

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
DECEMBER 13, 2006

The regular meeting of the Delaware County Board of Supervisors was held Tuesday, December 13, 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. Valente 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. Marshfield who stated that he received a thank you card from the parents of Bert More. The card thanked the Board for their prayers and continued interest in Mr. More's recovery. He is now walking with a walker, talking a little bit and in general coming along very well. Mr. Marshfield noted that anyone interested in contacting Mr. More could do so by e-mailing him at www.sunnyview.org.

In answer to Mr. Bachler, Mr. Marshfield advised that Mr. More is currently residing at the Sunny View Rehabilitation Center in Schenectady.

Mr. Ryan stated that a few of Mr. More's church members were up to visit him and they reported that he hasn't lost his sense of humor, adding that is a good sign of recovery.

Chairman Eisel granted privilege of the floor to Employment and Training Director Teddie Storey who introduced Fred Barkalow as employee of the month.

Mr. Barkalow began working for Delaware County as part of the Department of Public Work's summer crews while attending high school and college. In 1982 he became a crew leader with the Office of Employment and Training and now serves as Program Supervisor. As Program Supervisor his responsibilities are to help people find good jobs and to help businesses find a qualified workforce. Mr. Barkalow helps people conduct skill and knowledge assessments

to determine where they will be most successful. He helps businesses screen applicants for those that best meet the company's needs and helps businesses and job seekers by arranging on-the-job training opportunities for potential employees as well as other employee training.

Mrs. Storey said that Mr. Barkalow has a great attitude about his job. He has a very good relationship with his coworkers in Delaware County as well as with his colleagues in Chenago and Otsego counties. He is receptive to learning from others and willing to share his own ideas about how to best service the clients. His relationship with clients of all ages is encouraging, optimistic, and never judgmental.

Mrs. Storey presented Mr. Barkalow with a \$100.00 Savings Bond and thanked him for his dedication.

Chairman Eisel stated that he has known Mr. Barkalow for about twenty-five years while working together on the CETA Program. He presented him with the Certificate of Employee of the Month and thanked him for his dedicated service

Mr. Barkalow thanked Mrs. Storey for her kind words and the Board for their recognition.

Chairman Eisel announced that the sale of Countryside Care Center to Leatherstocking will take place on December 21, 2006. He noted that this has been a monumental collaborative effort and personally thanked Clerk of the Board Christa Schafer, Director of Personnel Lorna Taber, Commissioner of Social Services William Moon, Countryside Care Center Administrator Kurt Apthorpe, County Attorney Richard Spinney, Tina Molé as liaison for Senator Bonacic, the IDA, the Finance Committee and Chairman Martin Donnelly. He also extended his thanks to anyone who helped in anyway to make the sale a success.

He stated although the county has met its obligation regarding the terms of the sale for the ARC building, the closing will not happen before the end of this year. He anticipates the closing will take place within the first or second week of the new year.

Chairman Eisel stated that the Board truly met their goals for 2006 and he thanked the Supervisors for their support.

Chairman Eisel granted privilege of the floor to Mr. Maddalone who advised that the November 16th flash flood had been declared and that New York State will now pick up the local share.

Mr. Marshfield commented that he believed the declaration is for public assistance and not individual assistance.

Mr. Rowe said that the announcement was in the Binghamton Press today and because the assistance is just public and not individual it raised quite an outcry in Broome County where

there has been so many individual problems. He asked Chairman Eisel on behalf of Delaware County to write a letter to the appropriate people requesting individual assistance be included.

Chairman Eisel agreed adding that Broome County took the biggest hit of the \$21 million.

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

Commissioner Frazier provided an explanation for Resolution No. 300 entitled: Assessment of Third Brook Flood Damage, which will be introduced later in the meeting. He referenced the devastation caused by the June flooding to businesses, municipal infrastructure and residential property located on Third Brook in the village and town of Walton and pointed out that the November rain again caused concern for Walton. As a result, a watershed wide prioritization is required to implement a prudent fiscal plan. The resolution authorizes the Chairman of the Board to accept funding from the Catskill Watershed Corporation to hire a consultant to assess the flood damage on Third Brook. It is anticipated that the funding will be received within the next two weeks.

Commissioner Frazier noted that there have been two meetings with New York City and the New York State Attorney General's Office since the letter sent to the Watershed Protection Partnership Council by Mark Hoffer, General Counsel for the New York City Department of Environmental Protection (NYCDEP). The Commissioner felt the meetings provided a good opportunity for exchange and believes that progress is being made. He pointed out that the Watershed Agricultural Council agreed to follow the MOA and provide more detailed information than they had in the past. Another meeting is scheduled for January and Commissioner Frazier said he is optimistic that an agreement will be reached.

Chairman Eisel requested a final draft of the language be brought back the Board for their review.

Chairman Eisel granted privilege of the floor to Mr. Bracci who introduced Commissioner of Social Services William Moon.

Commissioner Moon referenced his handout entitled, Flood Relief Assistance Available for County Residents. He explained that the Delaware County Human Needs Committee is a group of agencies that have programs designed to assist victims of the June flood. The program known as Project Recovery will offer free confidential supportive counseling services to individuals, families and groups. Four hundred cases remain on the FEMA unmet needs list and Project Recovery is dealing with these issues. The Human Needs Committee will most likely be dealing with these issues well into 2007.

Chairman Eisel granted privilege of the floor to Mr. Homovich. Mr. Homovich advised

the Board that the town of Colchester is not in agreement with imposing duties upon the towns to submit information to Real Property Tax Service (RPTS) within certain time frames. He read a letter from the town of Colchester attorney Michael P. DeGroat, outlining the town's objection. The letter pointed out that "while the town is responsible for payment of the penalty for untimely filing, the town does not have sufficient control over the Board of Assessors to assure that the time frames are met. Therefore, it would incur a penalty from the county without having the right to enforce the time frames against its Board of Assessors."

Mr. Homovich commented that some of the towns have appointed assessors, but, those with elected officials, like the town of Colchester fall into different statutory requirements of the law. He referenced the position of Highway Superintendent saying that the town does not have the right to tell an elected official what to do.

