

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JUNE 21, 2006

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 21, 2006 at 7:00 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. Bachler 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 Director of Employment and Training Teddie Storey who introduced Anne Aikens as employee of the month.

Ms. Aikens began her employment as an Account Clerk in the Treasurer's office in May 1989. She joined the Office of Employment and Training (OET) as Principal Account Clerk in January 1995, she was appointed in 2001 as Jr. Accountant, and appointed in May 2003 to her current position of Employment and Training Fiscal/Office Manager. In July 2006 she will begin her expanded role as chief fiscal officer of the three-county Chenango, Delaware and Otsego Workforce, which includes the Workforce Investment Board. Ms. Aikens was designated by the State as the One-Stop Operating System Security Officer for the three county area and ensures that all OET offices and partner agencies records are accurate.

Mrs. Storey said when Ms. Aikens first started she managed a multi-million dollar budget serving the three county area. Mrs. Storey pointed out it is complicated when funding sources decrease and you have to try to "fit the size seven foot into a size five shoe." Ms. Aikens is not only committed to fiscal accountability but, also to the services provided to the many job seekers. She will take time from her regular duties to help staff the Resource Rooms providing such services as job searches and referrals, career guidance and resumé assistance.

In closing, Mrs. Storey stated that she has the highest respect for Ms. Aikens' fiscal ability and business sense.

Ms. Aikens thanked Mrs. Storey for the confidence placed in her and hoped that she feels that way next year.

Mrs. Storey presented Ms. Aikens with a \$100.00 Savings Bond and thanked her for her dedication. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Smith who introduced Delaware County Dairy Princess Emily Schmitt. He announced that Ms. Schmitt and her ambassador will be distributing refreshments during recess.

Ms. Schmitt stated that although the dairy fest was cancelled due to the weather, she has been busy. June is dairy month and she and her court of ambassadors have been busy with activities in support of dairy. Throughout the year activities such as, training seminars, working at 4-H camp, visiting banks in support of dairy month and the Delaware County Fair will keep Ms. Schmitt and members of her court busy.

Ms. Schmitt pointed out that drinking milk and consuming dairy products are major steps to prevent osteoporosis and obesity. Americans should consume about three servings of dairy a day, whether it's one serving of milk which is one cup or a serving of cheese which is 1.5 ounces or a serving of yogurt which is one container. Ms. Schmitt pointed out that Americans are completely cutting dairy out of their diets in order to conserve calories. Rather than cutting dairy out of their diet, Ms. Schmitt suggested trying low fat milk and eating low fat dairy products. The calories will not be as high and you will receive the same amount of nutrients.

In closing, she thanked the Board for their continued support of dairy in Delaware County and reminded them to get their three servings of dairy a day.

Chairman Eisel congratulated town of Roxbury Supervisor Thomas Hynes who was recently honored as democrat of the year.

Chairman Eisel granted privilege of the floor to Mr. Utter who introduced Commissioner of Watershed Affairs Dean Frazier.

Commissioner Frazier referenced Resolution No.154 entitled "Support for the 2007 Filtration Avoidance Determination Positions Developed by the West of Hudson Technical Advisory Group for the Coalition of Watershed Towns" and Resolution No.155 entitled "Support for the 2007 Filtration Avoidance Determination Agricultural Positions Developed by the Delaware County Soil and Water Conservation District and Technical Advisory Group for the Coalition of Watershed Towns" which will be presented to the Board this meeting.

Commissioner Frazier stated that Mr. Bachler, Mr. Utter, and Mr. Meredith attended the Coalition of Watershed Towns (CWT) meeting and were pleased with the overwhelming support

from the Executive Board for the resolutions.

Commissioner Frazier discussed the document entitled Draft for CWT which was provided to all Supervisors and to the Coalition on May 15, 2006. The document detailed new ideas and introduced Local Initiative Programs that will improve the watershed partnership. The Technical Advisory Group (TAG), a group of local technical agencies that offer a mechanism to facilitate resolution of technical and administrative issues at the agency level in the watershed, recommends the inclusion of these new ideas or modifications into the Filtration Avoidance Document, Land Acquisition Permit (LAP) and Watershed Rules and Regulations as appropriate.

Commissioner Frazier explained that the document proposes new ideas and objectives that would improve the watershed partnership and recommends the inclusion of these ideas and modifications into other programs. The goal of the document is to provide funding and technical assistance for local government to take control and responsibility for watershed management. Commissioner Frazier briefly highlighted the importance of the several of the points outlined in the document.

In answer to Mr. Donnelly, Commissioner Frazier stated Senator Bonacic is aware of the document and when it is completed a copy will be sent to him.

Mr. Marshfield asked for an explanation on item number 85 regarding the funding restoration of priority sites as identified in stream corridor management plans. Soil and Water Conservation District Executive Director Richard Weidenbach replied that all the counties involved in the stream corridor management plan have already identified their priority sites, what it speaks to is providing the needed funding.

Mr. Bachler stated that the TAG has done a tremendous amount of work over a period of time. He added, it starts with this document and hopefully we will have as much support from the Board of Supervisors as we had from the Coalition.

Chairman Eisel referenced item number 88 which relates to developing a process for updating the stream management plan and asked if there is funding for the implementation or just planning. Mr. Weidenbach explained that the Coalition is asking for funding for implementation on all identified sites.

