

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
OCTOBER 11, 2006

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

Mr. Donnelly offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Mr. Homovich who introduced President of the New York State Bluestone Association Harry Triebe, Sr. and Tom Decker an engineer with Central Testing and Engineering.

Mr. Triebe stated that he is the owner of the Stone Dock in Downsville as well as the President of the Bluestone Association and introduced Mr. Decker as the technical consultant for the New York State Bluestone Association. As technical consultant Mr. Decker is involved with issues related to the association at the state, county and local levels. Mr. Triebe referenced a handout placed on each Supervisors' desk detailing issues that will impact the Bluestone Association locally as well as throughout the region.

The Bluestone Industry has been in existence in Delaware and surrounding counties for over 150 years. The industry presently employs approximately 700 full and part time employees and produces approximately \$75 - \$100 million dollars in sales revenue yearly.

Mr. Triebe touched on the four issues of importance, the Bluestone Exploratory Authorization which is a mine permit used by bluestone miners to authorize extraction of bluestone from quarries one acre and less in size until either the quarry justifies a regular mine permit or proves to be uneconomical and is closed and reclaimed. This law amendment contains a sunset clause and is due to expire in May 2008. Secondly, the NYSDEC has raised the mine permit reclamation bond amounts from \$1,500 per acre to \$5,000 per acre. This increase represents a major cost and hardship to the local independent quarryman and dealers. Thirdly, in 1999 the US Department of Labor, Mine Safety and Health Administration (MSHA), enhanced its overview of the Bluestone Industry. Mine safety is of the highest priority of the NYS Bluestone Association and is recognized by MSHA as being one of the safest mining industries. However, over regulation or implementation of regulations and policies not applicable or appropriate to the bluestone industry must be addressed and requires a great deal of time, effort

and money. The fourth issue focused on the NYCDEP and the Watershed Council within Delaware County. Currently no bluestone mining is allowed on NYC watershed property and the ongoing and proposed purchase of an additional 75,000 acres of land within the watershed over the next ten years will make a serious impact on the bluestone industry.

In conclusion, Mr. Triebe and Mr. Decker expressed their appreciation for the opportunity to address the Board and asked the Supervisors to consider the bluestone industry along with tourism and recreational activities when planing for the county's future.

Mr. Utter said the NYC owns more than 50 percent of the developable land in the town of Middletown and asked Mr. Triebe and Mr. Decker if they had any ideas on how to slow things down. Mr. Triebe pointed out that the town of Colchester lost 460 acres which included working quarries in one purchase. He suggested perhaps offering tax incentives to prevent people from selling their properties, but added he really did not have a good answer to the question.

Mr. Decker added that NYCDEP is not saying they are excluding the mining of bluestone, they have a large document which explains what bluestone mining they are going to allow on their properties. However, the property has to be put out to bid, which has not been done in the past. Putting the property out to bid forces miners to bid against each other for quarries that may or may not be productive. In his opinion, he felt the NYCDEP was making mining impossible.

In reply to Mr. Bracci, Mr. Decker explained that discussions with NYCDEP stopped because at that time NYCDEP was asking the miners to go out and find the quarries then NYCDEP would put the quarry out for competitive bid. He pointed out that these quarries have not been active since the 1950's when the watershed took them over and you can't tell if a quarry is active until you go in and work it.

Mr. Meredith suggested that the parcel and tax number be put out to bid. Mr. Triebe replied it would still only be an educated guess as to what would be on the parcel and it is not reasonable to have the miners bid against each other on the same property. Mr. Decker added that independent quarrymen could not take that risk.

Mr. Homovich stated that farming, logging and quarrying are opportunities for revenue. In his opinion, you can't have economic development without retention. If we lose logging and quarrying in Delaware County there will be nothing left.

Mr. Donnelly suggested the bluestone industry consider making people aware of their needs by placing ads in the paper indicating to the public that they are interested in obtaining an option or easement on land with bluestone.

Mr. Triebe said that rules and regulations have backed people away from allowing mining on their property and that many of the regulations do not apply.

