

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS DECEMBER 11, 2013**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, December 11, 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 except Mr. Hynes.

Mr. Marshfield offered the invocation.

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

The minutes of the November 26, 2013 meeting were accepted with corrections noted by Town of Sidney Supervisor Bob McCarthy.

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

Chairman Eisel granted privilege of the floor to Ms. Molé. Ms. Molé introduced Director of Public Health Bonnie Hamilton.

Mrs. Hamilton introduced Supervising Public Health Nurse Donna Jones stating that Mrs. Jones has been designated the Corporate Compliance Officer for Delaware County. She advised that introducing the Corporate Compliance Officer to the Board of Supervisors is part of the corporate compliance training.

Mrs. Jones greeted the Board of Supervisors and explained that issues relating to corporate compliance should be directed to her by contacting the Department of Public Health at 607-832-5156. She noted that a handout on corporate compliance has been provided to each Supervisor outlining the work plan goals for 2014.

Chairman Eisel extended his appreciation for the duties Mrs. Jones will be responsible for in her position as Corporate Compliance Officer.

Town of Franklin Supervisor Donald Smith introduced incoming Supervisor Jeffrey Taggart. Mr. Taggart stated that he is looking forward to serving the Town of Franklin and the County of Delaware.

Mr. Bracci introduced incoming Town of Delhi Supervisor Mark Tuthill.

Chairman Eisel welcomed incoming Supervisors Mr. Taggart, Mr. Tuthill and Mr. Haynes who were present in the audience.

For standing committee reports Chairman of the Public Works Committee Samuel Rowe provided an update on County Route 17 projects. Referencing Resolution Nos. 75 and 116 of this year he advised that the Emergency Watershed Protection Project and the restoration of a County Route 17 retaining wall have been completed with the final cost coming in under the bid price.

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

**RESOLUTION NO. 210**

**TITLE: IN MEMORY OF LEE CONKLIN**

**WHEREAS**, former Town of Deposit Supervisor Lee Conklin passed away on November 25, 2013; and

**WHEREAS**, he served as Town of Deposit Supervisor from 1976 until 1997 and as Vice Chairman of the Board of Supervisors from 1991 to 1997; and

**WHEREAS**, he will be remembered with distinction for his hard work and dedication to the County and the Town of Deposit

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors extends its sympathy to the family of Lee Conklin and recognizes with gratitude his contributions to this County, his Town and neighbors.

The resolution was seconded by Mr. Marshfield and Chairman Eisel.

Chairman Eisel noted that Mr. Conklin served as Vice Chairman under Chairman Ray Christensen. Mr. Conklin was a dedicated public servant and a valued member of the Board of Supervisors. Chairman Eisel remembered his kind smile, his willingness to meet the demands of public service and the excitement Mr. Conklin felt in sharing stories of his favorite pastime, fishing. He will be missed.

Mr. Marshfield stated that Mr. Conklin was as dedicated to family as he was to his town and the county. He enjoyed family activities and took pride in talking about them. Mr. Conklin was a polite and respected member of the Board of Supervisors and it was an honor to serve with him.

Mr. Smith shared that it was a pleasure serving with Mr. Conklin. Working with Mr. Conklin and the many committed and dedicated members of the Board of Supervisors through the years has been one of the pluses of being a Town Supervisor. Mr. Conklin's warm personality, kind smile and friendly impromptu visits will very much be missed.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 211**

**TITLE: 2013 BUDGET AMENDMENT  
YOUTH TRAINING PROGRAM  
DEPARTMENT OF SOCIAL SERVICES**

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

**WHEREAS**, the expenditures will be used to meet the needs of youth in regard to work activities as identified by the Board and the Department

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

**INCREASE REVENUES:**

10-16010-44461000	Federal Social Services Administration	\$37,197.00
10-16010-43361000	State Social Services Administration	\$18,598.00

**INCREASE APPROPRIATIONS:**

10-16010-54665003	Youth Training Program	\$55,795.00
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The resolution was seconded by Mr. Marshfield.

In reply to Mr. Bracci, Commissioner Moon noted that the following resolutions are part of the department's preparations to close fiscal year 2013. He provided an explanation of why the resolutions were needed.

Resolution No. 211 represents revenue, in the form of a reimbursement from the federal and state Social Services Administration, for the 2013 Summer Youth Program. The revenue was erroneously omitted from the 2013 budget.

Resolution No. 212 allows the department to expand its existing Employment Related Services Program and account for the added revenue the program will generate. The increase in employable public assistance recipients is requiring the expansion of employment related services to meet mandated work requirements.