Mr. Marshfield asked Mr. Weidenbach if the goal of the Soil and Water Conservation District (SWCD) with regard to the decision process with Watershed Agricultural Council (WAC) has changed over the years. Mr. Weidenbach answered that about a month and a half ago SWCD had authority to approve whole farm plans as outlined in the Brown Book but, it was removed. WAC has converted the status from review and approve whole farm plans to the technical review of each plan. He advised the full WAC currently reviews and approves each plan. He added this change puts SWDC in an uncomfortable situation. In addition, as a result of the contract modification, SWDC no longer hosts the Small Farm Program. He advised this

decision concerns SWCD's Board of Directors.

Mr. Marshfield remarked that WAC needs to get with the changes and update their website with their current program.

Mr. Weidenbach noted that he has a copy of a funding agreement from two months ago that says approved or certified and this month it says review.

Chairman Eisel stated he hoped through continued negotiations this current status will change. In his opinion, it seems like a crowding out process. Delaware County needs SWDC to continue in the role they have, adding without them it is more of a financial liability for the county.

Mr. Marshfield asked who supplied these services for the other West of the Hudson counties. Mr. Weidenbach explained that SWCD was asked to represent those counties because they have very few farms in the watershed.

Mr. Homovich commented that he would feel more comfortable placing these resolutions on hold until the Board could get a consensus from the people of Delaware County. At this point, in his opinion, the voice of the people should be heard. He suggested everyone should write a letter on this and asked the Board of Supervisors to put a moratorium on these resolutions for now and renegotiate the MOA. We currently have no representative in WAC and the City is looking for a permanent filtration avoidance. At this time, these issues are too important for the Board of Supervisors to make a decision on.

Chairman Eisel commented that the Board of Supervisors are the people's representatives and added there is a great deal of technical information that the people are not aware of.

In conclusion, Commissioner Frazier stated he does not know how this will all play out, but advised the Board of Supervisors that all the time lines have been met.

Mr. Marshfield commented that he views these resolutions as a positive additive and bolsters our past comments to the Environmental Protection Agency.

Chairman Eisel said in the past there have been public hearings for people to speak out and asked the Commissioner if there will be any additional meetings. Commissioner Frazier said he was not aware of any in our area however, there will be continued communication between the various agencies and there is still time for people to voice their opinions.

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

RESOLUTION NO. 142

**TITLE: 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 2005-2006, said monies to be utilized to reimburse the county at 100% of its expenditures.

THEREFORE, BE IT RESOLVED that the following 2006 budget modification be made:

INCREASE REVENUE ACCOUNT:

10-16141-44464100/6141006/971	HEAP	\$142,473.00
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INCREASE APPROPRIATION ACCOUNT:

10-16141-52000000/614006/971	HEAP Equipment	\$3,140.00
10-16141-54342010/6141006/971	HEAP Emergency	\$139,333.00

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

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

RESOLUTION NO. 143

**TITLE: GRANT AWARDS FROM ROBINSON-BROADHURST FOUNDATION, INC.
AND A. LINDSAY AND OLIVE B. O'CONNOR FOUNDATION, INC.
SHERIFF'S DEPARTMENT**

WHEREAS, the Sheriff's Office is the recipient of a grant from the Robinson-Broadhurst Foundation, Inc. in the amount of \$5,000.00; and

WHEREAS, the Sheriff's Office is the recipient of a grant from the A. Lindsay and Olive B. O'Connor Foundation, Inc. in the amount of \$4,325.00; and

WHEREAS, these grants were awarded for the specific purpose of being used to purchase a professional model camcorder and accessories to be used for photographing major businesses and schools in the Stamford area as part of a disaster plan and emergency archival project involving all of Delaware County

THEREFORE, BE IT RESOLVED that the following 2006 budget modification be made:

ESTIMATED REVENUES:

10-13110-42270605/3110023/907	Robinson-Broadhurst Grant	\$5,000.00
10-13110-42270604/3110023/907	A Lindsay & Olive B. O'Connor Grant	4,325.00

APPROPRIATIONS:

101-13110-52200001/3110023/907	Photography Equipment	\$9,325.00
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The resolution was seconded by Mr. DuMond.

In answer to Mr. Marshfield, Sheriff Mills replied that this equipment could be used anywhere in the county.

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

Mr. Hynes offered the following resolution and moved for its adoption:

RESOLUTION NO. 144

**TITLE: CREATION OF SENIOR CLERK POSITION
OFFICE FOR THE AGING**

WHEREAS, the Delaware County Office for the Aging is now required to electronically submit client information to fulfill certain data set requirements under NAPIS (National Aging Information Systems) as mandated by federal regulations; and

WHEREAS, the current Office for the Aging staffing structure is unable to meet a growing demand for services and client assistance while documenting and reporting this activity through the new NAPIS system; and

WHEREAS, Delaware County residents in need of critical services such as home delivered meals, EISEP case management, and Link to Life are now on lengthening waiting lists; and

WHEREAS, the agency's fiscal staff, due to the increased volume of requests for services and ensuing tracking requirements is in need of assistance to respond to State and Federal reporting requirements in a timely manner; and

WHEREAS, the Delaware County Office for the Aging has funding in the amount of \$18,665.00 to partially offset the cost of hiring an additional staff member

