

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**DECEMBER 10, 2008**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, December 10, 2008 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present except Mr. Homovich and Mr. Marshfield. Mr. Homovich arrived later in the meeting during the discussion of Resolution No. 237.

Mr. Donnelly offered the invocation.

Mr. Hynes led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting were accepted as presented.

The Clerk reported all communications received have been referred to their respective committees for review.

Chairman Eisel granted privilege of the floor to Mr. Maddalone. Mr. Maddalone introduced Director of Emergency Services Richard Bell and Deputy Director /911 Coordinator Steve Finch.

Mr. Bell introduced Warning Coordination Meteorologist Dave Nicosia from the National Weather Service in Binghamton, New York. Mr. Nicosia is the County's primary point of contact for the weather.

Mr. Nicosia said it is a honor to be here and very appropriate to recognize Delaware County's emergency management personnel with the Storm Ready Recognition certification. He referenced the many weather related events the County has experienced from 2004 to 2008, noting that the National Weather Service in Binghamton considers Delaware County "weather central, the ground zero of weather."

Storm Ready Recognition is a nationwide program run by the National Weather Service. The program utilizes existing resources and is designed to work in partnership with emergency management personnel to increase the level of hazard weather support to protect lives and property.

The certification is earned only after meeting national and state criteria. The criteria consists in part of at least four different ways to receive and disseminate warnings, the ability to monitor weather and water levels, provide training and education, and the ability to reach to people in case of a national disaster.

Mr. Nicosia presented Mr. Bell with the Storm Ready Certificate and Mr. Finch with two outdoor Storm Ready designation signs. He complimented Delaware County's emergency management personnel for the outstanding job they do and thanked the Board for their support of the emergency management programs.

Chairman Eisel noted the significance of this recognition and complimented the job the National Weather Service does in providing weather information to the County. He thanked Mr. Nicosia for the recognition and the certificate.

Mr. Bell commented that the Department of Emergency Services coordinates the emergency preparedness program but, it is a team effort which includes all county departments. He thanked each of the departments for their participation in the emergency preparedness program.

For Standing Committee Reports Chairman of the Public Works Committee Leonard Utter announced that the cooperative efforts of the Department of Public Works, Solid Waste Management and the Delaware County Electric Co-op Inc. to collect landfill gas at the Solid Waste Management Center has come to fruition. As of Thursday, December 4<sup>th</sup>, the project is generating electricity and electricity is being put into the grid.

Mr. Maddalone offered the following resolution and moved its adoption:

**RESOLUTION NO. 234**

**TITLE: 2008 BUDGET AMENDMENT  
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM ("STEP") GRANT  
(PT-1300181)  
SHERIFF'S OFFICE**

**WHEREAS**, Governor David A. Paterson has authorized the Commissioner of Motor Vehicles to make a grant available to Delaware County to fund our participation in the statewide Selective Traffic Enforcement Program which is devoted to reducing aggressive driving and speeding; and

**WHEREAS**, participation in the program will result in the award of \$18,000.00 to be used to pay the salaries of the participating officers during the program year October 1, 2008 through September 30, 2009

**NOW, THEREFORE BE IT RESOLVED** that the 2008 budget be modified as follows:

**ESTABLISH REVENUE:**

10-13310-43338900/3310181/907	State Otr. Public Safety	\$18,000.00
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**ESTABLISH APPROPRIATIONS:**

10-13310-51327000/3310181/907	Personal Services Expense	\$18,000.00
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The resolution was seconded by Mr. Utter and adopted by the following vote: Ayes 4474, Noes 0, Absent 332 (Homovich, Marshfield).

Mr. Maddalone offered the following resolution and moved its adoption:

**RESOLUTION NO. 235**

**TITLE: 2008 BUDGET AMENDMENT  
ACCEPTANCE OF FY02 BULLETPROOF VEST PARTNERSHIP GRANT  
SHERIFF'S OFFICE**

**WHEREAS**, Delaware County is the recipient of a grant awarded by the US Department of Justice and administered by the Bulletproof Vest Partnership ("BVP") in an amount not to exceed \$15,219.61; and

**WHEREAS**, the grant, to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of reimbursing Delaware County 50% of the cost of purchasing Bullet Proof Vests at a price not to exceed \$15,219.61 during the period commencing in 2008 and ending on September 30, 2010, unless extended; and

**THEREFORE, BE IT RESOLVED** that the estimated revenues and appropriations for the year 2008 be increased as follows:

**ESTIMATED REVENUES:**

10-13110-44432000/3110028/907	Federal Crime Control	\$15,219.61
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**ESTIMATED APPROPRIATIONS:**

10-13110-52200001/3110028/907	Equipment Grant-Bulletproof Vests	\$15,219.61
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The resolution was seconded by Mr. Utter.