Resolution No. 213 is based on the fact that the department has exhausted its 2013 Parent Aide budget. The county is mandated to provide Parent Aide Services. The reason for the increase in spending is reflected in the number of Family Court orders for Parent Aide Services running at an annual rate of just over \$1 million.

Resolution No. 214 is the result of the increased cost in the purchase of transportation services. The county is mandated to provide transportation for foster children.

Resolution No. 215 adds additional revenue in federal HEAP funds to the 2013-2014 Program which began on November 18<sup>th</sup>.

The resolution was adopted by the following vote: Ayes 3972, Noes 577 (McCarthy), Absent 250 (Hynes).

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

**RESOLUTION NO. 212**

**TITLE: 2013 BUDGET AMENDMENT  
EMPLOYMENT RELATED SERVICES  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer Employment Related Services for TANF or New York State Safety Net Recipients; and

**WHEREAS**, the expenditures will be used to meet the mandated work requirements for TANF and Safety Net Recipients

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

**INCREASE REVENUES:**

10-16010-44461500	FFFS	\$49,822.00
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**INCREASE APPROPRIATIONS:**

10-16010-54427012	Employment & TANF	\$49,822.00
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The resolution was seconded by Mr. Rowe and adopted by the following vote: Ayes 3972, Noes 577 (McCarthy), Absent 250 (Hynes).

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

**RESOLUTION NO. 213**

**TITLE: 2013 BUDGET AMENDMENT  
PARENT AIDE PROGRAM  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer preventive services for recipients; and

**WHEREAS**, the Parent Aide Program provides mandated preventive services for recipients; and

**WHEREAS**, the expenditures will be used to provide mandated preventive services for recipients

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

**INCREASE REVENUES:**

10-16119-43361900	State Foster Care	\$93,000.00
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**INCREASE APPROPRIATIONS:**

10-16070-54575000	Services for Recipients	\$93,000.00
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3972, Noes 577 (McCarthy), Absent 250 (Hynes).

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

**RESOLUTION NO. 214**

**TITLE: 2013 BUDGET AMENDMENT  
TRANSPORTATION  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer Services for Recipients; and

**WHEREAS**, the Commissioner of Social Services is charged with the responsibility for providing transportation services to eligible clients at public expense pursuant to Social Services Law Sections 365-a, 395, and 409-a; and

**WHEREAS**, the expenditures will be used to provide transportation services to eligible clients

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

**INCREASE REVENUES:**

10-16119-43361900	State Foster Care	\$39,409.00
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**INCREASE APPROPRIATIONS:**

10-16070-54575000	Services for Recipients	\$39,409.00
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3972, Noes 577 (McCarthy), Absent 250 (Hynes).

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

**RESOLUTION NO. 215**

**TITLE: 2013 BUDGET AMENDMENT  
HOME ENERGY ASSISTANCE PROGRAM  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local Agency to administer the County’s Home Energy Assistance Program (HEAP) for 2013-2014; and

**WHEREAS**, said monies to be utilized to reimburse the county at 100% of its expenditures

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

**INCREASE REVENUE:**

10-16141-44464100	Federal Aid- HEAP	\$9,371.00
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**INCREASE APPROPRIATIONS:**

10-16141-54342040	HEAP-Emergencies	\$9,371.00
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The resolution was seconded by Ms. Miller adopted by the following vote: Ayes 3972, Noes 577 (McCarthy), Absent 250 (Hynes).

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

**RESOLUTION NO. 216**

**TITLE: NEW YORK STATE OFFICE OF HOMES & COMMUNITY RENEWAL  
DATA CONTROL GROUP, LLC  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, Delaware County has been awarded an Economic Development program grant in the amount of \$610,000; and

**WHEREAS**, Delaware County recognizes the importance of providing grant assistance to leverage a \$1.5 million business investment which will result in the creation of 400 new full-time jobs; and

**WHEREAS**, these funds will be used to offset a portion of the architectural, engineering and/or construction management expenses related to the partial relocation of the impacted manufacturer within the Village of Hancock; and

**WHEREAS**, Delaware County has received a grant agreement to formalize the acceptance of the funds; and

**WHEREAS**, the grant requires the use of a separate non-interest bearing checking account; and

**WHEREAS**, Delaware County may enter into a subrecipient agreement with the Delaware County Industrial Development Agency (DCIDA), whereby the DCIDA will assume responsibility for the delivery and administration of the Economic Development funds on behalf of the County.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors to formalize acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing the NYS Homes and Community Renewal Grant Agreement and a subrecipient agreement with the Delaware County Industrial Development Agency, and designate a non-interest bearing account for the specific use of this grant.

