

## **REGULAR MEETING**

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

**JANUARY 24, 2007**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, January 24, 2007 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. Woodford led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting were accepted with the following correction to page five. Mr. Marshfield noted that his vote against the resolution presented by the Hamden Town Board is a separate issue from his belief that the County Planning Department acted strictly as an advisor to the town of Hamden.

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 Emergency Services Nelson Delameter who along with 911 Coordinator Steve Finch presented a powerpoint presentation entitled 9-1-1 Past, Present, Future.

Mr. Delameter referenced many of the technological advances that are causing the county to take a serious look at changing the way the county provides 911 emergency services. Currently, our Public Safety Answering Point (PSAP) is at the State Police Troop C Barracks located in Sidney and the administration is located at the Public Safety Building in Delhi, approximately 40 miles apart in distance. The Public Safety Committee and the departments responsible for public safety feel the residents of this county would be better served with the PSAP operated by the county at the Public Safety Building.

Mr. Delameter introduced 911 Coordinator Steve Finch whose presentation briefly discussed the history of emergency services operation pre-911, the current 911 operations and a look at the needs of our county in the future.

Mr. Finch stated in February of 2002 emergency service personnel agreed that 911 was essential for public safety. Committees were formed and policies and procedures were written. At that time, the Sheriff's administration lacked the facility, the staff and finances to

accommodate a 911 center. The New York State Police (NYSP) stepped up and offered their facility, their staff and their services making 911 a reality for Delaware County. Delaware County was the first and only county in New York State to have the county 911 system housed and operated exclusively by the NYSP. Mr. Finch acknowledged with appreciation the job the NYSP has done in handling the county's 911 center. In 2006, the PSAP responded to 17,353 911 emergency calls.

Mr. Finch noted a few of the difficulties he experiences supervising and administrating the PSAP in its current configuration and pointed out that along with growth and development comes issues such as, training, staff shift logistics, and new policy implementation. The future of 911 includes internet protocol based on ability to accept streaming video, text messaging, digital photos, onboard vehicle emergency warning system and reverse 911 emergency notification which will require onsite hands on administration.

The NYSP agree that the 911 system is a function of the county and should be administrated by the county. Deputy Superintendent Technology and Planning Colonel Steve F. Cumoletti and Troop Commander Major Kevin Molinari of Troop C, as well as Division Communications staff have committed to meet the PSAP obligations under the current terms while the county makes its evaluation.

In addition to the current county communications staff, it is estimated that the county would need an additional six full time dispatchers to operate the program. Currently, there is a 911 reserve fund and additional revenue could be raised from the enactment of a wireless 911 surcharge of .30¢ per cell phone.

In conclusion, Mr. Finch pointed out that the departments responsible for ensuring an efficient, effective, and progressive public safety program, the Delaware County Emergency Services, the Sheriff's Department, the Department of Public Health and the Department of Public Works, feel strongly that transferring the 911 center to the Public Safety Facility is in the best interest and is essential to the public safety of our county residents.

In answer to Chairman Eisel, Mr. Finch replied that during the transition period, the NYSP would be the county's back up if the transfer to the Public Safety facility were to take place. Perhaps Otsego county would become our back-up site and if not, another site would be sought.

In reply to Mr. Bracci, Mr. Finch stated that the proposed .30¢ cell phone surcharge would apply only to phones issued in Delaware County. Mr. Delameter pointed out that the billing address is used to determine which county would receive the .30¢ surcharge. Mr. Finch explained that counties currently have a hardline surcharge but, are looking at enacting a wireless surcharge as they are seeing a drastic drop in their hardline surcharge revenue as wireless ability improves.

In answer to Mr. Bracci, Mr. Finch stated that between the revenue from the hardline surcharge and the proposed cell phone surcharge it is felt that two of six full time positions could be offset.

Mr. Homovich commented that years ago he was opposed to shipping the 911 service to the NYSP, adding that he felt the county had a good system under the Sheriff's Office. He expressed concern that the cost of running a 911 facility at the Public Safety Building might be a budget buster and he would like more information before he makes any decisions.

Mr. Maddalone said the primary reason for 911 was to create one three digit number that could be dialed by everyone to get help. He referenced Sidney's old system and stated that he felt it worked great until the people chosen to man the phones no longer wanted to do it. He felt that the county has the perfect solution to the problem by relocating the facility to Delhi and having the county run it.

Mr. Marshfield commented that many of the complaints he heard from the public were received upon start up. He stated he hasn't heard a complaint from the public in years and that, in his opinion, should say something about the job the NYSP are doing. He expressed concern over the fact that the Board is discussing hiring six additional full time people to man a county operated 911 facility while striving to cut county government.

Mr. Maddalone said that the Public Safety Committee receives and addresses 911 concerns regularly, adding in his opinion, having the 911 facility in Delhi would provide better emergency service to the county.

Mr. DuMond stated as a member of the Public Safety Committee he strongly supports this initiative. He thanked the NYSP for stepping up to the plate and pointed out that without them public safety would have definitely been compromised. In his opinion, 911 is a county function, the appropriate thing to do is have the county handle this service with county employees.