In answer to Chairman Eisel, Mr. Triebe explained that a mining permit is actually the bonding fee to assure that you take care of the quarry once you leave it.

Mr. Decker commented that the bonding issue is a component of the Mine Land

Reclamation Act. A miner does not have to hire a consultant to get the bond but, chances are you would want to. He explained the paperwork is extensive and the cost is anywhere from \$5,000 to \$15,000. In addition, there is the annual permit fee based on acreage. He cited several reasons why these increases have come about, but felt it was important to note that the industry is losing the independent small quarryman simply because they can't afford it. He said the industry has been growing 20 percent the last four to five years even with the difficulties the industry is facing. He didn't feel there was any other industry in Delaware County that could make that claim.

Chairman Eisel asked if the NYS Senators and Assemblymen were aware of the struggles faced by the bluestone industry. Mr. Decker pointed out that they were, adding that Senator Bonacic has been a leading force in getting the bluestone industry to the point they are now.

In reply to Mr. Hynes, Mr. Decker answered the dollar difference between the bonding company and the insurance company is about \$50 per thousand. He explained that as a result of the regulations imposed by the Mined Land Reclamation Act bonding companies are bailing out of New York State. In addition, for the same reasons the insurance companies are cancelling the insurance bonds as they come up for renewal. The only options left to meet the required bonding are certificates of deposit, a bank letter of credit, or sending a check directly to New York State which are substantially more expensive and if you are an independent quarrymen you are not in a position to get one of these.

Mr. Marshfield said that the town of Hamden makes recommendations on every parcel sold to NYC once the paperwork comes through their town planning board. He said this discussion has opened his eyes, adding he never thought to write back to NYC asking for rights of lumbering and quarrying on these properties. He further stated that hence forth if the planning board sees fit it will be noted on each parcel. He said every town has 120 days to exercise their right to comment on all purchases and, in his opinion, this is where we should start.

Mr. Triebe stated that the bluestone industry has been and should continue to be a resource for Delaware County. Some of these quarries were created by fathers and sons and have been passed down through the family. The bluestone industry is no longer a nickle and dime operation. The days of a bucket full of hand tools and a pickup truck are gone, technology has increased the need for education, knowledge and skill. Bluestone is a good solid industry.

In reply to Mr. Marshfield, Mr. Triebe confirmed that bluestone is exclusively found in this area and northern Pennsylvania.

Mr. Rowe remarked in the town of Hancock the bluestone industry represents a \$40 million dollar a year industry and is the largest part of their economy. He stated the town of Hancock is committed to the bluestone industry and because of the restrictions placed on the industry Hancock chose not to join the Scenic Byway. He said the Board of Supervisors needs to do what it can to help the industry and encouraged a resolution be prepared by committee and brought to the Board floor.

Mr. Donnelly suggested these issues be brought before the Coalition of Watershed Town.

Chairman Eisel suggested the Board of Directors at CWC could talk to NYC about their

acquisitions and easement programs to find out why these quarries can't be opened up. In addition, talks need to continue with legislators. He stated a resolution will be put together and brought to the next Coalition of Watershed Towns meeting.

For Standing Committee Reports Mr. Donnelly announced that Senator Bonacic and Assemblyman Crouch will be having a watershed update at 11:00 a.m. on Monday, October 16th at the County Office Building. He encouraged the Supervisors to attend.

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

RESOLUTION NO. 235

**TITLE: 2006 BUDGET AMENDMENT
YOUTH EMPLOYMENT SERVICES PROGRAM
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Youth Employment Services Program. Said money is to be used for youth employment and education training for economically disadvantaged youth and is 100 percent reimbursed.