**BE IT FURTHER RESOLVED**, that the following budget modification be made:

**INCREASE REVENUE:**

10-16326-44498900/6326015/972	Fed Otr Home & Comm Ser	\$610,000.00
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**INCREASE APPROPRIATION:**

10-16326-54327000/6326015/972	General Grant Related Expense	\$610,000.00
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The resolution was seconded by Ms. Miller.

Mr. Triolo stated that Director of Economic Development Glenn Nealis was instrumental in making this venture a reality. The company anticipates bringing 400 full-time jobs to the Town of Hancock.

Chairman Eisel noted that desire of the company to relocate in Delaware County is significant and will have an immensely positive impact on the community and the county.

Mr. Rowe explained that the company was previously located in the Town of Deposit. The owners were committed to staying in Delaware County and when told of the Becton-Dickinson plant in the Town of Hancock they expressed an interest. Their willingness to invest in the Becton-Dickinson plant as their future site is very important to the community and the surrounding areas.

Chairman Eisel extended his appreciation to Mr. Nealis and Chairman of the Delaware County Industrial Development Agency Jim Thomson for putting this package together.

The resolution was adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

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

**RESOLUTION NO. 217**

**TITLE: 2013 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING  
WATER EXERCISE PROJECT AND MATTER OF BALANCE PROJECT  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging has been granted \$9,000.00 from the Rural Healthcare Alliance of Delaware County to train staff for administering the Matter of Balance Program and to continue a water exercise program for the county’s older population; and

**WHEREAS**, this funding will be used to engage in activities to support health promotion and wellness programming such as water exercise, fall prevention and stay healthy programs

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

**INCREASE REVENUES:**

10-16772-41197200/6772040/977	Grant from Non-Profit	\$9,000.00
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**INCREASE APPROPRIATIONS:**

10-16772-54327000/6772040/977	General Grant Related Exp	\$6,900.00
10-16772-54327595/6772040/977	Grant Supplies	\$1,100.00
10-16772-54327625/6772040/977	Grant Travel	\$1,000.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3972, Noes 577 (McCarthy), Absent 250 (Hynes).

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

**RESOLUTION NO. 218**

**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, 2014;

**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	\$499,030.00	\$40,968.10
Deposit	\$285,292.00	\$28,382.00
Franklin	\$295,205.00	\$37,855.00
Hancock	\$748,000.00	\$42,790.00
Harpersfield	\$305,336.00	\$44,074.00
Middletown	\$748,510.00	\$100,185.00
Sidney	\$272,447.00	\$11,894.00
Stamford	\$220,588.00	\$36,322.00
Walton	\$482,250.00	\$50,210.00

**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	\$195,620.00
Arena Fire District	\$13,979.72
Andes Light	\$8,000.00

**BOVINA**

Bovina Center Light District	\$1,845.00
Bovina Rural Fire District	\$90,129.00
Bovina Water District	\$33,393.00
Bovina Sewer District	\$8,611.50

**COLCHESTER**

Downsville Light District	\$10,000.00
Downsville Fire District	\$236,963.02
Beaverkill Valley Fire District	\$679.94
Colchester Fire Protection District	\$11,000.00

**DAVENPORT**

East Meredith Fire District	\$105,064.71
Davenport Fire District	\$48,201.11
Davenport Light District	\$1,160.00
Davenport Center Light District	\$1,670.00
West Davenport Light District	\$920.00

DELHI	
Delhi Rural Fire District	\$225,057.84
DEPOSIT	
Deposit Fire and Ambulance	\$80,631.00
FRANKLIN	
Treadwell Light District	\$3,782.00
Treadwell Water District	\$12,500.00
Franklin-Treadwell Fire District	\$199,485.63
HAMDEN	
Hamden Light District	\$2,800.00
DeLancey Light District	\$2,000.00
Delhi Fire District	\$655.07
Walton Fire and Protection	\$21,470.00
Downsville Fire Protection	\$3,500.00
Delhi Rural Fire Protection	\$61,933.94
Downsville Fire District	\$4,066.98
Hamden Sewer District	\$8,886.10
HANCOCK	
Upper Delaware Valley Ambulance District	\$2,473.98
Cadosia Light District	\$2,600.00
East Branch Light District	\$4,000.00
East Branch Fire District	\$97,000.00
Fish's Eddy Light District	\$3,100.00
Hancock Rural Fire District	\$167,501.44
Long Eddy Fire District	\$22,719.17
HARPERSFIELD	
Stamford Fire District	\$38,049.03
Hobart Fire District	\$5,732.40
Davenport Fire District	\$13,641.11
North Harpersfield Fire Protection	\$43,500.00
North Harpersfield Light District	\$2,000.00
KORTRIGHT	
Kortright Fire District	\$86,024.36
Bloomville Light District	\$4,000.00
Bloomville Sewer District	\$14,850.69
Stamford Fire District	\$6,735.18
Hobart Rural Fire District	\$10,529.35
East Meredith Fire District	\$3,467.97
Davenport Fire District	\$7,957.78

