

**REGULAR MEETING**  
**DELAWARE COUNTY BOARD OF SUPERVISORS**  
**MAY 22, 2013**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 22, 2013 at 5:30 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. Axtell.

Mr. Marshfield offered the invocation.

Mr. Smith 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. Dolph. Mr. Dolph introduced New York Municipal Insurance Reciprocal (NYMIR) Executive Director Kevin Crawford to provide an update on NYMIR's Capital Contributions Return Program (CCRP).

Mr. Crawford stated that this is the fifth consecutive year he has had the privilege of being before this Board. This year, in recognition of NYMIR's twenty year anniversary he has the honor of presenting the County and each Town Supervisor with a United States of America Flag procured through a veterans outreach group that supports returning veterans.

He stated that NYMIR remains in a strong financial position even after paying out roughly \$20 million in flood losses following Hurricane Irene and Tropical Storm Lee in 2011 and Hurricane Sandy in 2012. NYMIR members, now totaling 700 municipalities throughout the state, are experiencing their sixth consecutive year of reduced costs.

NYMIR's initial goal through the CCRP was to return its members' initial capital contribution over a four-year period. Having achieved that goal and paying out over \$8 million, the NYMIR Board voted to continue the CCRP for an additional two years now returning to its members the interest earned on the initial capital contribution.

Mr. Crawford, on behalf of NYMIR, offered his thanks to New York State Association of Counties (NYSAC) Deputy Director Mark LaVigne noting that the NYSAC, the New York State Conference of Mayors, and the Association of Towns of the State of New York were the forming entities for NYMIR. He also recognized and thanked Al Perkins representing J. Bramley & Associates, Inc. and Chris Slonaker representing the Mang Agency for the services they provide to NYMIR members. Agencies working with NYMIR agree to work on a lower commission because they support NYMIR's efforts to reduce cost to municipalities.

Mr. Crawford introduced President of NYMIR's Division of Wright Risk Management Brian Custer to present Mr. Dolph with a distribution check payable to the county in the amount of \$11,033 representing the interest on the county's initial capital contribution.

Mr. Custer stated that the Board voted to continue with the CCRP based on its commitment to offer municipalities comprehensive coverage and effective risk management programs at rates that help local government manage their costs. NYMIR continues on a very positive path thanks to the loyalty and commitment of its members. Through the return of capital contribution NYMIR is able to share its success with its members.

Mr. Dolph thanked Mr. Crawford and Mr. Custer for their presentation and for the work NYMIR is doing on behalf of its members.

Chairman Eisel granted privilege of the floor to Mr. Spaccaforno. Mr. Spaccaforno introduced New York State Association of Counties (NYSAC) Deputy Director Mark LaVigne to provide an update on NYSAC's advocacy on behalf of its member counties.

Mr. LaVigne thanked Chairman Eisel on behalf of NYSAC President Edward Diana and Executive Director Stephen Acquario for providing an opportunity to speak about what the Association is doing for its member counties. He thanked Mr. Spaccaforno for inviting him this evening and the Board for their commitment and dedication to working with the state lawmakers representing Delaware County.

NYSAC's mission has always been to represent, educate and advocate for member counties and the elected and appointed county officials who serve the public. Mandate relief is one of the issues NYSAC, in conjunction with its members, is advocating.

Mr. LaVigne explained that any state or federal law, rule or regulation which establishes a new program or requires a higher level of service for an existing program which a municipality cannot opt out of and has no corresponding revenue stream is referred to as an unfunded mandate, conversely, if the same is mandated with a corresponding revenue stream it is referred to as a funded mandate. Unfunded mandates are funded by local property taxpayers and sales tax revenue. Unfunded mandates create a significant financial increase to a municipality's operating budget and can impact the services a municipality is able to provide its residents

In 2011 NYSAC identified nine state mandates that consume 90 percent of all county property taxes levied across the state. The mandates are as follows: Medicaid, Public Assistance Safety Net, Child Welfare Protective and Preventative Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention and Pensions.

NYSAC is committed to raising public awareness of the issues and advocates for relief on behalf of its members. NYSAC's most recent publication entitled: *A Roadmap to Mandate Relief* is a series of reports incorporating ideas put forth by member counties into proposals that state lawmakers and the mandate relief council can use as a guideline to enact mandate relief. NYSAC launched a mandate relief website developed to raise awareness and provide a means in which municipalities and the general public can quickly and easily send a message to their state

lawmakers. Delaware County provides that link for its residents on their website at: [www.co.delaware.ny.us](http://www.co.delaware.ny.us).

The Mayday for Mandate Relief campaign kicked off in 2012 with press, radio, on-line and television coverage. Fifty-one counties participated and twenty counties passed a resolution in support of mandate relief. He thanked Delaware County for offering their support to the campaign by introducing Resolution No. 81: entitled: *Resolution Declaring “Mayday for Mandate Relief” and urging the State to Adopt Laws that do not Impose Further Fiscal Stress on Local Governments and Taxpayers and Build upon Recent Efforts to Reform Costly Unfunded Mandates* later in the meeting. The Mayday for Mandate Relief campaign is one way NYSAC is working to raise public awareness.

NYSAC’s focus has shifted from relief to preventing future unfunded mandates. On Tuesday, May 28<sup>th</sup> NYSAC will be holding a press conference calling on New York State to enact PAYGO legislation. A PAYGO Law would require that if the state wants to mandate a program the state will have to fund it, if the state does not fund the mandated program it will have to provide flexibility in other areas that will allow counties to offset the cost of the new mandated program. Early voting has already passed the Assembly; if the PAYGO Law were enacted and early voting passed the Senate; the state would have to fund early voting.