In answer to Mr. Smith, Mr. Utter stated that the department orders bulletproof vests as needed.

Mr. Bracci commented that the vests are tagged with an expiration date as the materials used degrades with time.

Undersheriff Vredenburg stated in response to Chairman Eisel, that the department has sufficient vests for all the patrolmen.

The resolution was adopted by the following vote: Ayes 4474, Noes 0, Absent 332 (Homovich, Marshfield).

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 236**

**TITLE: 2008 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
TREASURER'S OFFICE**

**WHEREAS**, the following 2008 appropriation account is in need of funds

**NOW, THEREFORE BE IT RESOLVED** that the following transfer of funds be authorized:

**FROM:**

10-11990-54900000	Contingency	\$25,000.00
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**TO:**

10-12490-54184000	Community College Tuition	\$25,000.00
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4474, Noes 0, Absent 332 (Homovich, Marshfield).

Mr. Hynes offered the following resolution and moved its adoption:

**RESOLUTION NO. 237**

**TITLE: 2008 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PLANNING DEPARTMENT**

**WHEREAS**, the Department is in need of a new copy machine; and

**WHEREAS**, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Budget Officer has agreed that a transfer of

funds is needed to purchase the copy machine

**NOW, THEREFORE BE IT RESOLVED**, that the following transfer of funds be authorized:

**FROM:**

10-18020-54595000	Supplies	\$2,000.00
10-18020-51000000	Personal Services	\$5,000.00

**TO:**

101-8020-52200000	Equipment	\$7,000.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes: 4678, Noes 0, Absent 128 (Marshfield).

Mr. Utter offered the following resolution and moved its adoption:

**RESOLUTION NO. 238**

**TITLE: 2008 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
MACHINERY FUND**

**WHEREAS**, the cost of fuel was underestimated in the 2008 Budget; and

**WHEREAS**, due to long term illnesses and military service the department had to hire a part-time mechanic to keep up with maintenance and repairs; and

**WHEREAS**, it is anticipated that the current budget will be exceed by approximately \$150,000.00.

**THEREFORE BE IT RESOLVED** that the following transfer of funds be authorized:

**FROM:**

26-0000-34911000	Fund Balance Otr Unreserved	\$150,000.00
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**TO:**

26-15130-51000000	Personal Services	\$8,000.00
26-15130-54515000	Petroleum, Oil & Lube	\$142,000.00

The resolution was seconded by Mr. Haynes and Mrs. Capouya and adopted by the following vote: Ayes: 4678, Noes 0, Absent 128 (Marshfield).

Mr. Utter offered the following resolution and moved its adoption:

**RESOLUTION NO. 239**

**TITLE: AUTHORIZATION FOR AWARDS -  
DEPARTMENT OF WATERSHED AFFAIRS**

**LETTING OF NOVEMBER 26, 2008**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Watershed Affairs is authorized to make awards to the lowest bidder meeting specifications as follows:

PROPOSAL NO. 01-08, Watershed Affairs: Automobile Purchase

R.H. Lewis and Son, Inc.  
5 Meredith St.  
P.O. Box 467  
Delhi, New York 13753

Bid Price: \$13,900.00

All original bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Axtell and adopted by the following vote: Ayes: 4678, Noes 0, Absent 128 (Marshfield).