<b>MASONVILLE</b>	
Masonville Fire District	\$106,000.00
Masonville Light District	\$2,500.00
<b>MEREDITH</b>	
East Meredith Light District	\$0.00
Delhi Fire District	\$37,138.65
Meredith Square Light District	\$0.00
Franklin-Treadwell Fire District	\$24,674.55
Meridale Rural Fire District	\$52,600.00
East Meredith Fire District	\$17,668.32
Meridale Light District	\$0.00
<b>MIDDLETOWN</b>	
Halcottsville Light District	\$1,498.00
Arena Fire District	\$14,585.54
Arkville Light District	\$7,980.00
Arkville Water District	\$14,000.00
New Kingston Light District	\$719.00
Arkville Fire District	\$33,300.00
Fire District No. 1	\$69,834.00
Middletown-Hardenburgh Fire District	\$235,241.13
<b>ROXBURY</b>	
Roxbury Fire District	\$176,400.00
Roxbury Light District	\$13,490.00
Roxbury Water District	\$30,977.00
Grand Gorge Fire District	\$150,875.00
Grand Gorge Light District	\$11,491.00
Grand Gorge Water District	\$61,903.00
Middletown/Hardenburgh Fire District	\$5,119.55
Roxbury Run Light District	\$2,795.00
Roxbury Sewer District (unit charge)	\$37,747.55
Denver Sewer District (debt charge)	\$16,200.00
Denver Sewer District (unit charge)	\$74,565.00
Denver Water District	\$25,466.00
<b>SIDNEY</b>	
Consolidated Health District	\$3,400.00
Sidney Center Light District	\$4,400.00
Sidney Center Fire District	\$75,877.00
Sidney Fire Protection District	\$58,255.00
<b>STAMFORD</b>	
Stamford Fire District	\$7,381.35
South Kortright Fire District	\$4,000.00

Hobart Fire District	\$29,638.25
Kortright Fire District	\$8,347.64
South Kortright Light District	\$1,136.00
<b>TOMPKINS</b>	
Tompkins Fire District	\$100,577.00
Hancock Rural Fire District	\$19,647.56
<b>WALTON</b>	
Walton Fire District	\$330,480.00

**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	\$584,914.00	\$819,490.00
Bovina	\$231,519.00	\$379,800.00
Colchester	\$830,513.00	\$1,290,000.00
Davenport	\$227,685.00	\$655,400.00
Delhi	\$384,975.31	\$458,226.00
Deposit	\$307,377.00	\$407,288.00
Franklin	\$171,750.00	\$573,500.00
Hamden	\$169,059.00	\$494,200.00
Hancock	\$437,030.00	\$641,000.00
Harpersfield	\$282,346.50	\$238,372.00
Kortright	\$236,568.00	\$621,000.00
Masonville	\$197,190.00	\$361,000.00
Meredith	\$177,805.00	\$678,665.50
Middletown	\$707,469.00	\$1,014,265.00
Roxbury	\$929,395.00	\$1,583,041.00
Sidney	\$614,470.00	\$325,312.00
Stamford	\$231,851.00	\$254,827.00

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Tompkins	\$214,451.00	\$672,182.00
Walton	\$267,634.00	\$487,990.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

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

**RESOLUTION NO. 219**

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

**RESOLVED**, that the sum of \$29,028,648.08 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 27, 2013, the taxes be returnable the first day of April 2014 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 2014, upon the collector's complying with the statute thereto.