THEREFORE, BE IT RESOLVED, the position of a full time Senior Clerk be established and the following transfer of funds be authorized:

FROM:

10-16772-54327000/6772008/977	General Grant Related Expenses	\$ 8,664.00
10-16772-54465000/6772008/977	Miscellaneous	1,000.00
10-16772-54480000/6772008/977	Newsletter Mailing	1,500.00
10-16772-54520000/6772008/977	Postage	5,000.00
10-11990-54900000/6772008/977	Contingency Funds	2,501.00

TO:

10-16772-51000000/6772008/977	Personal Services	\$11,552.00
10-16772-58100000/6772008/977	Retirement	520.00
10-16772-58300000/6772008/977	Social Security	716.00
10-16772-58550000/6772008/977	Disability	36.00
10-16772-58600000/6772008/977	Health Insurance	5,673.00
10-16772-58900000/6772008/977	Medicare	168.00

The resolution was seconded by Mr. Maddalone.

Mr. Marshfield asked Office for the Aging Director Thomas Briggs if there was an unexpected non-expenditure in 2006 in order to have \$5,000 remaining in postage. He pointed out that in the 2005 budget \$14,500 was appropriated and the line was increased in 2006 by \$3,000. Mr. Briggs explained that the funding came from one of the Office for the Aging's other funds, adding he believed it was Medicare Part D.

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

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

RESOLUTION NO. 145

**TITLE: AUTHORIZATION FOR AWARD
DELAWARE COUNTY INFORMATION TECHNOLOGY**

LETTING OF APRIL 25, 2006

WHEREAS, Delaware County has outgrown the voice communication systems servicing 99 Main Street, 111 Main Street, the Courthouse Complex and the Solid Waste Landfill; and

WHEREAS, voice communication systems are also required for the renovated old jail and Co-Composting facility; and

WHEREAS, Delaware County can cost effectively migrate current voice communication systems from 6 Court Street to the Co-Composting facility and from 99/111 Main Street to the Courthouse Complex whereby only one compatible voice communication

system will need to be purchased; and

WHEREAS, notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney

THEREFORE, BE IT RESOLED, that the Delaware County Information Technology is authorized to make award to the lowest bidders meeting specification as follows:

Proposal No. 106-01 Digital Communication Systems, to: Pragmeta/STC Group
Att: Rich Bulow
243 Chestnut Street
Oneonta, NY 13820

Bid Price: \$59,309.00

The resolution was seconded by Mr. Marshfield.

Mr. Marshfield commented that three bids were received, one did not meet specification and another was higher. He pointed out the money will come from the capital project budget for the jail.

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. 146

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

LETTING OF JUNE 13, 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. 42-06 Supply of HDPE Pipe Liners to: ISCO Industries
PO Box 4545
Louisville, KY 40204

Bid Price: \$70,771.68

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. 147

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

LETTING OF JUNE 13, 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. 43-06 Brush Chipper to: Tracey Road Equipment
1523 Route 11 North
Kirkwood, NY 13795

Bid Price: \$25,558.00

PROPOSAL NO. 44-06 Tenco Plow & Wing to: Wayne's Welding
66 Calder Avenue
Yorkville, NY 13495-1601

Bid Price: \$5,843.00/Plow \$2,100.00/Wing

PROPOSAL NO. 45-06 Side Mounted Tiger Mower to: Stephenson Equipment, Inc.,
6018 Drott Drive
East Syracuse, NY 13057

Bid Price: \$28,483.00

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.

Mr. Utter stated that these are all for budgeted items.

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. 148

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

LETTING OF JUNE 13, 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. SW3-06 Purchase of Roll-Off Boxes to: United Services Group
46 Sager Drive
Rochester, NY 14607

Bid Price:	30 CY Box	\$4,595.00 will purchase 1 total cost \$ 4,595.00
	40 CY Box	\$5,250.00 will purchase 3 total cost \$15,750.00
	Tarping System	\$1,995.00 will purchase 2 total cost \$ 3,990.00
		<u>\$24,335.00</u>

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

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

RESOLUTION NO. 149

**TITLE: PURCHASE OF HIGHWAY RIGHT OF WAY
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there exists a former O&W Railroad overpass over CR 23 in the Town of Walton; and

WHEREAS, the stone abutment is very close to the edge of pavement of County Route 23 and is a potential hazard to the traveling public; and

WHEREAS, the Department of Public Works would like to remove the abutment and eliminate the potential hazard; and

WHEREAS, the former railroad parcel is owned by the estate of Jess F. Howes and the estate is willing to convey the 0.29 acre parcel to the County of Delaware for the sum of five hundred dollars.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Department of Public Works is authorized to purchase the said parcel for the sum of five hundred dollars pursuant to the provisions of Section 118 of the Highway Law.

The resolution was seconded by Mr. Woodford.

Mr. Utter stated in answer to Mr. Marshfield, that the parcel is located on CR 23. He explained that one half of the abutment had been taken down several years ago, the other half has been sitting there and creates a potential hazzard.

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. 150

**TITLE: AUTHORIZATION FOR DISPOSITION OF COUNTY MATERIALS
NO LONGER NECESSARY FOR PUBLIC USE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, § 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

BE IT RESOLVED, that the following material be authorized to be sold via sealed bid.