NOW, THEREFORE BE IT RESOLVED that the 2006 Social Services Budget be amended to establish the following accounts:

ESTABLISH REVENUE:

10-16010-44482000	Youth Employment Services	\$57,000.00
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ESTABLISH APPROPRIATION:

10-16010-54665001	Youth Employment Services	\$57,000.00
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The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 236

**TITLE: 2006 BUDGET AMENDMENT
SHERIFF'S DEPARTMENT**

WHEREAS, the Sheriff's Office desires to acquire funding from Assemblyman Clifford Crouch which will supplement grants recently received from the Robinson-Broadhurst Foundation, Inc. and the A. Lindsay and Olive B. O'Connor Foundation, Inc.; and

WHEREAS, these funds will be combined for the purpose of purchasing a professional model camcorder, computers and accessories to be used for photographing major businesses and schools in the Delaware County area as part of a disaster plan and emergency archival project

involving all of Delaware County

THEREFORE, BE IT RESOLVED that the 2006 budget be amended as follows:

INCREASE REVENUES:

10-13110-43308900/3110023/907	State Other General Gov	\$7,500.00
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INCREASE APPROPRIATIONS:

10-13110-52200001/3110023/907	Equipment Grant	\$7,500.00
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The resolution was seconded by Mr. DuMond and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 237

**TITLE: 2006 BUDGET AMENDMENT
DISTRICT ATTORNEY**

WHEREAS, the District Attorney's office fax machine is in need of replacement; and

WHEREAS, a transfer of funds is necessary to purchase said fax machine

THEREFORE, BE IT RESOLVED that the following transfer be authorized:

FROM:

10-11165-54530000	Printing Services	\$429.00
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TO:

10-11165-52200000	Equipment	\$429.00
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The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 238

**TITLE: 2006 BUDGET AMENDMENT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the flood event of late June 2006 caused a significant amount of overtime;
and

WHEREAS, there is not enough money in the engineering personal services line to cover the cost; and

WHEREAS, the line for personal services in the snow account has more than enough funds remaining to cover costs for the remainder of the year.

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

FROM:

24-15142-51000000	Personal Services Snow	\$67,281.25
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TO:

24-15020-51000000	Personal Services Engineering	\$62,500.00
24-15020-58300000	Social Security Employer Contrib.	3,875.00
24-15020-58900000	Medicare Employer Contrib.	906.25

The resolution was seconded by Mr. Rowe and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 239

**TITLE: CHANGE ORDER NO. 1, PROPOSAL 29-05
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 93 of 2006 authorized the Department of Public Works to make award to R. DeVincentis Construction, Inc. for the rehabilitation of Bridge 5, Corbett Road over East Branch Delaware River, Prop 29-05 in the amount of \$583,000.00; and

WHEREAS, during the rehabilitation of the bridge, several underground features were worse than originally anticipated; and

WHEREAS, other items were discovered that were not identified in the initial scope of work; and

WHEREAS, these changes have resulted in an increase in cost.

NOW, THEREFORE, BE IT RESOLVED, that the Department of Public Works is authorized to execute Change Order No. 1 representing an increase of \$74,748.00 bringing the contract amount to \$657,748.00.

The resolution was seconded by Mr. Woodford and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 240

TITLE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, a Project for Corbett Road over East Branch Delaware River (BIN 3352060) in the Town of Colchester, Delaware County, P.I.N. 9752.95 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the construction and construction supervision and inspection work.

NOW, THEREFORE, the Delaware County Board, duly convened, does hereby

RESOLVE, that the Delaware County Board hereby approves the above subject project; and

IT IS FURTHER RESOLVED, that the Delaware County Board hereby authorizes the County of Delaware to pay in the first instance 100% of the Federal and non-Federal share of the construction and construction supervision and inspection work for the Project or portions thereof; and

IT IS FURTHER RESOLVED, that the sum of \$831,260 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the above phase of the Project; and

IT IS FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Delaware County Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and

IT IS FURTHER RESOLVED, that the Chairman of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Delaware with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality’s first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and

IT IS FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project; and

IT IS FURTHER RESOLVED, this Resolution shall take effect immediately.