Mr. Bachler remarked that he didn't think it was fair to blame the previous Sheriff Office for not wanting the PSAP center at the old jail. In his opinion, the Supervisors should accept part of the blame. He noted that he was on the Public Safety Committee at the time and it was the feeling of the Committee that budgets were tight and we were concerned about the budget. He said things have changed, there is more money now.

Mr. Utter thanked the NYSP for bringing Delaware County into the 21<sup>st</sup> century and for the job they are doing for us. He cited a recent problem in Middletown involving mutual aid and a misunderstanding of the tower operation, adding it was quite a mix up. In his opinion, the public safety of our residents is the number one concern.

Mr. Valente commented that he supports the 911 program but would like to see the .30¢

cell phone surcharge enacted first.

Mr. Bracci stated that he believes it is absolutely essential to have a 911 function in this county and pointed out that we are the only county in the State of New York that is relying on the State Police for the safety of our residents.

Chairman Eisel thanked the NYSP for doing an outstanding job and asked that no criticism be taken from today's comments. He said the NYSP stepped up to the plate and deferred a very large expense for Delaware County.

Chairman Eisel referred the matter to the Budget Oversight and Finance Committees for review as this is a new program not in the budget for 2007 at a cost of approximately a quarter of a million dollars.

Mr. Ryan remarked that if the employees are hired by the Sheriff's Office than Mr. Finch should be under the Sheriff's Office to oversee the PSAP in order to avoid bureaucratic problems.

Chairman Eisel granted privilege of the floor to Mr. Utter who introduced Executive Director of Soil and Water Conservation District (SWCD) Richard Weidenbach.

Mr. Weidenbach, explained that the United States Department of Agriculture Natural Resources Conservation Service (NRCS) is one of several federal departments that work in partnership with the SWCD. In addition to providing technical information the NRCS brings federal dollars to the county through the Emergency Watershed Protection Program (EWP).

In 1986 the EWP brought in \$1.5 million and in 1996, \$3.5 million in emergency disaster funding. In June 2006 the county estimated a need of \$25 million, but as a result of federal disasters the program was unable to provide funding at that time. The opportunity became available on January 16<sup>th</sup> when NRCS advised SWCD that \$11 million of disaster funds had become available. Because the work must be completed in 220 days the towns and county will need to act quickly. Mr. Weidenbach commented that he invited the Town Highway Supervisors to hear the presentation and arranged for a question and answer period after the presentation.

Mr. Weidenbach introduced USDA State Conservation Engineer of NRCS Peter Wright and Mike Clifford who provided an overview of EWP and the opportunity that it presents for Delaware County.

Mr. Wright said that \$11 million dollars of emergency disaster funding is available for Delaware County. He stated EWP's purpose is to restore the Watershed to a stable condition by responding to natural disasters and by relieving the threat of imminent hazards to life and property caused by flooding and erosion. NRCS requires that all projects must be sponsored by a local unit of government.

The presentation detailed the expenses that are eligible and those which are not as well as the emergency work time line, cost share, sponsor responsibilities and the typical process that NRCS requires.

In answer to Mr. Homovich, Mr. Wright confirmed that the town would be required to pay its 25% share up front.

Mr. Weidenbach said that if the towns and county are interested and want to proceed, the first concern should be to identify their sites. SWCD will go to the sites to perform the damage survey reports and if it is determined that the work cannot be completed in the 220 days a request for extension will be made to the NYCDEC Commissioner for permit relief. He noted that the current extension expired on December 31, 2006.

Chairman Eisel asked if it was realistic to think that the work could be completed in the 220 day time frame. Mr. Wright said it would be a challenge. There is the possibility of an extension but, he felt that the towns and county should enter the program with the same sense of urgency experienced in June.

In answer to Chairman Eisel, Mr. Wright said that NRCS must conform to all laws and therefore, would not be able to supersede the NYCDEC permitting process.

In reply to Mr. Valente, Mr. Wright explained that in-kind services could be many things, among them labor, materials and equipment. Mr. Wiedenbach noted that in 1996 with in-kind services and additional federal funding the towns outlay was a wash.

Mr. Shelton said that the town of Tompkins has \$1.5 million worth of damage from the June flood and questioned when the towns would have the time to put their people to work on these jobs. Mr. Wiedenbach acknowledged the difficulties but felt that the NRCS has put an opportunity before us, the towns could either accept it or let it go.

In reply to Mr. Marshfield, Mr. Wiedenbach said the sponsors will determine the priority list of the projects. Mr. Wright said that the final decisions will be made by the NRCS.

In answer to Mr. Ryan , Mr. Wiedenbach stated that Mike Clifton and Peter Wright are the contact persons and SWCD will be assisting in the program.

Mr. Marshfield asked if one town elects not to sponsor a project can another town sponsor the project in the adjoining town. Mr. Wright said only if the town could guarantee the land rights.

Chairman Eisel asked Department of Public Works Commissioner Wayne Reynolds if the county had any infrastructure at risk. Commissioner Reynolds said that the county is finishing up its work with FEMA. There are a few jobs still out there that have some questions as to whether

FEMA is going to accept them.

