

Resolution No. 135 July 17, 2015
By Supervisors Idleman, Haff, Dumas, Fedler, Shaw

TITLE: Resolution of the Board of Supervisors of Washington County Establishing the Board of Supervisors of Washington County as Lead Agency Pursuant to the State Environmental Quality Review Act Relative to the Proposed Project of the Application by the Board of Supervisors to the New York State Office of Parks, Recreation and Historic Places Snowmobile Trail Grant-In-Aid Application for the Year 2015-2016

WHEREAS, the Board of Supervisors of Washington County (hereinafter the "Board") proposes to make an application for funding to the State Office of Parks, Recreation and Historic Places to the Trail Grant-In-Aid Program for the Year 2015-2016 (hereinafter the "Project"), and

WHEREAS, pursuant to State Environmental Quality Review Act (hereinafter "SEQR") a "Short Environmental Assessment form" has been prepared for the Project dated July 17, 2015, which describes the Project in considerable detail (hereinafter the "EAF"), and

WHEREAS, the EAF, having been reviewed by the Board, was deemed completed and accurate relative to the Project, and

WHEREAS, the Board determined that the Project constitutes an Unlisted Action as defined by the SEQR regulations §617.2 (ak) and thereafter chose uncoordinated SEQR review pursuant to 6 NYCRR §617.6(b)(4), and

WHEREAS, the Board now desires to establish itself Lead Agency with respect to the Project in accordance with the SEQR regulations at 6 NYCRR 617.6 and to give notice of such establishment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS THAT:

1. The Board is hereby established as Lead Agency for purposes of SEQR relative to the Project.
2. This Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None.

Resolution No. 136 July 17, 2015
By Supervisors Idleman, Haff, Dumas, Fedler, Shaw

TITLE: Resolution of the Board of Supervisors of Washington County Issuing a “Negative Declaration” Pursuant to the State Environmental Quality Review Act Relative to the Proposed Project of the Application by the Board of Supervisors to the New York State Office of Parks, Recreation and Historic Places Snowmobile Trail Grant-In-Aid Application for the Year 2015-2016

WHEREAS, the Board of Supervisors of Washington County (hereinafter the “Board”) proposes to approve the application to the NYS OPRHP for Snowmobile Trail Grant-In-Aid Application for the year 2015-2016 (hereinafter the “Project”), and

WHEREAS, pursuant to State Environmental Quality Review Act (hereinafter “SEQR”) a “Short Environmental Assessment form” has been prepared for the Project dated July 17, 2015, which describes the Project in considerable detail (hereinafter the “EAF”), and

WHEREAS, the EAF, having been reviewed by the Board, was deemed completed and accurate relative to the Project, and

WHEREAS, the Board determined that the Project constitutes an Unlisted Action as defined by the SEQR regulations §617.2 (ak) and thereafter chose uncoordinated SEQR review pursuant to 6 NYCRR §617.6(b)(4), and

WHEREAS, the Board, by resolution dated July 17, 2015 declared itself Lead Agency with respect to the Project in accordance with the SEQR regulations at 6 NYCRR 617.6, and

WHEREAS, the Project was the subject of discussion at a public Agriculture, Planning, Tourism & Community Development Committee meeting held on June 22, 2015 and was also the topic of discussion during the Board meeting on July 17, 2015 when the Board declared itself lead agency, and

WHEREAS, the Board caused to be completed Part II of the EAF, and the project was reviewed and discussed by the Agriculture, Planning, Tourism & Community Development Committee, and

WHEREAS, the Board has undertaken its very best efforts to identify all areas of potential environmental concern, has thoroughly analyzed and considered each potential environmental concern, taking into account the magnitude and importance of each, and now makes its Determination of Significance with respect to the Project in accordance with the SEQR regulations at 6 NYCRR § 617.7; now therefore be it

RESOLVED:

1. The Board hereby accepts the answers set forth in the EAF.

2. Based upon a thorough examination and analysis of the EAF and review of the SEQR regulations at 6 NYCRR §617.7 and based further on comments received from the Applicant, the Boards' knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the Board has deemed appropriate, the Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts and has identified the following relevant areas of environmental concern and makes the following findings with respect to the Project:

a. The Project will not cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production or erosion, potential for flooding, or drainage problems. The expansion of the existing snowmobile trail system in Washington County is minor. There would not be an increase in persons in the County for a period such that might result in an increase in solid waste production, and the increase in users of the snowmobile trail system would not result in any change in the environment of the immediate areas or neighborhoods with respect to any air or water quality issues. The surrounding environment is rural farmland, open space and residential homes, all of which are currently utilized as snowmobile trails in the winter months, an increase in the trail qualities would not result in a change to any of these environments;

b. There will be no impact to any threatened or endangered species and the Project does not include the removal or destruction of large quantities of vegetation. The Project is sited in rural use and agricultural use areas that already have existing trails; while there will be some expansion of these trails that will result in the removal of some vegetation and fauna, this will be minimal. Additionally, these corridors are currently utilized by wildlife for travel and grazing, they actually support a habitat for the typical agricultural/rural wildlife found in our area.

c. The Project may impact existing trails which are designated critical environmental areas pursuant to 6 NYCRR § 617.14(g); however, these areas are designated critical environmental areas based on their agricultural soils, which will not be impacted at all due to the snowmobile use. Since these trails are only utilized in winter when the lands and soils are under cover of ice and snow. Additionally, the project will have no impact on land use and these areas will remain in active agricultural uses;

d. This Project is not a material conflict with any local municipality's current goals or plans as officially approved or adopted. Many of the local municipalities within which the trails are located do not have planning in existence and in communities that have planning, the project is not in conflict. In fact, many of these municipalities rely on the business and tourism from individuals utilizing these trails in the winter;

e. The Project will not impair the character or quality of any historical, archeological, architectural or aesthetic resources of an existing community. The Project will take place as an addition to the surrounding area, and will not have an impact on any of these current uses of the land. The Project's impacts will blend in with the existing neighborhoods and community character; it will look and function exactly as it presently exists and therefore will not affect neighborhood character;

f. The Project will not result in a change in either the quantity or type of energy used;

g. The Project has no capacity to create a danger to human health;

h. The Project will not result in a change to the existing open space of the community. Because the Project will not result in any development, no open spaces will be compromised. The Project will have no impact on the capacity of the area to support existing uses;

i. The Project will not encourage or attract large numbers of people to the area, compared to the number of people who would come to the place absent the Project. Although the enhanced trails will cause a slight increase in the number of persons utilizing the trails, these are trails that have been traditionally used for such purposes and the number would not have a noticeable impact.

j. The Project has no foreseeable impact not detailed above that would result in any of the above consequences;

k. The Project will not result in any changes to the environment that, when viewed together, would create a substantial adverse impact to the environment. Upon careful review of the EAF, information submitted by the applicant and other comments from the community and committee, it is declared that the Project does not contain components that, if combined, would be a substantial impact. Because of the Project location as diverse as the County itself and the lack of impact to environmentally sensitive areas adjacent or nearby there is no potential for significant environmental impacts resulting from the Project; and

l. The Project is not one of two or more related actions undertaken, funded or approved by the agency; as detailed here the Project is complete.

3. Based on the foregoing investigation of the potential environmental impacts of the Project and after carefully considering the setting, the public comments, probability of occurrence, duration, irreversibility, geographic scope, magnitude and number of people affected by each environmental impact therein indicated, the Board makes the following findings and determination with respect to this Project:

a. The Project constitutes an “Unlisted” action as said quoted term is defined in the SEQR regulations at 6 NYCRR §617.4;

b. The Project will not result in any large and important environmental impacts and, therefore, is one that will not have a significant impact on the environment. Therefore, the Board hereby determines that the Project will not have a significant effect on the environment, and the Board will not require the preparation of an “Environmental Impact Statement” with respect to the Project; and

c. As a consequence of the foregoing, the Board has determined to prepare a “Negative Declaration” with respect to the Project.

4. The Chairperson of the Board is hereby directed to file a “Negative Declaration” with respect to the Project consistent with this resolution, in the office of the Board and to provide a copy of the “Negative Declaration” to the Involved and Interested Agencies and any person who requests a copy, and to publish notice of same in the statewide Environmental Notice Bulletin.

