

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 22, 2006

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 22, 2006 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.

Chairman Eisel announced that Deputy County Attorney Porter Kirkwood would be sitting in for County Attorney Richard Spinney who is on vacation.

Mr. Donnelly offered the invocation.

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

The minutes of the previous meeting were accepted with the following notation on page four, first paragraph, from Mr. Woodford. He pointed out that his comment should have read the river, not the dam, was very low.

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

Chairman Eisel granted privilege of the floor to Director of Public Health Bonnie Hamilton who introduced Edith Sabatini as employee of the month.

Ms. Sabatini was hired in 1999 and works primarily as a service coordinator and Early Intervention Official Designee for the Early Intervention (EI) program. Mrs. Hamilton explained that this program serves children under three with developmental disabilities. Ms. Sabatini works with families and community partners to identify children that may have special needs. In addition to the EI program, Ms. Sabatini is responsible for the clinical portion of the lead poisoning prevention program which involves identifying children with elevated blood lead levels and providing education and follow up to the families. In addition, Ms. Sabatini is a member of the Health Education Committee and has been the chairman of the annual Public Health Week/Employee Recognition Week.

Ms. Sabatini has done an outstanding job with anything she has been asked to do, adding she has taken it upon herself to streamline some of the agency paperwork. Mrs. Hamilton said it been wonderful having Ms. Sabatini on board and she is very proud to give her this honor.

Mrs. Hamilton presented Ms. Sabatini with a \$100.00 Savings Bond and thanked her for

her dedication. Chairman Eisel commented that there is something to be said for anyone who can streamline paperwork and presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Ms. Sabatini expressed her thanks for the honor and said she feels truly blessed for the county she lives in, the people she works for and the people she works with.

Chairman Eisel granted privilege of the floor to Mr. Haynes, who on behalf of the Board, congratulated the South Kortright girls varsity basketball team for winning the Delaware League in Section 4 Class D titles. He also noted that on Sunday, March 19, 2006 they won the New York State Public High School Athletic Associate Class D State Basketball Championship. He added this is a great achievement.

Chairman Eisel granted privilege of the floor to Mr. Hynes who introduced the Democratic Commissioner of Elections, William Buccheri and the Republican Commissioner of Elections, William Campbell, to discuss the Help America Vote Act (HAVA). Mr. Hynes explained that the county will now be running elections. He pointed that New York State has not yet decided on the type of machines that will be used, therefore, discussion on the machines will be sometime in the future. He added that the Board of Elections Committee continues to meet to keep abreast of what is going on.

Mr. Buccheri stated that as of January 15, 2006 all election operations are now being run by the county. As a result, the Commissioners needed to establish a fair and equitable formula for determining what the county will be paying the inspectors and custodians.

Mr. Campbell stated that the HAVA is a federal mandate and commented on a quote he recently read, "that the Help America Vote Act is a solution searching desperately for a problem." He pointed out that we do not have a problem in this county or in this state with elections but, this did not stop the federal government from telling us that we must comply.

He pointed out that as a result of HAVA the Board of Supervisors must now set the fees that will be paid to the inspectors and custodians, adding these changes effect in excess of 200 people throughout the county each time an election is held. Commissioner Campbell made the following fee suggestions to the Board. Inspectors for the primary elections to be paid \$140, inspectors for the general elections be paid \$190, machine custodians be paid \$60 per machine and, the fee for going to another town would be \$85. In addition, he suggested, that in order to keep things simple, no mileage or meals would be paid.

Prior to deciding on the above fees, Mr. Campbell stated that the Commissioners met with each of the towns and researched what other counties were doing. He said that the fees also take into consideration what they believe the needs will be in the future.

Mr. Buccheri pointed out the county has been allowed \$27,000 for training on the new machines and \$531,000 for the purchase of the new machines, adding that he figures this amount

will buy 65 units. He said the county will need 69 or 70 machines in order to have extras in case of emergency. He added there is the possibility of receiving another five percent from the state.