Approximately 2,000 board feet of lumber left over from the construction of the Fitches Bridge.

Approximately 9,000 board feet of Pine and Hemlock logs either cut from County right-of-way or stored on County property.

The resolution was seconded by Mr. Bracci.

In answer to Chairman Eisel, Mr. Utter stated that the 2,000 board feet of lumber is left over from Fitch's Bridge and is not pressure treated.

Mr. Utter advised that the 9,000 board feet are stored at Pawlowski's Saw Mill.

The resolution was unanimously adopted.

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

RESOLUTION NO. 151

TITLE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE CATSKILL WATERSHED CORPORATION (CWC)

WHEREAS, Delaware County Planning and Public Works have submitted grant applications to the CWC under the Stormwater Retrofit program to do a planning and assessment study in the Towns of Andes and Kortright and under the Local Technical Assistance Program to do Highway Management Plans for the Towns of Deposit, Hamden, Kortright, Roxbury, and Walton; and

WHEREAS, the County has been informed that both applications have been approved.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Delaware County Board of Supervisors is hereby authorized to enter into contracts with the Catskill Watershed Corporation for these two projects subsequent to the County Attorney's review and approval of the documents.

The resolution was seconded by Ms. Molé.

Mr. Marshfield stated that this is another fine example of CWC and their programs that better communities.

Mr. Bachler commented that he is anxious to get the town of Meredith's program going.

The resolution was unanimously adopted.

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

RESOLUTION NO. 152

TITLE: NOTICE OF LEAD AGENCY STATUS FOR THE DEVELOPMENT OF A LANDFILL GAS EXTRACTION SYSTEM AND ASSOCIATED LANDFILL GAS TO ELECTRICITY POWER GENERATION SYSTEM AT THE DELAWARE COUNTY SOLID WASTE MANAGEMENT CENTER

WHEREAS, Board Resolution No. 18 of 2006 grants the Delaware County Electric Cooperative exclusive development rights to landfill gas generated at the Delaware County Solid Waste Management Center; and

WHEREAS, the Delaware County Electric Cooperative will submit a permit application to NYSDEC for the construction and operation of a landfill gas fired electricity generating system to be located at the Delaware County Solid Waste Management Center in Walton, NY; and

WHEREAS, the Delaware County Department of Public Works will submit a permit application to NYSDEC for the construction and operation of an active landfill gas extraction system for landfill cells 3 thru 7 at the Delaware County Solid Waste Management Center in Walton; and

WHEREAS, given that the permit applications address the joint development of one project, and that these two permit applications must be reviewed together under the terms of SEQRA review; and

WHEREAS, the County has historically taken Lead Agency for purposes of SEQRA review proceedings, consistent with its role in the development of the SOLID WASTE MANAGEMENT PLAN UPDATE 1999 and FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors shall formally be designated Lead Agency consistent with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law for review of the landfill gas extraction system and associated landfill gas to electricity power generation system at the Delaware County Solid Waste Management Center.

The resolution was seconded by Mr. Maddalone.

Chairman Eisel granted Mr. Marshfield's request to abstain from voting on this resolution due to the fact that he is employed by the Delaware County Electric Cooperative, Inc.

The resolution was adopted by the following vote: Ayes 4678, Noes 0, Absent 0, Abstain 128 (Marshfield).

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

RESOLUTION NO. 153

TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 4

WHEREAS, the Delaware County Agricultural and Farmland Protection Board and the Delaware County Planning Board have determined recommendations for the modification of Agricultural District No. 4 located in the Towns of Davenport, Delhi, Kortright, Meredith; and

WHEREAS, NYS Agriculture Markets law requires a public hearing for the eight-year review of certified agricultural districts;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by the Delaware County Board of Supervisors on the proposed modifications to Agricultural District No. 4 on Wednesday, July 19, 2006 at 6:45 P.M. in the Board of Supervisors' Room of the County Office Building, 111 Main Street, Delhi.

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

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

RESOLUTION NO. 154

TITLE: SUPPORT FOR THE 2007 FILTRATION AVOIDANCE DETERMINATION POSITIONS DEVELOPED BY THE WEST OF HUDSON TECHNICAL ADVISORY GROUP FOR THE COALITION OF WATERSHED TOWNS

WHEREAS, the 2002 New York City Filtration Avoidance Determination is undergoing review for renewal in 2007; and

WHEREAS, the United States Environmental Protection Agency and the New York State Department of Health are soliciting input from watershed stakeholders with regard to ongoing implementation and renewal of the Filtration Avoidance Determination and accompanying Long Term Watershed Protection Program; and

WHEREAS, the Delaware County Board of Supervisors, through Resolution No. 287 of 2004, supports the Coalition of Watershed Towns efforts to negotiate the interests of Delaware County as they pertain to critical watershed issues; and

WHEREAS, agency and department staff from Delaware County and partnering counties of the West of Hudson Technical Advisory Group have compiled and presented to the Coalition of Watershed Towns a list of proposed improvements to the current Filtration Avoidance Determination and Long Term Watershed Protection Plan; and

WHEREAS, the Delaware County Board of Supervisors is aware of those proposed list of improvements produced by the West of Hudson Technical Advisory Group.

