

REGULAR MEETING

**DELAWARE COUNTY BOARD OF SUPERVISORS
NOVEMBER 22, 2005**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 22, 2005 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. Rowe.

Mr. Donnelly offered the invocation.

Mr. Shelton 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 Commissioner of Public Works Wayne Reynolds who introduced Patrick Costello as Employee of the Month.

Mr. Costello started with the Department of Public Works (DPW) in January, 2000 as an Engineering Aide, in April, 2001 he was promoted to his current position of Senior Engineering Aide.

Commissioner Reynolds stated that Mr. Costello has a remarkably positive attitude about his work and serves as a model employee. Mr. Costello performs his duties skillfully and promptly and is able to handle a variety of assignments in the field and office. He is DPW's representative in the Emergency Operation Center during floods and provides a key link between DPW and Emergency Medical Services.

Commissioner Reynolds presented Mr. Costello with a \$100.00 Savings Bond thanking him for his dedication. Chairman Eisel presented him with the Certificate of Employee of the Month and thanked him for his dedicated service.

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

RESOLUTION NO. 264

**TITLE: BUDGET MODIFICATION
SAFETY INSPECTION (CEO)**

WHEREAS, the need to replace a color printer for the Code Enforcement Officer came about during the early part of 2005 and the current budget did not provide any funding for the replacement of same; and

WHEREAS, the printer was purchased by the IT Department with the understanding that they would be paid for the printer.

NOW THEREFORE BE IT RESOLVED, that the following modification be made and the outstanding invoice from IT be paid:

INCREASE APPROPRIATION:

10-13620-52200000	Equipment	\$268.02
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DECREASE APPROPRIATION:

10-13620-54195000	Consultant	\$268.02
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 265

**TITLE: BUDGET MODIFICATION
PERSONNEL DEPARTMENT**

WHEREAS, in the past years, some of the County employees used the health care provider known as Capital District Physicians' Health Plan, Inc. (CDPHP); and

WHEREAS, the County agreement called for a fixed premium amount plus any premium increase that would have been approved by the New York State Insurance Department during the contract period: and

WHEREAS, as a result of the reconciliation it now appears that the outstanding liability for the County is \$2,320.14 and the Personnel Officer confirms this billing is a valid claim; and

WHEREAS, there is no separate funding for this expense in the 2005 budget.

NOW THEREFORE BE IT RESOLVED, that the 2005 budget be modified to allow for the payment as follows and the bill paid:

DECREASE CONTINGENCY:

10-11990-54900000 Contingency \$2,320.14

INCREASE APPROPRIATION:

10-11430-58600000 Hospital & Medical Insurance \$2,320.14

The resolution was seconded by Ms. Molé and Mr. Rider and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 266

**TITLE: BUDGET MODIFICATION
ECONOMIC DEVELOPMENT**

WHEREAS, the 1995 Pontiac Grand Am, has been out of commission since mid-October because of the high estimate to repair the brakes and power steering; and

WHEREAS, this auto has served the needs of the department since 2001 and presently exceeds 125,000 miles and the Economic Development Committee request its replacement and the Finance Committee concurs that replacement is more logical than repair; and

WHEREAS, the Clerk of the Board and Budget Officer issued a Request for Proposal and received only one that meets the specifications; and

WHEREAS, the Director and the staff have been using their personal autos and the need to replace now is urgent.

NOW THEREFORE BE IT RESOLVED, the award be made to R. H. Lewis and Son, Inc., the sole bidder for a 2005 Chevrolet Malibu Classic and the following budget modification be made.

DECREASE CONTINGENCY:

10-11990-54900000 Contingency \$9,987.00

INCREASE APPROPRIATION:

10-16326-52200000 Equipment \$9,987.00

The resolution was seconded by Mr. Woodford.

In answer to Mr. Thomas, Clerk of the Board Christa Schafer stated that the amount of \$9,987 is the purchase price of the vehicle.

In answer to Mr. Marshfield, Mrs. Schafer stated the vehicle is a program car and has approximately 17,065 miles on it.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 267

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

LETTING OF NOVEMBER 15, 2005

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

BE IT RESOLVED, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW6-05 Purchase of Roll-Off Containers to:

United Services GP, Inc.
46 Sager Drive
Rochester, NY 14607

Bid Price: \$23,650.00 (Includes Trade-In)

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors. Copies of the summary sheet of the bids received have been supplied to each Supervisor.

The resolution was seconded by Mr. Woodford.

In reply to Chairman Eisel, Mr. Utter answered that the roll-off containers are for the Municipal Solid Waste Facility and are enclosed containers.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 268

**TITLE: CHANGE ORDER NO. 4 FOR PROPOSAL NO. 30-04
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 223 of 2004 authorized the Department of Public Works to make award to F.P. Kane Construction, Inc. for the Bovina Community Wastewater System and Stormwater Improvement Project, in the amount of \$2,948,000.00; and

WHEREAS, Resolution No. 60 of 2005 authorized the Department of Public Works to execute Change Order No. 1 in the amount of \$870,653 increasing the total project cost to \$3,818,653.00; and

WHEREAS, Resolution No. 137 of 2005 authorized the Department of Public Works to execute Change Order No. 2 in the amount of \$211,935.00 increasing the total project cost to \$4,030,588.00; and

WHEREAS, Resolution No. 196 of 2005 authorized the Department of Public Works to execute Change Order No. 3 in the amount of \$54,737.48 increasing the total project cost to \$4,085,325.48; and

WHEREAS, field conditions have required design revisions which resulted in quantity changes to contract items as well as necessitating new items; and

WHEREAS, the project is complete and all final quantities are now known Change Order No. 4 has been written to reflect all of the final quantities.

