

**Resolution No. 273**

**November 7, 2022**  
**Regular Board Meeting**

**RESOLUTION DESIGNATING THE REGIONAL OFFICE OF  
SUSTAINABLE TOURISM (ROOST) AS THE TOURISM  
PROMOTION AGENCY AND MARY JANE LAWRENCE AS  
THE TOURISM PROMOTION AGENT FOR 2023 - I LOVE NEW  
YORK MATCHING FUNDS PROGRAM**

The following resolution was offered by Supervisor Wilson, 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 designates the Regional Office of Sustainable Tourism (ROOST) as the Tourism Promotion Agency and Mary Jane Lawrence as the Tourism Promotion Agent for the 2023 - I Love New York Matching Funds Program.

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

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO  
AWARD BIDS, ISSUE CONTRACTS/AGREEMENTS OR  
PURCHASE ORDERS**

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

Upon the recommendation of 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 Purchasing Agent to award a contract/agreement or purchase order for the following:

1. Department of Social Services - purchase order to purchase workstations, filing and storage cabinets for the DSS TA/SNAP Department, in the amount of \$9,583.09, from budgeted funds.
2. Board of Supervisors - award bid to Scott Brankman, in the amount of \$161,271.00, for the purchase of the Westport Hotel, located in the Town of Westport.
3. Emergency Services - contract with Tyler Technologies, Public Safety Division, for a five (5) year contract beginning in 2023 for CAD upgrade as part of a three (3) County Consortium with Clinton, Essex and Franklin, in the amount of \$388,106.00 for 2023, from unexpended unappropriated fund balance.
4. Sheriff's Department - purchase order for two (3) 2023 Ford Explorer SUV's and related equipment, in the amount of \$117,616.00, from budgeted funds.
5. DPW/Transportation Department - award purchase order to Matthews Bus Alliance Inc., for two (2) 28 passenger Freightliner buses, in the amount of \$401,581.24, from budgeted funds.
6. DPW/Transportation Department - award purchase order to Mohawk Lifts LLC, for one (1) 26,400 lb. Rolling Jack, in the amount of \$10,232.84, from budgeted funds.
7. Information Systems - purchase order to purchase the Sophos firewall renewal for the Public Safety Building and Government Center, in the

amount of \$20,850.00 (Account #A1680 549909), from FY2020 Cyber Security grant funds.

***BE IT FURTHER RESOLVED***, that the Chairman or County Manager are hereby authorized to execute a contract/agreement or purchase order for the above referenced.

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

**AYES:           2760 votes**  
**NOES:            0 votes**  
**ABSENT:        93 votes (Holzer)**

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO  
ENTER INTO AN AGREEMENT ON BEHALF OF ESSEX COUNTY  
WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY  
SERVICES FOR THE 2022 COMPREHENSIVE PLAN FOR YOUTH  
DEVELOPMENT PROGRAM FUNDING AS PROVIDED FOR IN THE  
2022 ESSEX COUNTY BUDGET**

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

**BE IT RESOLVED**, that the Chairman of this Board is hereby authorized to enter into an agreement on behalf of Essex County with the New York State Office of Children and Family Services for the 2022 Comprehensive Plan for (YDP) Youth Development Program Funding as provided for in the 2022 Essex County Budget, and that he/she be further authorized to contract with the various municipalities and other contract agencies for programs as hereafter listed:

YOUTH DEVELOPMENT PROGRAM - STATE AID	\$	43,542.00
YOUTH DEVELOPMENT PROGRAM - LOCAL MATCH		0.00

State Aid Reimbursable Amounts for Youth Development Program Funded Programs  
(Total = \$43,542.00)

1. Town of Chesterfield . . . . .	500.00
2. Town of Crown Point . . . . .	1,200.00
3. Town of Lewis (Boquet Valley) . . . . .	3,100.00
4. Town of Jay . . . . .	500.00
5. Town of Keene . . . . .	500.00
6. Town of Minerva . . . . .	500.00
7. Town of Moriah . . . . .	500.00
8. Town of Newcomb . . . . .	500.00
9. Town of North Elba . . . . .	500.00
10. Town of North Hudson . . . . .	500.00
11. Town of St. Armand . . . . .	500.00
12. Town of Willsboro/Essex . . . . .	1,400.00
13. Town of Wilmington . . . . .	1,600.00
14. Arts Trek – Ticonderoga Festival Guild . . . . .	1,100.00
15. Essex County Youth Bureau Administration . . . . .	18,842.00
16. Essex County Youth Employment Program . . . . .	11,800.00

**BE IT FURTHER RESOLVED**, that the sum of \$43,542.00, be received from the New York State Office of Children and Family Services at 100% reimbursement by the above organizations; and

**BE IT FURTHER RESOLVED**, that the Chairman of this Board of Supervisors be and he hereby is authorized to enter into an agreement for the Comprehensive Youth Services Plan, above described, with the New York State Office of Children and Family Services, on behalf of Essex County, which specifies Youth Development Program Funding eligibility allocations to municipalities, Community Organizations, and the Essex County Youth Bureau and which will qualify the County for state reimbursement for Youth Programs in accordance with the level of funding provided for counties engaged in Comprehensive Planning for Youth Services.