Mr. Homovich said he would not want to give anyone the right to fine the town if a deadline isn't met that is out of their control. It is ridiculous and unrealistic, and he will not sign such a contract.

Chairman Eisel said this issue was discussed in the Finance Committee meeting today and noted it is currently under review.

Mr. Marshfield stated that he brought up the exact same issue in Finance and the committee was told different than what Mr. DeGroat wrote in his letter. Mr. Marshfield suggested that a copy of the letter be provided to RPTS to be considered along with the other letters and comments that have been received.

Mr. Valente commented that he would like to go on record as agreeing with Mr. Homovich. He said he preferred that Finance find a resolution to the problem and not impose penalties.

Mr. Utter remarked that the town of Middletown is also in opposition and will not be signing a contract.

Mr. Marshfield noted that his assessor did not have a bit of problem and added that everything that is required, including the deadlines his town already does. It boils down to one town that has been a problem for years and there does not appear to be any resolution to the problem.

Chairman Eisel commented that the opposition to this issue has been noted and will be taken under review.

For Standing Committee Reports Chairman of the Human Resource Committee Mr. Rowe announced that Teddie Storey will replace Personal Director Lorna Taber who will be retiring in 2007. The Committee feels that Mrs. Storey will represent the department well and

anticipates a smooth transition.

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

RESOLUTION NO. 289

**TITLE: 2006 BUDGET AMENDMENT
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 2006-2007, said monies to be utilized to reimburse the county at 100 percent of its expenditures

THEREFORE, BE IT RESOLVED that the 2006 Social Services budget be amended to increase the following accounts:

REVENUE:

10-16141-444641000/6141007/971	Federal Aid - HEAP	\$86,038.00
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APPROPRIATIONS:

10-16141-54200011/6141007/971	Contracted Services - OFA	\$15,000.00
10-16141-54200012/6141007/971	Contracted Services - Del Opp	\$71,038.00

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

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

RESOLUTION NO. 290

**TITLE: 2006 BUDGET AMENDMENT
PUBLIC DEFENDER**

WHEREAS, the Legal Aid to Indigents Account is in need of funds to meet 2006 obligations

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

FROM:

10-11990-54900000	Contingency	\$25,000.00
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TO:

The resolution was seconded by Mr. Marshfield.

Mr. Marshfield asked if the amount spent on legal aid to indigents in 2006 is coming in line with looking at a hiring a Public Defender.

Chairman Eisel said that we may be getting close. He noted that earlier in the year Budget Director John Meredith and himself evaluated this but, there are other issues that must be taken into consideration such as office space, staff, salary and benefits.

Mr. Meredith said that part of the problem with hiring a Public Defender is that individual can only represent one client, therefore, if there were another case like the Sidney seven, six other attorneys would have to be hired, or even a domestic dispute the Public Defender would only be able to represent one of the parties.

Mr. Marshfield asked if two Public Defenders could be considered. Mr. Meredith said that the position of Public Defender is an office within itself. Mr. Marshfield said that he is asking because justices are approaching him with the question.

County Attorney Richard Spinney said that about 50 percent of the money that appears on that line is spent on family court and that's where the biggest problem comes in for a Public Defender. When the larger counties make the decision to go with a Public Defender they also have a Conflicts Office. The county needs to consider if a Public Defender would provide a better service and if there would be a savings.

Mr. Marshfield requested that the committee evaluate the information in order to make a determination to remain the same or hire a Public Defender.

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

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

RESOLUTION NO. 291

**TITLE: 2006 BUDGET AMENDMENT
UNIFIED COURT - JUSTICES**

WHEREAS, there is a need for additional funding to pay for the rental of office space occupied by the Supreme Court Justice; and

WHEREAS, said rent is totally reimbursable by the Unified Court System

THEREFORE, be it resolved that the following budget amendment be authorized:

INCREASE REVENUE

10-11162-43308900	State Other General Gov.	\$2,400.00
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INCREASE APPROPRIATION

10-11162-54565000	Rent	\$2,400.00
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The resolution was seconded by Mr. Woodford and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 292

**TITLE: 2006 BUDGET AMENDMENT
OFFICE FOR THE AGING**

WHEREAS, the Delaware County Office for the Aging has received a \$5,000.00 supplemental grant from the New York State Office for the Aging to support transportation services for the elderly; and

WHEREAS, the Delaware County Office for the Aging has incurred above normal vehicle repair expenses;

THEREFORE, BE IT RESOLVED, that the Office for the Aging be authorized to accept this funding

THEREFORE, BE IT FURTHER RESOLVED, the estimated revenues and appropriations for the year 2006 will be increased as follows:

REVENUES:

10-16772-44477200/6772028/977	Federal Programs for Aging	\$5,000.00
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APPROPRIATIONS:

10-16772-54415080/6772028/977	Maint & Repair Srvcs Vehicles	\$5,000.00
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The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 293

**TITLE: 2006 BUDGET AMENDMENT
OFFICE FOR THE AGING**

WHEREAS, the Delaware County Office for the Aging has received a grant from the A. Lindsey and Olive B. O'Connor Foundation for \$10,000.00 to be used to enhance programs and services for the elderly in Delaware County; and

WHEREAS, the Delaware County Office for the Aging has started a fund to replace the agency's extended van with a smaller, more accessible van;

THEREFORE, BE IT RESOLVED, that the Office for the Aging be authorized to accept this funding

THEREFORE, BE IT FURTHER RESOLVED, the estimated revenues and appropriations for the year 2006 will be increased as follows:

REVENUES:

10-16772-42270602/6772026/977	Grant from NonProfit	\$10,000.00
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APPROPRIATIONS:

10-16772-52200000/6772026/977	Equipment	\$10,000.00
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The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 294

**TITLE: 2006 BUDGET AMENDMENT
PLANNING DEPARTMENT**

WHEREAS, the department is in receipt of revenues of \$23,409.09 from various sources and the revenue will be posted as receipts to the Miscellaneous Planning Revenues account in the County Treasury; and

WHEREAS, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee has agreed that additional funding of appropriations is needed at this time to purchase a vehicle

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

INCREASE REVENUE:

10-18020-41128900 Other General Department Income \$16,600.00

INCREASE APPROPRIATION:

10-18020-52200000 Equipment \$16,600.00

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

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

RESOLUTION NO. 295

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

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

WHEREAS, it was necessary to have mechanics available to handle equipment repairs that occurred as the road and bridge crews repaired the damages; and

WHEREAS, this work caused the Department to exceed its budgeted overtime; and

WHEREAS, there is money remaining in the equipment line in the machinery fund

NOW, THEREFORE, BE IT RESOLVED that the following transfer be made to cover personal services and the associated fringe benefits:

FROM:

26-15130-52200000 Equipment \$26,913.00

TO:

26-15130-51000000 Personal Services \$25,000.00
26-15130-58300000 Social Security Employer Contrib. 1,550.00
26-15130-58900000 Medicare Employer Contrib. 363.00

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

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

RESOLUTION NO. 296

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

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

WHEREAS, it was necessary to for both engineering and administrative staff to work extra hours; and

WHEREAS, due to the work necessary to repair the flood damages significant overtime was required of the field crews; and

WHEREAS, all of this combined has caused the Department to exceed its budgeted overtime; and

WHEREAS, there is money remaining in the health insurance line in the road fund

NOW, THEREFORE, BE IT RESOLVED that the following transfer be made to cover personal services and the associated fringe benefits:

FROM:

24-19060-58600000	Health & Medical Insurance	\$27,451.00
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TO:

24-15010-51000000	Personal Services	2,000.00
24-15020-51000000	Personal Services	3,500.00
24-15110-51000000	Personal Services	20,000.00
24-15010-58300000	Social Security Employer Contrib.	124.00
24-15020-58300000	Social Security Employer Contrib.	217.00
24-15110-58300000	Social Security Employer Contrib.	1,240.00
24-15010-58900000	Medicare Employer Contrib.	29.00
24-15020-58900000	Medicare Employer Contrib.	51.00
24-15110-58900000	Medicare Employer Contrib.	290.00

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

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

RESOLUTION NO. 297

**TITLE: 2006 BUDGET AMENDMENT
SOLID WASTE OPERATIONS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the start up of the Compost Facility has taken significantly more overtime than anticipated during the development of the 2006 budget; and

WHEREAS, there is money remaining in the health insurance line in the solid waste fund

NOW, THEREFORE, BE IT RESOLVED that the following transfer be made to cover personal services and the associated fringe benefits:

FROM:

22-18160-58600000	Health & Medical Insurance	\$26,375.00
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TO:

22-18160-51000000	Personal Services	\$23,000.00
22-18162-51000000	Personal Services	1,500.00
22-18160-58300000	Social Security Employer Contrib.	1,426.00
22-18162-58300000	Social Security Employer Contrib.	93.00
22-18160-58900000	Medicare Employer Contrib.	334.00
22-18162-58900000	Medicare Employer Contrib.	22.00

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. 298

**TITLE: 2006 BUDGET AMENDMENT
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); and

WHEREAS, these repairs caused an increase in overtime creating a deficit in the Department's Capital Road and Bridge Personal Services line and associated fringe benefits

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

INCREASE REVENUE

34-15112-44496000	Federal Emergency Disaster Assistance	\$109,372.40
34-15112-43396000	State Emergency Disaster Assistance	27,343.10

APPROPRIATION ACCOUNT

34-15112-51000000	Personal Services	\$127,000.00
34-15112-58300000	Social Security Employer Contrib.	7,874.00
34-15112-58900000	Medicare Employer Contrib.	1,841.50

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

In answer to Mr. Marshfield, Commissioner of Public Works Wayne Reynolds replied that these funds have not been received. However, a number of blue books have been received.

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

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

RESOLUTION NO. 299

**TITLE: 2006 BUDGET AMENDMENT
FAMILY BASED TREATMENT
MENTAL HEALTH**

WHEREAS, the final state aid allocations for the contracted mental health services provided by Ulster County Mental Health Association, Inc. are increased slightly from the original amounts that were budgeted; and

WHEREAS, the department wishes to provide the maximum amount of state aid to the agency in order to provide services

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

INCREASE APPROPRIATION

101-4314-54458022	Child & Family	\$57.00
101-4314-54458021	RIV Fam Sup/Respitg	230.00

INCREASE REVENUE

101-4314-43349000	State Mental Health	\$57.00
101-4314-43349922	State RIV Fam Support	230.00

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

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

RESOLUTION NO. 300

**TITLE: ASSESSMENT OF THIRD BROOK FLOOD DAMAGE
WATERSHED AFFAIRS**

WHEREAS, the June 26-28, 2006 flood caused severe damage to businesses, municipal infrastructure as well as residential property located within the Third Brook watershed in the town and village of Walton; and

WHEREAS, the destruction was so complete that a watershed wide prioritization is required to implement a prudent fiscal plan; and

WHEREAS, the Town of Walton and the Village of Walton has requested assistance in the form of grant administration from Delaware County; and

WHEREAS, Delaware County has been awarded funding from the Catskill Watershed Corporation for Assessing the Flood Damage in Third Brook in the Village and Town of Walton.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors accept this funding and that the Chairman of the Board of Supervisors be authorized to enter into a contract with the Catskill Watershed Corporation and a subsequent contract for professional services to conduct this work; and

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

INCREASE REVENUE:

10-18741-42270606/8740025/905	Catskill Watershed Corporation	\$7,500.00
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INCREASE APPROPRIATIONS:

10-18741-54327200/8740025/905	Contractual Services	\$7,500.00
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The resolution was seconded by Ms. Molé and Mr. Meredith.

Mr. Meredith said that several businesses and the fire department are located within the

Third Brook watershed and this is area has been a big problem for the town.

Mr. Rowe commented that he is happy for the town of Walton but, said there is no outside help for the town of Hancock. He suggested that the Board take a serious look at funding some kind of county wide stream maintenance program. In reality the damage from the June flood was beyond every towns capability. The towns do not own the streams and are not the ones that regulate them. The town of Hancock is being sued by Friends of the Upper Delaware River (FUDR) for doing what needed to be done to protect life, liberty and private property. The problem is a great deal larger than just Third Brook.