5. This resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None for this resolution. Staff time was required to prepare this resolution and is required to monitor the snowmobile grant program.

Resolution No. 137 July 17, 2015
By Supervisors LaPointe, Campbell, Pitts, Dumas, Fedler, Gang

TITLE: To Exercise Option Year for Public Health Transportation Services 2015

WHEREAS, the Public Health Department bid preschool transportation services in 2014, and

WHEREAS, the bid contained provisions for option years for 2015 and 2016 at the County's election, and

WHEREAS, the Public Health Department and Health and Human Services Committee have recommended exercising the option for 2015 with Durrin Inc.; now therefore be it

RESOLVED, that the Washington County Board of Supervisors hereby elects to exercise the option year for transportation services for the Public Health Department's contract with Durrin, Inc. for preschool transportation services.

BUDGET IMPACT STATEMENT: Increase of 0.3% as per the CPI indicator for the period of April 2014 – April 2015. Actual costs dependent upon the number of children transported and the locations of their educational placements.

Resolution No. 138 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Adopt Adirondack Community College 2015-2016 Budget

WHEREAS, the trustees of Adirondack Community College have presented a tentative operating budget, net of grants for the college fiscal year beginning September 1, 2015 to August 31, 2016 in the amount of \$29,273,715, and

WHEREAS, Washington County's share is \$1,404,487, and

WHEREAS, a public hearing on said tentative budget was held by the Board of Supervisors on the 17th day of July, 2015; now therefore be it

RESOLVED, that the tentative operating budget, net of grants, of Adirondack Community College in the amount of \$29,273,715 be and the same adopted and approved as the budget for Adirondack Community College for the fiscal year beginning September 1, 2015 to August 31, 2016; and be it further

RESOLVED, that Washington County's share of \$1,404,487 be incorporated in the 2016 County budget to be adopted in November; and be it further

RESOLVED, that the Washington County Treasurer be and he hereby is authorized to pay the Treasurer of Adirondack Community College Washington County's share in the amount of \$1,404,487 prior to August 31, 2016.

BUDGET IMPACT STATEMENT: The college is sponsored by both Washington and Warren Counties. The ACC budget includes a 2% increase in the sponsor's share, the split based on Fall 2013 actual enrollments. If the budget is passed, the County's total contribution to Adirondack Community College will be \$1,404,487 and will be placed in the 2016 budget. This is an increase of \$27,539 compared to last year's contribution.

Resolution No. 139 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget – Youth Bureau – Runaway Homeless Youth Funding

WHEREAS, a budget amendment is needed for NYS OCFS funds received for runaway homeless youth in the amount of \$31,774, and

WHEREAS, these funds will be passed through to the Wait House; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A7310.4040	Youth – Contract Exp.	31,774
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Increase Revenue:

A3820	State Aid for Youth Programs	31,774
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BUDGET IMPACT STATEMENT: Funds received to be passed through to the Wait House.

Resolution No. 140 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Public Health Budget to Purchase Electronic Medical Record System

WHEREAS, the Director of Public Health has requested a budget amendment to purchase a new electronic medical record system that is better suited to the needs of public health, and

WHEREAS, the new system will be less expensive annually than the current system and funds have been identified within the current budget; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A4004.2010	Pub. Hlth. – Office Equip.	52,000
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Decrease Appropriation:

A4006.4630	Disease – Article IV	41,000
A4006.4650	Diseasae – TB Exp.	5,000
A4005.4280	Family – Supplies	5,000
A4004.4120	Pub. Hlth. – Maint. Contract	<u>1,000</u>
		52,000

BUDGET IMPACT STATEMENT: Transfer funds within the current budget for new electronic medical record system.