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

**AYES:           2760 votes**  
**NOES:            0 votes**  
**ABSENT:        93 votes (Holzer)**

**Resolution No. 276**

**November 7, 2022**  
**Regular Board Meeting**

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

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

**Human Services Committee:**

1. Appointing Robert Wougher as a member of the Essex County Community Services Board for a term effective September 14, 2022 through December 31, 2024.

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

**RESOLUTION AUTHORIZING BUDGET AMENDMENTS FOR  
VARIOUS DEPARTMENTS**

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

Upon the recommendation of the various Committees, and the same appearing proper and necessary.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby amends the 2022 Essex County Budget as follows:

**Human Services Committee:**

1. From the Health Department to increase revenues and appropriations in the amount of \$53,315.00, from the NYS DOH for Children and Youth with Special Health Care Needs Program, as follows:

**REVENUES**

**Account Number**

<b><u>Org</u></b>	<b><u>Object</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
A4193	444511	CSHCN (PHCP/CMI) 93.994+5	\$53,315.00

**APPROPRIATIONS**

**Account Number**

<b><u>Org</u></b>	<b><u>Object</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
A4193	510020	Part time wages	\$53,315.00

**From Ways and Means Committee:**

1. From Information Systems Department, to increase revenues and appropriations in the amount of \$50,000.00, from FY2020 Cyber Security Grant Program, as follows:

**REVENUES**

**Account Number**

<b><u>Org</u></b>	<b><u>Object</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
A1680	449601	Fed Aid Homeland Security	\$50,000.00

**APPROPRIATIONS**

**Account Number**

<b><u>Org</u></b>	<b><u>Object</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
A1680	549909	Office Cyber Security	\$50,000.00

2. From the Health Department, increase revenues and appropriations in the amount of \$548,752.00, from the NYS Public Health Corps Fellowship Program, as follows:

**REVENUES**

**Account Number**

<b><u>Org</u></b>	<b><u>Object</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
A4191A	444901	Other Grant Revenue	\$548,752.00

**APPROPRIATIONS**

**Account Number**

<b><u>Org</u></b>	<b><u>Object</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
A4191A	510010	Regular Wages	\$175,500.00
A4191A	585000	Health Insurance	104,896.00
A4191A	541025	Office Supplies	8,000.00
A4191A	547001	Misc.	5,500.00
A4191A	549104	Contract Fees & Services	<u>254,856.00</u>
			<u>\$548,752.00</u>

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION ADOPTING AND APPROVING THE REVISED  
POLICIES AND PROCEDURES AND QUARTERLY REPORTS  
FOR THE HOME HEALTH SERVICES FOR 2<sup>ND</sup> QUARTER OF  
2022, WHICH WERE APPROVED BY THE PROFESSIONAL  
ADVISORY COUNCIL (PAC), PUBLIC HEALTH ADVISORY  
COMMITTEE (PHAC) AND THE MEDICAL DIRECTOR, ON  
SEPTEMBER 13, 2022**

The following resolution was offered by Supervisor DeZalia, 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**, listed below are the revised policies and procedures and quarterly report for the Public Health Unit which were submitted and approved by the Professional Advisory Council (PAC), Public Health Advisory Committee (PHAC) and Medical Director for 2<sup>nd</sup> Quarter 2022, on September 13, 2022:

**Certified Home Health Unit and Agency Wide Policies and/or Procedures:**

C&CHHA    Governing Authority  
NC&CHHA    How to complete the income assessment protocol  
C&CHHA    Pandemic and emerging infectious disease

R=Revised; D=Deleted; NC=No Change; A-Agency Wide; CHHA=Certified Home Health Agency; \*=found on policy manager.

**CHHA Records/Reports for the Chart Audit and Peer Reviews by Medical Director for 2<sup>nd</sup> Quarter 2022:**

No Specific Actions Required.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby accepts, adopts, approves, or places on file the herein above referenced revised policies and procedures and quarterly reports for the Certified Home Health Unit for the 2<sup>nd</sup> Quarter of 2022, and approved by the Professional Advisory Council (PAC), Public Health Advisory Committee (PHAC) and the Medical Director on September 13, 2022.