Mr. Utter offered the following resolution and moved its adoption:

**RESOLUTION NO. 240**

**TITLE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE  
FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI"  
PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID  
PROJECT AND APPROPRIATING FUNDS THEREFOR  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, a Project for the Storm of July 23-27, 2008, County Route 7 in the Town of Colchester, Delaware County, PIN 9890.59 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, for Federal emergency relief that calls for the apportionment of the costs

of such program to be borne at the ratio of 100% Federal funds; and

**WHEREAS**, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal share of the costs thereof.

**NOW, THEREFORE**, the Delaware County Board, duly convened, does hereby

**RESOLVE**, that the Delaware County Board hereby approves the above subject project; and

**IT IS FURTHER RESOLVED**, that the Delaware County Board hereby authorizes the County of Delaware to pay in the first instance 100% of the Federal share of the cost of Construction and Construction Inspection work for the Project or portions thereof; and

**IT IS FURTHER RESOLVED**, that the sum of \$907,145.00 is hereby appropriated from the Capital Fund (34-15112) and made available to cover the cost of participation in the Project; and

**IT IS FURTHER RESOLVED**, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Delaware County Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and

**IT IS FURTHER RESOLVED**, that the Chairman of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Delaware with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

**IT IS FURTHER RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project; and

**IT IS FURTHER RESOLVED**, this Resolution shall take effect immediately.

The resolution was seconded by Mr. Rowe.

Mr. Utter noted that this resolution represents monies spent on County Route 7 in the Town of Colchester due to the July 23 - 27, 2007 flooding event.

The resolution was unanimously adopted.

Mr. Utter offered the following resolution and moved its adoption:

**RESOLUTION NO. 241**

**TITLE: AUTHORIZATION FOR DISPOSITION OF COUNTY MATERIALS  
NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, §215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**BE IT RESOLVED**, that the following items be authorized to be sold via sealed bid or auction:

One (1) 480 Volt, 3 Phase ¼” Particle Size Granulator - Like New

Four (4) Vent Mounted Solar Landfill Gas Flares & Associated Spark Assemblies

One (1) Portable, Skid Mounted Vacuum Landfill Gas Flare

One (1) 1972 Ford Tractor, SN C328583

The resolution was seconded by Mr. Haynes

Mr. Utter explained in answer to Mr. Meredith, that the particle size granulator is a piece of equipment that came with the various composting equipment intended to take material from the sorter and granulate it into very small pieces. It did not work well with our material, so modifications were made to the equipment we have which now works fine for our facility.

The resolution was unanimously adopted.

Mr. Utter offered the following resolution and moved its adoption:

**RESOLUTION NO. 242**

**TITLE: AUTHORIZATION OF FOUR DAY WORK WEEK  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 55 of 1993, as modified, authorizes a four ten hour per day work week in the Public Works Department which is subject to annual approval by the County and Public Works employees,



**NOW THEREFORE BE IT RESOLVED**, that subject to approval of the Public Works employees, four day work schedules for 2009 are hereby approved in the Public Works Department as follows:

- 1.) January 1 to April 4, 2009: Bridge Crews only.
- 2.) March 22 to October 31, 2009: All Public Works employees, except those employees specifically excluded from the four day work week by agreement with the union, ie. landfill employees, certain engineering staff, etc.
- 3.) November 29 to December 31, 2009: Bridge Crews only.

The resolution was seconded by Mr. Rowe and Mrs. Capouya and unanimously adopted.

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 243**

**TITLE: YEAR END ACCOUNTING MODIFICATIONS TO THE 2008 BUDGET**

**WHEREAS**, there are many bookkeeping entries that are needed to close out the books for 2008; and

**WHEREAS**, there will be no increase in the actual spending, just a balancing of accounts between Personal Services, Equipment, Contractual, Employee Benefits and Undistributed Employee Benefits; and

**WHEREAS**, an accounting of all transactions will be represented to the Board of Supervisors upon completion of the annual report

**NOW, THEREFORE BE IT RESOLVED** that the Board of Supervisors authorizes the Fiscal Affairs Department to make the necessary adjustments to the 2008 Budget and to file a written report to the Finance Committee before the books for 2008 are actually closed.

The resolution was seconded by Mr. Triolo and unanimously adopted.