Chairman Eisel remarked that he believed the federal money was going to pay for all the machines. Mr. Buccheri replied that the statement was that the federal government was going to pay 95 percent and the state may pay the other five percent. Depending on what the machines cost the funding may be enough to purchase all the units.

Chairman Eisel commented that the town of Harpersfield has two custodians, questioning whether he will have those people in the future. Mr. Buccheri explained that all the programming will be done at the county level at the Board of Elections and that the custodians will be transporters from the office of the Board of Elections to the polling locations.

Mr. Campbell added a custodian in Harpersfield will no longer be able to set the machine up and program it as the new law states "that in a central location the county must program all machines that go out". He pointed out there are 65 machines and 41 polling places, adding we are now wrestling with how we will deliver and then bring back all those machines as they cannot be left anywhere.

In reply to Mr. Marshfield, Mr. Buccheri stated that it has always been the responsibility of the county to provide the poll workers, however, the towns have always helped out with this.

Mr. Campbell added that the primary and general elections will be just as they have always been because the new machines are not here, adding they are expected in 2007.

Also in response to Mr. Marshfield, Mr. Campbell stated that the county is responsible to pay the poll workers as of now. He further stated that the towns were advised to keep putting money into their budgets but, we were not sure how the money would be spent. He pointed out that some counties were using a per machine charge back system to the town, others were expanding their budget for the Board of Elections with no charge back, adding either way the taxpayers are paying for it.

In answer to Mr. Bracci and Mr. DuMond, Mr. Buccheri stated that local elections at the schools, towns and villages will also need to use the new machines, adding under the new law they are no longer allowed to use the old lever type machines. He also pointed out that under the new law the county is instructed to take ownership of the old machines.

In reply to Mr. Meredith, Mr. Campbell answered that the schools and colleges could still use the lever machines for their student council elections.

Mr. Donnelly questioned how the county was able to take ownership of the old machines when the towns paid for them. Mr. Campbell replied that he contacted Albany and was told that as of January 15, 2006 the county owns them.

In reply to Mr. Bracci, Mr. Campbell commented that the county could decide to offer one of the old machines to a school or college. Mr. Bracci questioned if the old machines could be given away. Mr. Campbell stated that the county owns them.

Mr. Donnelly asked who will be responsible for the maintenance and upkeep of these machines. Mr. Campbell answered it is the county's responsibility.

Mr. Buccheri stated in answer to Mr. Bachler, that the New York State Board of Elections has not certified any machine to date.

In reply to Chairman Eisel, Mr. Buccheri stated that if a machine in the town of Harpersfield became inoperative, it would be the county's responsibility to replace it, adding that's why we need to have the extra machines.

Mr. Buccheri stated in reply to Mr. Meredith, that on election night the machines will still be read at the town. Mr. Campbell added it will be read at the town location so that we can still get immediate unofficial results.

In answer to Mr. Donnelly, Mr. Buccheri stated that after the new system is in place, the Commissioners will go out and survey the county. He pointed out that the Board of Elections is still under a federal court order that prevents the Board of Elections from changing a polling location. Before a site can be changed it must first be inspected by the Center of Independence and then approved by the Attorney General's Office.

Mr. Campbell said that most other counties are asking the towns to select a single polling location that is ADA complaint, adding that some counties including Delaware County are going to move slowly on choosing sites. He pointed out that it is not known yet if all the machines at all the locations will have handicap accessibility or if only one machine at each location will be handicap accessible. He pointed out the state formula is currently one machine per 800 voters, adding if this changes then much of what is being discussed will change.

Mr. Buccheri commented that more space may be needed at the polling sites if more machines are needed and for the voter verified paper audit. In addition it will take voters longer to vote.