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

**RESOLUTION AUTHORIZING CONTRACT  
AMENDMENTS/CHANGE ORDERS IN  
VARIOUS DEPARTMENTS**

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

Upon the recommendation of the various Committees, and 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 an amendment, change order or Letter of Authorization to the following contracts:

**From the DPW Committee:**

1. From DPW - Contract Amendment with SRA Engineers, bearing Contract No. DPW-23-0022, in an amount not to exceed \$18,016.00, for professional engineering services including construction phase services necessary for the Mill Pond Drive over Outlet Brook bridge replacement project, located in the Town of North Elba, from budgeted funds.
2. From DPW - Contract Amendment with JFP Enterprises, Inc., bearing Contract No. DPW-23-0020, in an amount not to exceed \$16,438.00, for general construction services to include construction of concrete pad for glass crusher in front of the Municipal Recycling Center Building located in the Town of Lewis, with funds to come from ARPA funds.

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby authorizes the above referenced amendments; and

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

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION URGING THE NEW YORK STATE  
COMMISSIONER OF CORRECTIONS TO CONTINUE TO KEEP  
A FULL-TIME MAINTENANCE EMPLOYEE ON PAYROLL AT  
THE MORIAH SHOCK CORRECTIONAL FACILITY  
LOCATED IN MINEVILLE, NEW YORK**

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

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

**WHEREAS**, due to the closure of Moriah Shock Correctional Facility located in Mineville, New York by Governor Kathy Hochul, it is necessary to have this facility maintained with heat and electricity to keep it in good condition and to not let the facility deteriorate while Essex County tries to find a future tenant; and

**WHEREAS**, while Essex County appreciates that the Department of Corrections is working with the Town and County regarding the facility, the daily maintenance and upkeep of the infrastructure is critical along with snowplowing in the Winter and to keep generators in proper working order in the event of power outages and bumps at this site; and

**WHEREAS**, both the Town of Moriah and the County of Essex are willing to share services, if necessary, for the continued upkeep of Moriah Shock.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby urges the New York State Commissioner of Corrections to continue to keep a full-time maintenance employee on payroll at the Moriah Shock Correctional Facility located in Mineville, New York to maintain the heat and electricity in order to keep this facility in good condition until such time as Essex County can find a future new tenant; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to: Governor Kathy Hochul, New York State Department of Corrections Commissioner, Representative Elise Stefanik, Senator Dan Stec, and Assemblyman Matthew Simpson.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION APPROVING THE 2023 ESSEX COUNTY SELF-INSURANCE BUDGET AND THE WORKERS' COMPENSATION FOR TOWNS AND THE VILLAGE OF LAKE PLACID CONTRIBUTIONS**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby approves the 2023 Essex County Self-Insurance Budget and the Workers' Compensation for Towns and The Village of Lake Placid Contributions in the total amount of \$\$1,363,115.00, as follows:

**Workers' Compensation Contributions 2023  
Essex County Towns and The Village of Lake Placid**

<b>Town</b>	<b>2023</b>
Chesterfield	\$ 11,284.62
Crown Point	\$ 9,013.65
Elizabethtown	\$ 12,762.72
Essex	\$ 8,727.53
Jay	\$ 14,591.98
Keene	\$ 24,332.39
Lake Placid	\$ 128,535.86
Lewis	\$ 5,896.54
Minerva	\$ 25,363.22
Moriah	\$ 34,991.71
Newcomb	\$ 22,853.12
North Elba	\$ 119,163.14
North Hudson	\$ 4,824.06
St. Armand	\$ 24,577.92
Schroon	\$ 78,114.48
Ticonderoga	\$ 65,928.48
Westport	\$ 7,838.54

Willsboro	\$ 24,080.23
Wilmington	\$ 7,998.08
Essex County	\$ 732,236.73

\$1,363,115.00

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

<b>AYES:</b>	<b>2760</b>	<b>votes</b>
<b>NOES:</b>	<b>0</b>	<b>votes</b>
<b>ABSENT:</b>	<b>93</b>	<b>votes (Holzer)</b>

**RESOLUTION OF CONGRATULATIONS AND  
APPRECIATION TO  
JOSEPH A. PROVONCHA  
UPON HIS RETIREMENT AS ESSEX COUNTY CLERK  
AND FOR HIS MANY YEARS OF SERVICE  
TO ESSEX COUNTY**

The following resolution was offered by Supervisor DeZalia, 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**, Joseph A. Provoncha was elected to the Office of Essex County Clerk on January 1, 1992, and was re-elected to his 8<sup>th</sup> term in 2019; and