There is similar legislation to the PAYGO Bill already introduced in the Senate (S.1294, Griffo), which would require the state to fund any mandated program or service.

Over the years, NYSAC has achieved successes that have helped to stabilize the impact of unfunded mandates. For the first time in many years counties will see a reduction in their Medicaid payment in 2014 and finally a predictable amount that will not grow. Since NYSAC launched the *9 for 90* Campaign the state has implemented a multi-year takeover of the growth of Medicaid. In 2011, the state enacted the Tier 6 Pension Plan and in 2013 the state provided a tool that will help counties stabilize their pension cost by borrowing against future returns.

Mr. LaVigne stated that NYSAC needs and appreciates the help and support of its members as it continues in its efforts to raise awareness of the issues and create meaningful change. Municipalities as well as the general public are encouraged to visit NYSAC’s website at: [www.nysac.org](http://www.nysac.org) to learn more about the issues and the work that NYSAC is doing.

Mr. LaVigne answered in reply to Mr. Marshfield, that if early voting passes the Senate it will become an unfunded mandate. NYSAC is pushing for the passage of the GRIFFO Bill, a Bill similar to the PAYGO Bill, which would require the state to provide a corresponding revenue stream for any mandated program.

In answer to Chairman Eisel, Mr. LaVigne stated that the GRIFFO Bill has been introduced but has not been passed by the Senate or the Assembly. NYSAC is very hopeful it will pass the Senate but recognizes it will be an uphill battle in the Assembly. A copy of the full GRIFFO Bill will be left with the Clerk of the Board.

Chairman Eisel thanked Mr. LaVigne for an informative update and stated that Delaware County will continue to support NYSAC's efforts.

Chairman Eisel granted privilege of the floor to Ms. Molè. Ms. Molè introduced Director of Public Health Services Bonnie Hamilton to provide an update on the county's rabies clinics.

Mrs. Hamilton explained that Public Health Services has scheduled 16 free rabies clinics throughout the county beginning in January and concluding in October 2013. If a town does not have a free rabies clinic it is either because a veterinarian is not available or the census of that town is small enough to combine with another clinic. The county receives a grant from the New York State Department of Health that covers the cost associated with the free rabies clinics.

A listing of the Delaware County Free Rabies Clinics for 2013 was provided. Mrs. Hamilton noted that a full listing of the rabies clinics is published in the County Shopper and the Walton Reporter. Pet owners can have their animals vaccinated at any clinic location that is convenient for them. Anyone wanting further information about the free rabies clinics should contact the Department of Public Health Services.

In answer to Mr. Bracci, Mrs. Hamilton stated that she believed that the Town of Delhi had a rabies clinic earlier in the year and another is scheduled for the fall.

For standing committee reports Chairman Eisel advised that the decision to consolidate the Departments of Alcohol and Drug Abuse Services and Mental Health at the former Treadwell School building in the Town of Franklin is being re-evaluated. In addition, he has received notice that four members of the Community Services Board (CSB) have resigned after serving past their eligibility dates. Those members are Chairman of the CSB Martin Donnelly, Dr. Michael Freeman, Joan Hale, and Joanne Sampson. Once the vacancies have been filled the CSB will schedule a meeting at which time outstanding issues will be addressed. Anyone interested in addressing the CSB should attend that meeting.

On behalf of the Board of Supervisors, he then thanked the outgoing members for their years of service on the CSB.

Chairman Eisel referred to an e-mail from Town of Sidney Supervisor Robert McCarthy addressed to the Director of Mental Health Cynthia Heaney. The e-mail dated May 11, 2013 states that the Bassett system will take over Mental Health at no cost to the county thereby saving the county roughly \$500,000.

He advised that he has heard much conflicting information over the past few months about this issue. In an effort to determine what the truth is he contacted O'Connor Hospital Chief Executive Dan Ayres. Chairman Eisel read an excerpt from Mr. Ayres' written response regarding mental health services in Delaware County.

"The Delaware County Mental Health Clinic is the sole mental health clinic recognized and licensed by the Office of Mental Health to provide comprehensive mental health services in Delaware County at this time....O'Connor Hospital and Bassett Healthcare Network remain

willing to work with Delaware County to address the mental health needs in our communities, but no formal plans or agreements to substantially change the current provision of mental health services are in place.”

Chairman Eisel stated that although Mr. McCarthy’s e-mail would lead one to believe that Bassett’s takeover of the mental health business in Delaware County is logical, nothing could be further from the truth.

Mr. McCarthy commented that he was not in agreement with Chairman Eisel’s comments.

Mr. Bracci stated that the county needs to be pro-active in its effort to develop a fully-comprehensive view of the mental health situation. The concerns remain; something needs to be done regarding consolidation of services and partnering with other entities. In addition, services to clients need to be improved and the cost of delivering those services needs to be reduced. He supported the hiring of a Health Administrator that possesses the skills to guide the county through the process.

Mr. McCarthy suggested that the Finance Committee should begin the 2014 budget process as soon as possible in order to allow ample time for planning.

Chairman Eisel shared an e-mail forwarded from Town of Sidney Supervisor Robert McCarthy addressed to Ms. LaPietra of the Office of Family & Children’s Services. The e-mail dated May 7, 2013 expresses concern that the Department of Fiscal Affairs continues in the duties of the Treasurer’s Office and expressed concern of possible corruption in Delaware County.

Chairman Eisel said that with the support of the Finance Committee he contacted the Law Firm of Frank W. Miller, the attorneys who handled this litigation for the county. Chairman Eisel shared the following excerpts from Attorney Miller’s written reply to Ms. LaPietra.