In reply to Mr. Donnelly, Mr. Campbell stated that the Board of Elections will do everything in their power to allow everyone their right to vote at a convenient location. Mr. Buccheri added that the Election Commissioners, not Albany will decide on polling locations.

Chairman Eisel pointed out that voters will most likely fear the new machines and encouraged training for the new machines.

In answer to Mr. Valente, the Commissioners stated that the suggested fees and whether or not to use a charge back system must be voted on by the Board of Supervisors.

Mr. Hynes pointed out that at some time in the future there will be a need for additional help at the Board of Elections, adding that the Committee is already discussing it. The Committee would also like to make it known that the Commissioners have worked very hard on this. He added that this discussion is important information for the public.

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

RESOLUTION NO. 82

**TITLE: DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE
CELEBRATES NATIONAL PUBLIC HEALTH WEEK
APRIL 3-9, 2006**

WHEREAS, National Public Health Week 2006 will focus on Raising Healthy Kids in Healthy Communities; and

WHEREAS, taking preventive action and adopting a healthier lifestyle can empower our children to stay healthy; and

WHEREAS, surrounding our children with equal opportunities, physical activity, safety and clean air promotes children's health; and

WHEREAS, Delaware County Public Health coordinates children's programs including Early Intervention, Preschool Special Education, Children with Special Health Care Needs, the Immunization Program, the Lead Poisoning Prevention Program, the Car Seat and Bike Helmet Safety Program and Tobacco Control Program; and

WHEREAS, Delaware County Public Health is committed to working with parents and community partners to hold educational health fairs, promote activity programs for children provide education on bike helmet safety and car seat safety, provide helmets and car seats when necessary, decrease lead poisoning among our children and provide coordination and services to special needs populations

NOW, THEREFORE, BE IT RESOLVED, that Delaware County recognizes April 3-9, 2006 as Public Health Week.

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

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

RESOLUTION NO. 83

**TITLE: 2005 BUDGET MODIFICATION
AUTHORIZATION TO REVISE 2005 COUNTY SUBSIDY**

TO COUNTRYSIDE CARE CENTER

WHEREAS, revenue from an Inter-Governmental Transfer (IGT) program is anticipated for the care of Countryside Care Center’s indigent population; and

WHEREAS, this revenue may need to be returned if there is a surplus remaining at Countryside Care Center from this particular IGT; and

WHEREAS, Delaware County has a long history of subsidizing the cost of care and services at Countryside Care Center with no additional revenue from the State or Federal governments to pay for this subsidy; and

WHEREAS, it is more accurate for Delaware County to support Countryside Care Center through the Department of Social Services that has over all responsibility for Delaware County’s indigent population; and

WHEREAS, modifying the 2005 budget to reflect this financial support as a loan to be repaid by Countryside Care Center is a more consistent accounting practice

THEREFORE, BE IT RESOLVED, that the following 2005 budget modification be made:

INCREASE APPROPRIATION:

10-16102-54000001	MMIS-IGT	\$184,786.00
42-69095-45503200	MMIS- COUNTY REVENUE	\$184,786.00

DECREASE :

10-19901-44503100	Interfund Transfer OTR	\$184,786.00
42-69095-45503100	Delaware County Subsidy	\$184,786.00

The resolution was seconded by Mr. Marshfield.

Mr. Bracci advised this is not something that was budgeted for, adding we anticipated a federal payment to reimburse us, this is just a stop gap payment.

In answer to Mr. Bachler, Commissioner Moon commented that these figures are different from last year’s, adding the state’s program was disapproved by the Federal HHS so we did not budget for the IGT. About three weeks ago the state plan was approved and that is why it is being brought before you today. He advised that these are net figures, adding it is a good idea to capture the federal funds owed to Countryside based on the number of medicaid days that they provide and care for in 2003 because it lowers the county subsidy for the time that they remain a county facility. He added that we wanted to adjust our books because it was not anticipated as a revenue or as an expense.