He stated that the Delaware County Soil and Water Conservation (SWC) is applying for a grant from the Department of Environmental Conservation to do stream restoration work and he is appalled that they have gone to FUDR for an endorsement while this group has the intention to sue two towns in Delaware County. He remarked that FUDR is not allowed in his town and neither is SWC as long as they are associating with FUDR.

Chairman Eisel said that he has spoken with Senator Clinton and she is hoping through legislation to get the Army Corps of Engineers to do a region wide study.

Mr. Woodford commented that he also contacted Senator Clinton's office and was told that the Senator is working on the matter.

Mr. Homovich said that in his area environmental groups are putting pressure on the NYSDEC to stop any improvements. The county needs to develop a good solid plan to stop the environmentalists. The stream problem is not going to go away, the county needs to address this issue.

Chairman Eisel said that as a first step contact should be made with NYSDEC Regional Director Steve Schassler of Region 4.

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

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

RESOLUTION NO. 301

TITLE: AUTHORIZATION FOR EXPENDITURES FROM COUNTRYSIDE CARE CENTER'S MEMORIAL FUND

WHEREAS, donations are received by Delaware County Countryside Care Center for the Resident Memorial Fund for the purpose of providing additional items for the residents and their environment that normal funding does not provide, and

WHEREAS, it has been determined that residents would benefit from the following purchases:

- Digital Camera
- Photo Printer
- Microphone and receiver for Auditorium sound system
- Karaoke Machine
- 2 Fondue Pots
- Shuffle Board Set
- Big Foam Feet Set (therapeutic game)

The total of these items will not exceed \$1,278.29, which is the current balance of the Memorial Fund.

THEREFORE, BE IT RESOLVED, that the County Treasurer be authorized to make payment from the facility's Memorial Fund monies toward these purchases.

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. 302

**TITLE: AUTHORIZATION TO ENTER INTO AGREEMENTS
FOR COMPOST AMENDMENTS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department of Public Works has successfully conducted pilot trials using select amendments within the Compost Facility; and

WHEREAS, the use of amendments is approved by the NYSDEC and has no adverse affect on the operation of the Compost Facility or the finished compost product; and

WHEREAS, use of amendments provides benefits in the physical and biological nature of the composting process; and

WHEREAS, the Department of Public Works thoroughly reviews all Compost Facility inputs for environmental safety, regulatory compliance, structural characteristics, and economic viability prior to recommendation to use any select amendment

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board, or his designee, is authorized to enter into agreements with suppliers for select compost amendments.

The resolution was seconded by Mr. Haynes.

Mr. Utter explained the word compost amendments is additives, not manufactured; such as manure, bi-products from a food based industry, materials that don't normally come through the waste stream of the average household.

Mr. Utter provided a brief update on the composting facility. The facility has been running one year. Just recently, there was a planned shut down of eight days for maintenance and overall inspection of the facility. The necessary updates, replacements and improvements have been completed. It was decided that rather than shutting the facility down once a year, it will shut down twice a year, in the spring and summer.

Chairman Eisel remarked that he was speaking with Solid Waste Director Susan McIntyre who told him the county has class one compost.

The resolution was unanimously adopted.

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

RESOLUTION NO. 303

**TITLE: CHANGE ORDER TO PROPOSAL NO. SW5-05 CONTRACT 1G
GENERAL CONSTRUCTION, CELL 6 LANDFILL EXTENSION
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 137 of 2005 authorized the Public Works Department to make award to Marcy Excavating, Inc. for the general construction of landfill Cell 6 at the Delaware County Solid Waste Management Center; and

WHEREAS, Resolution No. 243 of 2005 authorized the Department of Public Works to execute change orders numbered 1 & 2; and

WHEREAS, Resolution No. 54 of 2006 authorized the Department of Public Works to execute change orders numbered 3 & 4; and

WHEREAS, due to changes in plans for the construction landfill cell allowing for improved long term maintenance and reduced operating costs

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works be authorized to execute the change orders No. 5 & 6 totaling a net increase of \$367,005.23 bringing the contract amount to \$2,196,388.72.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes

4806, Noes 0, Absent 0.

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

RESOLUTION NO. 304

**TITLE: CHANGE ORDER NO. 2, 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, Resolution No. 239 of 2006 authorized to the Department to execute Change Order No. 1 representing an increase of \$74,748.00 bringing the contract amount to \$657,748.00; and

WHEREAS, the contractor is unable to complete the work within the contract and has requested an extension of the contract

NOW, THEREFORE, BE IT RESOLVED, that the Department of Public Works is herewith authorized to execute Change Order No. 2 extending the contract completion date at no cost to the County.

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. 305

**TITLE: CORRECTION TO RESOLUTION NO. 171 OF 2006
AWARD OF PROPOSAL 48-06
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 171 of 2006 authorized the Department of Public Works to award Proposal 48-06 New Century Construction; and

WHEREAS, Resolution No. 278 of 2006 authorized the Department of Public Works to execute change orders for the four bridges awarded in the proposal; and

WHEREAS, the department has discovered an error in the bid calculations increasing the award of Proposal 48-06 by the amount of \$10,000.00; and

WHEREAS, New Century Construction would still be the low bidder for the project

NOW, THEREFORE, BE IT RESOLVED, that the Summary Sheet and Change Order No. 1 for Proposal 48-06 be revised to reflect the correct award amount for Bridge 37.

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. 306

**TITLE: CORRECTION TO RESOLUTION NO. 171 OF 2006
AWARD OF PROPOSAL 49-06
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 171 of 2006 authorized the Department of Public Works to award Proposal 49-06 New Century Construction; and

WHEREAS, the department has discovered an error in the bid calculations decreasing the award of Proposal 49-06 by the amount of \$24,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Summary Sheet for Proposal 49-06 be revised to reflect the correct award amount for Bridge 174.