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 244**

**TITLE: LEVY OF TAXES FOR SPECIAL DISTRICTS,  
HIGHWAYS AND GENERAL OUTSIDE OF VILLAGE**

**WHEREAS** there has been presented to the Board of Supervisors a duly certified copy of the annual budget of each of the several towns of Delaware County for the fiscal year beginning January 1, 2009;

**RESOLVED** that there shall be and hereby is assessed and levied upon and collected from the taxable property situated wholly or partially therein the amounts indicated below for the Highway Outside Village and General Outside Village purposes as specified in the budgets of the respective towns:

TOWN	HIGHWAY OUTSIDE VILLAGE	GENERAL OUTSIDE VILLAGE
Delhi	\$360,974.00	\$83,915.00
Deposit	\$168,067.00	\$24,916.00
Franklin	\$319,350.00	\$31,485.00
Hancock	\$720,000.00	\$26,000.00
Harpersfield	\$362,596.00	\$29,872.00
Middletown	\$658,545.00	\$49,796.00
Sidney	\$192,000.00	\$8,675.00
Stamford	\$200,620.00	\$30,370.00
Walton	\$501,550.00	\$38,440.00

**FURTHER RESOLVED** that there shall be and hereby is assessed and levied upon and collected from the real property liable therefore within the respective budgets:

**ANDES**

Andes Joint Fire District	\$192,820.00
Arena Fire District	\$12,694.98
Andes Light District	\$8,000.00

**BOVINA**

Bovina Center Light District	\$2,650.00
Bovina Rural Fire District	\$103,750.00

**COLCHESTER**

Downsville Light District	\$10,000.00
Downsville Fire District	\$213,120.02
Beaverkill Valley Fire District	\$461.03
Colchester Fire Protection District	\$8,700.00

DAVENPORT	
East Meredith Fire District	\$102,896.07
Davenport Fire District	\$47,525.53
Davenport Light District	\$1,000.00
Davenport Center Light District	\$1,450.00
West Davenport Light District	\$800.00
DELHI	
Delhi Rural Fire District	\$194,175.08
DEPOSIT	
Deposit Fire and Ambulance	\$80,955.00
FRANKLIN	
Treadwell Light District	\$3,782.00
Treadwell Water District	\$6,850.00
Franklin-Treadwell Fire District	\$183,722.35
HAMDEN	
Hamden Light District	\$3,100.00
DeLancey Light District	\$2,200.00
Delhi Fire District	\$634.36
Walton Fire and Protection	\$18,702.00
Downsville Fire Protection	\$3,500.00
Delhi Rural Fire Protection	\$54,122.43
Downsville Fire District	\$4,419.98
HANCOCK	
Cadosia Light District	\$2,900.00
East Branch Light District	\$5,800.00
East Branch Fire District	\$91,250.00
Fish's Eddy Light District	\$4,200.00
Hancock Rural Fire District	\$98,282.19
Long Eddy Fire District	\$25,256.28
HARPERSFIELD	
Stamford Fire District	\$38,390.25
Hobart Fire District	\$5,914.30
Davenport Fire District	\$12,528.59
North Harpersfield Fire Protection	\$43,000.00
North Harpersfield Light District	\$1,500.00

## KORTRIGHT

Kortright Fire District	\$82,577.76
Bloomville Light District	\$3,588.00
Bloomville Water	\$31,257.00
Stamford Fire District	\$6,501.52
Hobart Rural Fire District	\$10,403.55
East Meredith Fire District	\$3,296.49
Davenport Fire District	\$8,056.39

## MASONVILLE

Masonville Fire District	\$78,250.00
Masonville Light District	\$3,000.00

## MEREDITH

East Meredith Light District	\$1,375.00
Delhi Fire District	\$33,777.48
Meredith Square Light District	\$560.00
Franklin-Treadwell Fire District	\$23,923.13
Meridale Rural Fire District	\$50,500.00
East Meredith Fire District	\$17,608.44
Meridale Light District	\$1,300.00

## MIDDLETOWN

Halcottsville Light District	\$1,262.00
Arena Fire District	\$12,490.13
Arkville Light District	\$8,050.00
Arkville Water District	\$26,659.00
New Kingston Light District	\$762.00
Arkville Fire District	\$30,400.00
Fire District No. 1	\$47,863.00
Middletown-Hardenburgh Fire District	\$231,028.42