Resolution No. 141 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget – Planning Department for Broadband Survey

WHEREAS, the Agriculture, Planning, Tourism & Community Development Committee recommended a broadband survey be done to ask for public input on the availability of broadband, and

WHEREAS, the Adirondack Gateway Council has agreed to fund \$5,000 of this project, and

WHEREAS, the total cost was \$7,617 for postage and \$3,093 for printing for a total of \$10,710, and

WHEREAS, the local cost is \$5,710 and will require a budget amendment; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A8020.4020	Planning – Postage	7,617
A8020.4100	Planning – Printing	<u>3,093</u>
		10,710

Decrease Appropriation:

A1990.4530	Contingency	5,710
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Increase Revenue:

(No. to be assigned by Treas.)	Adirondack Gateway Council	5,000
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BUDGET IMPACT STATEMENT: Total cost of the survey is \$10,710. \$5,000 will be funded by the Adirondack Gateway Council. The balance will come from contingency. If this resolution is approved, the contingency account will be \$66,079.

Resolution No. 142 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget – Public Safety for 911 Phone Charges and Reclassify Funds for 911 Grant

WHEREAS, the 2015 Public Safety budget did not account for the new Verizon 911 monthly charge which will require approximately \$12,000 more for the year, and

WHEREAS, late in the 2015 budget process, the County received a grant to cover 911 expenses totaling \$186,000, and

WHEREAS, at the time the exact breakdown was not known and 100% of the grant was applied to wages, and

WHEREAS, the grant application included \$13,161 for equipment and will require a transfer from personnel to equipment; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

A3640.4010	Emg. Svcs. – Telephone	12,000
A3640.2620	Emg. Svcs. – Grant Equip.	<u>13,161</u>
		25,161

Decrease Appropriation:

A3640.101	Emg. Svcs. – Pers. Svcs. – Reg.	25,161
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BUDGET IMPACT STATEMENT: Transfer \$12,000 for telephone charges and move dollars for equipment, IP backup phones \$5,312; plantronics headset/base \$3,846, spare monitors (6) \$1,598, spare desktop computer \$2,405 totaling \$13,161.

Resolution No. 143 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: Amend Budget – Capital Project No. 116 – Capital Improvements for Pro-Qa Software and ECAT Tracking Software

WHEREAS, Emergency Services needs to update the Pro-Qa software and certify all current Dispatchers to provide the medical aided service, and

WHEREAS, both Warren and Washington Counties purchased the new 911 phone system and need a software program to provide a record of all incoming calls. This information is required to be provided when applying for grants. The cost to each County is approximately \$27,000, and

WHEREAS, there are remaining funds in the Capital Improvements capital project in line items as follows:

HDD1620.204003	New 911 Center	29,599
HDD1620.204005	LEC Radiator	<u>16,470</u>
		46,069

; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

HDD1620.204003	New 911 Center	16,470
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Decrease Appropriation:

HDD1620.204005	LEC Radiator	16,470
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BUDGET IMPACT STATEMENT: This transfer funds the purchase of the Pro-Qa software for \$18,710 and ECATS tracking software needed to track 911 calls for \$27,000. This will mean the total 911 center cost will be approximately \$781,890 and funded by three grants totaling \$765,659 leaving \$16,231 spent by local dollars.

Resolution No. 144 July 17, 2015
By Supervisors O'Brien, LaPointe, Suprenant, Hicks

TITLE: To Create and Fund Title of Assistant County Administrator and Endorse Appointment by the County Administrator and Amend Staffing Pattern

WHEREAS, the Personnel Committee has recommended the creation of the position of Assistant County Administrator to allow for training and orientation of a successor to the County Administrator who is retiring at the end of the year, and

WHEREAS, the Personnel Committee has recommended a salary of \$74,152 for the Assistant Administrator to be pro-rated to the end of 2015, and

WHEREAS, the budget must be amended in order to fund the Assistant Administrator Position, and

WHEREAS, the Staffing Pattern must also be amended, and

WHEREAS, due to the fact that it is anticipated that the appointed Assistant Administrator will be recommended for appointment in 2016 as the new County Administrator it is proper for the Board of Supervisors to indicate their support of the candidate to be appointed by the current County Administrator; now therefore be it

RESOLVED, that the position of Assistant County Administrator is hereby created with a salary of \$74,152 to be paid pro rata for the remainder of 2015; and be it further

