

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 24, 2006**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 24, 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.

Mr. Donnelly offered the invocation.

Mr. DuMond 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 Timothy McKee as employee of the month.

Mr. Mc Kee started with the Department of Public Works in June 1982 as a Laborer. He was promoted to MEO in March 1983, to HEO in July 1986 and to Highway Crew Supervisor in April 2006. In his current capacity, Mr. McKee provides instructions to the crew after receiving them from the General Foreman. He supervises and works with the crew to make sure roads are clear and safe for travel.

Commissioner Reynolds noted it was the right decision to promote Mr. McKee but, that it was a tough one to make. He explained as a result of Mr. McKee being such a good gradeall operator promoting him was a giant step backward in the department's ability to do ditching. Mr. McKee is a very talented operator who in the Commissioner's opinion, ranks with the best of any gradeall operator in the United States today. Mr. McKee operates the machine effortlessly and efficiently. Commissioner Reynolds praised Mr. McKee's excellent work ethic, stating he is a very dedicated and reliable employee who is always there when needed.

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

Chairman Eisel granted privilege of the floor to Mr. Utter.

Mr. Utter stated that on May 11, 2006, he and Director of Solid Waste Susan McIntyre traveled to Syracuse to attend the annual awards dinner of the American Public Works Association New York Chapter. On behalf of Delaware County, they accepted the Technical Innovation Project of the Year Award given to Delaware County for the Solid Waste Management Program.

Mr. Utter said it was a great honor to receive this award on behalf of Delaware County and presented the award to Chairman Eisel.

Chairman Eisel stated the composting facility is one of a kind and we are all very proud of it. He accepted the award on behalf of the Board and encouraged Commissioner Reynolds and Ms. McIntyre to keep up the good work.

Privilege of the floor was granted to Mr. Utter who introduced Commissioner of Watershed Affairs Dean Frazier.

Commissioner Frazier reminded the Board that there will be another Environmental Protection Agency (EPA) public hearing on Tuesday, June 6, 2006 in Highmount between the hours of 2:00 P.M. - 6:00 P.M .

He referenced a correspondence placed on each Supervisors' desk from the New York State Department of Environmental Conservation (NYSDEC) to the New York City Department of Environmental Protection (NYSDEP) relating NYSDEC's concerns about the current Land Acquisition Permit.

Commissioner Frazier introduced Watershed Agricultural Council (WAC) Chairman Fred Huneke. Mr. Huneke introduced Executive Director WAC Council Tom O'Brien and Easement Program Manager Amy Olney who provided a slide presentation regarding WAC Conservation Easements.

Mr. Huneke commented that this evening's program is very important to the agricultural community. He stated, in his opinion, continued dialogue will ensure all questions are answered and everyone has a good understanding of the program.

Ms. Olney explained a conservation easement is a legal agreement in which a landowner voluntarily and permanently limits future development of the property. The agreement runs with the land in perpetuity and the land remains in private ownership. She pointed out a WAC agricultural conservation easement promotes the long-term potential for agriculture, forestry and open spaces. The easements are written to be flexible and are tailored to the individual farm and their vision for the property. The easement is linked to a Whole Farm Plan (WAP) and allows for changes in the form of agricultural activities. There is a dual conservation purpose clause which provides for the protection of water quality and agricultural and forestry lands.

Purchased conservation easements compensate the landowners for limiting the future use of their land. A New York State certified appraiser considers the value of the land before, at the highest and best uses, and after the easement to determine the per acre easement value. In general, the value of the conservation easement is approximately 50 percent of the fair market value of the land.

The conservation easement program is voluntary and is locally operated by WAC Committee members who are local residents available to answer landowner questions. There is an open application process for all farms regardless of size with an approved Whole Farm Plan including associated rented lands.

Ms. Olney pointed out the program provides benefits to the farmers, such as: reducing debt, providing funds for improving infrastructure, enabling farm transfer to the next generation, provides a land base for farming and keeps land in private ownership. In addition, the program supports local economy by retaining agricultural related jobs and services as well as providing a safe, fresh and local food supply.