The resolution was seconded by Mr. Bachler and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 241

**TITLE: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH
NYS DOT FOR THE RESURFACING OF ROADWAYS USED BY THE NYS DOT
AS AN OFF SITE DETOUR DURING THE RECONSTRUCTION OF THE
NYS DOT ROUTE 10 STRUCTURE OVER DRY BROOK
DEPARTMENT OF PUBLIC WORKS**

Providing for the resurfacing of Delaware County Road 18 in the Town of Stamford, Delaware County, the Village of Hobart's River Street, the Town of Stamford's River Street and the Town of Kortright's River Street, the performance and funding in the first instance 100% of the costs of construction thereof, to be reimbursed by the State and appropriating funds therefor.

WHEREAS, in connection with the State Highway 8118 (NYS Route 10) culvert replacement over Dry Brook (PIN 9803.99) which caused traffic to be detoured over County Route 18 in the Town of Stamford, Delaware County, the Village of Hobart's River Street, the Town of Stamford's River Street and the Town of Kortright's River Street, Delaware County has requested and the State has agreed to fund NYS Route 10 over Dry Brook Off-Site Detour, PIN 9095.88 (the "Project") which is on the State Highway System; and

WHEREAS, the New York State Department of Transportation will reimburse approved Project costs to Delaware County in accordance with an agreement between the New York State Department of Transportation and Delaware County; and

WHEREAS, there is substantial public interest in and benefit to the Project; and

WHEREAS, Delaware County has previously executed State System Project Agreement (D024612) for the construction and construction supervision and inspection work and has appropriated \$426,900.

NOW, THEREFOR, the Delaware County Board, duly convened, does hereby

RESOLVE, that the Delaware County Board hereby approves the above subject project;
and

IT IS FURTHER RESOLVED, that the sum of \$32,629.65 is hereby appropriated from 34-15112-54000000 and made available to cover the cost increase of participation in the project;
and

IT IS FURTHER RESOLVED, that the Chairman of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or

reimbursement requests on behalf of the County of Delaware with the New York State Department of Transportation in connection with the funding of approved Project costs thereof by the State; and

IT IS FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

IT IS FURTHER RESOLVED, this Resolution shall take effect immediately.

The resolution was seconded by Mr. Rowe and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 242

**TITLE: CONTROL OF SNOW AND ICE ON NEW YORK CITY ROADS
BY TOWN FORCES
DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED, that pursuant to an agreement between New York City and the County of Delaware, and by Resolution No. 46 of 1991, Delaware County hereby authorizes the Delaware County Commissioner of Public Works to enter into agreements with the Town Highway Superintendents of the Towns of Andes, Colchester, Middletown, Roxbury, Tompkins and Walton for the performance, by the Towns, of the work of control of snow and ice on the New York City Roads within the boundaries of the County, upon terms and regulations as are contained such agreements for the season 2006-2007.

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

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

RESOLUTION NO. 243

**TITLE: AUTHORIZATION TO SIGN LEASE AGREEMENT
TOWER SPACE FOR COMMUNICATIONS
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, there is a need to replace radio equipment in the Sidney area that was destroyed by the flood in June 2006; and

WHEREAS, there is a need to improve communications in the Masonville and Sidney areas; and

WHEREAS, testing has taken place from a tower owned by Creative Electronics located at 75 Cole Road, Masonville and the results are satisfactory

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Delaware County Board of Supervisors is authorized to sign an agreement with Creative Electronics located at 828 County Highway 11, Oneonta, New York 13820 for a monthly cost of two hundred dollars (\$200.00) to occupy said tower.

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

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

RESOLUTION NO. 244

TITLE: NEGATIVE DECLARATION FOR THE CONSTRUCTION OF PUBLIC WORKS HIGHWAY GARAGE

WHEREAS, the Delaware County Board of Supervisors declared itself Lead Agency with Resolution No. 58 of 2006 for the purposes of compliance with the State Environmental Quality Review Act; and

WHEREAS, after review of the Long Environmental Assessment Form, the Delaware County Board of Supervisors has determined that there will be no large or significant adverse impacts which can not be appropriately mitigated, on the environment as a result of the project.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors herewith issues a Negative Declaration in accordance with Section 617.7 of the State Environmental Quality Review Act for the Construction of a new Public Works Garage.