The resolution was adopted by the following vote: Ayes 4806, Noes 0. Absent 0.

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

RESOLUTION NO. 84

**TITLE: APPROPRIATION OF SURPLUS
SOLID WASTE CAPITAL**

WHEREAS, Resolution No. 393 of 2000 authorized the construction of a Co-Composting Facility at the existing Solid Waste Management Center and authorized the issuance of not exceeding \$16,920,000 in Bonds to pay the cost thereof; and

WHEREAS, Resolution No. 394 of 2000 established a tentative budget for the construction of a Co-Composting Facility with Revenues and Appropriations of \$16,920,000; and

WHEREAS, Resolution No. 62 of 2005 authorized an increase to the project budget to \$20,000,000; and

WHEREAS, the final capital cost is currently projected at \$20,600,000; and

WHEREAS, the Cell 6 construction was not completed in 2005 as originally planned and there was no money appropriated in the 2006 budget for Cell 6 construction.

NOW, THEREFORE, BE IT RESOLVED, that \$650,000 of surplus be appropriated as follows:

INCREASE APPROPRIATION:

32-18161-52430000	Compost Construction	\$600,000.00
32-18161-54000000	Cell 6 Construction	\$50,000.00

DECREASE FUND BALANCE:

32-00000-3491100	Fund Balance Other Unreserved	\$650,000.00
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The resolution was seconded by Mr. Rowe and Mr. Bachler.

Mr. Utter referenced Commissioner Reynold’s memo placed on each Supervisors’ desk and apologized that it was not included in the packet. He stated the memo will provide some detail and explanation for this resolution and the next.

Mr. Meredith advised that the Budget Oversight Committee met with Commissioner Reynolds and hashed this out, adding in the end the Committee gave their blessing.

The resolution was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 85

**TITLE: APPROPRIATION OF SURPLUS
SOLID WASTE OPERATIONS**

WHEREAS, the agreement with the Joint Venture for the Construction of the Composting Facility identified variable cost components for “Process Start Up, Operations Supervision and Performance Demonstration” phases at a not to exceed cost of \$380,000; and

WHEREAS, Resolution No. 394 of 2000 established a tentative budget for the construction of a Co-Composting Facility with Revenues and Appropriations of \$16,920,000; and

WHEREAS, the 2006 budget only anticipated \$225,000 for these services; and

WHEREAS, it has become evident that the amount of spare parts necessary to have in stock needs to be increased.

NOW, THEREFORE, BE IT RESOLVED, that \$255,000 of surplus be appropriated as follows:

INCREASE APPROPRIATION:

22-18160-54535340	Professional Services Composting	\$155,000.00
22-18160-54415060	Main & Repair Parts	\$100,000.00

DECREASE FUND BALANCE:

22-00000-349110	Fund Balance Other Unreserved	\$255,000.00
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The resolution was seconded by Mr. Woodford and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 86

**TITLE: AMENDMENT TO RESOLUTION NO. 76 OF 2006
AUTHORIZATION FOR AWARDS -
DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS**

LETTING OF FEBRUARY 21, 2006

BE IT RESOLVED, that the following sections of Resolution No. 76 of 2006 be revised to read as follows:

PROPOSAL NO. 6-06 Stone & Gravel Products to: Barrett Paving Materials, Inc., PO Box 400, Washington Mills, NY 13479; Brandows, 126 Parks Hill Rd., Schenevus, NY 12155; Carver Sand & Gravel LLC, 494 Western Turnpike, Altamont, NY 12009; Cobleskill Stone Products, Inc., PO Box 220, Cobleskill, NY 12043; Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; LaFaver Sand & Gravel, LLC., 3135 County Highway 6, Bovina Center, NY 13740; Platterkill Sand & Gravel, Inc., 111 Back Road Spur, Gilboa, NY 12076; Schaefer Enterprises of Deposit, Inc., 360 St. Hwy. 10, Deposit, NY 13754; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820; Waste Recovery Ent., LLC., PO Box 2189, Sidney, NY 13838