“Our firm served as special counsel to the County in connection with certain litigation between the County Treasurer and the County over the creation of the Fiscal Affairs Department....The issues that Mr. McCarthy raises in his e-mail to you have already been litigated extensively. The allegations that these transfers of duties and reconfiguration of responsibilities within the accounting and Fiscal Affairs Department have all been thoroughly and publically vetted and litigated. It is simply shocking that a duly elected Town Supervisor would make such allegations without either referring to or referencing in any way the prior court litigation and decisions....Insofar as Mr. McCarthy’s allegations of “corruption” arising from this episode, they are utterly without merit.”

Chairman Eisel stated that if Mr. McCarthy believes there is some evidence of corruption in Delaware County he should turn that information over to the County Attorney or the Attorney General’s Office. The Chairman further stated that he believes that all of Department Heads and the majority of Supervisors come and work on behalf of Delaware County with no agenda of their own and make decisions that are in the best interest of the county.

Mr. McCarthy stated that he is motivated only by one agenda and that is using his one term to see this government as clean as it can be when he leaves.

Mr. Bracci, stated that he would like to know why the Treasurer's Office has not been restored.

Mr. McCarthy stated that in his opinion the separation is a conflict of interest and a cause for concern. Chairman Eisel remarked that the Department of Fiscal Affairs (FA) works well and is very efficient. He added that it was not always the case prior to the creation FA.

For standing committee reports Marjorie Miller, member of the Legislative Committee, advised that the committee will be undertaking a review of the Rules of the Board. Pending the approval of Chairman Eisel and Chairman of the Legislative Committee Don Smith, she would like to form a sub-committee tasked with this specific matter. Along with herself, she has asked Cindy Donofrio, Wayne Marshfield and Michael Triolo to be part of the sub-committee.

The intent of the sub-committee is to work toward recommended changes or revisions to the present Rules of the Board of Supervisors. Ms. Miller noted the sub-committee will be examining unchartered counties with similar demographics identified as Chenango, Columbia, Essex, Livingston, Schoharie, Washington and Wyoming. Their recommendations, if there are any, would be submitted to the Legislative Committee for their review and then to the full Board for consideration.

For standing committee reports Chairman of the Community Service Board (CSB) Martin Donnelly read his letter of resignation directed to Director of Mental Health Cynthia Heaney. The letter advised that he has enjoyed his time on the CSB but due to term limitations he will be resigning from the CSB effective May 20, 2013.

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

**RESOLUTION NO. 71**

**TITLE: 2013 BUDGET AMENDMENT  
GRANT FUNDING  
LEGAL AID TO INDIGENTS**

**WHEREAS**, Delaware County has been awarded a three-year grant from the Office of Indigent Legal Services in the amount of \$104,871; and

**WHEREAS**, said funding must be used to improve the quality of legal services provided pursuant to Article 18-b of the County Law.

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

**INCREASE REVENUES:**

10-11170-43358901/117022/979      New York State Grant      \$104,871.00

**INCREASE APPROPRIATIONS:**

10-11170-54327000/117022/979      Grant Contractual Expense      \$104,871.00

The resolution was seconded by Mr. Valente.

Clerk of the Board Christa Schafer explained that the grant is to provide continuing legal education to the attorneys who provide legal representation to indigents under the 18-b Assigned Council program.

The resolution was adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

**RESOLUTION NO. 72**

**TITLE: 2013 BUDGET AMENDMENT  
SUMMER YOUTH EMPLOYMENT PROGRAM  
DEPARTMENT OF SOCIAL SERVICES/YOUTH BUREAU**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Summer Youth Employment Program; and

**WHEREAS**, funding is to be used for summer youth employment and education training for economically disadvantaged youth and is 100% reimbursed.

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

**INCREASE REVENUE:**

10-16010-43382002      Summer Youth Employment      \$70,283.00

**INCREASE APPROPRIATION:**

10-16010-54665002      Summer Youth Employment      \$70,283.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

**RESOLUTION NO. 73**

**TITLE: 2013 BUDGET AMENDMENT  
EMPIRE STATE DEVELOPMENT FOR  
HURRICANE IRENE - TROPICAL STORM LEE  
FLOOD MITIGATION PROJECTS  
DEPARTMENT OF ECONOMIC DEVELOPMENT  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the County has been awarded a grant for \$673,462 from Empire State Development for Hurricane Irene and Tropical Storm Lee Flood Mitigation projects throughout the County; and

**WHEREAS**, Empire State Development in consultation with the Department of Environmental Conservation is providing this funding to assist municipalities in Delaware County to design and implement flood repair projects; and

**WHEREAS**, this funding will be used as a match for the awarded USDA Emergency Watershed Protection grants in the Towns of Colchester, Deposit, Harpersfield, Sidney, Tompkins and Walton.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors accept this funding and authorize the Chairman of the Board of Supervisors to enter into a contract with Empire State Development and to enter into contract with the aforementioned municipalities with the exception of the County's project in Colchester; and

**BE IT FURTHER RESOLVED**, that the 2013 budget be amended as follows:

**INCREASE REVENUES:**

10-18741-44498900/8740034/900	Empire State Development	\$673,462.00
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**INCREASE APPROPRIATIONS:**

10-1871-54327200/8740034/900	Contractual Services	\$673,462.00
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The resolution was seconded by Mr. Valente.

Mr. Triolo pointed out that the resolution exempts a specific project in the Town of Colchester because it is a county project. The Towns of Colchester, Deposit, Harpersfield, Sidney, Tompkins and Walton will be using the Empire State Development funding to help offset costs related to design and implementation of flood repair projects.

In answer to Mr. Marshfield, Commissioner of Watershed Affairs Dean Frazier stated the resolution represents the 25 percent match to the Emergency Watershed Protection grant.

The resolution was adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).