**WHEREAS**, as of January 1, 2021, Joe became the most senior County Clerk in New York State, having served as the longest of all County Clerks; and

**WHEREAS**, during his tenure with Essex County, Joe has held a variety of titles in addition to County Clerk and Agent for the DMV Commissioner, including Records Management Officer, Commissioner of Jurors, and Commissioner of Youth Services; and

**WHEREAS**, Joe has also received numerous awards including, but not limited to, the Liberty Bell Award by the Essex County Bar Association in 1997 and 2014; the NYS Archives and the Archives Partnership Trust - William H. Kelley Annual Archives Award in 2018; and named Clerk of the Year in 1996; and

**WHEREAS**, as a member of the New York State Association of County Clerks (NYSACC), Joe served as the Association President, Recording Secretary and was awarded a Lifetime Achievement Award in 2001; and

**WHEREAS**, Joseph A. Provoncha has tirelessly, conscientiously and with the highest degree of professionalism, represented Essex County as its County Clerk for the last 30 years, and has provided invaluable knowledge, instruction, integrity, dedication, leadership and exemplary public service to Essex County; and

**WHEREAS**, the Essex County Board of Supervisors has received notice that after 30 years of service, Joseph A. Provoncha has announced his retirement as of November

1, 2022.

***BE IT RESOLVED***, that the Essex County Board of Supervisors, the Clerk of the Board, County Manager and County Attorney hereby extend their heartfelt appreciation and congratulations to Hon. Joseph A. Provoncha for his dedication and service and for bringing honor and distinction to Essex County during his 30 years of service.

This resolution was unanimously seconded and duly adopted.

**RESOLUTION AUTHORIZING THE RELEVY OF UNPAID  
2022/2023 VILLAGE AND SCHOOL TAXES, AND ALL ROAD,  
WATER, SEWER AND GARBAGE RENTS  
ON THE 2023 TAX LEVY**

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

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

**WHEREAS**, the Supervisors of the several towns within Essex County have transmitted to the Clerk of the Board the amounts of unpaid road, water, sewer and garbage rents on the 2022 tax rolls; and

**WHEREAS**, the several Village and School Districts within Essex County have transmitted to the Essex County Treasurer the amounts of unpaid Village and School taxes, duly verified and certified as provided by Real Property Tax Law Sections 1330 and 1440; and

**WHEREAS**, the unpaid Village and School taxes, together with an additional 7% thereon are subject to relevy and collection pursuant to Real Property Tax Law Section 1330 and Essex County Local Law No. 3 of 1979, respectively.

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby authorizes and directs that the amounts of 2022-2023 Village and School Taxes, and 2022 Road, Water, Sewer and Garbage rents remaining unpaid be relevied upon the 2023 tax roll; and

**BE IT FURTHER RESOLVED** that payments for 2022/2023 School Taxes which are mailed and contain a postmark as of November 30, 2022, shall be deemed to have been actually received by the County Treasurer prior to 5:00 p.m. on said date, provided such payments shall have been tendered by certified check, cashier's check, money order, or cash only.

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION APPROVING THE 2022-2023 NORTH COUNTRY  
COMMUNITY COLLEGE CAPITAL PROJECT FOR DISTANCE  
LEARNING TECHNOLOGIES IN THE AMOUNT OF \$676,240.00**

The following resolution was offered by Supervisor Wilson, 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. Upon a motion to consider from the floor, and the same appearing proper and necessary.

**WHEREAS**, North Country Community College has filed its request to proceed with the Distance Learning Technology capital project for 2022-2023 in the amount of \$676,240 with the Clerk of this Board; and

**WHEREAS**, the New York State requires a Sponsor resolution to initiate community college capital projects.

**BE IT RESOLVED** that the Essex County Board of Supervisors, after due consideration, hereby approves the 2022-2023 North Country Community College capital project for Distance Learning Technologies in the total amount of \$676,240.00. The college will use \$338,120 in HEERF federal stimulus funding and seek a match of \$338,120; and

**BE IT FURTHER RESOLVED**, New York Education Law §6310 permits Essex County to apply for matching funds through SUNY for the New York State share of eligible capital projects; and

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby adopts this resolution and authorizes North Country Community College to initiate a capital project in order to request reimbursement up to 50% of eligible project costs (50% State share) from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependent on the State appropriation backing the project; and

**BE IT FURTHER RESOLVED**, that no funds from the County's General Fund should be committed for this purpose.

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION APPROVING THE 2022-23 NORTH COUNTRY  
COMMUNITY COLLEGE CAPITAL PROJECT FOR HVAC UPGRADES  
AND IMPROVEMENTS  
IN THE AMOUNT OF \$1 MILLION**

The following resolution was offered by Supervisor Wilson, 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 New York State requires a Sponsor resolution to initiate community college capital projects; and

**WHEREAS**, North Country Community College has filed its request to proceed with the HVAC Upgrades and Improvements capital project for 2023-2024 in the amount of \$1,000,000.00 with the Clerk of this Board.