NOW THEREFORE BE IT RESOLVED, the Delaware County Board of Supervisors supports the list of improvements the West of Hudson Technical Advisory Group has presented the Coalition of Watershed Towns; and

BE IT FURTHER RESOLVED, the Delaware County Board of Supervisors recommends the Coalition of Watershed Towns utilize those recommendations to hold the City accountable to the needs of watershed communities and the spirit of the MOA; and

BE IT FURTHER RESOLVED, that this resolution be forwarded to the Coalition of Watershed Towns.

The resolution was seconded by Ms. Molé and approved by the following vote: Ayes 4139, Noes 667 (Homovich, Bracci) Absent 0.

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

RESOLUTION NO. 155

TITLE: SUPPORT FOR THE 2007 FILTRATION AVOIDANCE DETERMINATION AGRICULTURAL POSITIONS DEVELOPED BY THE DELAWARE COUNTY SOIL AND WATER CONSERVATION DISTRICT AND TECHNICAL ADVISORY GROUP FOR THE COALITION OF WATERSHED TOWNS

WHEREAS, the 2002 New York City Filtration Avoidance Determination is undergoing review for renewal in 2007; and

WHEREAS, the United States Environmental Protection Agency and the New York State Department of Health are soliciting input from watershed stakeholders regarding ongoing implementation and renewal of the Filtration Avoidance Determination and the accompanying Long Term Watershed Protection Program; and

WHEREAS, agriculture is a critical economic industry for Delaware County; and

WHEREAS, the Watershed Agricultural Program is an important watershed protection program to Delaware County and Delaware County farmers in the watershed; and

WHEREAS, the Watershed Agricultural Council contracts with Cornell Cooperative Extension of Delaware County and the Delaware County Soil and Water Conservation District for technical, administrative, management and programmatic expertise for the development and implementation of Whole Farm Plans; and

WHEREAS, the Delaware County Board of Supervisors has by Resolution, delegated the Delaware County Soil and Water Conservation District as the County's lead agency for agricultural non-point source protection; and

WHEREAS, the USDA/Farm Service Agency and federal rules require that the USDA/Natural Resources Conservation Service develop Conservation Reserve Enhancement Program plans; and the Soil and Water Conservation District approve the plans; and

WHEREAS, USDA/Natural Resources Conservation Service (NRCS) has delegated approval authority for NRCS practices to the Delaware County Soil and Water Conservation District; and

WHEREAS, the Delaware County Soil and Water Conservation District through its membership on the West of Hudson Technical Advisory Group have developed recommendations containing numerous points of commonality with recommendations of the Watershed Agricultural Council; and

WHEREAS, the Ad Hoc Task Force on Agriculture and New York City Watershed Regulations Policy Group Recommendations (the founding document of the Watershed Agricultural Program) clearly states that membership of the Watershed Agricultural Council will include a representative from the Board of Supervisors, Cornell Cooperative Extension and the Soil and Water Conservation District; and

WHEREAS, the Ad Hoc Task Force on Agriculture and New York City Watershed Regulations Policy Group Recommendations clearly states the technical role of the technical agencies; and

WHEREAS, the Watershed Agricultural Council's contract with the Delaware County Soil and Water Conservation District, Cornell Cooperative Extension of Delaware County and USDA/Natural Resources Conservation Service clearly states that each agency will follow the Ad Hoc Task Force on Agriculture and New York City Watershed Regulations Policy Group Recommendations; and

WHEREAS, the Watershed Agricultural Council's recent decision to remove the Soil and Water Conservation Districts Whole Farm Plan approval authority for both the Small and Large Farm programs undermines the institutional role of the Soil and Water Conservation District in the Watershed Agricultural Program; and

WHEREAS, a recent contract modification by the Watershed Agricultural Council has disengaged the Delaware County Soil and Water Conservation District from the Small Farm Program implementation team of the Watershed Agricultural Program; and

WHEREAS, the spirit of the Watershed Memorandum of Agreement empowers local residents, agencies and political entities to partner in the development and implementation of watershed protection programs.

NOW THEREFORE BE IT RESOLVED, the Delaware County Board of Supervisors fully supports the agricultural recommendations proposed by the Delaware County Soil and Water Conservation District for inclusion in the FAD as follows:

Soil and Water Conservation District Boards will approve the technical portions of Whole Farm Plans prior to funding consideration by the Watershed Agricultural Council,

Whole Farm Plans will utilize USDA Natural Resources Conservation Service standards and specifications when applicable,

The membership of the Watershed Agricultural Council will include members from the Board of Supervisors, Cornell Cooperative Extension Board of Directors and the Soil and Water Conservation District Board of Directors,

The Delaware County Soil and Water Conservation District shall be responsible for the implementation of Best Management Practices on Delaware County farms in accordance with USDA/Natural Resources Conservation Service standards and specifications; and

BE IT FURTHER RESOLVED, the Delaware County Board of Supervisors fully supports the Coalition of Watershed Towns West of Hudson Technical Advisory Group recommendations to hold the City accountable to the needs of watershed communities and the spirit of the MOA; and

BE IT FURTHER RESOLVED, the Delaware County Board of Supervisors continues to support the Coalition of Watershed Towns as expressed in Resolution No. 287 of 2004; and

BE IT FURTHER RESOLVED, that this resolution be forwarded to the Coalition of Watershed Towns, USEPA Region 2, the USDA/NRCS, the New York State Department of Health, the New York City Department of Environmental Protection, the New York State Department of Environmental Conservation, the New York State Department of Agriculture and Markets, the Watershed Protection and Partnership Council and the Watershed Agricultural Council.