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

**RESOLUTION NO. 74**

**TITLE: APPORTIONMENT OF MORTGAGE TAX**

**WHEREAS**, §261 of the Tax Law makes it mandatory to apportion the mortgage tax semi-annually and a report has been received from the recording officer and the County Treasurer for the period ending March 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay to the several towns and villages of Delaware County the amounts stated below; the same having been apportioned according to the aforementioned §261; and

**BE IT FURTHER RESOLVED** that the foregoing statement shall be to the County Treasurer a sufficient warrant for the payment of said monies.

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Andes	\$7,772.90	\$7,772.90	
Bovina	\$12,097.01	\$12,097.01	
Colchester	\$11,657.17	\$11,657.17	
Davenport	\$19,306.84	\$19,306.84	
Delhi	\$27,705.22	\$23,484.64	\$4,220.58
Deposit	\$5,578.93	\$5,220.26	\$358.67
Franklin	\$17,536.66	\$16,768.71	\$767.95
Hamden	\$5,471.82	\$5,471.82	
Hancock	\$15,083.40	\$13,704.74	\$1,378.66
Harpersfield	\$5,833.20	\$5,199.97	\$633.23
Kortright	\$12,407.25	\$12,407.25	

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Masonville	\$5,295.53	\$5,295.53	
Meredith	\$9,990.74	\$9,990.74	
Middletown	\$37,758.49	\$34,347.36 FL	\$1,025.81
		MV	\$2,385.32
Roxbury	\$17,524.00	\$17,524.00	
Sidney	\$38,115.98	\$26,921.61	\$11,194.37
Stamford	\$13,467.84	\$10,117.23 ST	\$1,146.92
		HO	\$2,203.69
Tompkins	\$5,578.42	\$5,578.42	
Walton	\$22,466.04	\$18,366.11	\$4,099.93
Totals	\$290,647.44	\$261,232.31	\$29,415.13

The resolution was seconded by Mr. Triolo.

Mr. Marshfield shared that in the mid-2000's the Town of Hamden received about \$45,000 annually in mortgage tax money. He opined that he did not think the town would see much over \$11,000 this year, adding this speaks to the difficult state of today's economy.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 75**

**TITLE: APPROPRIATION OF CAPITAL FUNDS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Department has progressed the CR 17 Emergency Watershed Protection Slope Repair project and the County Bridge 26-3 reconstruction project to the bidding phase; and

**WHEREAS**, the first project is due back by June 5<sup>th</sup>; and

**WHEREAS**, the second project should be ready and due back prior to the June Board meeting; and

**WHEREAS**, the Department would like to appropriate the necessary funding directly for these two projects so that the award can be made as soon as possible in order to ensure that they are performed within the 2013 construction season.

**NOW, THEREFORE, BE IT RESOLVED** that \$2,300,000 be appropriated from account 34-15112-54000000 to cover the cost of these two projects

The resolution was seconded by Mr. Smith.

Commissioner of Public Works Wayne Reynolds stated that the County Bridge 26-3 project will be funded with county dollars. The project will be bid in the near future and CHIPS funding will be used for the construction.

The resolution was adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

#### **RESOLUTION NO. 76**

**TITLE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELL" 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 April 27 – May 8, 2011, County Routes 21 & 23 in Delaware County, PIN 989074, Contract D034154 (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, THEREFOR**, 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 \$570,570 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 therefor 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. Spaccaferno and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

**RESOLUTION NO. 77**

**TITLE: AUTHORIZATION TO SETTLE EMINENT DOMAIN CASE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 63 of 2012 allowed the Department of Public Works to use eminent domain to acquire the right of way necessary for the federally aided reconstruction of Bridge 26-1, BIN 335195, County Route 26 over Telford Hollow Brook in the Town of Colchester; and

**WHEREAS**, the Federal procedures were followed in order to appraise the fair market value of the required property; and

**WHEREAS**, the court required that the appraised value of \$29,050 be set aside by the County for the Fini property; and

**WHEREAS**, the case has recently been scheduled with the Court; and

**WHEREAS**, there is a willingness of the owner to split the difference between his appraisal and the County's initial appraisal of \$29,050; and

**WHEREAS**, it is more cost effective to settle the case at the proposed amount than it is to proceed to court and accumulate additional legal and professional witness costs.

**NOW, THEREFORE, BE IT RESOLVED** the Chairman of the Board and the Attorney representing the Department of Public Works are herewith authorized to settle the case for an additional amount of \$3,450 making the total amount due to Mr. Fini \$32,500.

The resolution was seconded by Mr. Spaccaforo and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

#### **RESOLUTION NO. 78**

##### **TITLE: AUTHORIZATION TO ENTER INTO A LEASE PURCHASE AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION DEPARTMENT OF INFORMATION TECHNOLOGY**

**WHEREAS**, the County of Delaware desires to enter into Lease-Purchase Agreement No. 6240, by and between Government Capital Corporation and the County of Delaware, for the purpose of financing "Control System Upgrade"; and

**WHEREAS**, the County of Delaware desires to designate this Agreement as a "qualified tax exempt obligation" of the County of Delaware for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended;

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware designates Chairman of the Board of Supervisors James E. Eisel, Sr., as the authorized signer of the Lease Purchase Agreement Number 6240, by and between the County of Delaware and Government Capital Corporation.

The resolution was seconded by Mr. Bower.

Mr. Marshfield noted that a memo regarding this resolution was included in the Supervisors' packet.