**BE IT RESOLVED** that the Essex County Board of Supervisors, after due consideration, hereby approves the 2023-2024 North Country Community College capital project for HVAC Upgrades and Improvements in the total amount of \$1,000,000.00. The college will use \$500,000.00 in HEERF federal stimulus funding and seek a match of \$500,000.00; and

**BE IT FURTHER RESOLVED**, New York Education Law §6310 permits Essex County to apply for matching funds through SUNY for the New York State share of eligible capital projects; and

**BE IT FURTHER RESOLVED**, that the Essex County Board of Supervisors hereby adopts this resolution and authorizes North Country Community College to initiate a capital project in order to request reimbursement up to 50% of eligible project costs (50% State share) from the State of New York through the Dormitory Authority of the State of New York or directly from the State of New York dependent on the State appropriation backing the project; and

**BE IT FURTHER RESOLVED**, that no funds from the County's General Fund should be committed for this purpose.

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**Resolution No. 286**

**November 7, 2022  
Regular Board Meeting**

**RESOLUTION CHANGING THE DATE OF THE DECEMBER 2022  
REGULAR BOARD MEETING  
FROM DECEMBER 5<sup>th</sup> TO DECEMBER 6<sup>th</sup>**

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

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

**BE IT RESOLVED** that the Essex County Board of Supervisors hereby changes the date for the December 2022 Regular Meeting of this Board from Monday, December 5th to Tuesday, December 6th, 2022, in order to avoid a conflict with the AATV Annual Membership meeting on December 5, 2022.

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

**RESOLUTION ACCEPTING THE SEMI-ANNUAL MORTGAGE TAX REPORT**

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

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

**WHEREAS**, this Board is in receipt of the semi-annual Mortgage Tax Report, showing the amounts to be credited to each tax district of the county of the money collected during the preceding six months ending September 30, 2022.

**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 AND VILLAGES</u>	<u>AMOUNTS</u>	
CHESTERFIELD	\$ 33,689.56	
CROWN POINT	\$ 20,530.41	
ELIZABETHTOWN	\$ 13,245.44	
ESSEX	\$ 28,660.65	
JAY	\$ 34,123.40	
KEENE	\$ 16,372.32	
LEWIS	\$ 7,142.54	
MINERVA	\$ 8,390.96	
MORIAH	\$ 23,875.63	
NEWCOMB	\$ 6,527.34	
NORTH ELBA		\$164,950.75
TO THE TOWN	\$116,652.38	
TO THE VILLAGE OF LAKE PLACID	\$ 43,070.62	
TO THE VILLAGE OF SARANAC LAKE	\$ 5,227.75	
NORTH HUDSON	\$ 10,945.31	
SAINT ARMAND		\$ 13,643.93
TO THE TOWN	\$ 12,705.76	
TO THE VILLAGE OF SARANAC LAKE	\$ 938.17	
SCHROON	\$ 51,199.22	
TICONDEROGA	\$112,869.72	

WESTPORT	\$ 16,540.22	
WILLSBORO	\$ 31,707.88	
WILMINGTON	\$ 58,473.77	
	<hr/>	
TOTAL:		\$652,889.05

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION AMENDING RESOLUTION NO. 232 OF AUGUST 15, 2022, ESTABLISHING A STANDARD WORK DAY AND TIME REPORTING FOR SUPERVISORS JEFF SUBRA, KENNETH HUGHES, MARK WRIGHT AND CLAYTON BARBER WHO ARE ELECTED OFFICIALS EMPLOYED BY THE COUNTY OF ESSEX FOR RETIREMENT SYSTEM PURPOSES AND SUBMITTED TO THE NEW YORK STATE AND LOCAL RETIREMENT SYSTEM, TO INCLUDE THE STANDARD WORK DAY FOR ELECTION COMMISSIONER, ALLISON MCGAHAY**

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

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

**WHEREAS**, this Board pursuant to Resolution No. 232 of August 15, 2022, authorized to establish a Standard Work Day and Time Reporting for Supervisors, Jeff Subra, Kenneth Hughes, Mark Wright and Clayton Barber who are elected officials employed by the County of Essex for retirement system purposes and submitted to the New York State and Local Retirement System; and

**WHEREAS**, it is necessary to amend Resolution No. 232 of August 15, 2022, to include the Standard Work Day and Time Reporting for Election Commissioner, Allison McGahay.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby amends Resolution No. 232 of August 15, 2022, to include the Standard Work Day and Time Reporting for Election Commissioner, Allison McGahay; and

**BE IT FURTHER RESOLVED**, that the Clerk of the County Board of Supervisors and County Attorney publish and post the same as required by law and forward an original certified copy of this resolution to the Office of the New York State Comptroller/New York State and Local Retirement System.