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4600, Noes 204 (Homovich), Absent 0.

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

RESOLUTION NO. 156

TITLE: OPPOSING THE PROPOSED CONSTRUCTION OF THE NEW YORK REGIONAL INTERCONNECT PROJECT

WHEREAS, New York Regional Interconnect, Inc. (“NYRI”) has proposed the construction of two hundred (200) miles of High Voltage Direct Current (HVDC) electrical transmission line extending from Oneida County to Orange County, New York, bisecting Delaware County via two alternative routes; and

WHEREAS, one of the proposed paths of the power lines would entail the construction of structures approximately 115 feet tall to carry the electricity, through or adjacent to our historic downtowns, our pastoral farmlands, and our homes; and

WHEREAS, the other proposed path of the power lines would place the same structures along seventy-three (73) miles of HVDC power lines along the Upper Delaware Scenic and Recreational River Corridor; and

WHEREAS, the Delaware County Board of Supervisors is of the opinion that neither of these paths or the project in general has any benefit to Delaware County or its residents; and

WHEREAS, in the State of New York, the authority for land use regulation is vested at the local government level, including cities, towns, and villages; and

WHEREAS, the Delaware County Board of Supervisors desires to make known its support of any and all efforts by local governments to oppose the New York Regional Interconnection Project; and

WHEREAS, a Regional Steering Committee has been formed consisting of counties impacted by the proposed New York Regional Interconnection Project to unite and coordinate opposition to the project;

NOW, THEREFORE BE IT RESOLVED, that the Delaware County Board of Supervisors will participate on the Regional Steering Committee formed to oppose the New York Regional Interconnection Project; and

BE IT FURTHER RESOLVED, that the Delaware County Board of Supervisors expresses their support for any and all efforts of local governments in Delaware County, to oppose the New York Regional Interconnection Project; and

BE IT FURTHER RESOLVED, that the Delaware County Board of Supervisors will

provide financial support to the Regional Steering Committee as deemed appropriate by the Chairman of the Board and the appropriate financial committees; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Supervisors shall forward a certified copy of this Resolution to all units of local government in Delaware County, the Delaware County Chamber of Commerce, and the delegation of members of the New York State Senate and Assembly representing the County of Delaware.

The resolution was seconded by Mr. Rowe.

Chairman Eisel stated on Thursday, June 1st, Ms. Molé, Mr. Rowe, Shelly Johnson of Planning and himself attended a meeting at the County Office Building in Norwich concerning NYRI. He said there were many questions and a Regional Steering Committee was developed. He advised he designated Mr. Rowe to represent him on the Steering Committee because the proposed construction will go through the town of Hancock.

He explained if the power line is approved it is expected that there will be decreased costs in electric for downstate and the upstate area would see as much as a five percent increase. In addition, although not verified as accurate at this time, the Marcy power line is not being used to its fullest potential.

Chairman Eisel pointed out that the resolution authorizes the Board to provide financial support to the Regional Steering Committee. He stated the other counties involved have committed their financial support, adding if we are to be successful in our opposition financial support will be needed.

Mr. Rowe stated that the Regional Steering Committee is in the process of organizing and will consist of legal council, eight counties, two citizen advisory groups, the Upper Delaware Council, a member of the Senate Majority and a member of the Assembly Majority. The New York Association of Counties will be the lead agency and once the organization process is complete, funding will be funneled through the Association of Counties. The Regional Steering Committee estimates the financial cost to oppose the proposed project is between \$500,000 to \$1 million dollars.

He explained the proposed \$1 billion project is 200 miles of high voltage direct current. There is a converter station in Marcy, NY as well as Rock Tavern, NY that will convert the electric from AC to DC. It is then put on the transmission line, converted from DC to AC and pumped right into the City. The proposed line would go through historical sites and effect endangered species.

Mr. Rowe said the June 1st meeting was very informative. The panel asked tough questions and kept NYRI's feet to the fire. NYRI's attorney Mr. Singer stated that the project would save approximately \$11 billion over a twenty year period for New York City. Upon

questioning by Senator Meier it was revealed that the savings would be realized by people that lived below the lower Hudson Valley and our part of the state would pay \$166 million more each year in increased electric fees. In addition they admitted that there will never be any opportunity for upstate to tap off this electric.

Mr. Rowe referenced a comment made previously by Mr. Homovich stating that not only has Upstate New York become a breeding ground for New York City drinking water they now want us to be a breeding ground for their electricity. He stated there are a lot of questions and this project is a prime example of putting the cart before the horse. He pointed out that New York City has the Marcy South, which is not being used to its fullest potential, there is a program called Neptune servicing 615,000 people and now this proposed project which is estimated to service 1 million people.

Mr. Rowe said the proposed path will include twenty-five miles though Delaware County, fifteen of them through the town of Hancock. The proposed path in Hancock goes right next to the town owned golf course, through to the Hancock Family School Foundation and the Frenchwoods Festival of Performing Arts which is one of the largest summer camps in New York State. He advised the town of Hancock has applied for and received active party status and is fired up and ready to speak when the opportunity arrives.

Mr. Maddalone commented that the path of the proposed transmission line would be within 1,000 feet of the runway at Sidney Airport which is illegal.