Mr. Bachler questioned if any taxes would be paid by New York City (NYC) on the conservation easement. Ms. Olney explained that if the entire land is agriculturally accessed NYC feels the landowner is already being taxed at the farm value so they will not pay a portion of the property taxes. However, if a portion of the land is not agriculturally accessed than NYC would pay a pro-rated portion of that part of the property taxes. Ms. Olney pointed out the property tax bill is not lowered because of a conservation easement.

Ms. Olney explained that a conservation easement is designed to provide flexibility in the future for development and focuses on future residential rights. She pointed out that retaining development rights affects the value of an easement. The more future development rights a landowner retains the less the landowner will receive in payment.

In reply to Chairman Eisel, Ms. Olney explained that the easement stays with the deed of the land. Therefore, whoever owns the land is subject to the conservation easement.

Mr. Valente commented that it does not appear that NYC addresses the major concern of the municipality which is the cost of the current tax base. Ms. Olney explained that the land as it is currently used does not change, therefore, the current tax base does not change. She noted that the agricultural easement only limits residential development, adding that WAC's purpose is to protect agricultural viability for the future. Mr. Valente remarked this is a concern to the municipality.

Mr. Bachler commented that he appreciates what the program does for the farmers noting that farming is also economic development. He noted that the local planning boards should have the opportunity to review an agricultural easements before it becomes a done deal and referenced an example from the town of Hamden.

Ms. Olney advised that town Supervisors are notified one year before the agricultural easement deal is completed. She offered to take suggestions that would enhance the notification system back to WAC for consideration.

Mr. Huneke pointed out that notification occurs after the initial purchase and sales contract is signed. In his opinion, therein lies the difficulty. He explained that the landowner is entitled to confidentiality and that right is protected until the contract is signed and the easement becomes a matter of record. At that point, the town Supervisor receives notification and the twelve month clock starts ticking.

Mr. Valente asked if there is any way to get around the confidentiality issue. Mr. O'Brien suggested that facilitating a discussion between landowners, village extensions, zoning and the local planning board would be an ideal scenario, however, it comes down to the landowners right to decide if they want to do something in cooperation with the town or not.

In reply to Mr. DuMond, Ms. Olney stated an agricultural easement allows for farm family and labor housing and basically unlimited agricultural structures. In terms of limited development, it depends on the landowner and the easement. She pointed out that it would be different for a four hundred acre farm versus a fifty acre farm as to what would be appropriate to reserve in terms of future residential development.

Mr. DuMond questioned if the landowner would receive greater financial compensation if the easement had less restrictions. Ms. Olney replied that financial compensation depends on the appraisal and the number of house sites the landowner retains.

Mr. Marshfield said that he believes in WAC's mission to preserve farmland and water quality. Speaking as a Supervisor, he expects WAC, as he does NYCDEP and any other organization to come to the planning board with a map, a draft, and a copy of the easements for review. NYCDEP currently provides the planning board with a map and 120 days to review the request, they do not give a name, they give a lot number. He said he wants to go on record as stating that we expect our planning board to review conservation easements.

Mr. Bracci asked what effect comments from the local planning board would have on a deal. Ms. Olney said that certainly concerns would be considered. Mr. Bracci questioned if there was a legitimate concern would it serve to stop the deal. Ms. Olney replied that she was not sure, however, she said there is the flexibility to make minor changes with the easement. Mr. Bracci remarked the bottom line is the local planning board has no effect.

Chairman Eisel asked if a farmer had the right to reserve a portion of the farmland from the easement because that portion of the land would be more valuable in the future for development. Mr. Huneke stated that basically it is the landowner's decision. He cited the example of a 300 acre farm, if the landowner through conversation with the local town opted to reserve 200 acres for future development it is his right to do so. He pointed out that WAC

purchases easements and he cited an example in Delhi where land was donated to a local land trust.