RESOLVED, that the Staffing Pattern for County Administration be amended to add one (1) Assistant County Administrator; and be it further

RESOLVED, that the following budget amendment be made:

Increase Appropriation:

A1230.101	Pers. Svcs. - Co. Admin.	25,000
A1230.2010	Office Equip - Co. Admin.	450
A1230.2020	Computer Equip. - Co. Admin.	1,000
A1230.4090	Travel - Co. Admin.	2,000
A1230.4260	Car Pool - Co. Admin.	500
A1230.89030	Social Security - Medicare Co. Admin	1,890
A1230.89060	Health & Dental - Co. Admin.	<u>7,000</u>
		37,840

Decrease Appropriation:

A1990.4530	Contingency	37,840
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;and be it further

RESOLVED, that the County Administrator's appointment of Christopher DeBolt effective August 27, 2015 is hereby endorsed with the support of the Board of Supervisors.

BUDGET IMPACT STATEMENT: \$37,840 to fund position taken from contingency. If this resolution is approved, the contingency account will be \$28,239.

Resolution No. 145 July 17, 2015

By Supervisors Campbell, LaPointe, Brown, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Shay

TITLE: To Set Public Hearing on Introductory Local Law "C" of 2015; A Local Law in Relation to the Administration of the Washington County Workers Compensation Self Insurance Plan and Superceding Previous Local Laws Concerning the Same

WHEREAS, Washington County desires to enact certain changes to the Washington County Workers Compensation Self Insurance Plan, and

WHEREAS, a public hearing by the Washington County Board of Supervisors is necessary on August 21, 2015 at which time persons for or against adopting Introductory Local Law "C" of 2015 may be heard; now therefore be it

RESOLVED, that a public hearing be held on August 21, 2015 at 10:05 A.M. in the Board of Supervisors Chambers in Fort Edward, New York, with regard to Introductory Local Law "C" of 2015; A Local Law in Relation to the Administration of the Washington County Workers Compensation Self Insurance Plan and Superceding Previous Local Laws Concerning the Same; and be it further

RESOLVED, that the Clerk of the Board of Supervisors hereby advertise this public hearing in the official county newspapers.

BUDGET IMPACT STATEMENT: Costs of advertising contained in the Clerk's budget.

Resolution No. 146 July 17, 2015
By Supervisors Suprenant, Shay, Haff, Pitts, O'Brien, Armstrong

TITLE: To Authorize Signature of Mutual Link Agreement

WHEREAS, the State has proposed the provision of equipment to NYS counties that would provide for connectivity and interoperability between counties in times of emergency, and

WHEREAS, the County would receive equipment from the State, test the same and provide reasonable maintenance, and

WHEREAS, the Public Safety Committee recommends participation in the Mutual Link program; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the Mutual Link agreement in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: None. Minimal testing of equipment will be done in routine course of business in Public Safety Department.

Resolution No. 147 July 17, 2015
By Supervisor O'Brien

TITLE: Amend Staffing Pattern – Planning

WHEREAS, due to the anticipated vacancy of the Planner, the recommendation is to hire a part time temporary clerk to assist with the Washington County Broadband Survey, and

WHEREAS, the Staffing Pattern needs to be amended; now therefore be it

RESOLVED, that the Staffing Pattern be amended to add one (1) part time temporary Clerk in the Planning Department.

BUDGET IMPACT STATEMENT: Due to planned vacancy in the department, ample funding until position filled.

Resolution No. 148 July 17, 2015

By Supervisors Campbell, LaPointe, Henke, Suprenant, Idleman, Pitts, Hicks, O'Brien, Haff, Shay

TITLE: To Authorize Application for CFA Funding Under the NYS Community Development Block Grant Program

WHEREAS, the Washington County Sewer District No. 2 is submitting a CFA Application for funding under the NYS Community Development Block Grant (CDBG) program, and

WHEREAS, this grant would fund repair and replacement of sewer facilities operated by the District, and

WHEREAS, these facilities experienced unique and severe sewer system damage due to a gasoline spill that made its way to the low spots in Fort Edward, and

WHEREAS, the District is also dealing with its own \$26 million long term control plan financed through EFC and a long list of needed upgrades at the plant, and

WHEREAS, various application forms must be executed in order to submit the application; now therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute those documents required for the application in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: None for the actual application.