He explained that Black Creek Integrated Systems is the turn-key, touch screen-based, correctional facility security control system and security management software that operates the jail. The total cost of the system over a five-year period is \$292,855. Initially, the county was going to enter into a lease agreement paying approximately \$65,000 each year. The interest over the term of the lease comes to roughly \$30,000 at 3.94 percent. Rather than increase the cost by paying the interest, the decision was made in the Finance Committee meeting to pay for the system in full. He pointed out that the cost of the annual lease payment was a budget item.

In answer to Mr. Hynes, Delaware County Sheriff Thomas Mills stated that the original system is ten years old. The new system will function as in the past, however with updated technology and security controls.

Director of Information Technology Joseph deMauro explained in answer to Mr. Hynes, that a maintenance program is no longer an option for the current system. The parts are vendor supplied and are no longer available.

In reply to Mr. Marshfield, Mr. deMauro suggested the system should be reviewed every four or five years in order to be able to prevent problems from occurring as a result of failed software or hardware.

Undersheriff Craig DuMond stated that the program is critical to the operation of the jail. Failures have already occurred and are beginning to happen on a more frequent basis.

The resolution was adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

#### **RESOLUTION NO. 79**

##### **TITLE: LEGISLATIVE APPROVAL FOR CONTINUATION OF SALES TAX LEVY**

**WHEREAS**, Senate Bill 4823 and Assembly Bill 5831 have been introduced to allow the continuation of the 4% local sales and use tax rate;

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors requests the passage and enactment of Senate Bill 4823 and Assembly Bill 5831 entitled "AN ACT to amend the tax law, in relation to extending the authorization of the County of Delaware to impose an additional one percent of sales and compensating use taxes"; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors is directed and authorized to file with the Senate and Assembly Home Rule Messages or forms as needed to certify this resolution.

The resolution was seconded by Mr. Dolph.

Chairman Eisel stated that the resolution is worded by the state and must be done every two years. The resolution is not calling for an increase in the sales tax levy but is a request for authorization to continue the local sales tax rate. Chairman Eisel noted that he believes there may be legislation coming that will change the current process.

The resolution was unanimously adopted.

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

## RESOLUTION NO. 80

### **TITLE: RESOLUTION TO EXEMPT THE ATTORNEYS IN THE OFFICES OF THE DISTRICT ATTORNEY AND THE COUNTY ATTORNEY FROM THE WEAPONS PROVISION OF THE COUNTY WORK PLACE VIOLENCE POLICY OFFICE OF THE COUNTY ATTORNEY OFFICE OF THE DISTRICT ATTORNEY**

**WHEREAS**, Resolution No. 118 of 2003 as amended by Resolution No. 185 of 2003, along with Resolution Nos. 158 of 2007 and 100 of 2010, establish, clarify and implement the County's Workplace Violence Policy; and

**WHEREAS**, the policy expressly permits Delaware County to exempt individuals and employees from the weapons provision of that policy; and

**WHEREAS**, specific exemptions were made for law enforcement officers, but did not specifically include the attorneys engaged in law enforcement functions; and

**WHEREAS**, the highly volatile and sensitive nature of the work conducted by the attorneys in the Offices of the District Attorney and County Attorney render them particularly vulnerable; and

**WHEREAS**, those attorneys regularly begin and end their work days outside of normal business hours, in addition to working weekends and holidays which exponentially increases their vulnerability.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby specifically exempts the attorneys in the Delaware County Offices of the District Attorney and the County Attorney from any and all of the provisions of the County's Workplace Violence Policy which prohibit possessing or carrying weapons of any kind on County property, in County vehicles, or while on County time.

The resolution was seconded by Mr. Valente.

Mr. Rowe stated that he was the Chairman of the Personnel Committee in 2003 when the Workplace Violence Policy was being developed. The policy initially met with some opposition based on the premises of the second amendment rights. He noted that he pushed for the policy at the time because of circumstances relating to workplace violence that he felt the county might be potentially liable for.

He read from the county's Workplace Violence Policy various behaviors that would constitute a violation of the policy and referenced the e-mails being sent to Mrs. Schafer as a violation of the policy. Mr. Rowe stated that the e-mails need to stop as they are unfair to her as an employee. He pointed out that if the harassment were to lead to the employee feeling

threatened to come to work the county would be liable. In his opinion, the Supervisors need to set an example and should conduct themselves in a professional manner.

Ms. Miller referenced the county's Computer Use Policy noting that there is similar language in that policy as well.

Mr. Hynes questioned if other counties were moving in the same direction for their law enforcement officers and wondered about town justices as well. In addition, he questioned if there would be a training program to accompany the exemption.

County Attorney Porter Kirkwood stated that the current Workplace Violence Policy includes a specific exemption for law enforcement officers but not specifically for the attorneys engaged in law enforcement functions. This resolution is seeking a similar exemption.

Mr. Bower stated the resolution is in response to the state of affairs across the country and the resulting environment in which law enforcement officers work.

Mr. Bower stated that the resolution is about being pro-active and aware of the environment these people are working in. It is unfortunate that we find ourselves reviewing a resolution of this type; however, it is a reflection of the type of society we are living in.

Ms. Miller noted that she did not support this resolution in the Legislative Committee and feels less safe when people are carrying guns in situations where a threat may not exist.

Mr. Bower pointed out that he works within the law enforcement system and has found weapons on individuals that should not be armed. He referenced the mental health crisis and increased drug use nationwide stating that these are two examples that are making it necessary for attorneys engaged in law enforcement functions to consider carrying a weapon.

Sheriff Mills stated that although Delaware County enjoys a relatively low crime rate it is not without its problems and incidents can happen anywhere. Nationwide violence is increasing and it is difficult to determine when a situation may go bad. In his opinion, the exemption to the Workplace Violence Policy has become a necessity in these times.

Mr. McCarthy opined that arming individuals whose intent is not to use the weapon may create a scenario in which the weapon becomes a danger to them.