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO  
OUT TO BID/RFP FOR FARMWORKER HOUSING  
ARCHITECTURAL SERVICES AND FURTHER AUTHORIZING TO  
AWARD A CONTRACT FOR THE SAME**

The following resolution was offered by Supervisor Tyler, 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 Essex County Purchasing Agent to go out to bid/RFP for Farmworker Housing Architectural Services, expenses will be reimbursed by the CDBG Farmworker Housing Grant Program (Account A6989 444012); and

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

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR  
COUNTY MANAGER TO ENTER INTO A CONTRACT WITH THE  
PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION, INC.  
(PERMA) FOR THE ADMINISTRATION OF THE WORKERS'  
COMPENSATION TAIL CLAIMS,  
FOR A ONE YEAR TERM BEGINNING  
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

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 authorizes a contract with PERMA for the administration of the Workers' Compensation Tail Claims, for a one year term beginning January 1, 2023 through December 31, 2023; and

**BE IT FURTHER RESOLVED**, that the Chairman or County Manager are hereby authorized to execute said contract.

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION ADOPTING PROPOSED  
LOCAL LAW NO. 3 OF 2022**

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

**WHEREAS**, by Resolution No. 269 duly adopted at a Regular Board Meeting held on October 3, 2022, this Board of Supervisors introduced proposed Local Law No. 3 of 2022, A local law to adopt amendments to the New York State Open Meetings Law for the expanded use of videoconferencing in Essex County, and scheduled a public hearing thereon on November 7, 2022 at 9:30 o'clock in the forenoon of that day, to hear any and all persons concerning the same; and

**WHEREAS**, the aforesaid public hearing has been held by this Board, and due deliberation having been had regarding said proposed local law and the comments made with respect thereto at said public hearing.

**BE IT RESOLVED**, that the Essex County Board of Supervisors hereby adopts proposed Local Law No. 3 of 2022, as follows:

**"ESSEX COUNTY LOCAL LAW NO. 3 OF 2022**

A local law to adopt amendments to the New York State Open Meetings Law for the expanded use of videoconferencing in Essex County.

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

**§1. Title.**

This local law shall be titled, "A Local Law to Adopt Amendments to the New York State Open Meetings Law for the expanded use of videoconferencing in the County of Essex".

**§2. Purpose and Intent.**

The purpose of this law is to authorize Essex County to allow for expansion of the use of videoconferencing to conduct open meetings.

**§3. Authority.**

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law. On April 9, 2022, Governor Hochul signed an amendment to the Open Meetings Law to allow, until the expiration date of July 1, 2024, the expanded use of videoconferencing by public bodies in the conduct of open meetings, under extraordinary circumstances, regardless of a declaration of emergency. In order to continue meeting virtually, counties must adopt a local law to opt in.

**§4. Authorization.**

The County of Essex hereby authorizes the use of videoconferencing for all public bodies of the County of Essex, including itself and its committees and subcommittees, and all Boards of the County of Essex, subject to the written procedure set forth below which may be amended by resolution.

**§5. Conditions.**

- a) A quorum of members of the public body must be physically present in the same physical location or locations, where members of the public may attend, to fulfil any quorum requirements to which said public body is subject.
- b) These procedures shall be conspicuously posted on the County's website.
- c) Members of the Board shall be physically present at meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances.
- d) The list of extraordinary circumstances is non-exhaustive, but shall include illness, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. The following shall not be deemed as extraordinary circumstances: vacation or delayed travel.
- e) Members shall provide notice of their inability to attend a meeting to the Clerk of the Board of Supervisors at least 24 hours prior to the meeting or as soon as reasonably able.
- f) The Committee Chairs, when available, shall retain discretion over permitted extraordinary circumstances for their Committee, pursuant to Section 2(d) of this local law.
- g) The Chairperson of the Board shall retain discretion over permitted extraordinary circumstances for the Board and for Committee meetings when that Chair is unavailable, pursuant to Section 2(d) of this local law.
- h) Members allowed to appear remotely shall leave their video camera on at all times during the meeting unless excused by the Chairperson.
- i) Rules for executive session shall still apply, and members shall not permit any unauthorized persons to listen to or overhear any executive session discussion.
- j) It is understood that members permitted to attend a a location that does not allow for in-person physical attendance by the public will

not count toward a quorum. Only members present at a physical location which allows for in-person attendance by the public will count toward a quorum.