Bid Price: See Summary Sheet

PROPOSAL NO. 15-06 Guiderail Components to: Cardona & Sons, 397 Anthony Street, Schenectady, NY 12308; Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820; Expanded Supply Products, Inc., 3330 Route 9, Cold Spring, NY 10516

Bid Price: See Summary Sheet

PROPOSAL NO. 16-06 Gabions to: A.H.Harris & Sons, Inc., 17 Commercial Ave., Albany, NY 12205

Bid Price: See Summary Sheet

PROPOSAL NO. 17-06 Pressure Treated Timbers to: Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820; Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820

Bid Price: See Summary Sheet

Towns may participate in these bids.

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

The resolution was seconded by Mr. Rowe and Mr. Bachler.

Mr. Utter stated this resolution is to correct Resolution No. 76 adopted at the March 8, 2006 Board of Supervisors' meeting. He explained that none of the bids were changed, however, pointed out there were errors in bidder addresses and a few bidders whose names were left out.

The resolution was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 87

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

LETTING OF MARCH 15, 2006

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. 9-06

STRUCTURAL STEEL FASTENERS to: The Woodward Company
9 Burdick Drive
Albany, NY 12205

Fastenal Co.
2001 Theurer Blvd.
Winona, MN 55987

Bid Price: See Summary Sheet

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 and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 88

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

LETTING OF MARCH 15, 2006

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. 35-06 BACKHOE to: Five Star Equipment, Inc.
1653 NY RT 11, Box 383
Kirkwood, NY 13795

Bid Price w/Trade: \$77,497.00

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

The resolution was seconded by Mr. Woodford and Mr. Rowe.

Mr. Utter stated this is a budgeted item and pointed out the low bidder did not meet specifications as the backhoe did not have the capacity nor the reach.

In response to Mr. Bracci, Mr. Utter stated this piece of equipment will be used on the highway and will be a replacement.

In answer to Chairman Eisel, Mr. Utter stated that an older backhoe will be used as a trade-in.

The resolution was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

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

RESOLUTION NO. 89

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's

office in the amount of \$1,191,942.10 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	\$685,168.10
Countryside Care Center	\$68,630.03
Jail	\$139,314.95
OET	\$2,761.98
Highway Audits, as Follows:	
Road	\$93,594.50
Machinery	\$47,273.67
Capital Road & Bridge	\$72,419.66
Capital Solid Waste	\$7,090.02
Solid Waste/Landfill	\$75,689.19

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Maddalone brought up Local Law Intro No. 1 entitled: A Local Law Regulating Use of Alarm Systems to Reduce The Incidence of Avoidable Alarms. The local law was seconded by Mr. DuMond.

Mr. Maddalone stated that questions regarding this local law were addressed at a recent Fire Advisory Board meeting and resolved to everyone's satisfaction.

Mr. Utter referenced the Fire Advisory Board meeting at which he was present. He pointed out there was only one Chief that had any questions and they were answered. He added he believes he can safely say that it was unanimous of the body there that it should be passed.

The local law was unanimously adopted.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 2

TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY

Section 1. The salary of Joseph deMauro, Delaware County Director of Information Technology shall be of Sixty Seven Thousand, Six Hundred Seven Dollars [\$67,607] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Ms. Molé and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 3

TITLE: SALARY INCREASE CLERK OF THE BOARD

Section 1. The salary of Christa Schafer, Clerk of the Board of Supervisors shall be of Fifty Nine Thousand, Seven Hundred Twenty Nine Dollars [\$59,729] annum effective January 1, 2006.