The resolution was seconded by Mr. Donnelly and Ms. Molé and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

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

**RESOLUTION NO. 220**

**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. Bower and Mr. Triolo and unanimously adopted.

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

**RESOLUTION NO. 221**

**TITLE: OBJECTION TO THE USE OF DELAWARE COUNTY'S SEAL  
OR LOGOS ON STATE WEBSITE ASSOCIATED WITH PISTOL PERMIT  
RECERTIFICATION AND/OR THE NY SAFE ACT OF 2013  
SHERIFF'S OFFICE**

**WHEREAS**, the State of New York has passed a gun control law referred to as the SAFE Act, and;

**WHEREAS**, this act clearly indicates that the enforcement of this law is the responsibility of New York State; and

**WHEREAS**, in recent discussions the state has indicated an interest in using the Delaware County Seal and the names of the offices of the Delaware County Sheriff and Delaware County Clerk in pistol permit recertification notices; and

**WHEREAS**, the County Sheriff and the County Clerk have voiced their strong objection to this request and suggestion

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors denies the State of New York permission to use its name, Seal of the County, letterhead or address for purposes of correspondence with legal and registered gun owners regarding permit recertification or for any other purpose associated with the SAFE Act; and

**BE IT FURTHER RESOLVED** that certified copies of this resolution be sent to Governor Andrew M. Cuomo, Senator John J. Bonacic, Senator Tomas W. Libous, Senator James L. Seward, Assemblyman Clifford Crouch, Assemblyman Peter Lopez, Assemblywoman Claudia Tenney, the Superintendent of State Police, and the legislature of every County in the State of New York.

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

In response to Mrs. Capouya, Sheriff Thomas Mills explained that the State of New York is interested in using the Delaware County Seal and the name of the Delaware County Sheriff and County Clerk on its website. This resolution is letting the state know that Delaware County objects to this. This a New York State program which is to be implemented by the State of New York; having Delaware County associated with the website gives the impression that the county is involved with the implementation of the program. Sheriff Mills stated that 52 counties are passing a similar resolution.

Ms. Miller pointed out that the title of the resolution objects to the use of the county seal on the website but in the body of the resolution, the names of the officers of the Delaware County Sheriff and Delaware County Clerk are also noted. She felt the resolution was unclear.

In answer to Mrs. Capouya, Sheriff Mills noted that the SAFE Act currently requires a mental health review upon recertification. Having the logos associated with the website may lead applicants to believe that the county can assist them. The county should have no part in the requirements of the SAFE Act as it is a New York State program.

Mr. Valente noted that when the SAFE Act passed, county government was not to carry a financial burden for the implementation of the Act. Having our logos associated with the website might direct people to the county. To his knowledge, the state does not have a solid plan for implementation of the SAFE Act. He added that the Basic Star Program was intended to be between the state and the taxpayers. The implementation of the program was so confusing the town assessors have been inundated with calls for assistance.

Sheriff Mills added that the county has seen an increase in requests for permits from individuals living out of state but owning a home in New York State.

Chairman Eisel stated that the resolution is intended to let the state know that the county disagrees; however we are obligated to conform to the Act. He pointed out that other counties are passing a similar resolution.

The resolution was adopted by the following vote: Ayes 4174, Noes 375 (Miller), Absent 250 (Hynes).

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

## **RESOLUTION NO. 222**

### **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 8, 2014 at 1:00 p.m. in the Supervisors' Room of the County Office Building, Delhi, New York.

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

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

**RESOLUTION NO. 223**

**TITLE: 2014 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

Wednesday, January 8, 2014	- 1:00 p.m.	Wednesday, January 22, 2014	- 1:00 p.m.
Wednesday, February 26, 2014	- 1:00 p.m.		
Wednesday, March 12, 2014	- 1:00 p.m.	Wednesday, March 26, 2014	- 1:00 p.m.
Wednesday, April 9, 2014	- 1:00 p.m.	Wednesday, April 23, 2014	- 1:00 p.m.
Wednesday, May 14, 2014	- 5:30 p.m.	Wednesday, May 28, 2014	- 1:00 p.m.
Wednesday, June 25, 2014	- 5:30 p.m.		
Wednesday, July 23, 2014	- 5:30 p.m.		
Wednesday, August 27, 2014	- 5:30 p.m.		
Wednesday, September 24, 2014	- 1:00 p.m.		
Wednesday, October 8, 2014	- 1:00 p.m.	Wednesday, October 22, 2014	- 1:00 p.m.
Wednesday, November 12, 2014	- 1:00 p.m.	Tuesday, November 25, 2014	- 1:00 p.m.
Wednesday, December 10, 2014	- 1:00 p.m.		

The resolution was seconded by Mr. Spaccaforno.

Mr. Rowe stated he will be voting against this resolution as there are too few evening meetings. Afternoon meetings make it difficult for Supervisors who are employed and for residents who have to take personal time off from their job to attend these meetings. He suggested it might be worthwhile to consider having one full legislative day for Supervisors by scheduling committee meetings before and after the afternoon Board of Supervisors meetings.