The resolution was adopted by the following vote: Ayes 4253, Noes 375 (Miller), Absent 171 (Axtell).

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



## RESOLUTION NO. 81

### **TITLE: RESOLUTION DECLARING “MAYDAY FOR MANDATE RELIEF” AND URGING THE STATE TO ADOPT LAWS THAT DO NOT IMPOSE FURTHER FISCAL STRESS ON LOCAL GOVERNMENTS AND TAXPAYERS AND BUILD UPON RECENT EFFORTS TO REFORM COSTLY UNFUNDED MANDATES**

**WHEREAS**, counties are mandated to administer and finance dozens of state and federal programs; and

**WHEREAS**, many counties in New York State face significant fiscal challenges made worse by the recent recession and slow economic recovery; and

**WHEREAS**, these county fiscal challenges are also directly tied to state-imposed mandates and in recent years reduced state reimbursement; and

**WHEREAS**, the New York State Association of Counties has identified 9 state mandates that consume 90 percent of all county property taxes levied across the state (outside of New York City), representing over \$4 billion in county property taxes levied. These mandates include: Medicaid, Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

**WHEREAS**, these mandated and fixed employee costs can consume more than 80 percent of a county’s total budget, leaving fewer local dollars that can be devoted to local programs and services; and

**WHEREAS**, these State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services.

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County hereby declares the month of May to be “Mayday for Mandate Relief” to raise awareness that decisions made in Albany have a direct impact on the property tax levy and local community services here in Delaware County; and

**BE IT FURTHER RESOLVED**, that Delaware County strongly encourages the Governor and State Legislature to continue working to enact meaningful mandate relief; and

**BE IT FURTHER RESOLVED**, that Delaware County calls on State Lawmakers to enact legislation preventing future unfunded mandates without corresponding state aid to pay for them; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Smith.

Mr. Dolph noted that the Delaware County Chamber of Commerce includes a mandate relief link on their electronic newsletter. The public is welcome to visit the Chamber of Commerce site at: [www.delawarecounty.org](http://www.delawarecounty.org).

As a reminder, Chairman Eisel stated that the county also has a mandate relief link on the county website at: [www.co.delaware.ny.us](http://www.co.delaware.ny.us).

The resolution was unanimously adopted.

Mr. Triolo offered the following resolution and moved its adoption

**RESOLUTION NO. 82**

**TITLE: SUPPORT FOR INCREASED WATER RELEASES FROM THE PEPACTON  
AND CANNONVILLE RESERVOIRS FOR THE ECONOMIC BENEFIT OF THE  
TOWNS OF HANCOCK, DEPOSIT AND COLCHESTER  
DEPARTMENT OF ECONOMIC DEVELOPMENT  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, decisions regarding water releases from the New York City Cannonsville and Pepacton Reservoirs are dependent upon variable stream circumstances; and

**WHEREAS**, depending on individual circumstances and conditions, water releases will fall under the auspices of the Delaware River Master as dictated under the 1954 Supreme Court Decree, New York City DEP or the New York State DEC; and

**WHEREAS**, the adequate release of water is important to the increasing sport of fly fishing for trout in the Towns of Colchester, Deposit and Hancock and is an important part of their local economies as well as other water recreational activities; and

**WHEREAS**, the timing and volumes of water releases in concert with consideration of viable water temperature are critical to the welfare of trout, particularly in the low flow hot and dry summer months; and

**WHEREAS**, discussions are ongoing with regard to changes in the Delaware River Basin Flexible Flow Management Program (FFMP); and

**WHEREAS**, the multiple objectives of the FFMP provide for maintaining a favorable environment for the fishery; and

**WHEREAS**, a favorable environment for the fishery is also important to the economy and needed jobs in Hancock, Deposit and Colchester; and

**WHEREAS**, New York City's successful water conservation effort over the years has reduced annual water consumption by one third to 1.05 BGD providing for more flexibility in their water cycle for protecting against drought.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors acknowledges prior improvements to the FFMP for both flood protection and the fishery, now requests that the Decree Parties give further thorough and reasonable consideration for increased water releases under the FFMP from the Cannonsville and Pepacton Reservoirs to prevent unnecessary or lethal conditions for the fishery; and

**BE IT FURTHER RESOLVED** this resolution also be forwarded to Delaware River Basin Commission Members and Executive Director, State and Federal elected officials representing Delaware County and the Coalition of Watershed Towns.

The resolution was seconded by Ms. Miller.

Chairman Eisel stated that he feels this is worthwhile.

Mr. Rowe shared that there will be a meeting with the Friends of the Upper Delaware River (FUDR) and the Commissioner of the New York State Department of Environmental Conservation in the Town of Hancock to discuss the Croton Water Treatment Plant ultra-violet program that will be going on line. The program is anticipated to make 200 million more gallons of water available for New York City.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 83**

**TITLE: DELAWARE COUNTY BOARD OF SUPERVISORS RESPONSE TO  
CONGRESSMAN GIBSON'S INQUIRY PERTAINING TO HIS PROPOSED  
WATERSHED ADVISORY GROUP  
DEPARTMENT OF ECONOMIC DEVELOPMENT  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the Honorable Congressman Christopher Gibson has announced the formation of a Watershed Advisory Group (WAG) to address watershed issues; and

**WHEREAS**, this effort is intended for the benefit of watershed constituents for the watershed challenges faced today and in the future; and

**WHEREAS**, Congressman Gibson has sought feedback with regard to subjects posted on his website; and

**WHEREAS**, the New York City watershed in Delaware County constitutes 51% of the West of Hudson Watershed and 53% of Delaware County's land mass that any and all efforts could have substantial impacts on the welfare of our residents; and

**WHEREAS**, Delaware County has made and continues to make progress through collaboration, to improve our position with watershed partners for the benefit of County constituents, therefore it is important that:

- the hard work and progress made to date is retained,
- the purpose and role of existing West of Hudson watershed organizations and institutional arrangements and their accomplishments remain intact or are improved,
- the WAG collaborate with our other watershed partners such as: the Coalition of Watershed Towns, Catskill Watershed Corporation, County Departments and County Soil and Water Conservation Districts, among others.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors authorizes the Chairman of the Board of Supervisors to forward the comments provided by the Watershed Affairs/Economic Development Committee to the Congressman with the expectation that Delaware County will be a member of this group, should it come to fruition and the expectations and needs of Delaware County be given the weight commensurate with the land mass and economic impact watershed issues bring to bear on the County.

