

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

NOVEMBER 28, 2007

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 28, 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 except Mr. Rowe and Mr. DuMond.

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 as presented.

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

Chairman Eisel granted privilege of the floor to Commissioner of Public Works Wayne Reynolds who presented Benjamin Balcom as Employee of the Month.

Mr. Balcom was hired in March 2002 as a seasonal laborer on the guiderail crew, in June 2002 he became a permanent MEO on the guiderail crew and in November of the same year was promoted to an HEO on the guiderail crew. From March 2004 through November 2006, Mr. Balcom acted as temporary working supervisor on the guiderail crew and in January 2007 became Highway Crew Supervisor of the guiderail crew. In this capacity, he oversees the installation of guiderails.

Commissioner Reynolds remarked that Mr. Balcom is a tremendous asset to the guiderail crew and the key player in the advancement of the crew from the standpoint of equipment, tools, production and applications of DOT standards. Mr. Balcom's dedication to his position is evidenced by the amount of his own time spent reading and becoming familiar with DOT standards. He is always on the lookout for new and better ways of getting the guiderail work done, even when traveling on his own time looking for used guiderails to purchase which has saved the County a lot of money. Mr. Balcom provides good leadership, he is a pusher for production but, he does so in a way that the entire crew enjoys working for him.

Commissioner Reynolds stated that he is extremely proud of Mr. Balcom and his crew for

the work they have done on County Route 7 this year. After the June 2006 flood, Mr. Balcom and his crew put in a great amount of hours late in the season to ensure the guiderails were up for the safety and protection of the traveling public.

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

Chairman Eisel announced that on Wednesday, November 21st the sale of the Delaware County Resource Center located in Hamden to the Delaware County ARC for \$1 million dollars was finalized. He pointed out this is another example of the Board's commitment to downsizing county government.

For Standing Committee Reports, Chairman of the Finance Committee Martin Donnelly advised that the Finance Committee discussed returning the Department of Fiscal Affairs to the Treasurer's Office at their meeting. The committee decided not to merge the departments at this time. Any Supervisor desiring to discuss the matter further with the Finance Committee is welcome to do so.

Chairman Eisel advised that at the December 12th meeting a photograph of the Board will be taken.

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

RESOLUTION NO. 254

**TITLE: 2007 BUDGET AMENDMENT
TRANSFER OF FUNDS
DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the Early Intervention Public Health Program has been reorganized with changes in staffing patterns; and

WHEREAS, there are insufficient funds in the 2007 Personal Services for Early Intervention

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

FROM:

10-14010-51000000	Personal Services	\$22,000.00
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TO:

10-14059-51000000	Personal Services	\$22,000.00
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The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4126, Noes 0, Absent 680 (Rowe, DuMond, Stamford).

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

RESOLUTION NO. 255

**TITLE: 2007 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF FISCAL AFFAIRS**

WHEREAS, additional funding is needed for the upgrade of the PDS payroll system

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

FROM:

10-11990-54900000	Contingency	\$20,000.00
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TO:

10-11327-54420200	Maintenance Agreements - Software	\$20,000.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4126, Noes 0, Absent 680 (Rowe, DuMond, Stamford).

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

RESOLUTION NO. 256

**TITLE: 2007 BUDGET AMENDMENT
CLERK OF BOARD**

WHEREAS, additional funding is needed to pay for election costs incurred by the towns

THEREFORE BE IT RESOLVED, that the following 2007 budget amendment be made:

INCREASE REVENUE:

10-11989-42238900	Misc Revenue Otr Gov	\$50,000.00
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INCREASE APPROPRIATION:

10-11989-54493000	Otr Gen Support Twns	\$50,000.00
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes

4126, Noes 0, Absent 680 (Rowe, DuMond, Stamford).

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

RESOLUTION NO. 257

TITLE: DIRECT TOWN TAX

BE IT RESOLVED that pursuant to §233a of the County Law, the nineteen towns of the County be and hereby are charged \$133,305.56 for the assessment rolls, field books, tax bills, etc.; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors be authorized and directed to apportion said sum against the taxable property of the nineteen towns of the County of Delaware and that said sum be incorporated into the County Treasurer's Preliminary Report of charges and credits to the said towns in accordance with the apportionment.