Section 2. The salary of \$59,729 shall consist of the following: 1] Regular Clerk of the Board duties, \$54,729; 2] Administration of the Delaware County Fiscal Affairs Department, \$5,000, which shall be contingent on the continued assignment of this responsibility.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Ms. Molé and adopted by the following vote: Ayes 3578, Noes 1264 (Homovich, Bracci, Meredith), Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 4

TITLE: SALARY INCREASE PERSONNEL OFFICER

Section 1. The salary of Lorna Taber, Delaware County Personnel Officer shall be of Fifty Seven Thousand, Eight Hundred Forty Seven Dollars [\$57,847] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Ms. Molé and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 5

TITLE: SALARY INCREASE DIRECTOR OF REAL PROPERTY TAX SERVICES II

Section 1. The salary of Michael Sabansky, Delaware County Director of Real Property Tax Services II shall be Forty Seven Thousand, Two Hundred Seventy Eight Dollars [\$47,278] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Ms. Molé.

Mr. Meredith stated he is opposed to this increase due to the fact that he is aware of several problems. He pointed out that there has been a lag in compliance with the real property law, updates and corrections on taxes as well as appropriation of mortgage taxes.

Mr. Valente stated this is a department that started out in a deep hole. He pointed out that he has worked with Mr. Sabansky and he has been a big help to the town of Davenport. He added that he sees steady, regular progress being made in the department.

Mr. Hynes stated that he had the same feeling as Mr. Meredith, adding he spoke to the committee and was advised they were working on the problems.

Mr. Rowe stated that the circumstances under which Mr. Sabansky took over the department was not the best. He pointed out that he sees Mr. Sabansky quite often and notices that he is beginning to work through the papers on his desk. He added that hopefully the Committee has a handle on the problems.

Chairman Eisel also noted this has been a tough transition, adding we have tried to support him with staff and equipment. He further stated that while Mr. Sabansky may not have it totally under control he is working at it everyday.

Mr. Shelton agreed that Mr. Sabansky walked into a very serious situation. He added, when he was on the Finance Committee he did see improvements.

The local law was adopted by was adopted by the following vote: Ayes 3326 , Noes 1480 (Bracci, Smith, Ryan, Meredith), Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 6

TITLE: SALARY INCREASE STOP DWI COORDINATOR

Section 1. The salary of Lisa Barrows, Delaware County STOP DWI Coordinator shall be of Thirty Two Thousand, Nine Hundred Fifty Five Dollars [\$32,955] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Utter and adopted by the following vote: Ayes 4393, Noes 413 (Donnelly, Valente), Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 7

TITLE: SALARY INCREASE DIRECTOR OF COMMUNITY MENTAL HEALTH

Section 1. The salary of Patricia Thomson, Delaware County Director of Community Mental Health shall be of Seventy Eight Thousand, Seven Hundred Thirty One Dollars [\$78,731] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Ms. Molé and adopted by the following vote: Ayes 4806, Noes 0, Absent 0)

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 8

TITLE: SALARY INCREASE COMMISSIONER OF SOCIAL SERVICES

Section 1. The salary of William Moon, Delaware County Commissioner of Social Services shall be of Eighty Seven Thousand, One Hundred Thirty Six Dollars [\$87,136] per annum effective January 1, 2006.

Section 2. The salary of \$87,136 shall consist of the following: 1] Regular Commissioner of Social Services duties, \$78,636; 2] Position as the Delaware County Youth Bureau Director, \$8,500, which shall be contingent on the continued assignment of this responsibility.

Section 3. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 4. This Law shall take effect forty five (45) days after it shall be adopted.

The resolution was seconded by Mr. Valente.

Mr. Rowe explained that the first local law reflected a higher salary increase for Commissioner Moon. He pointed out the error was corrected.

Mr. Bracci stated that he fully supports this increase, adding that Commissioner Moon is very accomplished and professional. He pointed out that much is done behind the scenes that is not always visible, adding the way in which Commissioner Moon runs the department is very impressive. He further stated we would be at a loss not to have him.

