

REGULAR MEETING

**DELAWARE COUNTY BOARD OF SUPERVISORS
MARCH 27, 2013**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 27, 2013 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.

Mr. Marshfield offered the invocation.

Mr. Bracci 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.

For standing committee reports Chairman of the Public Works Committee Samuel Rowe shared that there has been an increase in CHIPS funding of roughly \$75 million statewide. Commissioner of Public Works Wayne Reynolds provided a handout for the Supervisors listing the 2013-2014 CHIPS increase by county, town and village.

Chairman Eisel added that Delaware County will see an increase of 15.34 percent in CHIPS funding. The increases range between 12.82 to 29.12 percent throughout the state.

Chairman Eisel referenced Resolution No. 46 entitled: Resolution to Oppose New York State Governor Cuomo's Proposal to Prevent Plea Bargaining of Traffic Infractions approved at the March 13th Board of Supervisors meeting noting the importance of responding to legislation that is not effective for our county residents. He stated that the speeding ticket plea bargain concept was "jettisoned from the final state budget."

Chairman of the Community Services Board (CSB) Martin Donnelly stated that an invitation has been placed on each Supervisor's desk from CSB to visit the Del-Met and the Treadwell School buildings on Wednesday, April 3, 2013. He noted that consideration is being given to both sites as a future home for the Mental Health Department.

Ms. Mole offered the following resolution and moved its adoption:

RESOLUTION NO. 52

**TITLE: 2013 BUDGET AMENDMENT
RECEIPT OF GRANT
DEPARTMENT OF PUBLIC HEALTH SERVICES**

WHEREAS, the Rural Healthcare Alliance of Cornell Cooperative Extension of Delaware County has been awarded a grant to support health care initiatives; and

WHEREAS, the Rural Healthcare Alliance will award grant monies in the amount of

\$4,000 to support focus groups and printing of the Community Health Assessment; and

WHEREAS, Delaware County Public Health Services is required by New York State Department of Health to work with local hospitals and focus groups to assess the health status and needs for Delaware County; and

WHEREAS, Delaware County Public Health Services recognizes that it is important to determine the health needs of Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the 2013 budget be amended as follows:

INCREASE REVENUE:

10-14012-42270602/4012010/906	Grants from Non Profit	\$4,000.00
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INCREASE APPROPRIATION:

10-14012-54327000/4012010/906	General Grant Related Expense	\$4,000.00
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The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4222, Noes 577 (McCarthy), Absent 0.

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

RESOLUTION NO. 53

**TITLE: AUTHORIZATION FOR AWARDS -
DEPARTMENT OF PUBLIC WORKS**

LETTING OF March 19, 2013

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 Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 26-13 ½ Ton 4WD Extended Cab Pickup Truck to:
Bid Price for County with Trade-in allowance:
Country Club Chevrolet
70 Oneida Street
Oneonta, NY 13820

Bid Price: \$23,074.00

Bid Price without Trade to:
Simmons Rockwell
784 County Road 64
Big Flats, NY 14903

Bid Price: \$27,799.00

Towns May Participate in this bid.

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

The resolution was seconded by Mr. Valente and Mr. Spaccaforo and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 54

**TITLE: AUTHORIZATION FOR AWARDS -
DEPARTMENT OF PUBLIC WORKS**

LETTING OF March 20, 2013

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 Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 27-13	Purchase of New Guiderail Components to: Chemung Supply PO Box 527 Elmira, NY 14902
	Lot I bid price \$69,890.00
	Lot II bid price \$128,559.50
	Lot III bid price \$47,992.00

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

The resolution was seconded by Mr. Valente and Mr. Spaccaforo.

Mr. Rowe explained that in the past these materials were procured under the New York State Office of General Services contract pricing. The state contract has expired and as the materials are needed for current projects the department put them out to bid.

In answer to Chairman Eisel, Commissioner of Public Works Wayne Reynolds noted the bid is for approximately 4.7 miles of guiderails.

The resolution was adopted by the following vote: Ayes 4977, Noes 0, Absent 0.

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

RESOLUTION NO. 55

**TITLE: AUTHORIZATION FOR AWARDS -
DEPARTMENT OF PUBLIC WORKS**

LETTING OF March 7, 2013

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 Public Works is authorized to make awards to the lowest bidder meeting specifications pending County Attorneys approval of final contract terms as follows:

PROPOSAL NO. SW1-13 MRF Equipment Contract to:
Machinex Technologies Inc.
8770 W. Bryn Mawr Ave, #1300
Chicago, IL 60631

Base Bid Price: \$2,285,675.00

Any options to the base bid will be handled as change orders to the contract and be subject to Board approval prior to implementation.

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

The resolution was seconded by Mr. Valente.

Director of Solid Waste Management Susan McIntyre stated that two bids, very close in price were received. The winning bidder, Machinex Technologies Inc., has established itself as a leader in the industry of recycling technology. She noted that she knows of their work personally and their references acknowledge they have earned a proven reputation.