Chairman Eisel stated he designated Mr. Rowe to represent him on the Regional Steering Committee because he knew he would be in opposition of this project and would be a very strong opponent. He offered his thanks to Mr. Rowe for taking this on.

Chairman Eisel said it disturbs him that if this project happens NYRI has the right to use eminent domain to obtain the necessary right-of-ways.

Mr. Rowe added if NYRI is successful and gets the corridor they are allowed to take 1,200 feet on each side of the line. He further stated we already have one line through Delaware County we don't need another one.

Mr. Homovich asked if anything other than financial support was needed at this time. Mr. Rowe stated not at this time, adding the committee is trying to raise financial support for legal services. He advised that he believes legal council will start with the application, addressing the fact that it is not complete.

Chairman Eisel remarked that the Regional Steering Committee is going to need a great deal of financial aide to oppose this project successfully. Mr. Rowe advised that Orange, Sullivan, Oneida, and Madison counties have committed \$50,000 each.

Ms. Molé noted that Senator John Bonacic has committed \$50,000 to the Regional Steering Committee. She also advised she has a copy of NYRI's application in her office if anyone would like to review it.

Mr. Marshfield pointed out that NYRI is a private for profit investor looking to get the biggest bang for their buck which is the reason a DC power line is being proposed. He stated there are very few DC lines in the United States. He explained that DC current has less line losses which ultimately means more revenues for the developer. It is suspected that a DC power line has much more safety and electro magnetic field concerns than the customary AC line. These issues are normally compensated for by the investor by using taller structures and wider right-of-way easements.

Mr. Marshfield stated he will be voting in favor of this resolution as it appears the project will increase downstate electricity reliability and financially benefit the downstate ratepayers while potentially decreasing our Delaware County residents safety and further marring our landscape.

Mr. Rowe noted Planning Director Nicole Franzese and Shelly Johnson have been a big help.

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 pre-filed resolutions.

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

RESOLUTION NO. 157

**TITLE: BUDGET MODIFICATION FOR GRANT MONEY
TAX MAPPING DEPARTMENT**

WHEREAS, a Member Item Grant for the purchase of town assessors' computers has been approved through Senator John Bonacic; and

WHEREAS, computers must first be purchased in order to receive the grant funding

THEREFORE, BE IT RESOLVED that the following 2006 budget modification be authorized:

INCREASE REVENUE:

10-11355-43308900	Member Item Grant	\$13,500.00
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INCREASE APPROPRIATION:

10-11355-52200001	Equipment - Grant	\$13,500.00
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The resolution was seconded by Mr. Maddalone.

Mr. Hynes asked if each town assessor was going to receive a computer. Chairman Eisel answered that only those assessors that requested one will receive one.

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

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

RESOLUTION NO. 158

**TITLE: BUDGET MODIFICATION
PLANNING DEPARTMENT**

WHEREAS, the Department has been unable to fill the vacant Planner position; and

WHEREAS, the Department is in need of additional professional assistance with on-going projects; and

WHEREAS, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Budget Officer, have agreed that additional funding of appropriations is needed

NOW THEREFORE BE IT RESOLVED, that the following 2006 modification be made:

DECREASE APPROPRIATION:

10-18020-51000000	Personal Services	\$15,000.00
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INCREASE APPROPRIATIONS:

10-18020-54535000	Professional Fees	\$15,000.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 159

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired properties be sold to the parties 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.

DAV04TX.048

ASSESSED TO:

ROBERT E SCHNEIDER

TOWN OF: 122600:DAVENPORT
TAX MAP NO: 2.-1-9
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 5.70A ACRES
CONVEYED TO: ROBERT E SCHNEIDER
C/O SCOTT SCHNEIDER
515 BOULTON AVENUE
PT PLEASANT NJ 08742
CASH \$3,320.36
CONSIDERATION:
TAX DEFICIT: \$2,748.46

FRA04TX.015

ASSESSED TO:

DOMENICO LAREZZA

TOWN OF: 123289:FRANKLIN
TAX MAP NO: 120.-1-72.1
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 16.85A ACRES
CONVEYED TO: DOMENICO LAREZZA
794 PALMETTO DRIVE
FRANKLIN SQUARE NY 11010
CASH CONSIDERATION: \$16,391.56
TAX DEFICIT: \$13,876.06

HAN04TX.064

ASSESSED TO:

RUSSELL ELLIS SR

TOWN OF: 123689:HANCOCK
TAX MAP NO: 429.2-1-26

SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	80.00'F x 60.00'D: 0.06A ACRES
CONVEYED TO:	RUSSELL ELLIS SR PO Box 552 HANCOCK NY 13783
CASH	\$563.46
CONSIDERATION:	
TAX DEFICIT:	\$304.26

	HAN04TX.035
<u>ASSESSED TO:</u>	<u>KENNETH MAXIK</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	434.-2-64
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	6.60A ACRES
CONVEYED TO:	KENNETH MAXIK 654 GINGERMILL LANE LEXINGTON KY 40509
CASH	\$1,847.97
CONSIDERATION:	
TAX DEFICIT:	\$1,422.47