The resolution was seconded by Mr. Woodford and unanimously adopted

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

RESOLUTION NO. 245

TITLE: ADOPTION OF STATE ADVISORY EQUALIZATION RATES

BE IT RESOLVED that the following State Equalization Rates be adopted for the apportionment of the 2007 County Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law:

ANDES	21.00
BOVINA	30.25
COLCHESTER	4.39
DAVENPORT	85.00
DELHI	70.75
DEPOSIT	6.64

FRANKLIN	98.00
HAMDEN	20.61
HANCOCK	20.00
HARPERSFIELD	30.00
KORTRIGHT	100.00
MASONVILLE	85.00
MEREDITH	35.00
MIDDLETOWN	62.00
ROXBURY	30.29
SIDNEY	95.00
STAMFORD	29.00
TOMPKINS	4.79
WALTON	32.24

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

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

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

RESOLUTION NO. 246

**TITLE: 2006 BUDGET AMENDMENT
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, several Public Health programs were reorganized with changes in staffing patterns; and

WHEREAS, there are insufficient funds in the 2006 fringe benefits for Lead

THEREFORE, BE IT RESOLVED that the following transfer be made:

<u>FROM:</u>		
10-14010-5100000	Personal Services	\$3,100.00
<u>TO:</u>		
10-14050-58600000	Hospital and Medical Insurance	\$3,100.00

The resolution was seconded by Mr. Donnelly and adopted by the following vote: 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 247

**TITLE: 2006 BUDGET MODIFICATION
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, during the flood of June 26 - July 7, 2006 the County infrastructure suffered significant damage; and

WHEREAS, the cost to repair said damages are 100% reimbursable, 75% by the Federal Emergency Management Agency (FEMA) and 25% by the New York State Emergency Management Office (SEMO).

NOW, THEREFORE, BE IT RESOLVED that the 2006 County Budget be amended as follows:

INCREASE REVENUE

34-15112-44496000	Federal Emergency Disaster Assistance	\$1,500,000.00
34-15112-43396000	State Emergency Disaster Assistance	500,000.00

APPROPRIATION ACCOUNT

34-15112-54000000	Contractual Expense	\$2,000,000.00
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The resolution was seconded by Mr. Haynes and Mr. Woodford.

Mr. Valente questioned if this resolution represents money that has been collected or is anticipated. Mr. Utter explained the county has been acting as the bank for flood repair work that is being done by DPW and is FEMA reimbursable. He stated that FEMA has not yet addressed county projects as they have been working with the towns. A transfer from the unallocated reserve is necessary until reimbursement from FEMA is received.

Mr. Marshfield commented that the town of Hamden received their first FEMA reimbursement check within six weeks.

Mr Haynes and Mr. Valente also remarked their towns received FEMA checks as well.

Mr. Utter said that DPW engineers have completed a great deal of the pre-planning and paperwork which he expects will expediate matters a bit but, he felt the county would not see any money until next year.

The resolution was adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

RESOLUTION NO. 248

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,943,333.98 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	\$741,794.34
Countryside Care Center	\$153,937.89
Jail	\$5,653.50

Highway Audits, as Follows:

Road	\$1,813.43
Machinery	\$207,992.40
Capital Road & Bridge	\$1,734,141.71
Capital Solid Waste	\$67,820.71
Solid Waste/Landfill	\$30,180.00

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

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

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

RESOLUTION NO. 249

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present except Mr. Smith.

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

RESOLUTION NO. 250

**TITLE: APPROVAL TENTATIVE AGREEMENT NYSNA
PERSONNEL DEPARTMENT**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the New York State Nurses Association for the terms and conditions of employment for the years 2006, 2007, 2008, and 2009

NOW, THEREFORE, BE IT RESOLVED that said tentative agreement is hereby approved as presented to the Board; and

BE IT FURTHER RESOLVED that the Chairman of the Board is authorized to execute a collective bargaining agreement which incorporates the terms of said tentative agreement.

The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4544, Noes 0, Absent 262 (Smith).

Upon a motion, the meeting adjourned at 3:15 P.M.