- k) Any members of the public attending a meeting must be able to hear, see and identify any member of the public body who is attending remotely while the meeting is being conducted.
- l) Meetings conducted using videoconferencing shall be recorded and those recordings shall be posted or linked within five (5) business days of the meeting on the County website and maintained for five (5) years thereafter. Recordings shall be transcribed upon request.
- m) In those meetings where videoconferencing is used the public shall be able to view the meeting via video and participate in the proceedings via videoconference in real time where public participation is authorized.
- n) The Essex County Board of Supervisors may hold fully remote meetings, and in-person participation requirements of the Law shall not apply, during: a state disaster emergency declared by the governor pursuant to Section 28 of the Executive Law, or a local state of emergency proclaimed by the chief executive of a county, city, village, or town pursuant to Section 24 of the Executive Law, if the Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in-person meeting.
- o) If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the required documents and records will be posted or available, where members of the public can view and/or participate in such meeting via videoconference and identify the physical locations where members of the Board of Supervisors will be physically present at the meeting and where members of the public can attend the meeting in person.
- p) If videoconferencing is used to conduct a meeting, members of the public shall be allowed to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. Additionally, at meetings where public comment or participation is authorized by the County or Law, members of the public shall be allowed to participate in the proceedings using videoconference technology in real time and with the same opportunity for public participation or testimony as in-person participation or testimony.
- q) Open meetings of any public body that are broadcast or that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines.
- r) The minutes of the meetings involving videoconferencing must

include which, if any members, participated remotely and must be made available to the public.

**§6. Severability.**

If any clause, sentence, paragraph, section, subdivision or other party of this local law or its applications shall be adjudged by a court of competent jurisdiction to be invalidated or unconstitutional, provided that such judgment does not invalidate this local law or prohibit its administration, such order or judgment shall not affect, impair or otherwise invalidate the remainder of this local law which shall remain in full force and effect.

**§7. Effective Date.**

This local law shall be effective immediately upon its filing with the New York State Secretary of State.

**§8. Expiration Date.**

This local law shall expire on July 1, 2024.

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

<b>AYES:</b>	<b>2760</b>	<b>votes</b>
<b>NOES:</b>	<b>0</b>	<b>votes</b>
<b>ABSENT:</b>	<b>93</b>	<b>votes (Holzer)</b>

**RESOLUTION AUTHORIZING TO PAY FLINK MASWICK LAW,  
PLLC, IN THE AMOUNT \$6,582.50, FOR THE  
REPRESENTATION OF THE COUNTY WITH RESPECT TO A  
CIVIL ACTION IN THE ESSEX COUNTY SUPREME COURT,  
WITH FUNDS TO COME FROM CONTINGENCY ACCOUNT**

The following resolution was offered by Supervisor Tyler, 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 to pay to Flink Maswick Law, PLLC, as per Resolution No. 229 of August 1, 2022, in the amount of \$6,582.50, with respect to the beginning stages of their representation of an Essex County Civil Action, with funds to come from Contingency Account A1990 547001 and paid from Account A1910 543002; and

**BE IT FURTHER RESOLVED**, that future transfers will be necessary until this case is settled.

<b>BUDGET IMPACT STATEMENT:</b>	
<i>Contingent Account Balance as of 8/1/22:</i>	\$181,464.04
<i>Reduction Impact of this resolution:</i>	\$ 6,582.50
<i>FY2022 Contingent Account Balance:</i>	\$174,881.54

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION AUTHORIZING TO AMEND THE 2022 ESSEX COUNTY BUDGET IN THE HEALTH DEPARTMENT TO ACCEPT AWARD FROM NEW YORK STATE DEPARTMENT OF HEALTH FUNDS FOR CHILDHOOD LEAD POISONING PREVENTION PROGRAM IN THE AMOUNT OF \$9,918.00 FOR A TOTAL AMOUNT OF \$29,000.00**

The following resolution was offered by Supervisor DeZalia, 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 amends the 2022 Essex County Budget as follows:

From the Health Department to increase revenues and appropriations in the amount of \$9,918.00, from the NYS DOH for Childhood Lead Poisoning Prevention Program, in addition to original budget amount of \$19,082.00, for a total of \$29,000.00, as follows:

**REVENUES**

**Account Number**

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4013	444013	Fed Aid Lead 93.994	\$9,918.00
			19,082.00 Already included In budget previously

**APPROPRIATIONS**

**Account Number**

<u>Org</u>	<u>Object</u>	<u>Account Name</u>	<u>Amount</u>
A4013	510010	Regular Wages	\$24,764.35
A4013	541021	Lead Testing Supplies	2,235.65
A4013	546007	Educational Materials	<u>2,000.00</u>
			\$29,000.00