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

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

RESOLUTION NO. 307

**TITLE: AUTHORIZATION TO ACQUIRE RIGHT OF WAY
FOR BRIDGE 9 RECONSTRUCTION
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, County Bridge #9, BIN 335273, Harvard Road over the East Branch of the Delaware River in the Town of Hancock is in need of reconstruction; and

WHEREAS, Resolution No. 163 of 2005 authorized the Department of Public Works to enter into an agreement with the NYSDOT for Federal funding for the replacement of the bridge; and

WHEREAS, the Department of Public Works has developed plans for the new bridge to

be constructed on top of the existing substructure elements with minor improvements to the wingwalls and scour protection; and

WHEREAS, the County has been unable to acquire the required land by purchase as provided for under Section 118 of the Highway Law; and

WHEREAS, purchase of said land would be de minimus pursuant to Section 206(D) of the Eminent Domain Procedure Law

NOW, THEREFORE, BE IT RESOLVED, that the County Attorney is herewith authorized to proceed with the acquisition of the necessary property and easements in accordance with the Eminent Domain Procedure Law.

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

Mr. Utter said eminent domain is necessary due to the absolute refusal from one of three owners of the properties that this bridge sits on. He said this property owner is not a full time resident and lives in South Africa.

Mr. Rowe commented that he understands the Board's position on eminent domain because of what happened with the New York City Watershed. He said that the Department of Public Works has tried to work with this individual but, he is being unreasonable. In his opinion, eminent domain is justified.

Chairman Eisel said that in this case, eminent domain is for the public good. This property owner just doesn't want traffic by his house. The county is taking a very small piece of land and this bridge needs to be open.

In answer to Mr. Valente, Mr. Spinney said that the eminent domain process could take several months.

The resolution was unanimously adopted.

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

RESOLUTION NO. 308

**TITLE: STIPULATION WITH VILLAGES IN
TAX FORECLOSURE PROCEEDING
TREASURER'S OFFICE**

WHEREAS, the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said

proceeding is returnable before the New York State Supreme Court Delaware County, February 16, 2007; and

WHEREAS, said proceeding effects tax liens of both the County and several villages of Delaware County

NOW, THEREFORE, BE IT RESOLVED the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the County will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "Notice of Stipulation."

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

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

RESOLUTION NO. 309

**TITLE: AUTHORIZATION FOR CHAIRMAN OF THE BOARD
TO ENTER INTO AN AGREEMENT WITH PDS
PERSONNEL DEPARTMENT**

WHEREAS, the current version of the County's payroll system, Vista 2.4, will no longer be supported after September 2007; and

WHEREAS, the Delaware County 2007 budget includes funding for upgrading Vista 2.4 to Vista 3.2 in order for the continuance of technical support; and

WHEREAS, a Statement of Work has been received from PDS for the upgrade, and said Statement of Work has been reviewed by the Personnel Officer, IT Director and County Attorney, which includes among other things a stipulation that no payment for services will be invoiced nor paid until after January 1, 2007; and

WHEREAS, in order to begin conversion to version 3.2 as soon after the first of the year as possible, hardware and software must be in place prior to January 1, 2007; and

WHEREAS, it is necessary to execute the Statement of Work prior to any set up taking place.

THEREFORE, BE IT RESOLVED that the Chairman of the Board is authorized to sign the Statement of Work between PDS and the County of Delaware relating to a Vista upgrade Implementation Project.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Mrs. Taber said the total cost of the upgrade is \$75,000, \$35,000 for the actual upgrade and \$40,000 to make it compatible with USL.

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

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

RESOLUTION NO. 310

TITLE: AUTHORIZATION AND COMMITMENT OF IN-KIND PERSONAL SERVICES - NYS QUALITY COMMUNITIES GRANT PROGRAM ECONOMIC DEVELOPMENT

WHEREAS, the New York State Department of State is accepting applications from eligible communities to compete for funds available through the 2006-2007 funding round of the Quality Communities Grant Initiative; and

WHEREAS, through this application the Delaware County Department of Economic Development and the Local Development Corporation will seek to establish a countywide “Community Center Program” to strengthen existing businesses while recruiting compatible new businesses and new economic uses to the community center by identifying, analyzing and promoting unique market opportunities in the villages and hamlets of Delaware County; and

WHEREAS, this project has been developed in coordination with Delaware County’s long-term economic development strategy of seeking to promote the redevelopment of main street districts as a method of promoting new economic development opportunities and jobs that is consistent with the environmental stewardship of the New York City West of Hudson Watershed; and

WHEREAS, the Delaware County Local Development Corporation has a proven track record in providing small businesses within Delaware County with financial assistance and business development services and will assume the role as lead applicant.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby authorizes the Department of Economic Development to submit a joint application for funding under the NYS Quality Communities Initiative and commits such budgetary resources of the Department as outlined in the application.

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

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

RESOLUTION NO. 311

**TITLE: FOUR DAY WORK WEEK
SHERIFF'S OFFICE**

WHEREAS, by Resolution No. 289 of October 27, 1999, the Board of Supervisors approved an agreement with the Delaware County Deputy Sheriff's Police Benevolent Association regarding a four-day work week for the Sheriff's Office personnel assigned to road patrol; and

WHEREAS, said agreement provides for an annual vote by employees assigned to a four-day work week and the Board in order to continue the four-day work week in the following year; and

WHEREAS, Sheriff's Office employees participating in the four-day work week have voted in favor of continuing the four-day work week; and

WHEREAS, the Sheriff and the Public Safety Committee recommend that the four-day work week continue through 2007.

THEREFORE, BE IT RESOLVED that continuation of said four-day work week until December 31, 2007 is hereby approved.

The resolution was seconded by Mr. DuMond.

Mr. Marshfield questioned if the amount of dollars spent in excess for overtime this year indicates that the four day work week may not be effective. Sheriff Mills answered that he believed that it is necessary to continue with a four day work week.

In answer to Chairman Eisel, Sheriff Mills replied he sees the four day work week as a way of reducing overtime and providing better service throughout the county.

Mr. Ryan commented that most of the overtime is on the corrections side.

Mr. Marshfield said that \$100,000 has been spent on patrols. Sheriff Mills explained that of the \$100,000 spent in overtime on patrols, \$78,000 resulted from the flood.

Mr. Marshfield requested that the department track the use of overtime closer this year.

The resolution was unanimously adopted.

