYES: 2846 votes
NOES: 0 votes
ABSENT: 75 votes (Gardner, Moore)