Chairman Eisel referred to Mr. Huneke's example that WAC would have no problem excluding 200 acres of a 300 acre easement. Mr. Huneke stated that the landowner makes the ultimate decision. Chairman Eisel commented the problem is the town does not know ahead of time that the transaction is taking place.

Mr. Huneke noted that this is a private transaction. However, if the Board is interested in knowing before the contract is signed WAC will need to look at this.

Mr. O'Brien stated that WAC is a private organization even though the NYSDEP is a source of WAC's money.

Ms. Olney asked if NYCDEP advises the towns prior to the signing of the contract or after. Senior Planner Kent Manuel stated he believed for NYCDEP land acquisitions that at the time of notification to the town a preliminary contract has been entered into with the landowner.

Mr. Marshfield questioned if the property comes before the planning board under contract does the town have the ability to suggest something different be done with the easement. He pointed out that the town could have issues with emergency access, septic and different land regulations. Mr. Huneke replied that flexibility exists, however, the landowner would have to agree.

Mr. Manuel stated from the perspective of the planning boards the objection would have to be tied to a specific purpose and not just solely in opposition to the easement.

Chairman Eisel questioned if WAC and a landowner enter into a contract and the farmer approved giving his name to a local office would WAC provide the information to enable conversation between the landowner and the town. Ms. Olney pointed out that town is already receiving this information. She explained that a letter is sent to the town at the time WAC enters into contract with the landowner.

Mr. Bracci remarked that the bottom line is the City drives the bus, the town has no input. He stated that WAC is simply a straw buyer for NYC.

Mr. Huneke said he understood what Mr. Bracci was saying but doesn't like to think of WAC that way. He explained that WAC has assured the farmers that once the easement takes place WAC will hold it in perpetuity. WAC is putting together an endowment fund to ensure that NYC never has a say in what happens to the property. WAC will always be in existence because it is a private organization.

Chairman Eisel remarked the difference is that public money is being used to purchase

the easements.

Mr. Huneke stated that he believes any differences between the boards can be resolved. He said he believes in this program and values agriculture. It is not his desire to see the program at odds with any boards.

In reply to Mr. Ryan, Ms. Olney stated that WAC has 9,700 acres in easements in total throughout Sullivan, Greene and Delaware County.

Mr. Donnelly also expressed concern that it is important for local planning boards to know what is going on in their towns. He said it would go a long way to solving some of the issues for the town if a road number was given. Mr. Donnelly pointed out that WAC could own 500 acres of land and the town would not have this knowledge until the landowner signed the contract and a letter was sent from WAC.

Mr. Utter explained that under a WAC agreement WAC does not own the land. The landowner retains ownership but, gives up development rights. He referenced a similar plan initiated in Suffolk County that the New York State Farm Bureau instituted funded by the Suffolk County Legislature. The problem here, he said, is there is NYC money involved. Mr. Utter urged the Board not to lose site of WAC's goal to preserve agriculture. He said that one acre of farm land is more valuable to a community than one acre of land that can be developed. Farmland brings in outside money that can be distributed back into the community. When land is developed, there is an influx of money at the onset but, only tax money after that.

Mr. Marshfield questioned if down the line in 10-20 years NYC has to filter water would they remain committed to funding the endowment fund for perpetual care. Mr. Huneke replied the original easement program will close in 2009. He said that WAC is negotiating for another year. At some point all of these programs will wean off but, the easements themselves will be protected by WAC stewardship.

Mr. O'Brien discussed WAC's efforts to raise funds to ensure good stewardship of the easements. He pointed out that a fund development program is in discussion.

Mr. Meredith asked how much is in the endowment fund at this time. In reply, Mr. O'Brien stated a quarter of a million dollars. Mr. Huneke added WAC's goal is to have five million dollars.

In response to Mr. Hynes, Ms. Olney advised that the 9,700 acres of land under easement are actively being farmed. She advised there was a twenty acre parcel that was sold off one farm but, the rest is being actively farmed at this time.

Mr. Utter asked if farming was a requirement. Ms. Olney replied that the easements are designed to promote agriculture however, WAC does not require anyone to farm.