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

RESOLUTION NO. 312

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
SHERIFF'S OFFICE**

WHEREAS, Resolution No. 269-1990 prohibited County employees from holding more than one County position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

WHEREAS, the Sheriff's Office is experiencing difficulties in recruiting deputies, dispatchers, registered nurses and correction officers; and

WHEREAS, from time to time employees in other County departments are willing to work on a per hour, as needed basis in the Sheriff's Office.

THEREFORE, BE IT RESOLVED that Resolution No. 269 is hereby temporarily waived until December 31, 2007 for County employees who are willing to work on a per hour, as needed basis in the Sheriff's Office.

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

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

RESOLUTION NO. 313

**TITLE: LEVY OF TAXES FOR SPECIAL DISTRICTS,
HIGHWAYS AND GENERAL OUTSIDE OF VILLAGE**

WHEREAS there has been presented to the Board of Supervisors a duly certified copy of the annual budget of each of the several towns of Delaware County for the fiscal year beginning January 1, 2007;

RESOLVED that there shall be and hereby is assessed and levied upon and collected from the taxable property situated wholly or partially therein the amounts indicated below for the Highway Outside Village and General Outside Village purposes as specified in the budgets of the respective towns:

TOWN	HIGHWAY OUTSIDE VILLAGE	GENERAL OUTSIDE VILLAGE
Delhi	\$369,872.00	\$56,875.00
Deposit	\$180,605.00	\$19,211.00
Franklin	\$332,900.00	\$31,945.00
Hancock	\$600,000.00	\$38,000.00
Harpersfield	\$341,152.00	\$30,472.00
Middletown	\$652,464.00	\$43,404.00
Sidney	\$205,500.00	\$9,986.00
Stamford	\$188,970.00	\$25,671.00
Walton	\$456,250.00	\$37,670.00

FURTHER RESOLVED that there shall be and hereby is assessed and levied upon and collected from the real property liable therefore within the respective budgets:

ANDES

Andes Joint Fire District	\$192,070.00
Arena Fire District	\$11,304.09

BOVINA

Bovina Center Light District	\$2,650.00
Bovina Rural Fire District	\$103,350.00

COLCHESTER

Downsville Light District	\$10,000.00
Downsville Fire District	\$206,730.22
Beaverkill Valley Fire District	\$325.11
Colchester Fire Protection District	\$8,100.00

DAVENPORT

East Meredith Fire District	\$90,343.67
Davenport Fire District	\$39,637.06
Davenport Light District	\$2,000.00
Davenport Center Light District	\$2,900.00
West Davenport Light District	\$1,600.00

DELHI

Delhi Rural Fire District	\$127,152.55
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DEPOSIT

Deposit Fire and Ambulance	\$91,620.00
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FRANKLIN

Treadwell Light District	\$2,982.50
Treadwell Water District	\$10,900.00
Franklin-Treadwell Fire District	\$171,047.95
Delhi Rural Fire District	\$490.89

HAMDEN

Hamden Light District	\$2,900.00
DeLancey Light District	\$1,800.00
Delhi Fire District	\$597.43
Walton Fire and Protection	\$17,630.00
Downsville Fire Protection	\$3,500.00
Delhi Fire Protection	\$53,435.53
Downsville Fire District	\$3,989.78

HANCOCK

Cadosia Light District	\$2,900.00
East Branch Light District	\$4,800.00
East Branch Fire District	\$75,000.00
Fish's Eddy Light District	\$3,500.00
Hancock Rural Fire District	\$89,509.67
Long Eddy Fire District	\$22,934.17
Upper Del. Valley Volunteer Ambulance Corp. Dist.	\$440.39

HARPERSFIELD

Stamford Fire District	\$37,398.69
Hobart Fire District	\$5,451.31
Davenport Fire District	\$10,500.09
North Harpersfield Fire Protection	\$36,000.00
North Harpersfield Light District	\$2,000.00
KORTRIGHT	
Kortright Fire District	\$50,760.01
Bloomville Light District	\$3,538.44
Stamford Fire District	\$6,082.19
Hobart Rural Fire District	\$8,944.74
East Meredith Fire District	\$3,132.11
Davenport Fire District	\$6,973.34
MASONVILLE	
Masonville Fire District	\$59,250.00
Masonville Light District	\$3,200.00
MEREDITH	
East Meredith Light District	\$1,300.00
Delhi Fire District	\$31,643.00
Meredith Square Light District	\$600.00
Franklin-Treadwell Fire District	\$21,903.87
Meridale Rural Fire District	\$50,500.00
East Meredith Fire District	\$16,636.22
Meridale Light District	\$1,400.00
MIDDLETOWN	
Halcottsville Light District	\$1,420.00
Arena Fire District	\$14,411.88
Arkville Light District	\$8,365.00
Arkville Water District	\$33,566.00
New Kingston Light District	\$753.00
Arkville Fire District	\$27,040.00
Fire District No. 1	\$44,324.00
Middletown-Hardenburgh Fire District	\$222,687.71
ROXBURY	

Roxbury Fire District	\$115,645.00
Roxbury Light District	\$13,896.00
Roxbury Water District	\$17,035.00
Grand Gorge Fire District	\$150,875.00
Grand Gorge Light District	\$11,934.00
Grand Gorge Water District	\$54,375.00
Middletown/Hardenburgh Fire District	\$5,928.94
Roxbury Run Light District	\$2,810.00
Roxbury Sewer District (unit charge)	\$33,136.55
Denver Sewer District	\$14,211.00
Denver Sewer District (unit charge)	\$71,939.00
Denver Water District	\$23,635.00
SIDNEY	
Consolidated Health District	\$3,300.00
Sidney Center Light District	\$5,900.00
Sidney Center Fire District	\$59,031.00
Sidney Fire Protection District	\$43,950.00
STAMFORD	
Stamford Fire District	\$7,804.32
South Kortright Fire District	\$4,000.00
Hobart Fire District	\$30,603.95
Kortright Fire District	\$5,990.99
South Kortright Light District	\$980.00
TOMPKINS	
Tompkins Fire District	\$78,793.00
Hancock Rural Fire District	\$12,917.73
WALTON	
Walton Fire District	\$294,258.00

FURTHER RESOLVED that the amounts to be raised by tax for all other purposes, as specified in the annual budgets as presented to the Board and which are on file in the office of the Clerk of the Board, are hereby assessed and levied upon and collected from all of the taxable property in the towns as enumerated below, except as otherwise provided by law; namely:

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY</u> <u>TOWNWIDE</u>
Andes	\$438,400.00	\$569,082.00
Bovina	\$156,310.00	\$325,058.00
Colchester	\$661,280.00	\$1,103,000.00
Davenport	\$183,540.00	\$453,200.00
Delhi	\$300,501.00	\$330,702.00
Deposit	\$182,713.00	\$249,605.00
Franklin	\$130,435.00	\$369,900.00
Hamden	\$100,211.00	\$415,148.00
Hancock	\$410,000.00	\$605,000.00
Harpersfield	\$211,227.00	\$94,566.00
Kortright	\$184,471.00	\$439,800.83
Masonville	\$93,045.00	\$266,412.00
Meredith	\$121,515.00	\$589,200.00
Middletown	\$526,148.00	\$867,843.00
Roxbury	\$691,497.00	\$1,600,613.00
Sidney	\$295,457.00	\$262,175.00
Stamford	\$178,731.00	\$176,030.00
Tompkins	\$145,000.00	\$513,000.00
Walton	\$204,579.00	\$507,550.00

The resolution was seconded by Ms. Molé and unanimously adopted.

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

RESOLUTION NO. 314

**TITLE: LEVY OF COUNTY TAX, EXTENSION OF ROLL,
WARRANTS FOR SAME**

RESOLVED, that the sum of \$23,108,870.00 be levied against the taxable property of the County of Delaware and the same be credited by the County Treasurer to the objects specified in the Appropriation Resolution; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors be and hereby is directed to extend the tax according to this resolution on the tax rolls of the several towns and that, when the same have been extended, the various rolls of the several towns shall become the tax rolls thereof.

BE IT FURTHER RESOLVED that the several tax rolls, when completed in accordance with the direction of the Board and the several warrants are signed for the collection of taxes by the Chairman and the Clerk of the Board to bear the date of December 28, 2006, the taxes be returnable the second day of April, 2007 and that the County Treasurer of the County of Delaware be and hereby is authorized to extend the time of collection in any town not beyond the first day of June 2007, upon the collector's complying with the statute thereto.

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

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

RESOLUTION NO. 315

**TITLE: AUTHORIZING THE CLERK OF THE BOARD OF SUPERVISORS TO
CAUSE TO BE PRINTED A SUMMARY OF ABSTRACT OF THE TOWN BUDGETS**

WHEREAS, Section 115 of the Town Law requires that the budgets of the respective towns for each year be printed in the Proceedings of the Board of Supervisors; and

WHEREAS, said section authorizes the Clerk of the Board of Supervisors to cause to be printed a summary or abstract of each budget;

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board be and hereby is authorized and directed to cause to be printed in the Proceedings of this Board a summary or

abstract of the budgets of the respective towns in this County in such form as the State Comptroller shall prescribe.

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

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

RESOLUTION NO. 316

TITLE: CALLING ORGANIZATIONAL MEETING

RESOLVED that pursuant to Section 151 [1] of the County Law and Rule 1 of the Delaware County Board of Supervisors, the organizational meeting of the Board of Supervisors shall be held on January 3, 2007 at 1:00 P.M. in the Supervisors' Room of the County Office Building, Delhi, New York.

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

Mr. Smith withdrew Resolution No. 317 entitled: 2007 Board of Supervisors Meeting Schedule. The resolution was reintroduced after recess.

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

Mr. Smith reintroduced Resolution No. 317 and moved its adoption:

RESOLUTION NO. 317

TITLE: 2007 BOARD OF SUPERVISORS MEETING SCHEDULE

WHEREAS, in accordance to Rule 2 of the Rules of the Delaware County Board of Supervisors, Board Meeting dates are annually designated in December each year for the following year;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors meetings will be held on the dates and times as stated below.

January 3, 2007	- 1:00 P.M.	January 24, 2007	- 1:00 P.M.
February 21, 2007	- 1:00 P.M.		
March 14, 2007	- 1:00 P.M.	March 28, 2007	- 1:00 P.M.
April 11, 2007	- 1:00 P.M.	April 25, 2007	- 1:00 P.M.
May 9, 2007	- 7:00 P.M.	May 23, 2007	- 1:00 P.M.
June 20, 2007	- 7:00 P.M.		
July 18, 2007	- 7:00 P.M.		
August 22, 2007	- 7:00 P.M.		
September 12, 2007	- 7:00 P.M.	September 26, 2007	- 1:00 P.M.
October 10, 2007	- 1:00 P.M.	October 24, 2007	- 1:00 P.M.
November 14, 2007	- 1:00 P.M.	November 28, 2007	- 1:00 P.M.
December 12, 2007	- 1:00 P.M.		

The resolution was seconded by Mr. Maddalone and Mr. Utter 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. 318

**TITLE: 2006 BUDGET AMENDMENT
RECEIPT OF GRANT FOR CARDIOPULMONARY RESUSCITATION INITIATIVE
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the Office of Rural Health has awarded a grant to Delaware County Emergency Medical Services in the amount of \$10,000.00 for Cardiopulmonary Resuscitation initiative; and

WHEREAS, Community health education on cardiopulmonary resuscitation (CPR) saves lives, engages the population in cardiovascular disease prevention and intervention, and facilitates improved quality outcomes among emergency medical service providers and hospitals;

and

WHEREAS, recent changes to American Heart Association CPR guidelines necessitate re-education among those previously trained in CPR; and

WHEREAS, no expenses will be paid until grant money is secured

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

REVENUE ACCOUNT:

10-14189-43340100	State Public Health	\$10,000.00
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APPROPRIATION ACCOUNT:

10-14189-54615000	Training	\$10,000.00
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The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

RESOLUTION NO. 319

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

WHEREAS, there is a need for additional funding in the personnel services accounts for the Sheriff's Department and the Jail account; and

WHEREAS, the anticipated revenues for charges and boarding in of prisoners has exceeded the budgeted amounts; and