He opined that Supervisors could attend their own committee meetings and drop in on other committee meetings if time allowed to educate themselves on the business of the county.

Ms. Miller added that she would like to see committees working together more. She felt that today's resolution prepared by the Public Safety Committee referencing the NY SAFE Act of 2013 because of its legislative nature as well as public safety implications might have benefited from the review and input of the Legislative Committee.

The resolution was adopted by the following vote: Ayes 4227, Noes 322 (Rowe), Absent 250 (Hynes).

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

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

**RESOLUTION NO. 224**

**TITLE: LEVYING OF 2013-2014 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:

<b>TOWN</b>	<b>TAX</b>	<b>7% PENALTY</b>	<b>TOTAL TAX RELEVIED</b>
Andes	\$235,584.82	\$16,490.95	\$252,075.77
Bovina	160,218.15	11,215.26	171,433.41
Colchester	268,858.29	18,820.19	287,678.48
Davenport	248,730.64	17,411.20	266,141.84
Delhi	241,112.00	16,877.88	257,989.88
Deposit	172,573.62	12,080.14	184,653.76
Franklin	281,294.26	19,690.58	300,984.84
Hamden	190,306.31	13,321.44	203,627.75
Hancock	711,286.56	49,789.85	761,076.41

<b>TOWN</b>	<b>TAX</b>	<b>7% PENALTY</b>	<b>TOTAL TAX RELEVIED</b>
Harpersfield	312,474.20	21,873.21	334,347.41
Kortright	254,095.97	17,786.83	271,882.80
Masonville	169,817.95	11,887.29	181,705.24
Meredith	222,138.90	15,549.81	237,688.71
Middletown	600,377.80	42,026.40	642,404.20
Roxbury	373,151.91	26,120.61	399,272.52
Sidney	397,321.16	27,812.48	425,133.64
Stamford	239,734.81	16,781.37	256,516.18
Tompkins	95,061.68	6,654.27	101,715.95
Walton	386,872.01	27,081.03	413,953.04
<b>Totals</b>	<b>\$5,561,011.04</b>	<b>\$389,270.79</b>	<b>\$5,950,281.83</b>

The resolution was seconded by Mr. Donnelly.

Mr. Marshfield shared that the Levying of 2013-2014 returned school taxes is \$120,000 less this year than the previous year.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 225**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,210,714.99 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	\$1,001,845.93
OET	\$9,969.32
Public Safety Comm System	\$4,751.20
Highway Audits, as Follows:	
Weights and Measures	\$279.15

Landfill	\$31,650.41
Road	\$1,417.08
Machinery	\$81,738.29
Capital Road & Bridge	\$38,113.86
Capital Solid Waste	\$40,949.75

The resolution was seconded by Mr. Spaccaferno and Mr. Rowe and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Chairman Eisel continued the meeting to include the farewell ceremony of Town of Colchester Supervisor Cindy Donofrio, Town of Delhi Supervisor Peter Bracci, Town of Franklin Supervisor Donald Smith, Town of Kortright Supervisor Steven Bower, Town of Meredith Supervisor Keitha Capouya, and Town of Sidney Supervisor Bob McCarthy.

Chairman Eisel called up Mrs. Donofrio and stated that Mrs. Donofrio served as Supervisor for the Town of Colchester for the year 2013. She served on the Public Safety, Community Health, Health Services Advisory Board and the Coalition of Watershed Towns oversight committees. Mrs. Donofrio worked diligently to bring herself up to speed and in a short period of time was able to reason out issues and make decisions that made her a valued member of the committees she served upon and the Board of Supervisors.

Chairman Eisel on behalf of the Board presented Mrs. Donofrio with a plaque recognizing her outstanding sense of community and dedicated service to Delaware County.

Mrs. Donofrio thanked Chairman Eisel and the Board for this recognition. She shared that she had no idea what to expect coming onto the Board and was grateful for the efforts made by Chairman Eisel and others to address her questions and concerns in a manner that immediately put her at ease. The process of learning and trying to understand how things are done comes little by little, she said, but the willingness of everyone to help was appreciated. There was never a question left unanswered or a concern that was not addressed. She thanked the Supervisors for their hard work and for standing up for what they believed was the right choice for the residents of this county. She thanked the department heads and county employees for their commitment to the position they hold.

In closing, Mrs. Donofrio, stated that it has been a privilege to work with the people at the county level and for the taxpayers of this county.