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

**AYES: 2760 votes**  
**NOES: 0 votes**  
**ABSENT: 93 votes (Holzer)**

**RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO  
OUT TO BID/RFP FOR A WEB-BASED AND HIPAA COMPLIANT  
CASE MANAGEMENT SOFTWARE PROGRAM TO BENEFIT  
FAMILY HEALTH AND CHILDREN'S SERVICES PROGRAMS  
INCLUDING THE UNIVERSAL HOME VISITING PROGRAM,  
FROM BUDGETED FUNDS**

The following resolution was offered by Supervisor Stanley, 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 Essex County Purchasing Agent to go out to bid/RFP for a web-based and HIPAA compliant Case Management Software Program to benefit Family Health and Children's Services Programs including the Universal Home Visiting Program, to come from budgeted funds (Account A4190 549104); and

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

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

**RESOLUTION OF CONGRATULATIONS TO THE MORIAH  
CENTRAL SCHOOL BOYS VARSITY FOOTBALL TEAM UPON  
WINNING THE 2022 SECTION VII, CLASS D CHAMPIONSHIP**

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**, this Board of Supervisors is pleased to learn that the Moriah Central School Boys Varsity Football Team has won the 2022 Section VII, Class D Championship.

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the 2022 Moriah Central School Boys Varsity Football Team, their Coach, Assistants and Staff, for their outstanding team accomplishments including, but not limited to, earning the 2022 Section VII, Class D title.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONDOLENCE TO THE FAMILY OF**

**PAUL “PK” COOLIDGE**

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

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

**WHEREAS**, Paul K. “PK” Coolidge of AuSable Forks, New York passed away unexpectedly, and too soon, on October 28, 2022; and

**WHEREAS**, PK was born in Keene Valley, New York on April 21, 1959, the son of Benjamin Paul Coolidge and Evelyn Lucille Bailey; and

**WHEREAS**, PK graduated from AuSable Valley Central School in 1977; and in 1981 began his career with the New York State Department of Corrections and retired after 25 years of service; and

**WHEREAS**, PK served on the Town of Jay Town Board and was and a member of Au Sable Forks EMS; and

**WHEREAS**, PK was best known for logging with his father, driving school bus, coaching various AuSable Valley Central School athletics, Boy Scout pack leader, involved with AuSable Forks Fast Pitch, fuel delivery driver, and an avid NY Yankee and NY Jets fan; and

**WHEREAS**, one of his biggest passions was the game of Texas Hold’em where he and his wife, Val were known for hosting poker games and creating the ADK WSOP Poker Club, and were able to bring their dream to a reality where they were able to play in a WSOP event in Las Vegas in 2022; and

**WHEREAS**, PK is survived by his wife, Valerie, his daughter, Kristi (Steve) Hackett, his son, Adam (Steph) Coolidge; his grandchildren, Ryan, Nayma, Sienna, Maya and Arya; and

**WHEREAS**, PK is also survived by three sisters, Jeanne (John) Matyas, Grace (Paul) Hoyer and Mary Beth Coolidge; his father and mother-in-law, Edwin and June Venette; sister-in-law, Tina (Dan) Beard; and brother-in-law, Mark Venette and partner Keith Musinski; many nieces and nephews, great nieces and nephews along with many

close friends that he considered family; and

**WHEREAS**, PK is the beloved father of Adam Coolidge a Council Member on the Town of Jay Town Board; and

**WHEREAS**, PK was a loyal and devoted son, husband, father, grandfather, brother, brother-in-law, uncle and friend who will be sorely missed but not forgotten.

**BE IT RESOLVED**, that the Essex County Board of Supervisors, Clerk of the Board, County Manager and County Attorney hereby express and extend their deepest sympathy and condolences to the family of Paul "PK" Coolidge; 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 Coolidge family.

This resolution was unanimously seconded and adopted.

**RESOLUTION OF CONGRATULATIONS TO THE AU SABLE  
VALLEY SCHOOL SWIM TEAM UPON WINNING THE 2022  
SECTION VII, CLASS C CHAMPIONSHIP**

The following resolution was offered by Supervisor Stanley, 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 Au Sable Valley Central School Swim Team has won the 2022 Section VII, Class C Championship.

**BE IT RESOLVED**, that the Essex County Board of Supervisors, its Clerk of the Board, County Manager and County Attorney hereby congratulate the 2022 AuSable Valley Central School Swim Team, their Coach, Assistants and Staff, for their outstanding team accomplishments including, but not limited to, earning the 2022 Section VII, Class C title.

This resolution was unanimously seconded and adopted.