WHEREAS, a transfer from the Contingency Account is also needed

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

INCREASE REVENUE

10-13150-41152500	Prisoner Charges	\$ 3,000.00
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10-13150-42226400	Jail Facilities Services	\$219,000.00
<u>TRANSFER FROM</u>		
10-11990-54900000	Contingency	\$ 13,000.00
<u>INCREASE APPROPRIATIONS</u>		
10-13110-51000000	Personnel Services - Sheriff	\$100,000.00
10-13150-5110000	Personnel Services - Jail	\$135,000.00

The resolution was seconded by Mr. Maddalone and 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. 320

TITLE: YEAR END ACCOUNTING MODIFICATIONS TO THE 2006 BUDGET

WHEREAS, there are many bookkeeping entries that are needed to close out the books for 2006; and

WHEREAS, there will be no increase in the actual spending, just a balancing of accounts between Personal Services, Equipment, Contractual, Employee Benefits and Undistributed Employee Benefits; and

WHEREAS, an accounting of all transactions will be represented to the Board of Supervisors upon completion of the annual report

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors authorizes the Fiscal Affairs Department to make the necessary adjustments to the 2006 Budget and to file a written report to the Finance Committee before the books for 2006 are actually closed.

The resolution was seconded by Mr. Rowe and Mr. Marshfield and unanimously adopted.

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

RESOLUTION NO. 321

**TITLE: LEVYING OF RETURNED SCHOOL TAXES-2006-2007
TREASURER'S OFFICE**

WHEREAS, the Board of Trustees of the Board of Education of the several school districts of Delaware County have transmitted to the County Treasurer the several amounts of unpaid school taxes, duly verified and certified as provided by the Real Property Tax Law, §1330;

RESOLVED that, pursuant to §1330 of the Real Property Tax Law, there shall be and hereby is assessed and levied upon and collected from the lands of the several towns as listed herewith, upon which the same were imposed, the amounts of said returned school taxes as certified, with seven percentum thereon in addition as follows:

<u>TOWN</u>	<u>TAX</u>	<u>7% PENALTY</u>	<u>TOTAL TAX RELEVIED</u>
Andes	\$164,095.58	\$11,486.62	\$175,582.20
Bovina	136,897.74	9,582.84	146,480.58
Colchester	192,897.41	13,502.83	206,400.24
Davenport	211,556.70	14,809.04	226,365.74
Delhi	200,423.22	14,029.58	214,452.80
Deposit	134,176.17	9,392.42	143,568.59
Franklin	232,416.17	16,269.06	248,685.23
Hamden	139,342.71	9,754.06	149,096.77
Hancock	440,205.32	30,814.15	471,019.47
Harpersfield	193,639.69	13,554.69	207,194.38
Kortright	203,247.10	14,227.36	217,474.46
Masonville	142,888.58	10,002.20	152,890.78
Meredith	164,034.15	11,482.40	175,516.55
Middletown	425,430.58	29,780.06	455,210.64
Roxbury	346,731.13	24,271.30	371,002.43
Sidney	369,923.88	25,894.73	395,818.61
Stamford	170,134.06	11,909.42	182,043.48
Tompkins	99,911.05	6,993.78	106,904.83
Walton	\$263,029.73	18,412.10	\$281,441.83
TOTALS	\$4,230,980.97	\$296,168.64	\$4,527,149.61

The resolution was seconded by Mr. Marshfield.

In answer to Mr. Marshfield, Treasurer Beverly Shields said that the school tax levy is up about \$50,000.

The resolution was unanimously adopted.

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

RESOLUTION NO. 322

**TITLE: AUTHORIZATION OF FOUR DAY WORK WEEK
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 55 of 1993, as modified, authorizes a four ten hour per day work week in the Public Works Department which is subject to annual approval by the County and Public Works employees,

NOW THEREFORE BE IT RESOLVED, that subject to approval of the Public Works employees, four day work schedules for 2007 are hereby approved in the Public Works Department as follows:

- 1.) January 1 to April 7, 2007: Bridge Crews only.
- 2.) April 22 to September 8, 2007: All Public Works employees, except those employees specifically excluded from the four day work week by agreement with the union, ie. landfill employees, certain engineering staff, etc.
- 3.) November 18 to December 31, 2007: Bridge Crews only.

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

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

RESOLUTION NO. 323

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,209,102.97 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	\$1,127,814.78
Countryside Care Center	\$233,640.85
Jail	\$70,869.60
OET	\$15,320.88
Highway Audits, as Follows:	
Road	\$17,610.95
Machinery	\$59,632.16
Capital Road & Bridge	\$1,024,931.69
Capital Solid Waste	\$17,040.34
Solid Waste/Landfill	\$89,887.83

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

Chairman Eisel made the following appointments to the IDA Board of Directors:

Walter Rich
George Bergleitner

Chairman Eisel wished everyone a Merry Christmas and a prosperous New Year.

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

RESOLUTION NO. 324

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 Mr. Haynes and unanimously adopted.

The meeting reconvened in regular session with all Supervisors present

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

RESOLUTION NO. 325

**TITLE: IMPACT BARGAINING - COUNTRYSIDE CARE CENTER
AMENDMENT TO MEMORANDUM OF AGREEMENT**

WHEREAS, the Board of Supervisors approved a Memorandum of Agreement (MOA) with CSEA for the impact to Countryside Care Center employees as a result of the sale of Countryside Care Center to Leatherstocking Healthcare; and

WHEREAS, the MOA did not include a vacation allowance based on the time the employee worked within the year the sale of Countryside is effective; and

WHEREAS, the sale of Countryside is scheduled for December 21, 2006 and if the sale date were set for 10 days later employees would receive vacation time based on the time they worked in 2006.

THEREFORE, BE IT RESOLVED that if the sale of Countryside to Leatherstocking Healthcare is effective prior to December 31, 2006, the Personnel Officer is authorized to enter into negotiations with CSEA for the purpose of providing current Countryside Care Center employees a pro-rated vacation allowance in the same manner as Article X, §8.M. of the current contract allows for retirees.

The resolution was seconded by Mr. Shelton and adopted by the following vote: Ayes 2765, Noes 2041 (Valente, Bracci, DuMond, Utter, Ryan, Meredith) Absent 0.

Upon a motion, the meeting was adjourned at 3:30 P.M.