Mr. Rowe commented on the similarities between FEMA's eligibility and ineligibility lists. He said that in many cases the emergency work needs to be done even before there is an opportunity to apply for funding. He pointed out that the town of Hancock is \$8 million in debt from the last flood.

In reply to Mr. Valente, Mr. Wiedenbach said that he will be working with the Highway Superintendents of each town. If he doesn't hear from a town he will assume that town is not interested.

In response to Mr. Homovich, Mr. Wiedenbach said that engineers will assist SWCD with the damage survey reports. Mr. Wright said that once the cost estimates and sponsors are in place a town could make a request for an engineer if one was needed.

Mr. Wiedenbach said the first step in his opinion is to go out and make an assessment to determine if there is a need.

Mr. Marshfield commented that some projects may be out of the scope of the Town Highway Superintendent and therefore would not be considered as a job that might be eligible. He cited stream erosion problems that may affect the community but, not a town highway.

In response to Mr. Hynes, Mr. Wright said that once the job is complete and the federal form is submitted, a town could expect a reimbursement check within fourteen days.

For Standing Committee Reports, Budget Director John Meredith pointed out that an error of \$243,000 was discovered between the interfund transfers of the General and Road Funds. The State Comptroller's Office was consulted and a correction will be done at the end of the year. The adjustment will not impact the tax levy. He apologized for the clerical error and oversight. He stated he will be changing the format of the budget to prevent this from happening again.

For Standing Committee Reports, Mr. Homovich stated that on January 18<sup>th</sup> the New York State Blue Stone Industry met with the New York City Department of Environmental Protection (NYCDEP). In his opinion, it was a very good meeting with a good exchange about the blue stone business. He felt there is a good possibility that some of their land would be opened up for quarrying. Within a few weeks, the NYCDEP representative will be coming back to look at some of the quarries. He felt that this is a first step toward creating a pilot program.

Chairman Eisel announced that the Delaware River Basin Committee (DRBC) will be coming to Delaware County for a public meeting and presentation on February 8, 2007 at 6:30 P.M. in the Board of Supervisors' room. He encouraged the Supervisors to attend and tell their stories. The DRBC's temporary release program is working and it is our desire that they will

adopt this program at their annual meeting in May of 2007.

Chairman Eisel announced that all Standing Committees will remain the same and that on each Supervisors' desk is the 2007 Supervisor's card reflecting the committee assignments.

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

**RESOLUTION NO. 21**

**TITLE: 2007 BUDGET AMENDMENT  
STATE HOMELAND SPONSORED SECURITY PROGRAM  
SHERIFF'S OFFICE**

**WHEREAS**, the New York State Division of Criminal Justice Services, under the guidelines of the State Homeland Security Program, has announced the availability of a grant which will subsidize 100 percent of the cost of purchasing in-car/portable video camera systems for our road patrol vehicles; and

**WHEREAS**, application for this grant has been made and when awarded, the county will receive a grant in the amount of \$19,600.00; and

**WHEREAS**, this grant will accomplish the installation of video cameras in our patrol vehicles, for the purpose of transmitting data and images for comparison with state records, suspect files etc.; and

**WHEREAS**, this grant will also accomplish the installation of video cameras in our vehicles, which practice is widely utilized for providing an accurate, unbiased accounting of events that have transpired during routine traffic stops, and other miscellaneous law enforcement investigations.

**THEREFORE, BE IT RESOLVED** that the Sheriff's Office be authorized to accept the grant funding as described above and that the 2007 budget be amended to established the following accounts:

**ESTIMATED REVENUE:**

10-13110-43330500/3110024/907	State Homeland Security Program	\$19,600.00
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**APPROPRIATION:**

10-13110-52200001/3110024/907	Video Cameras	\$19,600.00
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The resolution was seconded by Mr. Utter.

In answer to Mr. Marshfield, Sheriff Mills said training will be performed by the

manufacturer of the units and the expected life of the units are three to four years.

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

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

**RESOLUTION NO. 22**

**TITLE: 2007 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING  
STATE DISASTER RELIEF PROGRAM**

**WHEREAS**, Resolution No. 180 of 2006 authorized Delaware County to apply for grant funding through the New York State Governor's Office for Small Cities under the Community Development Block Grant program for disaster recovery assistance (Grant #3171T198-06); and

**WHEREAS**, Resolution No. 19 of 2007 authorized an amendment to the grant application and said amendment was approved

**NOW, THEREFORE BE IT RESOLVED** that the Delaware County Board of Supervisors accept this funding; and

**BE IT FURTHER RESOLVED** that the 2007 budget be modified as follows:

**ESTABLISH REVENUE:**

10-18989-43378500	Grant for Disaster Assistance	\$250,000.00
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**ESTABLISH APPROPRIATIONS:**

10-18989-54200012	Contractual Services - Delaware Opportunities	\$250,000.00
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The resolution was seconded by Mr. DuMond.

In reply to Mr. Meredith, Mr. Maddalone said this program will be administrated by Delaware Opportunities, Inc. and will be similar to their weatherization program.