In answer to Mr. Homovich, Ms. Olney explained that the taxes themselves are not part of the contract or perpetuity. The taxes are a result of an act of legislation by New York State mandating NYC to pay property taxes. She noted that as a result of this legislation the county or towns send their tax bills directly to NYC or the landowner.

Ms. Olney stated in reply to Mr. Hynes, that WAC can only purchase easements on farms that are actively being farmed at the time of purchase.

Mr. Huneke pointed out that even though there is an easement on the property the landowner maintains ownership. Therefore, if for some reason NYC stops paying the taxes on the land it would be the landowners responsibility to pay them.

Mr. Bachler questioned if the owner of a farm with an easement went bankrupt would NYC step up to the plate and pay the taxes. Ms. Olney advised that NYC would continue to pay their portion of the taxes. County Attorney Richard Spinney stated that the county would handle the property as it does any other sale, adding the easement would remain with the property.

Mr. Valente pointed out that there is a limited pool of buyers for active farms, adding there is a real possibility that the land could end up fallow and the county will end up owning land that will be very difficult to market. In his opinion, he is one of the few people that actually bought a farm to farm, adding that most are buying farms for development.

Mr. Bachler commented in the current market farm land still has a potential value to non-farmers. He said that he has part of his farm for sale and there are people from NYC who want to buy large parcels.

Mr. Valente asked if an easement is in place could the land be sub-divided and sold in smaller lots. Ms. Olney stated that the landowners could sell the property as they desired, however, the easement would remain in place.

Chairman Eisel thanked the WAC representatives for a very informative presentation, adding that continued dialogue is very important. Mr. Huneke thanked the Board for the invitation and stated that he would welcome continued dialogue.

Chairman Eisel granted privilege of the floor to Mr. Bachler who invited the Board to come and enjoy the Meredith Dairy Fest on June 10-11, 2006. In addition, he advised that town of Roxbury Supervisor Tom Hynes will be honored as Democrat of the Year at the Democratic Dinner at the Hidden Inn in Hobart on June 17, 2006.

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

**RESOLUTION NO. 134**

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

**LETTING OF APRIL 27, 2006**

**WHEREAS**, Resolution No. 123 of 2006 authorized the Department of Public Works to make award to S. C. Hansen for Proposal No. 38-06, 3 Ton Vibratory Roller in the amount of \$25,168.00; and

**WHEREAS**, S.C. Hansen has withdrawn their bid.

**NOW, THEREFORE BE IT RESOLVED** that the County Department of Public Works is authorized to make awards to the next lowest bidder meeting specifications as follows:

PROPOSAL NO. 38-06 3 Ton Vibratory Roller to: Anderson Equipment Co.  
720 E. Franklin Street  
Endicott NY 13760  
Bid Price: \$26,770.00

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. Rowe.

In answer to Mr. Marshfield, Mr. Utter explained that S.C. Hansen had to withdraw their bid because they could not produce the equipment. As a result the next lowest bidder, Anderson Equipment Co. was selected. Mr. Utter pointed out that there was a \$1,600.00 difference between the two bids. S.C. Hansen agreed to compensate the county with in-kind services up to the amount of \$1,600.00.

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. 135**

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

**LETTING OF MAY 17, 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. 40-06 8 Ton Double Drum Roller to: Anderson Equipment Co.  
720 E. Franklin Street  
Endicott, NY 13760  
Bid Price: \$50,440.00

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

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

**RESOLUTION NO. 136**

**TITLE: AUTHORIZATION FOR AWARD  
PHARMACEUTICAL CONTRACT  
DELAWARE COUNTY CORRECTIONAL FACILITY**

**LETTING OF MAY 10, 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 Delaware County Correctional Facility is authorized to contract with the lowest bidder meeting specifications:

Awarded to: Omnicare of Syracuse (Royal Care)  
342 Northern Lights Dr.  
North Syracuse, New York 13212

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 submitted have been supplied to each supervisor.

The resolution was seconded by Utter and adopted by the following vote: Ayes 4806,

Noes 0, Absent 0.