	HAN04TX.036
<u>ASSESSED TO:</u>	<u>KENNETH MAXIK</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	434.-2-65
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	5.35A ACRES
CONVEYED TO:	KENNETH MAXIK 654 GINGERMILL LANE LEXINGTON KY 40509
CASH	\$1,747.49
CONSIDERATION:	
TAX DEFICIT:	\$1,336.26

	HAN04TX.037
<u>ASSESSED TO:</u>	<u>KENNETH MAXIK</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	434.-2-66
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	5.25A ACRES

CONVEYED TO:

KENNETH MAXIK
654 GINGERMILL LANE
LEXINGTON KY 40509

CASH
CONSIDERATION:

\$1,697.21

TAX DEFICIT:

\$1,293.12

HAN04TX.058

ASSESSED TO:

ANTHONY PRAVATA

TOWN OF:

123689:HANCOCK

TAX MAP NO:

443.-2-3

SCHOOL DISTRICT:

484802:SULLIVAN WEST

ACREAGE:

11.64A ACRES

CONVEYED TO:

ANTHONY PRAVATA
265 EAST MAIN STREET SUITE 156
EAST ISLIP NY 11730

CASH
CONSIDERATION:

\$9,490.49

TAX DEFICIT:

\$7,977.20

MID04TX.008

ASSESSED TO:

JORGE D CAMBRANES

TOWN OF:

124689:MIDDLETOWN

TAX MAP NO:

240.2-1-9

SCHOOL DISTRICT:

124601:MARGARETVILLE

ACREAGE:

66.00'F X 165.00'D ACRES

CONVEYED TO:

JORGE D CAMBRANES
143 FRANKLIN STREET
BROOKLYN NY 11222

CASH
CONSIDERATION:

\$5,234.70

TAX DEFICIT:

\$4,439.50

MID04TX.018

ASSESSED TO:

ROBERT J IGLESIAS

TOWN OF:

124689:MIDDLETOWN

TAX MAP NO:

243.-1-53.2

SCHOOL DISTRICT:

124802:ROXBURY

ACREAGE:

12.54A ACRES

CONVEYED TO:

ROBERT J IGLESIAS
23 GARDEN AVE
CARLE PLACE NY 11514

CASH
CONSIDERATION:

\$8,854.10

TAX DEFICIT:

\$7,421.55

ROX04TX.020

ASSESSED TO:

WALTER HENAO

TOWN OF:

124800:ROXBURY

TAX MAP NO:

200.-1-64

SCHOOL DISTRICT:

124802:ROXBURY

ACREAGE:

8.82A ACRES

CONVEYED TO:

WALTER HENAO
74 GEORGE STREET
BROOKLYN NY 11206

CASH
CONSIDERATION:

\$10,253.78

TAX DEFICIT:

\$8,211.42

SID04TX.021

ASSESSED TO:

INGE GRAFE-KIEKLAK

TOWN OF:

125089:SIDNEY

TAX MAP NO:

141.-1-41

SCHOOL DISTRICT:

125001:SIDNEY

ACREAGE:

53.60A ACRES

CONVEYED TO:

INGE GRAFE-KIEKLAK
807 SWISS HILL ROAD
JEFFERSONVILLE NY12748

CASH
CONSIDERATION:

\$6,541.57

TAX DEFICIT:

\$5,531.16

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. 160

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,603,687.91 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	\$1,127,179.69
Countryside Care Center	\$230,920.43
Jail	\$10,694.75
OET	\$16,786.05

Highway Audits, as Follows:

Road	\$470,719.27
Machinery	\$399,444.98
Capital Road & Bridge	\$222,165.05
Capital Solid Waste	\$14,753.93
Solid Waste/Landfill	\$111,023.76

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

Upon a motion the meeting was adjourned for a short recess and reconvened with all Supervisors present.

Chairman Eisel granted privilege of the floor to Mr. Marshfield who briefly discussed a brochure sent by the New York City Department of Environmental Protection (NYCDEP) describing their Land Acquisition Program. He pointed out that he had not received the brochure himself and was not sure who would receive the mailing, however, the brochure stated that the City is contacting large parcel landowners in the Catskill Delaware Watershed. He also pointed out that the brochure highlighted a 146 acre parcel in Hamden that was recently purchased and noted the caption under the picture stated that horseback riding and the use of motorized recreational vehicles will not be allowed.

Chairman Eisel advised that he sent a letter to the Board outlining a few examples of how we can be out in front of the easement program. He explained it is important we stay in front of the program because once the landowner goes to contract there is nothing that can be done to stop it.

Mr. Homovich encouraged the Supervisors to log on to the NYCDEP website and advised that the site contains a great deal of information that might be of interest to the towns.

Mr. Utter referenced an article from the New York Daily News picturing Tom Hudson receiving \$10,000. The headline read "Upstate Dairy Farmer Received \$10,000 to Keep Cow Paddies Out of the Water."

Mr. Bachler advised that a copy of the Brown Book has been placed on each Supervisors' desk.

Mr. Hynes advised that the committee formed to purchase the bus for the Office for the Aging has met with several dealers and will shortly be presenting a proposal for the purchase.

Chairman Eisel commented that the bus will be a smaller version than the one currently used and will be purchased with Good Neighbor money.

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

RESOLUTION NO. 161

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss contract negotiations.

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

The meeting reconvened in regular session with all Supervisors present.
Upon a motion, the meeting adjourned at 9:20 P.M.