Mr. Donnelly stated that he is in support of this increase. He said there are many programs in the Department of Social Services that bring revenues to the county and the county continuously receives recognition from the state on the effectiveness of the department and the work that is being done on behalf of the taxpayers.

The local law was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 9

TITLE: SALARY INCREASE DIRECTOR OF VETERANS SERVICE AGENCY

Section 1. The salary of Robert Johnson, Delaware County Director of Veterans Service Agency shall be of Thirty Eight Thousand, Five Hundred Thirty Nine Dollars [\$38,539] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Meredith and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 10

TITLE: SALARY INCREASE DIRECTOR, OFFICE FOR THE AGING

Section 1. The salary of Thomas Briggs, Delaware County Director, Office for the Aging shall be of Fifty Eight Thousand, Eight Hundred Forty Seven Dollars [\$58,847] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 11

TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES

Section 1. The salary of Nelson Delameter, Delaware County Director of Emergency Services shall be of Forty Four Thousand, Eight Hundred Seventy Two Dollars [\$44,872] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Maddalone and Mr. Utter and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 12

TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS

Section 1. The salary of Wayne Reynolds, Delaware County Commissioner of Public Works shall be of Seventy Nine Thousand, Nine Hundred Sixty Five Dollars [\$79,965] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Utter.

Mr. Donnelly stated that he clearly supports this increase, adding what Commissioner Reynolds does for the county and our taxpayers is unbelievable.

Ms. Molé stated that she would have been at a loss without Commissioner Reynold's help on the project recently completed in the town of Bovina.

Chairman Eisel stated that Commissioner Reynolds is for the county 100 percent and in his opinion, does an outstanding job.

Mr. Rowe stated that Commissioner Reynolds is a very sharp individual, adding in his opinion, Commissioner Reynolds is second to none.

The local law was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 13

TITLE: SALARY INCREASE DIRECTOR ECONOMIC DEVELOPMENT

Section 1. The salary of Glenn Nealis, Delaware County Director Economic Development shall be of Sixty Four Thousand, Two Hundred Sixty Two Dollars [\$64,262] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Hynes.

Mr. Bracci stated that Mr. Nealis has been very supportive of the town of Delhi. He commented that he wished Mr. Nealis had more support for his economic development endeavors, adding he totally supports this increase.

The local law was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 14

TITLE: SALARY INCREASE COUNTY PLANNING DIRECTOR

Section 1. The salary of Nicole Franzese, Delaware County Planning Director shall be of Sixty Six Thousand, Five Hundred Dollars [\$66,500] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Maddalone.

Mr. Maddalone stated that the County Planning Department covers almost every town in this county and involves a great many meetings. He further stated Ms. Franzese provides very good leadership and he fully supports this increase.

Mr. Utter stated the complexity of the problems the towns are having today far outweigh any of the problems faced 10 or 15 years ago, adding it behooves those on the town planning board to have the expertise of Ms. Franzese and her staff. He stated it is a godsend we have the Planning Department that we have today.

Ms. Molé thanked Ms. Franzese and her department for the work the department does for the county and for the town of Bovina, adding Ms. Franzese is not only intelligent but has a backbone as well.

Mr. Donnelly stated there isn't a department that hasn't benefitted in some way from the efforts of the Planning Board and Ms. Franzese's direction. He added that without the help of Ms. Franzese and her staff New York City would have us just where they want us.

Mr. Bracci stated that he was in a meeting this afternoon with Ms. Franzese and members of her staff. He commented that he was very impressed with what the Planning Department has done with the snowmobile clubs and their desire to promote snowmobiling in Delaware County.

Mr. Rowe commented on the amount of work the department handles with only a few

employees. He added the fact that there hasn't been a great turnover in the department is a credit to Ms. Franzese's leadership.

Mr. Donnelly remarked that Ms. Franzese is an example of doing more with less.