Chairman Eisel added the grant will be used to help the public who have been affected by the June flood.

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

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



**RESOLUTION NO. 23**

**TITLE: 2007 BUDGET AMENDMENT  
BUCKLE UP NEW YORK (BUNY) GRANT (PT-1300142)  
STOP-DWI - TRAFFIC CONTROL**

**WHEREAS**, the STOP-DWI Program has been awarded a block grant to sponsor a highway safety program geared at encouraging motorists to use their seatbelts; and

**WHEREAS**, the Delaware County Sheriff and Sidney Police Department have agreed to participate in the BUNY program; and

**WHEREAS**, participation in the program will result in the award of \$6,000.00 to be used to pay the salaries of the participating officers during the program year October 1, 2006 through September 30, 2007.

**NOW, THEREFORE BE IT RESOLVED** that the 2007 budget be modified as follows:

**ESTABLISH REVENUE:**

10-13310-43338900/3310142/903	State Otr. Public Safety	\$6,000.00
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**ESTABLISH APPROPRIATIONS:**

10-13310-51327000/3310142/903	Personal Services Expense	\$3,000.00
10-13310-54327494/3310142/903	Patrols-Grants	\$3,000.00

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

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

**RESOLUTION NO. 24**

**TITLE: 2007 BUDGET AMENDMENT  
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT  
(PT-1300152)  
STOP-DWI - TRAFFIC CONTROL**

**WHEREAS**, the STOP-DWI Program has been awarded a block grant to sponsor a highway safety program geared toward reducing aggressive driving and speeding; and

**WHEREAS**, the Delaware County Sheriff, Sidney Police Department and Walton Police Department have agreed to participate in the STEP grant; and

**WHEREAS**, participation in the program will result in the award of \$17,500.00 to be used to pay the salaries of the participating officers during the program year October 1, 2006 through September 30, 2007.

**NOW THEREFORE BE IT RESOLVED** that the 2007 budget be modified as follows:

**ESTABLISH REVENUE:**

10-13310-43338900/3310152/903	State Otr. Public Safety	\$17,500.00
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**ESTABLISH APPROPRIATIONS:**

10-13310-51327000/3310152/903	Personal Services Expense	\$12,000.00
10-13310-54327494/3310152/903	Patrols-Grants	5,500.00

The resolution was seconded by Mr. DuMond.

In answer to Mr. Marshfield, STOP-DWI Coordinator Lisa Barrows explained that the State fiscal year does not run concurrently with the County's. The State funded grant spans two years beginning October 1<sup>st</sup> running through September 30<sup>th</sup>.

Ms. Barrows replied in answer to Chairman Eisel, that the Selective Traffic Enforcement Program (STEP) covers the overtime wages incurred by officers of participating Block Grant awarded agencies. This may include setting up road blocks, saturation patrols, aggressive driving, drunk driving and underage stings and bar checks

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

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

**RESOLUTION NO. 25**

**TITLE: 2007 BUDGET AMENDMENT  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, the Delaware County Department of Emergency Services has received two (2) member item grants. One from Assemblyman Clifford Crouch for \$5,000.00 and one from Senator John Bonacic for \$10,000.00 for the purchase of equipment

**THEREFORE, BE IT RESOLVED**, that the Delaware County Department of Emergency Services be authorized to accept this funding and that the 2007 budget be amended as follows:

**INCREASE REVENUE ACCOUNT:**

10-13640-43338900	State Otr Public Safety	\$15,000.00
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Mr. Delameter answered in reply to Mr. Marshfield, that several requests for bids were sent out, two bids were received and KJBL Electronics, Inc. was the lowest bidder.

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. 28**

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

**LETTING OF JANUARY 10, 2007**

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. 24-07      Truck Mounted Telescopic Boom Excavator to:

Vantage Equipment  
5895 Court Street Road  
Syracuse, NY 13206

Bid Price:      \$186,000.00 (Option II without trade)

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.

In reply to Mr. Meredith, Mr. Utter said that it was decided not to go with a trade-in because the equipment is worth more to DPW than the trade-in.

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. 29**

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

**LETTING OF JANUARY 17, 2007**

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. SW1-07 to: Cobleskill Stone Products, Inc.  
PO Box 220  
Cobleskill, NY 12043

Bid Price: See Summary Sheet

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

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

In answer to Mr. Meredith, Commissioner of Public Works Wayne Reynolds stated that the towns may participate in the bid.

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. 30**

**TITLE: CHANGE ORDER NO. 1, PROPOSAL NO. 54-06  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 221 of 2006 authorized the Department of Public Works to make award of Proposal No. 54-06 to F.P. Kane Construction, Inc. for Emergency Flood Repairs on County Route 17 in the Town of Colchester; and

**WHEREAS**, the quantities of work performed on the project were different from the estimated quantities included in the contract documents; and

**WHEREAS**, the work on the project is complete and a final tabulation of the quantities has been made.

**NOW, THEREFORE, BE IT RESOLVED**, that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No 54-06 in the amount of (\$140,824.72) decreasing the total project cost to \$616,175.28.