The resolution was seconded by Ms. Miller.

Watershed Affairs Committee Chairman Michael Triolo stated that a memo of explanation along with the proposed comments were sent to the Supervisors with a copy the resolution for their review and comment prior to submitting the comments to the Watershed Advisory Group (WAG).

The Economic Development and Watershed Affairs Committee felt this was in keeping with the committee's goal of keeping everyone informed.

Ms. Capouya questioned if there was really a need for another group.

Chairman Eisel advised that he and Commissioner of Watershed Affairs Dean Frazier met with representatives of the Congressman. The upstate portion of the watershed is now in one congressional district and the Congressman would like to hear from all of his constituents.

Commissioner Frazier recommended that the county will provide comments and attend the initial meeting to get more information about WAG and its mission.

Mr. Bracci shared that he is a member of the Coalition of Watershed Towns (CWT) that deals with the same issues and shares Mrs. Capouya's concern.

Commissioner Frazier stated that he supports the intent behind Congressman's Gibson's proposed WAG and that the Congressman's efforts must be well coordinated with ongoing efforts and organizations to avoid reinventing the wheel where work has already been done.

Congressman Gibson's liaison Paula Brown stated that WAG is an effort being put forth by the Congressman to bring people together to identify and organize both positive and negative issues relating to the entire watershed area.

She pointed out that this is the first time the entire upstate portion of the watershed is in one congressional district. The Congressman sees this as opportunity to gain insight and knowledge from varying perspectives allowing him to work more effectively for all of his constituents.

The group is seeking input from constituents as well as municipalities. Anyone interested in making comments are encouraged to visit Congressman Gibson's website at: [www.gibson.house.gov](http://www.gibson.house.gov).

Chairman Eisel stated that Delaware County makes up 50 percent of the watershed and through the years has gained an extensive knowledge and expertise that will be helpful when shared with WAG.

Mr. Dolph commented that participation in WAG may give the county the opportunity to accomplish its goals.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 84**

#### **TITLE: RESOLUTION IN SUPPORT OF THE BELLEAYRE RESORT AT CATSKILL PARK PROJECT DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Delaware County Board of Supervisors is committed to, and strongly supports, economic development and the tourism industry in Delaware County; and

**WHEREAS**, the proposed Belleayre Resort at Catskill Park will result in the investment of \$365 million in the Towns of Middletown and Shandaken for the development of a year-round tourism destination, providing visitors with a variety of outdoor recreation and lodging opportunities not currently available in the region, and will compliment and enhance Delaware County's efforts to promote the region as a tourism destination; and

**WHEREAS**, this portion of Delaware County continues to suffer from the loss of jobs, reduced household income and negative growth in sales tax revenues, such conditions further acerbated by the devastation resulting from Hurricane Irene and Tropical Storm Lee; and

**WHEREAS**, the Belleayre Resort at Catskill Park is projected to result in the creation of 541 full-time and 230 part-time jobs, with an annual payroll of approximately \$25 million annually and contribute millions more to the local economy on an annual basis; and

**WHEREAS**, the Belleayre Resort at Catskill Park project will be a tourism destination and anchor to encourage the development of new businesses while supporting existing businesses throughout the region; and

**WHEREAS**, Fleischmanns, specifically, and the region as a whole, were once famed as a destination with over 10,000 hotel rooms available to accommodate visitors to the area; and

**WHEREAS**, the development of the Belleayre Resort will benefit residents and taxpayers living and working in Delaware County through the provision of new job opportunities, a projected \$1.7 million annually in local property taxes and potentially millions of dollars annually in new sales tax revenues; and

**WHEREAS**, on September 5, 2007 the project sponsor, Crossroads Ventures, LLC, reached an agreement with New York State, the City of New York and seven national and regional environmental groups regarding a scaled-back version of the Belleayre Resort at Catskill Park project which was lauded by all parties to the agreement as an illustration that environmental protection and sustainable economic development can go hand in hand; and

**WHEREAS**, this agreement has dramatically reduced the scale and scope of the project and addressed all prudent and reasonable concerns regarding the project; and

**WHEREAS**, every aspect of this project has been exhaustively scrutinized, analyzed and revised for over a decade by all applicable regulatory agencies.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby express its support for the development and construction of the Belleayre Resort at Catskill Park; and

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors respectfully urges the New York State Department of Environmental Conservation to expeditiously conclude its review of the project and allow the development of this regionally significant and vital economic development opportunity to commence; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Andrew Cuomo, DEC Commissioner Joe Martens, New York State Senators John Bonacic, Tom Libous and James Seward, New York State Assemblypersons Peter Lopez, Claudia Tenney and Cliff Crouch, the Ulster County Legislature and Ulster County Executive Michael Hein.

The resolution was seconded by Ms. Miller.

Chairman Eisel stated that Belleayre Resort means jobs and that is a good thing for Delaware County.