Chairman Eisel called up Mr. Bower stating that Mr. Bower made the decision to retire at the conclusion of his term. Mr. Bower served as Supervisor for the Town of Kortright from 2012 to 2013. Mr. Bower served on the Public Safety, Shared Services and Legislative oversight committees. He thoroughly researched the issues and presented himself capable and knowledgeable in all areas, especially law enforcement. Mr. Bower stood his ground when weighing in on controversial matters and represented his town well at the county level. Chairman Eisel wished him much enjoyment in his retirement.

Chairman Eisel on behalf of the Board presented Mr. Bower with a plaque recognizing his outstanding sense of community and dedicated service to Delaware County.

Chairman Eisel called up Mr. McCarthy and stated that Mr. McCarthy served as Supervisor for the Town of Sidney from 2010 to 2013. He served on the Public Safety and Shared Services oversight committees. Mr. McCarthy will be remembered for his no-nonsense opinions and his strong feelings shared via email and at the Board meetings. He offered many good suggestions for improvement and change on the issues and difficulties faced by the Board.

Chairman Eisel on behalf of the Board presented Mr. McCarthy with a plaque recognizing his outstanding sense of community and dedicated service to Delaware County.

Chairman Eisel called up Mrs. Capouya and stated that Mrs. Capouya served as Supervisor for the Town of Meredith from 2008 to 2013. She served on the Community Health, Human Resources, Health Services Advisory Board and Social Services oversight committees. She faced many issues and was an important part of the decision making process. Chairman Eisel noted that he enjoyed and will miss the discussions he and Mrs. Capouya shared. She made her thoughts and opinions known and brought a different perspective to the many issues the Board faced.

Chairman Eisel on behalf of the Board presented Mrs. Capouya with a plaque recognizing her outstanding sense of community and dedicated service to Delaware County.

Chairman Eisel called up Mr. Bracci and stated that Mr. Bracci served as Supervisor for the Town of Delhi from 2004 to 2013. He served on the Capital Projects, Planning, Recreation & Culture, Shared Services, Human Services, Chairman of Social Services and Health Committees and as a member of the Executive Committee of the Coalition of Watershed Towns. He recognized Mr. Bracci for the many hours of service rendered in various positions and committees. He further acknowledged with appreciation his input on the many issues that he has helped bring to resolution during his tenure in office. Chairman Eisel opined that he believes Mr. Bracci will always stand ready to assist his town and community whenever possible.

Chairman Eisel on behalf of the Board presented Mr. Bracci with a plaque recognizing his outstanding sense of community and dedicated service to Delaware County.

Mr. Bracci stated that he has served on several levels of government in his career and feels that his years serving his town and county have been the most rewarding. The experiences he has shared with dedicated members of the Board has been a privilege and noted that county employees are second to none.

Mr. Bracci welcomed the incoming Supervisors and shared his desire to see the county prosper. He encouraged the Board to recognize New York City as their partner as he believes there is tremendous potential for the county in that partnership. He thanked everyone for a great experience.

Chairman Eisel called up Mr. Smith and stated that Mr. Smith served as Supervisor for the Town of Franklin for twenty-three years from 1991 to 2013. He served on many oversight committees such as the County Attorney, Legislative, Planning, Recreation, Culture & Community, Public Works and Cornell Cooperative Extension, Delaware Opportunities Board, Soil and Water Conservation District and Agriculture and Natural Resources.

Mr. Smith made the decision to retire at the end of this term but will continue to be busy with Town Board responsibilities and his full-time dairy business. Chairman Eisel stated that Mr. Smith has earned his deep respect over the years. His low-keyed, kind and considerate manner makes him easy to talk with. He thoughtfully considered the matters before him, made good decisions and was always forthright and direct in his responses. Mr. Smith is most importantly honest and upright. Mr. Smith has been a dedicated public servant and will be missed.

Chairman Eisel on behalf of the Board presented Mr. Smith with a plaque recognizing his outstanding sense of community and dedicated service to Delaware County.

Mr. Smith thanked Chairman Eisel for his kind words and his fellow board members for their friendship, dedication and commitment to serving the county. The journey, he said, began twenty-three years ago when he agreed to fill out the one-year term of former Town of Franklin Supervisor George Rich. It is a journey he has enjoyed and has been very rewarding.

With loving pride, Mr. Smith introduced his wife, Janice and daughter Heather thanking them for their unwavering support.

In conclusion, Chairman Eisel thanked the spouses of the departing Supervisors recognizing them for their support and the sacrifices they made standing behind a public figure.

Chairman Eisel opened the floor for other comments.