## ROXBURY

Roxbury Fire District	\$158,375.00
Roxbury Light District	\$14,785.00
Roxbury Water District	\$25,705.00
Grand Gorge Fire District	\$150,875.00
Grand Gorge Light District	\$12,725.00
Grand Gorge Water District	\$55,163.00
Middletown/Hardenburgh Fire District	\$5,845.50
Roxbury Run Light District	\$3,025.00
Roxbury Sewer District (unit charge)	\$31,731.70
Denver Sewer District (debt charge)	\$14,779.00

Denver Sewer District (unit charge)	\$76,099.00
Denver Water District	\$22,623.00
<b>SIDNEY</b>	
Consolidated Health District	\$3,300.00
Sidney Center Light District	\$6,250.00
Sidney Center Fire District	\$65,940.00
Sidney Fire Protection District	\$48,400.00
<b>STAMFORD</b>	
Stamford Fire District	\$7,044.88
South Kortright Fire District	\$4,000.00
Hobart Fire District	\$28,682.15
Kortright Fire District	\$8,173.24
South Kortright Light District	\$1,200.00
<b>TOMPKINS</b>	
Tompkins Fire District	\$108,038.00
Hancock Rural Fire District	\$13,531.35
<b>WALTON</b>	
Walton Fire District	\$368,335.00

**FURTHER RESOLVED** that the amounts to be raised by tax for all other purposes, as specified in the annual budgets as presented to the Board and which are on file in the office of the Clerk of the Board, are hereby assessed and levied upon and collected from all of the taxable property in the towns as enumerated below, except as otherwise provided by law; namely:

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Andes	\$436,766.00	\$633,592.00
Bovina	\$176,491.00	\$357,277.00
Colchester	\$698,530.00	\$1,308,000.00
Davenport	\$164,509.57	\$584,565.00
Delhi	\$324,220.00	\$465,750.00
Deposit	\$203,607.00	\$323,467.00
Franklin	\$78,155.00	\$531,000.00
Hamden	\$104,420.00	\$446,080.00

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Hancock	\$365,000.00	\$633,572.00
Harpersfield	\$225,141.00	\$99,078.00
Kortright	\$202,872.00	\$550,940.00
Masonville	\$118,870.00	\$281,300.00
Meredith	\$147,930.00	\$587,055.00
Middletown	\$632,957.00	\$927,185.00
Roxbury	\$821,936.00	\$1,572,625.00
Sidney	\$556,633.75	\$321,750.00
Stamford	\$201,521.00	\$201,340.00
Tompkins	\$110,000.00	\$610,000.00
Walton	\$187,872.00	\$557,250.00

The resolution was seconded by Mrs. Capouya.

Chairman Eisel asked that the Supervisors review their numbers and if there are any discrepancies to contact Clerk of the Board Christa Schafer.

The resolution was unanimously adopted.

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 245**

**TITLE: AUTHORIZING THE CLERK OF THE BOARD OF SUPERVISORS TO CAUSE TO BE PRINTED A SUMMARY OF ABSTRACT OF THE TOWN BUDGETS**

**WHEREAS**, Section 115 of the Town Law requires that the budgets of the respective towns for each year be printed in the Proceedings of the Board of Supervisors; and

**WHEREAS**, said section authorizes the Clerk of the Board of Supervisors to cause to be printed a summary or abstract of each budget;

**NOW, THEREFORE, BE IT RESOLVED** that the Clerk of the Board be and hereby is authorized and directed to cause to be printed in the Proceedings of this Board a summary or abstract of the budgets of the respective towns in this County in such form as the State

Comptroller shall prescribe.

The resolution was seconded by Mr. Triolo and unanimously adopted.

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 246**

**TITLE: LEVY OF COUNTY TAX, EXTENSION OF ROLL,  
WARRANTS FOR SAME**

**RESOLVED**, that the sum of \$23,928,534 be levied against the taxable property of the County of Delaware and the same be credited by the County Treasurer to the objects specified in the Appropriation Resolution; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors be and hereby is directed to extend the tax according to this resolution on the tax rolls of the several towns and that, when the same have been extended, the various rolls of the several towns shall become the tax rolls thereof.

**BE IT FURTHER RESOLVED** that the several tax rolls, when completed in accordance with the direction of the Board and the several warrants are signed for the collection of taxes by the Chairman and the Clerk of the Board to bear the date of December 26, 2008, the taxes be returnable the first day of April, 2009 and that the County Treasurer of the County of Delaware be and hereby is authorized to extend the time of collection in any town not beyond the first day of June 2009, upon the collector's complying with the statute thereto.