Resolution No. 149 July 17, 2015
By Supervisors Pitts, Suprenant, Campbell, Haff, Hicks, O'Brien, Gang

TITLE: To Amend Sewer District No. 2 2015 Budget

WHEREAS, the Sewer District purchased items at the end of 2014 that were not received and paid for until 2015, and

WHEREAS, the County's IFM purchasing system was not utilized to encumber the 2014 budget for these items; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following budget amendment:

Increase Appropriation:

GB8120.2090	Equipment – Other – Sewer District	20,177
GB8130.4320	Repairs & Maintenance – Sewer District	301

Increase Appropriated Fund Balance:

GB599	Appropriated Fund Balance	20,478
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BUDGET IMPACT STATEMENT: Re-appropriates 2014 fund balance that should have been encumbered and brought forward into the 2015 budget.

Failed to Get 2/3 Vote to Reach the Floor for Consideration Resolution No. 150 July 17, 2015
By Supervisors

TITLE: Resolution Supporting the Adoption of a New York State Law that Would Amend the Education Law, In Relation to the Common Core State Standards Initiative, the Race to the Top Program and the Partnership for Assessment of Readiness for College and Careers Consortium

WHEREAS, **Article VI, Paragraph 2** of the U.S. Constitution reads, “*This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding*”, and

WHEREAS, **Article VI, Paragraph 2**, commonly referred to as the Supremacy Clause, establishes that the federal Constitution, and federal law take precedence over state laws, and even state constitutions, and

WHEREAS, the action of the NYS government agreeing to accept approximately \$800 million in federal taxpayer funds to implement the Common Core education system is contrary to various provisions of the U.S. Constitution and is therefore null and void, *ab initio*, and

WHEREAS, **the Tenth Amendment** of the U.S. Constitution reads, “*The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people*”, and

WHEREAS, **the Tenth Amendment** expresses the principle of federalism, which undergirds the entire plan of the Constitution, by stating that the federal government possesses only those powers delegated to it by the States or the People, and

WHEREAS, **Article I, Section 8** of the U.S. Constitution enumerates the powers of Congress – that is, the authoritative capacity of Congress, and

WHEREAS, **Article I, Section 8** does not mention education, meaning matters regarding education, such as the Common Core educational system, are the purview of the States or the People, not the federal government, and

WHEREAS, **Article I, Section 10, Clause 3** of the U.S. Constitution reads, “No State shall, without the Consent of Congress.....enter into any Agreement or Compact with another State.....”, and

WHEREAS, **Article I, Section 10, Clause 3**, which is known as the Compact Clause, prohibited New York State from entering into the Common Core related Smarter Balanced Assessment Consortia (SBAC) and the Partnership for Assessment of Readiness for College and Careers Consortia (PARCC), which are interstate compacts to which Congress has never consented and are thus unconstitutional, and

WHEREAS, **Article IV, Section 4** of the U.S. Constitution reads, *“The United States shall guarantee to every State in this Union a Republican Form of Government....”*, and

WHEREAS, **Article IV, Section 4**, which is known as the Guarantee Clause, guarantees the people of New York State will forever enjoy republicanism, including popular rule, no monarch and the rule of law, and

WHEREAS, the **Rule of Law**, from our State and Federal Constitutions on down, is to be defended at all costs by all those entrusted with the reins of political power, according to their oaths of office, no matter the level of practical difficulties; the Rule of Law must stand against the folly of political expediency and the Rule of Man and his whims, and

WHEREAS, the **Fourth Amendment** of the U.S. Constitution reads, *“The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”*, and

WHEREAS, the **Fourth Amendment** protects citizens from unreasonable harassment by the government; the government has no right to search through their personal property without first receiving a warrant (a court order approving the search or seizure upon probable cause of wrongdoing), and