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

**RESOLUTION NO. 137**

**TITLE: APPROVAL OF 2006 COUNTY MAP  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Department of Public Works and Planning have developed a draft 2006 County Map; and

**WHEREAS**, said map has been available for review by the Board.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors herewith approves the draft map and authorizes its printing.

The resolution was seconded by Mr. Bachler.

Mr. Meredith thanked Commissioner Reynolds for making the necessary changes for the town of Walton.

Mr. Marshfield asked when the county map would be ready for distribution. Commissioner Reynolds answered approximately one month.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 138**

**TITLE: INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED AGRICULTURAL DISTRICTS NO. 1 & 5 DURING DESIGNATED THIRTY-DAY PERIOD FOR ANNUAL AGRICULTURAL DISTRICT REVIEW**

**WHEREAS**, the Delaware County Board of Supervisors, in accordance with Chapter 523 of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period from January 31, 2006 to March 1, 2006 in which a landowners may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board has verified that each parcel proposed in “viable agricultural land”, and meets the eligibility

requirements for inclusion into a Certified Agricultural District; and

**WHEREAS**, the Delaware County Board of Supervisors held a Public Hearing, Wednesday, May 10, 2006 at 6:45 P.M. in the Board of Supervisors' Room of the County Office Building, 111 Main Street, Delhi, NY to consider the requests and recommendations of the County Agricultural Farmland Protection Board concerning the inclusion of land(s) into Agricultural Districts Nos. 1 & 5; and

**WHEREAS**, the Delaware County Board of Supervisors has authorized the preparation of an Agricultural Environmental Assessment form as required by § 303-b of the Agriculture & Markets, Agricultural Districts Law; and

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby adopt the inclusion of the following properties into Agricultural Districts Nos. 1 & 5.

Agricultural District # 1: Tax ID # 28.-1-12.2 (21.86 ac.)

Agricultural District # 5: Tax ID # 191-1-2.11 (12.9 ac.)

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

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

#### **RESOLUTION NO. 139**

**TITLE: OPPOSING NEW YORK STATE SENATE BILL #S04473-A AND ASSEMBLY BILL #A02831-A WHICH WOULD AMEND THE ENVIRONMENTAL CONSERVATION LAW IN REGARD TO THE STORAGE AND APPLICATION OF DE-ICING COMPOUNDS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there are approximately 1,787.47 miles of public roads in Delaware County; and

**WHEREAS**, Senate Bill #S04473-A and Assembly Bill #A-02831-A, both currently proposed in the New York Legislature, would amend New York State Environmental Conservation Law; and

**WHEREAS**, said proposed amendment, Article 17 Title 6, if adopted, would establish requirements for the storage and application of de-icing compounds utilized on roads and roadways; and

**WHEREAS**, said proposed amendment defines "de-icing compounds" as "chloride

compounds, sand and other compounds intended for application or actually applied to roads for de-icing;” and

**WHEREAS**, the proposed amendment would require all materials be stored in storage facilities to prevent contact with precipitation, mixed and loaded on impermeable surfaces, and requires the Commissioner of DEC to promulgate rules and regulations for: application of de-icing compounds on all roads, require training for persons engaged in application of de-icing compounds, develop BMP’s to reduce and minimize the amount of de-icing compounds applied to roads and develop practices to be applied before, during and after de-icing compound applications take place for environmental purposes; and

**WHEREAS**, the Delaware County Action Plan (DCAP) already includes locally controlled efforts to minimize impacts resulting from de-icing.

**NOW, THEREFORE, BE IT RESOLVED** that the monumental and thankless task of snow and ice control is difficult enough for the many highway departments in Delaware County; and

**BE IT FURTHER RESOLVED** that if adopted, the proposed amendment to the Environmental Conservation Law would create undue financial and operational hardship to our municipalities, while also potentially creating less-safe driving conditions on our public roads; and

**BE IT FURTHER RESOLVED** that while the legislative intent of Senate Bill #S04473-A and Assembly Bill #A02831-A is admirable in the name of environmental protection, the Delaware County Board of Supervisors does hereby oppose both for the reasons herein stated; and

**BE IT FURTHER RESOLVED** that the Clerk of this Board forward certified copies of this resolution to Senator Bonacic, Assemblymen Crouch and Hooker and the New York State Association of County Highway Superintendents.