NOW, THEREFORE, BE IT RESOLVED, that the Department of Public Works is herewith authorized to execute Change Order No. 4 in the amount of (\$25,331.68) decreasing the total project cost to \$4,059,993.80.

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 269

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2005 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>	<u>CREDIT</u>
Andes		\$588.38
Bovina		\$968.08
Colchester	\$2,587.05	
Davenport	\$3,268.38	
Delhi	\$1,902.85	
Deposit	\$2,543.38	
Franklin	\$8,820.83	
Hamden	\$132.37	
Hancock		\$12,786.23
Harpersfield	\$8,037.00	
Kortright	\$8,726.33	
Masonville		\$6,251.92
Meredith	\$1,149.00	
Middletown		\$1,828.65
Roxbury	\$8,764.52	
Sidney	\$2,319.25	
Stamford	\$9,985.47	
Tompkins	\$872.61	
Walton		\$782.18

The resolution was seconded by Mr. Thomas and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

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

RESOLUTION NO. 270

**TITLE: 2005 BUDGET MODIFICATION
REAL PROPERTY TAX SERVICE**

WHEREAS, the department has generated additional revenue and there currently is a shortage in the appropriations

NOW THEREFORE BE IT RESOLVED, that the following modifications be made to the 2005 budget:

INCREASE REVENUE:

10-11355-42265503	Minor Sales Map	\$1,000.00
10-11355-43304000	State Tax Maps and Assessments	<u>4,000.00</u>
	TOTAL	\$5,000.00

INCREASE APPROPRIATIONS:

10-11355-54180080	Communications Telephone	\$ 500.00
10-11355-54595320	Supplies Office	<u>4,500.00</u>
	TOTAL	\$5,000.00

The resolution was seconded by Mr. Marshfield and Mr. Thomas and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 271

**TITLE: POSITIONS ALLOCATION/REALLOCATION
PERSONNEL DEPARTMENT**

BE IT RESOLVED that the following allocation/reallocation of positions is hereby approved effective January 1, 2006:

Reallocation of existing positions CSEA contract:

Asst. to Commissioner of WSA	Labor Grade 23 to Labor Grade 29
Compost Plant Manager	Labor Grade 26 to Labor Grade 30

Add the following titles to the CSEA salary schedule:

Children's Program Specialist	Labor Grade 14
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Add the following titles to the Corrections Officer salary schedule:

Corrections First Sergeant	Labor Grade 303
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The resolution was seconded by Mr. Rider and unanimously adopted.

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

RESOLUTION NO. 272

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,114,372.82 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	\$291,797.66
Countryside Care Center	\$67,928.57
Jail	\$54,779.40
Highway Audits, as Follows:	
Road	\$24,294.96
Machinery	\$52,266.11
Capital Road & Bridge	\$194,925.31
Capital Solid Waste	\$347,926.57
Solid Waste/Landfill	\$80,454.24

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 273

TITLE: ADOPTION OF 2006 DELAWARE COUNTY BUDGET

WHEREAS, the Tentative Budget for the year 2006 has been presented to the Board by the Budget Officer and duly discussed and a public hearing having been held thereon as required by law;

NOW, THEREFORE, BE IT RESOLVED that pursuant to §360 of the County Law, the Tentative Budget, as amended, for 2006 be adopted.

The resolution was seconded by Mr. Thomas.

In answer to Mr. Thomas, Chairman Eisel replied that there were no changes made to the budget as a result of the 6:00 P.M. public hearing. He further stated that there was no public in attendance at the evening hearing.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 274

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No. 273, dated November 22, 2005 adopted a budget for the fiscal year 2006;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified, effective January 1, 2006.

The resolution was seconded by Mr. Thomas and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

In answer to Mr. Marshfield, Budget Officer Joe Hanley stated the total assessed valuations are not considered in the 2006 budget process and are figured later in the year.

Chairman Eisel announced that calling hours for County Clerk Gary Cady will be from 7 P.M. to 9 P.M. on Tuesday, November 22, 2005, at the Clark Winter Funeral Home on Townsend Street in Walton. The funeral service will be held at 2 P.M. on Wednesday, November 23, 2005 at the Riverside Alliance Church on Stockton Avenue in Walton.

Chairman Eisel also announced that due to the passing of Mr. Cady the Delaware County Clerk's Office and all Delaware County Motor Vehicle offices will be closing at noon on Wednesday, November 23, 2005.

Chairman Eisel announced that Nicole Franzese's mother, Angela Rossi brought cookies for everyone to enjoy and thanked her for her generosity.

Upon a motion, the meeting adjourned at 1:30 P.M.