WHEREAS, the Race to the Top (RTTT), Common Core State Standards (CCSS), Smarter Balanced Assessment Consortia (SBAC), and Partnership for Assessment of Readiness for College and Careers Consortia (PARCC) developed assessments include and facilitate the collection of confidential personal and non-educational student, family, and teacher data, and the SBAC and PARCC Cooperative Agreements allow for access to that data by the federal government and third party organizations without parent, student, or teacher notification or prior written consent, and

WHEREAS, in violation of the Constitution, in 2009 and 2010, New York State was offered the chance to compete for education funding through the unconstitutional “Race to the Top” program created by the U.S. Department of Education (“ED”), and

WHEREAS, in violation of the Constitution, the only way to achieve a score in the “Race to the Top” competition sufficient to qualify for funding was to agree to “participation in a consortium of States that is working toward jointly developing and adopting a common set of K-12 standards”, and

WHEREAS, the only such “common set of K-12 standards” existent at that time, or since, is known as the Common Core State Standards Initiative (“CCSSI”), which was developed, in violation of the Constitution, without a grant of authority from any state, and

WHEREAS, in violation of the Constitution, New York State submitted its Race to the Top Application for Phase 1 in January 2010 and for Phase 2 in May 2010 (the CCSSI were not released until June of 2010 meaning that New York State committed to the CCSSI before they were written), and

WHEREAS, in violation of the Constitution, local education officials, school leaders, teachers, and parents were not included in the discussion, evaluation and preparation of the CCSSI standards that would affect students in this State, and

WHEREAS, the National Assessment of Educational Progress national test already exists and allows comparisons of academic achievement to be made across the states, without the necessity of imposing national standards, curricula, or assessments, and

WHEREAS, in violation of the Constitution, the imposition of a set of national standards could lead to the imposition of a national curriculum and national assessment upon the various states; now therefore be it

RESOLVED, that the Washington County Board of Supervisors emphatically urges the New York State Legislature and the Governor to adopt a law that would bring New York State into compliance with the U.S. Constitution by discontinuing the Common Core State Standards and ending New York State's involvement with the Race to the Top Program and the Partnership for Assessment of Readiness for College and Careers Consortium; and be it further

RESOLVED, that the Washington County Board of Supervisors urges the New York State Legislature to call for and fund an independent state-based approach and PLAN to improve the education system in New York; and be it further

RESOLVED, that the Clerk of the Washington County Board of Supervisors shall forward copies of this resolution to Governor Cuomo, Assembly and Senate Majority and Minority Leaders, Assembly and Senate Education Committee Chairmen, and the State Assemblypersons and Senators serving the County.

BUDGET IMPACT STATEMENT: None.

Failed to Get 2/3 Vote to Reach the Floor for Consideration Resolution No. 151 July 17, 2015
By Supervisors

TITLE: Resolution Supporting an Amendment to New York State's Social Studies Learning Standard No. 5, Civics, Citizenship and Government

WHEREAS, the People are entitled, by Right, to a constitutionally valid system of education, which prepares each citizen to meet the obligations of citizenship in America, to understand America's constitutional form of governance and each one's own unalienable Rights and the responsibility to preserve and protect the blessings of individual liberty for future generations, and

WHEREAS, Section 801 of the New York State Education Law reads, in relevant part, with emphasis added:

§ 801. Courses of instruction in patriotism and citizenship and in certain historic documents.

1. In order to promote a spirit of patriotic and civic service and obligation and to foster in the children of the state moral and intellectual qualities which are essential in preparing to meet the obligations of citizenship in peace or in war, the regents of The University of the State of New York **shall** prescribe courses of instruction in **patriotism, citizenship, and human rights issues....**
2. The regents **shall** prescribe courses of instruction in the **history, meaning, significance and effect of the provisions of the constitution of the United States, the amendments thereto, the declaration of independence, the constitution of the state of New York and the amendments thereto**, to be maintained and followed in **all** of the schools of the state. The boards of education and trustees of the several cities and school districts of the state **shall** require instruction to be given in such courses, by the teachers employed in the schools therein. All pupils attending such schools, in the **eighth and higher grades, shall** attend upon such instruction.