The local law was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 15

TITLE: SALARY INCREASE PUBLIC HEALTH DIRECTOR

Section 1. The salary of Bonnie Hamilton, Delaware County Public Health Director shall be of Sixty Six Thousand, Five Hundred Dollars [\$66,500] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The resolution was seconded by Ms. Molé.

Mr. Bracci stated that he is very impressed with the Department of Public Health, adding Mrs. Hamilton does an outstanding job. He stated we are very fortunate to have these people.

Mr. Donnelly stated that the Department of Public Health is his favorite department. He added Mrs. Hamilton does a wonderful job and he supports this increase.

The local law was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 16

TITLE: SALARY INCREASE COMMISSIONER OF WATERSHED AFFAIRS

Section 1. The salary of Dean Frazier, Delaware County Commissioner of Watershed Affairs shall be of Sixty Two Thousand, Seven Hundred Ninety Two Dollars [\$62,792] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Utter.

Chairman Eisel commented on the complexity of New York City's programs and the formation of the Filtration Avoidance Determination Committee. He stated that Commissioner Frazier does a very good job, adding he wouldn't know what he would do without him.

The local law was adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 17

TITLE: SALARY INCREASE COUNTY TREASURER

Section 1. The salary of Beverly Shields, Delaware County Treasurer shall be of Fifty Three Thousand, Four Dollars [\$53,004] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4073 Noes 733 (Mole, Smith, Utter), Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 18

TITLE: SALARY INCREASE COUNTY CLERK

Section 1. The salary of Sharon O'Dell, Delaware County Clerk shall be of Fifty Four Thousand, Five Hundred Ninety Four Dollars [\$54,594] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Hynes.

Chairman Eisel commented that Ms. O'Dell is new on the job but she will do an

outstanding job.

The local law was adopted by the following vote: Ayes 4806, Noes, 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 19

TITLE: SALARY INCREASE COUNTY SHERIFF

Section 1. The salary of Tom Mills, Delaware County Sheriff shall be of Fifty Four Thousand, Five Hundred Ninety Four Dollars [\$54,594] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Utter and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 20

TITLE: SALARY INCREASE COUNTY ATTORNEY

Section 1. The salary of Richard Spinney, Delaware County Attorney shall be of Sixty Seven Thousand, Six Hundred Sixty Eight Dollars [\$67,668] per annum effective January 1, 2006.

Section 2. The salary of \$67,668 shall consist of the following: 1] Regular County Attorney duties, \$49,256; 2] Representation of the Delaware County Self-Insurance Fund, \$18,412, which shall be contingent on the continued assignment of this responsibility.

Section 3. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 4. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Ms. Molé and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 21

TITLE: SALARY INCREASE DEMOCRATIC ELECTION COMMISSIONER

Section 1. The salary of William Buccheri, Democratic Election Commissioner, shall be of Seventeen Thousand, Nine Hundred Ninety Seven Dollars [\$17,997] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Hynes and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Rowe called up the following local law and moved its adoption:

LOCAL LAW INTRO NO. 22

TITLE: SALARY INCREASE REPUBLICAN ELECTION COMMISSIONER

Section 1. The salary of William Campbell, Republican Election Commissioner, shall be of Seventeen Thousand, Nine Hundred Ninety Seven Dollars [\$17,997] per annum effective January 1, 2006.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty five (45) days after it shall be adopted.

The local law was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Mr. Bracci stated that the Board of Supervisors will be receiving an invitation to attend a snowmobile meeting. He commented that in Delaware County we do not have a great deal of economic opportunities, adding snowmobiling is an area of future economic potential. Mr. Bracci pointed out that we need to work with New York City to get them to agree to change some of their definitions on historic uses.

Chairman Eisel commented that snowmobiling provides a real economic benefit to our communities and gives our small businesses a shot in the arm.

Mr. Utter commented that his vote today indicated his support of the talented individuals working for the county. He stated, however, he is an advocate of a sliding scale for raises.

Upon a motion, the meeting was adjourned at 2:50 P.M.