The resolution was seconded by Mr. Marshfield and unanimously adopted

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

RESOLUTION NO. 258

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2007 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>	<u>CREDIT</u>
Andes	\$6,864.04	
Bovina	\$3,694.65	
Colchester	\$8,260.43	
Davenport	\$6,191.81	
Delhi	\$7,483.34	
Deposit	\$4,801.87	
Franklin		\$6,607.63
Hamden	\$2,793.74	

Hancock		\$3,587.70
Harpersfield	\$3,721.49	
Kortright	\$4,591.27	
Masonville	\$2,879.74	
Meredith	\$5,856.76	
Middletown	\$1,003.10	
Roxbury	\$10,849.01	
Sidney	\$14,564.20	
Stamford	\$6,873.82	
Tompkins	\$1,934.34	
Walton		\$2,645.93

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

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

RESOLUTION NO. 259

TITLE: APPORTIONMENT OF COUNTY SELF INSURANCE BUDGET

RESOLVED that the budget for the County Self Insurance Fund for Workers' Compensation and Volunteer Firemen's Benefits in the total amount of \$1,550,000, as set forth below be accepted as part of the records of this Board.

<u>Participant</u>	<u>Full Value Assessment</u>	<u>Apportioned Amount to Raise</u>
County of Delaware	5,217,996,255	\$718,456.21
<u>Towns</u>		
Andes	372,908,700	\$51,345.11
Bovina	114,528,593	\$15,769.23
Colchester	642,957,618	\$88,527.64
Davenport	191,470,505	\$26,363.22
Delhi	323,817,604	\$44,585.84

Deposit	222,228,401	\$30,598.22
Franklin	194,494,745	\$26,779.62
Hamden	157,013,565	\$21,618.91
Hancock	334,493,830	\$46,055.83
Harpersfield	149,913,431	\$20,641.30
Kortright	150,395,199	\$20,707.64
Masonville	85,742,670	\$11,805.75
Meredith	151,816,261	\$20,903.30
Middletown	673,807,651	\$92,775.32
Roxbury	467,774,515	\$64,407.00
Sidney	274,767,080	\$37,832.17
Stamford	173,905,607	\$23,944.74
Tompkins	180,524,772	\$24,856.12
Walton	355,435,508	\$48,939.25

Villages

Delhi	100,805,582	\$13,879.72
Deposit	31,102,179	\$4,282.39
Franklin	17,999,853	\$2,478.36
Hancock	63,762,442	\$8,779.33
Stamford (Harpersfield)	34,065,002	\$4,690.35
Stamford (Stamford)	30,462,070	\$4,194.27
Fleischmanns	38,523,755	\$5,304.26
Sidney	158,037,199	\$21,759.85
Hobart	57,191,170	\$7,874.55
Walton	131,582,515	\$18,117.35

Fire Districts

Stamford, Jefferson	25,688,527	\$3,537.01
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Stamford, Gilboa	44,922,020	\$6,185.23
Arena, Hardenburgh	15,913,780	\$2,191.14
Midd.-Hard., Hardenburgh	44,625,647	\$6,144.42
Deposit	26,649,731	\$3,669.35
TOTAL	11,257,323,982	\$1,550,000.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4126, Noes 0, Absent 680 (Rowe, DuMond, Stamford).

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

RESOLUTION NO. 260

**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 2008 are hereby approved in the Public Works Department as follows:

- 1.) January 1 to April 5, 2008: Bridge Crews only.
- 2.) April 20 to September 6, 2008: 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 30 to December 31, 2008: Bridge Crews only.

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

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

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

RESOLUTION NO. 261

TITLE: SALE OF TAX ACQUIRED PROPERTY

Resolved that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

MAS05TX.002

ASSESSED TO:

NELSON L COLLINS JR

TOWN OF:

124200:MASONVILLE

TAX MAP NO:

245.-1-16.2

SCHOOL DISTRICT:

125001:SIDNEY

ACREAGE:

9.25A ACRES

CONVEYED TO:

DAVID COLLINS, ADMINISTRATOR OF
ESTATE OF NELSON L COLLINS JR
DANIEL COLLINS, DIANNE VIEIRA, DOROTHY KRIGGER,
KEVIN COLLINS, DAVID COLLINS &
DONNA COLLINS-SMITH
40A MONTAUK HWY
SOUTH HAMPTON NY 11968

CASH CONSIDERATION:

\$6,012.79

TAX DEFICIT:

\$4,980.30

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

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

RESOLUTION NO. 262

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,329,775.73 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	\$751,878.86
Capital	\$1,050.25

OET	33,306.75
Highway Audits, as Follows:	
Road	\$8,325.78
Machinery	\$45,947.97
Capital Road & Bridge	\$1,337,506.86
Capital Solid Waste	\$34,842.82
Solid Waste/Landfill	\$116,916.44

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4126, Noes 0, Absent 680 (Rowe, DuMond, Stamford).