Ms. McIntyre answered in response to Chairman Eisel, that the next steps include a Notice to Proceed Number 1 allowing for the engineering and design phase to begin, followed by a Notice to Proceed Number 2 authorizing Machinex Technologies Inc. to begin fabricating. It is anticipated that the equipment will be ready for installation by the fall of 2013 and start-up in the spring of 2014.

In reply to Mr. Marshfield, Ms. McIntyre stated that she is bidding the building and equipment separately so that any structural changes to the building can be noted in advance of putting the structure up. The structure will be built using outside contractors on a piece of land known as the "flat" located within the Solid Waste facility. The remainder of the project is anticipated to cost about \$2.5 million and have a life expectancy of thirty plus years. Putting that into perspective, Ms. McIntyre noted that in the year 2000 the county approved to spend \$10 million to build Cell 5 at the landfill with an anticipated life expectancy of roughly 6.5 years.

Once the MRF building is operational many of the tasks currently being done by the workers provided by the Delaware County ARC will be performed mechanically. However, the

new facility creates opportunities to offer additional services and conveniences that will require the same level of staffing.

Ms. McIntyre stated in reply to Mr. Marshfield, that grant funding along with money from the Capital Reserve Fund will be used for the MRF project.

Mr. Rowe noted that the facility currently earns roughly \$500,000 from the sale of recyclables and other commodities. These revenues, as needed, will also be used to fund the project.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 56

**TITLE: AUTHORIZATION FOR AWARDS -
DEPARTMENT OF PUBLIC WORKS**

LETTING OF March 19, 2013

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 Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW3-13 New Stump Splitter to:
US Pride Products LLC
1516 110th Avenue
Hammond, WI 54015

Bid Price: \$21,620.00

PROPOSAL NO. SW4-13 4WD Pickup Truck to:
Simmons Rockwell
784 County Road 64
Big Flats, NY 14903

Bid Price for County (with option for Plow): \$30,419.00
Bid Price without plow: \$25,299.00

Towns may participate in these bids.

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

The resolution was seconded by Mr. Valente.

Commissioner Reynolds answered in reply to Mr. Marshfield, that the pickup truck is a

2014 three-quarter ton 4 wheel drive.

In answer to Chairman Eisel, Commissioner Reynolds described the stump splitter as a solid bolt that is inserted into the center of a tree stump splitting it in half making it easier to remove. He added that the stump splitter will save a lot of wear and tear on the department's other equipment.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 57

**TITLE: STIPULATION WITH VILLAGES IN
TAX FORECLOSURE PROCEEDING
TREASURER'S OFFICE**

WHEREAS, the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said proceeding is returnable before the New York State Supreme Court Delaware County, May 10, 2013; and

WHEREAS, said proceeding effects tax liens of both the County and several villages of Delaware County

NOW, THEREFORE, BE IT RESOLVED the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the County will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "Notice of Stipulation."

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

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

RESOLUTION NO. 58

**TITLE: AUTHORIZATION TO ACCEPT OUT OF COUNTY WASTE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Local Law Number 2 of 1988 makes it unlawful to dump out of county waste at the Delaware County Solid Waste Disposal Facility, unless specifically authorized by the Board of Supervisors; and

WHEREAS, the Delaware County Department of Public Works is pursuing a contract with the New York City Department of Environmental Protection to provide the City waste water treatment sludge processing for the Grand Gorge waste water treatment plant in return for bridge and stream gauge funding; and

WHEREAS, the Grand Gorge waste water treatment plant accepts septage from locations within the New York City watershed but outside the County of Delaware, and

WHEREAS, the annual tonnage of waste generated from the out of county septage processed by the Grand Gorge waste water treatment plant is estimated to be between 25 and 35 tons per year; and

WHEREAS, the County Board of Supervisors recognizes the value of having the septage emanating from rural residences treated at waste water treatment plants; and

WHEREAS, the sludge from the waste water treatment plant will have to meet all the requirements of the County's solid waste management operational permits issued by the New York State Department of Environmental Conservation

NOW, THEREFORE, BE IT RESOLVED, that the County Department of Public Works is herewith authorized to accept waste water treatment plant sludge from the NYCDEP Grand Gorge waste water treatment plant including the component of that sludge that may result from the processing of septage originating from outside the County of Delaware when such sludge does not violate the County's rules at the Solid Waste Management Center.

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

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

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

RESOLUTION NO. 59

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,274,081.71 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	\$850,558.35
OET	\$103,075.35
Highway Audits, as Follows:	
Weights and Measures	0.00
Landfill	\$81,023.50
Road	\$92,275.55
Machinery	\$ 79,571.34
Capital Road & Bridge	\$54,777.62
Capital Solid Waste	\$12,800.00

The resolution was seconded by Mr. Dolph and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

Upon a motion, the meeting adjourned at 1:38 p.m.