Similar courses of instruction **shall** be prescribed and maintained in private schools in the state, and all pupils in such schools in grades or classes corresponding to the instruction in the eighth and higher grades of the public schools **shall** attend upon such courses, and

WHEREAS, Section 802 of the New York State Education Law reads, in relevant part, with emphasis added:

§ 802. Instruction relating to the flag; holidays.

1. It **shall** be the duty of the commissioner to prepare, for the use of the public schools of the state, a program providing for a salute to the flag and a daily pledge of allegiance to the flag, **and instruction in its correct use and display which shall include, as a minimum, specific instruction regarding respect for the flag of the United States of America, its display and use as provided by federal statute and regulation** and such other patriotic exercises as may be deemed by him to be expedient, under such regulations and instructions as may best meet the varied requirements of the different grades in such

schools. However, **such instruction shall include, as a minimum, the provisions of sections one hundred seventy through one hundred seventy-seven of title thirty-six of the United States Code**, and

WHEREAS, the learning standard for *Civics, Citizenship and Government*, which is the fifth learning standard for Social Studies in New York State, currently reads in its entirety:

“Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental systems of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the roles, rights, and responsibilities of citizenship, including avenues of participation.”, and

WHEREAS, the current New York State learning standard for *Civics, Citizenship and Government* fails to Comply with Sections 801 and 802 of the New York State Education Law, and

WHEREAS, the current system of public education violates the principle of the “frequent recurrence to fundamental principles” that emerges from our State Constitution and from the Declaration of Independence and Constitution for the United States of America; now therefore be it

RESOLVED, that the Washington County Board of Supervisors does hereby emphatically urge the Board of Regents to amend the learning standards for *Civics, Citizenship and Government* to comply with Sections 801 and 802, to read as follows:

Social Studies Standard 5: *Civics, Citizenship, and Government*.

“Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments, with particular attention to the need to secure the individual’s Creator-endowed, unalienable Rights; the history, meaning, significance and effect of the provisions of the United States Declaration of Independence, the Constitution for the State of New York, as amended, and the Constitution for the United States of America, as amended; the basic civic values of the American democratic Republic; the roles, rights, and responsibilities of citizenship, including avenues of participation and respect for the flag of the United States of America, its display and use as provided by sections one hundred seventy through one hundred seventy-seven of title thirty-six of the United States Code; and the governmental system of the United States and other nations; and be it further

RESOLVED, that the Clerk of the Washington County Board of Supervisors shall forward copies of this resolution to Governor Cuomo, Assembly and Senate Majority and Minority Leaders, the State Board of Regents, Assembly and Senate Education Committee Chairmen, and the State Assemblypersons and Senators serving the County.

BUDGET IMPACT STATEMENT: None.

Resolution No. 152 July 17, 2015
By Supervisor Campbell

TITLE: Ratify Agreement Between Washington County and CSEA (General Unit) for Years 2015 - 2017

WHEREAS, the membership of the Civil Service Employees Association (CSEA) (General Unit) consisting of workers in the Social Services, Motor Vehicles, Data Processing, DPW Supervisors and Probation Departments, have ratified a proposed collective bargaining agreement with Washington County for the years 2015 - 2017; now therefore be it

RESOLVED, that Washington County does hereby ratify the aforesaid agreement; and be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the agreement with CSEA (General Unit) in a form approved by the County Attorney.

BUDGET IMPACT STATEMENT: Provides a 1.5% increase to base for 2015, 2016 and 2017 along with a one-time \$.20 adjustment to grades 7 through 10. In 2015 the longevity increases in year 5 from \$.35 to \$.45. 15 year, 20 year and 25 year increase to \$.35 from \$.22. In 2016 the longevity increases from \$.35 to \$.40 in years 8, 10, 15, 20 and 25. In 2017 the longevity increases from \$.40 to \$.45 in years 8,10,15, 20 and 25. The Employee health insurance contribution effective August 2015 became the same rate as the nonunion with a \$300 one-time payment to all CSEA members on payroll as of August 1, 2015. The total payroll of this union is \$5,300,000 prior to adjustment. Estimated 2015 cost is \$116,600 which is in the 2015 budget. Net overall cost average over the contract is 2.02% per year.