The resolution was seconded by Mr. Woodford.

Mr. Utter explained that this change order represents an over estimate on the amount of rock that was expected to be used to stabilize the bank, only 75 percent of what was estimated in the original proposal was used.

In answer to Chairman Eisel, Mr. Utter stated this was a FEMA project.

The resolution was unanimously adopted.

Mr. Donnelly offered the following resolution

### **RESOLUTION NO. 31**

#### **TITLE: DELEGATION OF TAX CORRECTION OFFICIAL REAL PROPERTY TAX SERVICES**

**WHEREAS**, Real Property Tax Law provides for the annual delegation to an official, the authority to correct tax rolls and authorize refunds of a sum not to exceed \$2,500.00; and

**WHEREAS**, said authority directs procedural disposition and monthly reporting of corrections processed to the Board of Supervisors; and

**WHEREAS**, the administration of corrections will proceed in appropriate compliance of statutorily established time lines

**BE IT RESOLVED** that Michael Sabansky, Director of Real Property Services be delegated as the official to authorize corrections as provided in section 556(9)(a) of the Real Property Tax Law.

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

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

**RESOLUTION NO. 32**

**TITLE: PURCHASE OF SERVICE CONTRACTS FOR 2007  
PUBLIC HEALTH NURSING**

**WHEREAS** the Delaware County Public Health Nursing Service has been contracting with the following agencies during the year 2006:

**PURCHASE OF SERVICES:**

AO Fox Hospital for physical therapy  
Lizbeth Bonacum for physical therapy  
Patricia Cleary for physical therapy services  
Joann Currie for physical therapy services  
Delaware Valley Hospital for physical therapy  
Allison Sherwood for physical therapy services  
O'Connor Hospital for physical therapy  
Theresa Sullivan-Steitz for DBA TMSPT services  
Jeanne Keahon for medical social work services  
Mary McDowell for medical social work services  
Dr. William Benedict for speech language pathology services  
Brenda Geerher-Todd for speech language pathology services  
Gene Homer for speech language pathology services  
Jennifer Kollig for speech language pathology services  
Katherine Reich for speech language pathology services  
Kristen Figary for occupational therapy services  
Krzystof Madej for physical therapy services  
Linda Noble for occupational therapy services  
Dorothy Haney for registered dietitian services  
Linda Brennen for speech language pathology services  
Carrie Ann Charpinsky for speech language pathology services  
David Rissberger for physical therapy services  
John Pasquale for physical therapy services  
LaRae Grosso for medical social work services  
Robin Malone for physical therapy services  
Jeremy Pain for physical therapy services  
Laurie Freeman for medical social work services  
SECO, PT & OT, PLLC for physical therapy services  
Gail Lennstrom for physical therapy services  
Emily Marlin for medical social work services  
Brian Riter for occupational therapy services  
Melinda Small for occupational therapy services  
Elizabeth Kelly for physical therapy services

Nancy McGraw for social work services  
Phyllis-Ann Walsh for social work services; and

**WHEREAS** the agency has been contracting with the following agencies or consultants at an annually negotiated rate,

**HEALTH AIDE AGENCY CONTRACTS:**

US Care Systems for aide services  
Robynwood for aide services  
Family Home Care for aide services

**MISCELLANEOUS CONTRACTS:**

Barry Warren for consultant services  
Dawn Paulsen for healthcare compliance and HIPAA  
Delaware County Department of Social Services for OLTC Case Managers  
Delaware County Sheriff's Department for answering service  
Dr. Riaz Lone for Medical Advisor of Agency/PHCP  
Dr. Gary Preiser for Medical Director of Agency/PHCP  
Emergency Medical Services  
Planned Parenthood  
Delaware Valley Medical Supply  
Delhi Animal Hospital  
Joan Puritz (vet)  
Leigh Wilcox (vet)  
John Fairburn Jr, (vet)  
Dawn Dutka (vet)  
Delaware Opportunities- Child Passenger Safety  
McCarthy & Conlon, LLP, CPA Consulting Firm

**THEREFORE, BE IT RESOLVED** that the Delaware County Public Health Nursing Service continue the above contracts for the year of 2007.

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

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

**RESOLUTION NO. 33**

**TITLE: PURCHASE OF SERVICE CONTRACTS FOR 2007  
PUBLIC HEALTH NURSING**

**WHEREAS** the Delaware County Public Health Nursing Service and its Early Intervention Program and its Committee on Preschool Special Education Program have been



contracting with the following itinerants and agencies during the year of 2006 at the New York State Department of Health established rate of reimbursement:

**PURCHASE OF SERVICES:**

Lizabeth Bonacum for physical therapy services  
Joann Currie for physical therapy services  
Theresa Sullivan-Steitz for DBA TMSPT services  
Karina White for physical therapy services  
Step By Step Physical Therapy, PLLC for evaluations and services  
Jeanne Keahon for medical social work services  
Mary McDowell for medical social work services  
Gene Homer for speech language pathology  
Dr. William Benedict for speech language pathology  
Judy Breese for speech language pathology  
Jennifer Kollig for speech language pathology  
Lisa Henderson for speech language pathology  
Brenda Geehrer-Todd for speech language pathology  
Katherine Reich for speech language pathology  
Julie Ford for occupational therapy services  
Jean Downin for occupational therapy services  
Kristen Figary for occupational therapy services  
Tracie Ostrander for occupational therapy services  
Linda Noble for occupational therapy services  
Dorothy Haney for registered dietitian services  
Geanine Eisel for special educational services  
Patricia Zawisza for special educational services  
Nancy Masucci for special educational services  
Association for Vision, Rehab and Employment, Inc. for evaluations and services  
AO Fox Hospital for evaluations and services  
Cloverpatch Early Childhood Education for evaluations and services  
Otsego County Division for Children With Special Needs for evaluations and services  
Patrice Comminel for speech language pathology  
Amanda Culligan for speech language pathology  
Elizabeth Jacob-Carter for speech language pathology  
Abby Koutnik for special education services  
Emily Marlin for medical social work services  
Brian Riter for occupational therapy services  
Jennifer Wright for speech services  
Melinda Wegener for speech services  
Melinda Small for occupational therapy services  
NYSARC Delaware County/Carousel Children's Center for evaluations and services  
Handicapped Children's Association of Southern New York, Inc. for evaluations  
Broome Developmental for evaluations and services  
Springbrook NY, Inc. for evaluations and services

Best Friends Childrens Services for evaluations  
Buchanan Transportation for transportation services (thru 3-5 program)  
Delaware Opportunities, Inc., for respite and transportation  
Delaware County PHNS for evaluations and services  
Enable for evaluation services  
The Children's Annex for evaluation services  
Developmental Pediatrics for evaluations  
Charlotte Valley Central School for services  
ONC Boces for services  
Heather Thomson for occupational therapy services  
Susan Morales for speech consultant services  
Elizabeth Morrissey for speech language pathology  
LaRae Gross for medical social work services  
Linda Brennen for speech language pathology services  
Capital Area Speech Center, Inc. for speech therapy services  
Carrie Ann Charpinsky for speech language pathology  
Laurie Freeman for medical social work services  
Krzysztof Madej for physical therapy services  
John Pasquale for physical therapy services  
David Rissberger for physical therapy services  
Rachel Rissberger for occupational therapy services  
Theresa Swartwout for special education services  
Sullivan Diagnostic Treatment Center-The Center for Discovery for evaluations and services  
Broome-Tioga BOCES for services and evaluations  
Donald Gersch for special education services  
Marcia Hammond for special education services  
SECO PT and OT, PLLC for physical therapy services  
Serafini Transportation Corp. for transportation services  
Delaware Valley Hospital PT Services  
Austin Physical Therapy for physical therapy services  
Birnle Bus Service for transportation services  
Coxsackie Transport for transportation services  
Amy Soule for speech language pathology

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Public Health Nursing Services' Early Intervention Program continue the above contracts for the year of 2007.

The resolution was seconded by Mr. Rowe.

Chairman Eisel stated he would be abstaining from voting on this resolution.

The resolution was adopted by the following vote: Ayes 4646, Noes 0, Abstain 160 (Eisel).

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

**RESOLUTION NO. 34**

**TITLE: PURCHASE OF SERVICE CONTRACTS FOR 2007  
PUBLIC HEALTH**

**WHEREAS**, the Delaware County Public Health Nursing Service has been contracting with the following agencies for services for the Long Term Program during the year 2006:

**MISCELLANEOUS CONTRACTS:**

Delaware Opportunities - Home Delivered and Congregate Meals  
Delaware Opportunities - Home Improvements  
Office for the Aging - Lifeline  
Sentry Alarms – Lifeline  
A.O. Fox Memorial Hospital - Lifeline  
Broome County Office for the Aging - Social Day Care  
Catskill Area Hospice

**THEREFORE, BE IT RESOLVED** that the Delaware County Public Health Nursing Service continue the above contracts for the year of 2007.

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

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

**RESOLUTION NO. 35**

**TITLE: STANDARDIZATION OF BACKHOES  
FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, General Municipal Law Section 103(5) authorizes counties to standardize purchase contracts for a particular type or kind of equipment in the interest of efficiency or economy; and

**WHEREAS**, the County currently owns eleven backhoes, seven of which are John Deere; and

**WHEREAS**, standardization on one manufacturer of backhoes will reduce parts inventory, reduce the number of diagnostic software programs required for repairs, increase

mechanic familiarity reducing down time and optimize operator familiarity for maximum flexibility of staff.

**NOW, THEREFORE, BE IT RESOLVED** that the County Department of Public works is herewith authorized to standardize its backhoes on John Deere.