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

RESOLUTION NO. 263

TITLE: ADOPTION OF 2008 DELAWARE COUNTY BUDGET

WHEREAS, the Tentative Budget for the year 2008 has been presented to the Board by the Budget Director and duly discussed and a public hearing having been held thereon as required by law;

NOW, THEREFORE, BE IT RESOLVED that pursuant to §360 of the County Law, the Tentative Budget, as amended, for 2008 be adopted.

The resolution was seconded by Mr. Maddalone.

Chairman of the Finance Committee Martin Donnelly, on behalf of the Finance Committee thanked Mr. Meredith and the Budget Oversight Committee for their work on the budget.

Mr. Marshfield, on behalf of the taxpayers of Delaware County thanked Mr. Meredith and the Board for a job well done. He recognized that these are uncertain times in which to prepare a budget but, was not convinced that a 2 percent increase was needed. He discussed his concerns with Mr. Meredith and said he is pleased to see this next to zero increase.

Mr. Marshfield offered his comments with regard to the budget. In his opinion the sales tax revenue, FEMA and Federal Flood reimbursement revenues are understated. He expressed concern over unfunded state mandates and the County's obligation to fund lawsuits created by NYCDEP regulations. He looked forward to better fiscal management of the jail based on the review of the facility by the consulting firm recently hired.

He noted that the delinquent tax list is growing and our residents are having a tough time

paying their taxes. He pointed out that delinquent school taxes are costing the County approximately \$8 million each year. He mentioned the high prices of gasoline and the consequences this will have on discretionary spending and tourism.

Mr. Bracci referenced a comment made at the budget public hearing with regard to the Department of Social Service (DSS). He said he is very impressed by the management of the DSS's budget. He pointed out that the department is returning \$1.2 million dollars to the County budget and that when compared to other state agencies throughout the state our DSS consistently ranks in the top 10 percent.

Mr. Meredith said there is a great deal of work that goes on behind the scenes to get the budget to this point. He thanked the committees and the departments for their efforts.

Mr. Utter said this a very good budget, however, he is disappointed that the committee decided to delete the request by the Public Safety Committee to include \$250,000 to \$300,000 to move the E911 Public Safety Answering Point from Sidney to the Public Safety Building in Delhi. In his opinion, this is sending a bad message to the emergency volunteer personnel. He advised that he has petitions with him signed by members of five fire departments and members of their communities. Mr. Utter told the Board that he accepted a challenge from these fire departments to vote against the budget if money for the E911 relocation was not included. He said that he would be voting against the budget for this reason.

Chairman Eisel encouraged Mr. Utter to vote "yes" for the budget because it is a very good budget. He reminded him that a consulting firm was hired and will begin their review of the County's E911 system on December 11th. That information will be provided to the Board and if the vote is affirmative the money is in the budget to cover the expense.

Mr. Utter remarked that he hoped the consultant would be given the proper information instead of the misinformation that is currently circulating.

Chairman Eisel thanked Mr. Meredith and the Budget Oversight Committee. He pointed out that the County has downsized 25 percent of the workforce. Chairman Eisel agreed this a difficult economy and uncertain times. He said the Board is aware of the struggles of our citizens and this budget reflects the Board's commitment to downsizing government.

In answer to Mr. Hynes, Chairman Eisel said that the consulting firm will first look at the County's E911 system and then will begin the process of looking at the Sheriff's Department and the jail.

Mr. Valente referenced the Upper Delaware Scenic Byway's request made at the budget public hearing and questioned why the committee decided not to fund them. Mr. Meredith explained that the Budget Oversight Committee received numerous requests from regional organizations and made the decision to decline them all with the thinking that funding would be

better left up to the local Chambers and those towns.

The resolution was adopted by the following vote: Ayes 3721, Noes 405 (Utter), Absent 680 (Rowe, DuMond, Stamford).

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

RESOLUTION NO. 264

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No. 263, dated November 28, 2007 adopted a budget for the fiscal year 2008;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified, effective January 1, 2008.

The resolution was seconded by Mr. Meredith and adopted by the following vote: Ayes 3721, Noes 405 (Utter), Absent 680 (Rowe, DuMond, Stamford).

Chairman Eisel invited all to enjoy the cookies made by Planning Director Nicole Franze's mother, Angela Rossi.

An introduction of the incoming Supervisors in attendance was done. Town of Deposit Supervisor Stanley Woodford introduced Thomas Axtell, Town of Meredith Supervisor Frank Bachler introduced Keitha Capouya, and Chairman Eisel introduced Michael Triolo for the Town of Stamford.

Town of Tompkins Supervisor Perry Shelton stated that William Layton will be his successor and will be in attendance at the December 12th Board meeting.

Mr. Meredith announced with pride that the Walton football Warriors won the 2007 State Class D championship title.

Upon a motion, the meeting was adjourned at 1:50 P.M.