The resolution was seconded by Mrs. Capouya and Mr. Triolo and unanimously adopted.

Mr. Smith offered the following resolution and moved its adoption:

**RESOLUTION NO. 247**

**TITLE: 2009 BOARD OF SUPERVISORS MEETING SCHEDULE**

**WHEREAS**, in accordance to Rule 2 of the Rules of the Delaware County Board of Supervisors, Board Meeting dates are annually designated in December each year for the following year;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors meetings will be held on the dates and times as stated below.

January 7, 2009 - 1:00 p.m.

January 28, 2009 - 1:00 p.m

February 25, 2009	- 1:00 p.m.	
March 11, 2009	- 1:00 p.m.	March 25, 2009 - 1:00 p.m.
April 8, 2009	- 1:00 p.m.	April 22, 2009 - 1:00 p.m.
May 13, 2009	- 5:30 p.m.	May 27, 2009 - 1:00 p.m.
June 24, 2009	- 5:30 p.m.	
July 22, 2009	- 5:30 p.m.	
August 26, 2009	- 5:30 p.m.	
September 9, 2009	- 5:30 p.m.	September 23, 2009 - 1:00 p.m.
October 14, 2009	- 1:00 p.m.	October 28, 2009 - 1:00 p.m.
November 10, 2009	- 1:00 p.m.	November 24, 2009 - 1:00 p.m.
December 9, 2009	- 1:00 p.m.	

The resolution was seconded by Mr. Triolo.

Mr. Smith explained that he had requests to change the time of the meetings and a decision was made to change the time from 7 p.m. to 5:30 p.m.

Mr. Meredith commented that he has heard to the contrary. People have told him that they want more night meetings.

Mr. DuMond noted that he will support this resolution based on the fact that he has witnessed very poor public attendance over the three year period he has been attending the 7:00 p.m. meetings.

Mr. Meredith remarked that there was an opportunity for those that work to attend a Board of Supervisors meeting if they desired. He pointed out that with this change, the Rules of the Delaware County Board of Supervisors as revised on April 26, 2000 will need to be amended as Rule 2 states that the Board of Supervisors shall schedule evening meetings at 7:00 p.m. and day time meetings at 1:00 p.m.

County Attorney Richard Spinney said that if the resolution passes unanimously it would over ride the Board Rule. If there is opposition, the Board Rule would have to be changed first.



The resolution failed as a result of a no vote by Mr. Meredith.

Mr. Smith offered the following resolution and moved its adoption:

**RESOLUTION NO. 248**

**TITLE: CALLING ORGANIZATIONAL MEETING**

**RESOLVED** that pursuant to Section 151 [1] of the County Law and Rule 1 of the Delaware County Board of Supervisors, the organizational meeting of the Board of Supervisors shall be held on January 7, 2009 at 1:00 P.M. in the Supervisors' Room of the County Office Building, Delhi, New York.

The resolution was seconded by Mr. Triolo and unanimously adopted.

Chairman Eisel invited everyone to enjoy an assortment of homemade cookies and brownies provided by County Treasurer Beverly Shields.

Upon a motion the meeting was adjourned for a short recess and reconvened with all Supervisors present except Mr. Marshfield.

Chairman Eisel waived Board Rule 10 to permit the introduction without objection of the following not-prefiled resolutions.

Mr. Smith offered the following resolution and moved its adoption:

**RESOLUTION NO. 249**

**TITLE: 2008 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
LEGAL AID TO INDIGENTS**

**WHEREAS**, additional monies are needed for the Legal Aid to Indigents Account in order to pay incoming bills

**THEREFORE, BE IT RESOLVED** that the following transfer be authorized:

**FROM:**

10-11990-54900000	Contingency	\$75,000.00
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**TO:**

10-11170-54535060	Professional Fees Attorney	\$75,000.00
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The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4678, Noes 0, Absent 128 (Marshfield).