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

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

**RESOLUTION NO. 36**

**TITLE: EXCEPTION TO RESOLUTION NO. 6 OF 1992  
VACATION SCHEDULE/PROCEDURES  
FOR DEPARTMENT HEADS AND OTHER NON-UNION PERSONNEL**

**WHEREAS**, Resolution No. 6 of 1992 established a vacation policy for Department Heads and Non-Union personnel limiting the number of vacation days allowed to be carried over from year to year to twenty (20) days; and

**WHEREAS**, Clarence (Pete) Montgomery, Superintendent of Buildings and Grounds, due to work constraints was unable to bring his 2006 accrued vacation time within the allowable twenty days; and

**WHEREAS**, said resolution allows for payment or carryover of excess days if approved by the Board of Supervisors

**THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors authorizes the payment of 59 hours, the number of hours in excess of the allowable 20 days, to Clarence (Pete) Montgomery.

The resolution was seconded by Mr. Rowe.

In reply to Mr. Marshfield, Chairman Eisel stated that each request has to come before this Board for approval.

In answer to Mr. Meredith, Mr. Haynes replied that Mr. Montgomery would not be making this request again next year.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 37**

**TITLE: RESCINDING OF RESOLUTION NO. 260-00**  
**A RESOLUTION AUTHORIZING THE CONSTRUCTION OF AN ADDITION TO AND THE RECONSTRUCTION OF THE DELAWARE COUNTY COUNTRYSIDE CARE CENTER, INCLUDING SITE IMPROVEMENT, ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY, APPARATUS AND OTHER IMPROVEMENTS AND COSTS INCIDENTAL THERETO, IN AND FOR THE COUNTY OF DELAWARE, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$8,300,000, AND AUTHORIZING THE ISSUANCE OF \$5,280,000 SERIAL BONDS AND THE APPROPRIATION AND EXPENDITURE OF \$3,020,000 FROM THE DELAWARE COUNTY COUNTRYSIDE CARE CENTER CAPITAL RESERVE FUND OF SAID COUNTY TO PAY THE COST THEREOF**

**WHEREAS**, the County adopted Resolution No. 260 of 2000 to issue serial bonds authorizing the renovation of the Delaware County Countryside Care Center; and

**WHEREAS**, said project was never undertaken

**THEREFORE, BE IT RESOLVED** that Resolution No. 260 of 2000 is hereby rescinded.

The resolution was seconded by Mr. Marshfield.

County Attorney Richard Spinney explained that Resolution No. 260-00 authorized the issuance of serial bonds for the renovation of the Delaware County Countryside Care Center. With the sale of Countryside, the renovation will not be undertaken. However, these bonds appear on the county's financial statement and in order to remove them, a resolution rescinding the authorization expressed in Resolution No 260-00 must be passed.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 38**

**TITLE: AUTHORIZATION TO ENTER INTO CONTRACT FOR HELP AMERICANS VOTE ACT (HAVA) FUNDING BOARD OF ELECTIONS**

**WHEREAS**, the Delaware County Board of Elections has received contracts from the New York State Board of Elections to provide Delaware County with \$6,717.00 to improve polling sites, \$13,982.00 to improve polling site access for disabled voters, and \$27,965.00 for

poll worker training and voter education programs related to new voting machines in compliance with HAVA

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors be authorized to sign the contracts on behalf of the County.

The resolution was seconded by Mr. Maddalone.

In answer to Mr. Meredith, Mr. Hynes replied that the Elections Commissioners will be visiting each of the polling sites in order to make a determination of improvements or to close the site.

Chairman Eisel noted that the Catskill Center for Independence will evaluate the sites too.

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

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

**RESOLUTION NO. 39**

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF  
AGRICULTURAL DISTRICT NO. 6**

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board and the Delaware County Planning Board have presented recommendations for the modification of Agricultural District No. 6 located in the town of Hancock during the scheduled 8-year review period

**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. 6 on Wednesday, February 21, 2007 at 12:45 P.M. in the Board of Supervisors' Room of the County Office Building.

The resolution was seconded by Mr. Smith.

Mr. Bachler noted Resolution Nos. 39 and 40 are to combine the Public Hearings for two districts as a result of recommendations submitted by the Farmland Protection Board.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 40**

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF  
AGRICULTURAL DISTRICT NO. 18**

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board and the Delaware County Planning Board have presented recommendations for the modification of Agricultural District No. 18 located in the towns of Colchester, Hamden & Hancock during the scheduled 8-year review period

**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.18 on Wednesday, February 21, 2007 at 12:45 P.M. in the Board of Supervisors' Room of the County Office Building.

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

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

**RESOLUTION NO. 41**

**TITLE: DESIGNATION OF A THIRTY- DAY PERIOD FOR AGRICULTURAL  
DISTRICT REVIEW**

**WHEREAS**, Chapter 523 of the Laws of 2003 amended NYS Agricultural and Markets Law to require the County Legislative Body to designate a thirty-day review period in which landowners may submit requests for inclusion of predominately viable agricultural lands within a certified agricultural district prior to the County established review period; and

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board has recommended that the thirty-day period be from January 30, 2007 to February 28, 2007

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby designate the time period from January 30, 2007 to February 28, 2007 to be the annual thirty-day review period for the year 2007.

The resolution was seconded by Mr. Smith.