The resolution was seconded by Mr. Woodford.

Chairman Eisel commented that he is concerned with the fact that this legislation is considering chloride compounds and sand as the same product. He asked Commissioner Reynolds to provide an explanation of the resolution.

Commissioner Reynolds explained the definitions are the scary part of this legislation. They include salt and sand. For example, if the highway department puts up a sand pile outside the building, which is typical of all highway departments, and if that sand is meant for roadway applications that sand has to be inside a building as well. Best Management Practices (BMP) are going to be developed for the application of the de-icing materials which includes sand. The

BMP are to be applied before, during and after you apply the de-icing material. Therefore, the NYSDEP might make the department sweep up the sand after the snow melts instead of brooming it off the side of the road.

The Commissioner stated that the proposed legislation gives the NYSDEC a great deal of power. This could prevent us from applying salt on a bridge because of its proximity to a water course. One of the pieces of the legislation says that the Commissioner of Department of Transportation, the Commissioner of Health and NYCDEC working together will develop these rules. He pointed out that nowhere in this legislation does it say that after they put these stipulations on us are they going to hold us harmless from the liability of people traveling the roads who say we do not take good care of the roads. This legislation has some pretty far reaching ramifications.

In reply to Mr. Meredith, Commissioner Reynolds said that this legislation has been rattling around for a few years. The Association of County Highway Superintendents has received some indication that there will be a push this year.

Mr. Homovich commented that NYC did not want any salt used. NYC left it up to the state to come up with a standardized method to deal with de-icing. He pointed out that the state is using all salt plus a type of chloride that is destroying our roads and cars as well as polluting the water. He said he is against the whole program. In his opinion, the whole issue should be addressed not just this legislation.

Mr. Rowe pointed out that the dicky-john spreader used by the state is extremely intricate, very finicky and high maintenance. He said it is controlled by sensors and is computerized. In his opinion, big brother needs to stick to what they do up there and leave the snow fighting to us.

In answer to Mr. Utter, Mr. Rowe explained that there are six preset settings, anywhere from 115 pounds per line mile up to 350 and there is a blast button. He said the blast button can be hit and additional de-icing compound will be thrown if there is a bad spot.

Commissioner Reynolds pointed out that the blast button can be used but, the dicky-john has a memory which can be downloaded for up to 30 days. The report will tell you exactly how much material was applied and how many times the blast button was hit.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 140**

**TITLE: SALE OF TAX ACQUIRED PROPERTY**

**RESOLVED** that the following described parcels of tax acquired property be sold to the party indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

FRA04TX.014

<b>ASSESSED TO:</b>	<b>JOSEPH LAPLANTE</b>
TOWN OF:	123289:FRANKLIN
TAX MAP NO:	122.-2-10
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	7.00A ACRES
CONVEYED TO:	JOSEPH LAPLANTE C/O CAROL SNOW 23 LINCOLN CT APT 23 RIDGEFIELD NJ 07660
CASH CONSIDERATION:	\$1,476.38
TAX DEFICIT:	\$1,113.58

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

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

**RESOLUTION NO. 141**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$880,542.54 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	\$409,759.14
Countryside Care Center	\$54,233.14
Jail	\$3,080.35
Highway Audits, as Follows:	
Road	\$27,761.99
Machinery	\$145,278.99

Capital Road & Bridge	\$49,054.53
Capital Solid Waste	\$93,679.73
Solid Waste/Landfill	\$97,694.67

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

Chairman Eisel asked Commissioner Reynolds how he heard about the legislation discussed in Resolution No. 139. Commissioner Reynolds said that the Association of County Highway Superintendents is very active. He added the department receives several informational e-mails a week from them.

Upon a motion, the meeting was adjourned at 2:15 P.M.