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 250**

**TITLE: LEVYING OF RETURNED SCHOOL TAXES**

**WHEREAS**, the Board of Trustees of the Board of Education of the several school districts of Delaware County have transmitted to the County Treasurer the several amounts of unpaid school taxes, duly verified and certified as provided by the Real Property Tax Law, §1330;

**RESOLVED**, that pursuant to §1330 of the Real Property Tax Law, there shall be and hereby is assessed and levied upon and collected from the lands of the several towns as listed herewith, upon which the same were imposed, the amounts of said returned school taxes as certified, with seven percentum thereon in addition as follows: imposed, the amounts of said returned school taxes as certified, with seven percentum thereon in addition as follows:

<b>Town</b>	<b>Tax</b>	<b>7% Penalty</b>	<b>Total Tax Releived</b>
Andes	\$180,233.75	\$12,616.46	\$192,850.21
Bovina	144,018.73	10,081.31	154,100.04
Colchester	212,467.22	14,872.46	227,339.68
Davenport	202,008.49	14,140.67	216,149.16
Delhi	232,118.49	16,248.25	248,366.74
Deposit	165,775.62	11,604.26	177,379.88
Franklin	286,125.58	20,028.76	306,154.34
Hamden	189,784.00	13,284.88	203,068.88
Hancock	529,019.16	37,031.39	566,050.55
Harpersfield	231,394.68	16,197.52	247,592.20
Kortright	234,812.04	16,436.83	251,248.87
Masonville	169,947.47	11,896.30	181,843.77
Meredith	200,498.01	14,034.82	214,532.83
Middletown	505,006.45	35,350.49	540,356.94
Roxbury	393,934.04	27,575.46	421,509.50
Sidney	377,961.89	26,457.31	404,419.20
Stamford	195,427.71	13,679.87	209,107.58
Tompkins	110,488.55	7,734.18	118,222.73
Walton	338,345.64	23,684.27	362,029.91
<b>Totals</b>	<b>\$4,899,367.52</b>	<b>\$342,955.49</b>	<b>\$5,242,323.01</b>

The resolution was seconded by Ms. Molé and unanimously adopted.

Mr. Donnelly offered the following resolution and moved its adoption:

**RESOLUTION NO. 251**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$912,291.03 are hereby presented to the Board of Supervisors’ for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$780,816.90
OET	\$4,419.34
Jail	\$3,958.77
Countryside Care Center	\$360.00
Highway Audits, as Follows:	
Road	\$20,400.14
Machinery	\$33,526.58
Capital Road & Bridge	\$42,914.51
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$25,894.79

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4678, Noes 0, Absent 128 (Marshfield).

Mr. Smith offered the following resolution and moved its adoption:

**RESOLUTION NO. 252**

**TITLE: AMENDMENT OF BOARD RULES**

**WHEREAS**, Board Rule 2 presently states “The Board of Supervisors shall schedule evening meetings at 7 p.m. and daytime meetings at 1 p.m. and annually designate in December each year, the days of the meetings for the following year”

**NOW, THEREFORE BE IT RESOLVED** that Board Rule 2 be amended as follows: “The Board of Supervisors shall schedule evening and day meetings at their discretion and annually designate in December each year, the days of the meetings for the following year”

The resolution was seconded by Mrs. Capouya.

Mr. Meredith made a motion to table Resolution No. 252. The motion to table failed by the following vote: Ayes 1616 (Homovich, Valente, Bracci, Layton, Meredith), Noes 3062 (Donnelly, Mole, Axtell, Smith, Rowe, Eisel, Haynes, DuMond, Capouya, Utter, Haynes, Maddalone, Triolo), Absent 128 (Marshfield).

Upon a motion the meeting was adjourned for a short recess and reconvened with all Supervisors present except Mr. Marshfield.

Mr. Smith recalled Resolution No. 252 entitled: *Amendment of Board Rules*. The resolution was seconded by Mr. Donnelly and Mr. Rowe. The resolution passed by the following vote: Ayes 4117, Noes 561 (Meredith), Absent 128 (Marshfield).

Mr. Smith re-called Resolution No. 247 entitled: *2009 Board of Supervisors Meeting Schedule*. The resolution was adopted by the following vote: Ayes 4117, Noes 561 (Meredith), Absent 128 (Marshfield).

Upon a motion, the meeting was adjourned at 2:00 p.m.