Mr. Marshfield shared that the Town of Hamden passed a similar resolution in April and also forwarded it to the county's legislators.

In answer to Mr. Rowe, Chairman Eisel stated that the proposed Belleayre Resort at Catskill Park has been ongoing for almost fifteen years. He believed the Environmental Impact Statement cost around \$8 to \$10 million.

Ms. Miller said that part of the resort will be in the Town of Middletown and she thought about 60 to 80 percent will be in the Margaretville School District. The project should be a driver for people to come to this area.

Chairman Eisel agreed, adding it will be a beautiful destination resort. He encouraged the public to voice their support at the public hearing that will be held Wednesday, May 29<sup>th</sup> at the Belleayre Mountain Ski Center-Discovery Lodge in the Town of Highmount.

In response to Chairman Eisel, Ms. Miller stated that Delaware County residents currently make up about one-half of the employees at Belleayre.

The resolution was unanimously adopted.

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

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

#### **RESOLUTION NO. 85**

#### **TITLE: RESOLUTION CALLING FOR THE GOVERNOR AND STATE LEGISLATURE TO PERMIT COUNTIES TO RE-ESTABLISH THE OFFICE OF CORONER AFTER HAVING ABOLISHED THE OFFICE**

**WHEREAS**, the County Law of the State of New York permits counties to abolish the Office of the Coroner and establish the Office of the Medical Examiner; and

**WHEREAS**, there is currently no mechanism by which a county, which has abolished the Office of the Coroner, may abolish the Office of the Medical Examiner and re-establish the Office of the Coroner; and

**WHEREAS**, by Local Law No 2 of 1966 the Delaware County Board of Supervisors abolished the Office of the Coroner and established the Office of the Medical Examiner; and

**WHEREAS**, the Delaware County Board of Supervisors is now considering a return to the coroner system, but cannot accomplish such without a legislative amendment which specifically authorizes the re-establishment of the Office of the Coroner

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls upon the Governor and the State Legislature to pass an amendment to the County Law which permits counties to re-establish the Office of the Coroner; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Thomas W. Libous, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney, other New York Counties and the New York State Association of Counties.

The resolution was seconded by Ms. Miller.

Ms. Miller clarified that the resolution allows the county to call upon the State Legislature to pass an amendment to county law allowing the county to re-establish an Office of the Coroner but does not formally put the county in that direction.

Chairman Eisel stated that the county is using the Office of the Medical Examiner. If it is possible to get this through the legislature this session the county would have the option of going to the Office of the Coroner if need be.

Ms. Miller stated in reply to Mr. Marshfield that in her opinion there is no question that the Office of the Coroner can save the county money but on the other hand, there are very legitimate questions and concerns that have to be considered before making the decision to move forward.

In answer to Mr. Spaccaforno, Mr. Valente stated that this resolution is the first step in the process should the Legislative Committee move to re-establish an Office of the Coroner. If the state legislature denies the request there is no longer a conversation.

Mr. Hynes stated that the county has been very well satisfied with the Office of the Medical Examiner to this point. He referenced the fact that the county moved away from the Office of the Coroner in 1966 because it was not working.

In answer to Mr. Hynes, Ms. Miller stated that Dr. Ucci agreed to stay on as Medical Examiner with an increase to his fee as a duty to the county. She pointed out that the county has no contract with Dr. Ucci. Considering that he would like to retire from his position as Medical Examiner, the county should be prepared with another option.

Mr. Valente noted that Dr. Ucci desires to retire and the difficulty in finding a replacement to fill the role of Medical Examiner is, in his opinion, enough of a reason for the county to seek other options. In addition, a tremendous amount of research has already been done by the Legislative Committee attempting to find a viable solution. Preventing the Legislative Committee from moving forward with this request seems irresponsible to him.

Chairman Eisel stated that the fact remains that Dr. Ucci has reconsidered his position and is trying to find interested physicians to help him with the responsibilities of the position.

Mr. Dolph commented that he learned from conversations with a couple of coroners who are funeral directors that many are reaching retirement age and funeral homes will be closing.



Ms. Miller stated in answer to Mr. Dolph, that the Legislative Committee has a lot to consider before any changes can be made. Issues such as the availability of physicians and who has the authority to sign the death certificate will need to be addressed. These issues and others will be addressed if the state legislature approves the county's request.

Mr. Hynes stated that he did not feel there was a need to consider an Office of the Coroner at this time as it is cumbersome system. The Medical Examiner is doing the job.

Ms. Miller remarked that this has been discussed for a long time in committee.

The resolution was adopted by the following vote: Ayes 3207, Noes 1421 (Donnelly, Molé, Smith, Rowe, Eisel, Spaccaforno, Hynes, Layton) Absent 171 (Axtell).

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

**RESOLUTION NO. 86**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$917,113.20 were hereby presented to the Budget Oversight Committee for approval for payment on May 17, 2013 prior to presentation to the Board of Supervisors;

**THEREFORE**, the County Treasurer was directed to pay said expenditures as listed below and this Board now approves of said payment as follows:

General Fund	\$518,404.92
OET	\$70,671.14
Public Safety Comm System	\$19,044.22
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$26,236.44
Machinery	\$132,234.40
Capital Road & Bridge	\$79,165.94
Capital Solid Waste	\$21,620.00
Solid Waste/Landfill	\$49,736.14

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,364,635.14 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	\$843,170.53
OET	\$60,210.34

Highway Audits, as Follows:

Weights and Measures	\$3,325.36
Road	\$32,093.41
Machinery	\$78,933.55
Capital Road & Bridge	\$287,702.63
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$59,199.32

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

Upon a motion, the meeting adjourned at 7:15 p.m.