Cornell Cooperative Executive Director Jeannie Darling recognized Mr. Smith as serving on the Cornell Cooperative Board of Directors for sixteen years. On behalf of the Directors she presented Mr. Smith with a plaque that recognized his outstanding voluntary leadership in the development and support of educational programs through Cornell Cooperative Extension.

Commissioner Moon said that Mr. Smith was his town Supervisor and was always helpful when called upon. He thanked him for his steadfast support of the needs of the Department of Social Services over the years. Addressing Mr. Taggart he said that he was glad he has an interest in farming and agriculture as he believes it is important to have the farmers represented on the Board.

Commissioner Moon addressing Mrs. Donofrio and Mr. Bower stated that he enjoyed working with them. To Mr. McCarthy, he said that he is always open to new ideas and better ways of doing things but pointed out that the Commissioner is only the messenger and there were times he felt like “don’t shoot the messenger” applied. To Mrs. Capouya, he said she is extremely well read and a good thinker, she looked for the facts in order to resolve the issues.

She was a very supportive member of the Social Services Committee. To Mr. Bracci, he said that he was very appreciative of Mr. Bracci as chair of the Social Services Committee. He brought a variety of perspectives to the committee, always looking to clearly identify the issues with a focus on resolving them.

Mr. Donnelly stated that he has served with Mr. Smith for sixteen years. He is a gentleman, very humble and extremely honest. He shared that Mr. Smith has a wonderful family and a “wife that makes the best pies ever”.

Former Town of Middletown Supervisor Leonard Utter extended his appreciation to all the retirees. He referenced his own term of office and noted that if not for his family he would not have been able to serve the county as he did. He knows there are times when the demands and responsibilities of government took him away from his personal responsibilities creating gaps that needed to be filled. Family, Mr. Utter stated, fills the gaps, and he acknowledged the commitment and dedication of Mr. Smith’s family.

Incoming Town of Franklin Supervisor Jeffrey Taggart thanked Mr. Smith for thirty-five years of service to the Town of Franklin. Mr. Smith stepped up at a time when the town needed him; he is a great person, dedicated and honest. Mr. and Mrs. Smith and their family are appreciated for their contribution and very well respected in the Town of Franklin.

Mr. Marshfield stated that he enjoyed serving with Mrs. Donofrio, she asked good questions and did her homework. To Mr. Bower, he said he appreciated his input and the good discussions they shared. To Mrs. Capouya, whom he served on the Social Services Super Committee with, he said he appreciated her input, time and commitment. To Mr. Bracci, he said that he knew his business well and complimented the work he did as a Board and committee member. To Mr. McCarthy, he said that he will not miss his emails but acknowledged his efforts to make government more transparent. He wished the best to all of the departing Supervisors.

To Mr. Smith, he said that he has served with him for twenty-two years. He is very reserved and relatively quiet but, over the years Mr. Marshfield said he came to recognize the signs that indicated Mr. Smith didn’t approve of what was being discussed.

Mr. Smith has a strong religious faith, is a successful farmer, a highly motivated leader of the community and a respected member of the Board of Supervisors. He has always respected the people he served and felt a strong commitment to the county department heads and their employees. Mr. Smith cares deeply for the Town of Franklin and the county and his constituents know that. Mr. Marshfield wished Mr. Smith all the best.

Mr. Triolo complimented the professional manner in which Mrs. Donofrio conducted herself and felt that she had the potential of being an excellent Supervisor. To Mr. Bower, he said he also had the potential of being an excellent Supervisor and opined that he may have retired too soon. To Mr. Bracci, he said that he appreciated that he was always straightforward, committed and dedicated to the committees he served and the Board. Mrs. Capouya, he noted, served the county well and is a lovely woman, dedicated and committed to her beliefs and responsibilities. To Mr. McCarthy, he said he thought of him as agent of change and in many

ways feels his input has made this a better Board. To Mr. Smith, he said that he respects the work he has done in the twenty-three years he served. His commitment and dedication to his family, town and county is commendable. He wished all the departing Supervisors well.

Director of Public Health Bonnie Hamilton recognized and thanked Mr. Bracci for bringing forward the fact that human services are all inter-related. She recognized and thanked Mrs. Capouya for the six years she served on the Public Health Committee. Mrs. Capouya was a wonderful wealth of ideas and thoughts and will be missed. Mrs. Hamilton wished all the departing Supervisors well.

Chairman Eisel invited everyone to attend a reception for the departing Supervisors and wished everyone a Merry Christmas and a Happy New Year.

Upon a motion, the meeting adjourned at 2:20 p.m.