Mr. Bachler stated this resolution is presented each year to amend agricultural districts during this period of time.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 42**

**TITLE: DESIGNATION OF PUBLICATION  
OF LOCAL LAWS AND NOTICES: REPUBLICAN**

**WHEREAS**, the Republican Party having designated The Walton Reporter, published by The Reporter Company Printers and Publishers, Inc. for the purpose of publishing notices pursuant to County Law 214 (2);

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to County Law 214 (2) that The Walton Reporter is designated for the calendar year 2007 to publish local laws and notices.

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

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

**RESOLUTION NO. 43**

**TITLE: DESIGNATION OF PUBLICATION  
OF LOCAL LAWS AND NOTICES: DEMOCRAT**

**WHEREAS**, the Democratic Party having designated the Deposit Courier for the purpose of publishing notices pursuant to County Law 214 (2);

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to County Law 214 (2) that the Deposit Courier is designated for the calendar year 2007 to publish local laws and notices.

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

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

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

**RESOLUTION NO. 44**

**TITLE: 2007 BUDGET AMENDMENT  
SPEECH PATHOLOGIST POSITION  
PUBLIC HEALTH NURSING SERVICES**

**WHEREAS**, there is an unmet need for Speech Therapy services in many parts of



Delaware County; and

**WHEREAS**, we have advertised numerous times and are unable to contract for or locate additional Speech Therapy services in many portions of Delaware County; and

**WHEREAS**, Delaware County Public Health is responsible for assuring availability of Speech Therapy services in the Early Intervention and Preschool programs; and

**WHEREAS**, the title and labor grade have been reviewed and approved by the Personnel Officer

**THEREFORE, BE IT RESOLVED** that a full time Speech Pathologist position in labor grade 30 be created and the 2007 budget be amended to reflect the following transfer of funds:

**FROM:**

10-14059-54535560	Prof. Fees Speech Therapy	\$30,000.00
10-14060-54360000	Itinerate Providers PHCED 3-5	\$13,496.00

**TO:**

10-14010-51000000	Personal Services	\$43,496.00
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The resolution was seconded by Mr. Bachler and adopted by the following vote Ayes 4806, Noes 0, Absent 0.

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

**RESOLUTION NO. 45**

**TITLE: AUTHORIZING SUBMISSION OF APPLICATION TO THE NEW YORK STATE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES FOR ALTERNATIVES TO INCARCERATION CLASSIFICATION FUNDING PROBATION DEPARTMENT**

**WHEREAS**, the Director of Delaware County Probation Department/Chairperson of the Criminal Justice Advisory Board requests permission to submit an application to the New York State Division of Probation and Correctional Alternatives, in order to receive grant funds in the amount of \$8,600.00

**THEREFORE, BE IT RESOLVED** that the Chairman of Delaware County Board of Supervisors be, and is hereby, authorized and directed to execute and submit an application to the New York Division of Probation and Correctional Alternatives, 80 Wolf Road, 5th Floor, Albany, New York 12205, for receipt of grant funds in the amount of \$8,600.00 for Alternatives to Incarceration Funding, for a term commencing January 1, 2007 and terminating December 31, 2007

**BE IT FURTHER RESOLVED**, that upon notification of the award of said funds, the Chairman of the Delaware County Board of Supervisors be, and is hereby, authorized and directed to execute any and all grant documents on behalf of the County of Delaware relative to the above.

The resolution was seconded by Mr. DuMond.

In answer to Mr. Marshfield, Director of Probation Terri Theobald stated the ankle bracelet program averages between eight and nine people. She also noted that the bracelets are being used by Drug Court program.

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

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

**RESOLUTION NO. 46**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,685,025.09 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	\$1,069,583.36
Countryside Care Center	\$46,402.53
Jail	\$20,723.96
OET	\$55,080.79
Highway Audits, as Follows:	
Road	\$40,845.44
Machinery	\$118,386.18
Capital Road & Bridge	\$204,638.26
Capital Solid Waste	\$174.25

Solid Waste/Landfill

\$129,190.32

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

Chairman Eisel appointed Glen Nealis as the Zone Certification Officer to the Zone Administrative Board Committee.

Mr. Donnelly announced that a copy of the Department of Fiscal Affairs update for 2006 has been placed on each of the Supervisors' desks.

Mr. Hynes referenced an article sent to each Supervisor in their packet from the Kingston Paper entitled: "There's No Choice but to Wait". He said the article shows that Delaware County is not dragging their feet and that other counties are having similar problems with the voting machines. He believed that the State is backing down a little on their HAVA demands. Mr. Spinney pointed out that some of the larger counties are suing the State over the HAVA legislation. He referenced the meetings that are being held on HAVA around the county and pointed out that Election Commissioners feel that until the State makes a decision the information that is circulating is unofficial.

Mr. Bachler said there will be a showing of the DVD entitled: "Bought and Sold" a discussion on voting machines, in the town of Meredith at 7:00 P.M. The public is invited.

Chairman Eisel announced that the E-Center will be dedicated to Senator Bonacic on Saturday, January 27, 2007 at 11:00 A.M. and encouraged all Supervisors to attend.

Upon a motion, the meeting was adjourned at 3:00 P.M.