

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 12, 2008

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 12, 2008 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.

Mr. Donnelly offered the invocation.

Mrs. Capouya 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 Budget Director John Meredith. Mr. Meredith referenced the Indigent Legal Service Fund 2007 Annual Report which he prepares and forwards to the State. The report requests the amount paid and funding received by the County to defend indigents. The State provides the sole source of revenue for this program. In prior years the County received approximately \$100,000 from the State as an offset to the approximate \$500,000 paid out. He announced that the State will not be sending a 2006 payment for 2007 because the County spent approximately \$45,000 less in 2007.

As a result, Mr. Meredith will be preparing the necessary paperwork to file an appeal by March 31, 2008. He pointed out that this is a mandated program and in his opinion, the County should not be penalized for spending less to defend criminals.

Chairman Eisel commented that the State should consider pro-rating their payments in place of cutting funding all together.

Chairman Eisel granted privilege of the floor to Mr. Donnelly. Mr. Donnelly stated he was pleased to announce that the New York City Department of Environmental Protection (NYCDEP) will be sponsoring a summer internship program for college students. The program is starting in Delaware County and will include the counties of Greene, Schoharie, Sullivan and Ulster. This program is designed to develop future employees to lead the water supply into the future and to improve the partnership with watershed communities. Mr. Donnelly noted that Paul Rush, NYCDEP's Deputy Commissioner of the Bureau of Water Supply, is from the upstate

area and is very interested in the people who live here. This program will allow those interns to remain in Delaware County instead of leaving the area to find employment. He encouraged the Supervisors to contact qualifying students to submit their resumes to NYCDEP by April 25th.

Chairman Eisel noted this is a worthwhile program. NYCDEP is a large employer with a desire to hire locally which can only help our economy in the future.

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

RESOLUTION NO. 52

**TITLE: 2008 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 2007-2008, said monies to be utilized to reimburse the County at 100% of its expenditures

THEREFORE, BE IT RESOLVED that the 2008 budget be amended as follows:

INCREASE REVENUE:

10-16141-44464100/6141008/971	HEAP	\$20,836.00
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INCREASE APPROPRIATIONS:

10-16141-52342010/6141008/971	HEAP Emergency	\$20,836.00
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The resolution was seconded by Mr. Marshfield.

Mr. Bracci pointed out that this year the Department of Social Services returned \$1 million to the general fund and in the past three years \$5 million was returned to the general fund. He remarked this is due to good fiscal management.

Chairman Eisel said that Commissioner Moon has done a good job running his department and that the County is thankful at budget time to have these additional funds.

Mr. Donnelly remarked that Commissioner Moon saves the County money and has done a good job for the County. This is an example of how important it is to properly compensate the County's department heads for the work they do.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 53

**TITLE: 2008 BUDGET AMENDMENT
HOMELAND SECURITY GRANT
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Department of Emergency Services has applied for and been awarded a grant from the New York State Office of Homeland Security (Number WM07838670) to help the county with the development and implementation of a Homeland Security Program; and

WHEREAS, this grant will subsidize 100 percent of the cost of purchasing a multi-discipline all hazard photo identification system, personal protective equipment for first responders, tactical equipment, interoperable communication equipment and medical emergency response cache which will assist the emergency services department in responding to small to large, manmade to natural disasters; and

WHEREAS, this grant covers a period of July 1, 2007 through June 30, 2010 and needs to be added to the 2008 County budget to allow the department of emergency services to utilize the funds as the grant allows.

THEREFORE, BE IT RESOLVED that the Department of Emergency Services be authorized to accept this grant funding as described above and that the 2008 budget be amended as follows:

REVENUE ACCOUNT:

10-13640-433389000	State Otr Public Safety	\$80,000.00
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APPROPRIATION ACCOUNT:

10-13640-52200001/3640033/911	Equipment	\$80,000.00
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The resolution was seconded by Mr. DuMond and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 54

**TITLE: 2007 BUDGET AMENDMENT
RE-APPROPRIATION OF MONIES FOR 2007-08 ACTIVE RECORDS - IMAGING
AND DOCUMENT MANAGEMENT GRANT AWARD
DELAWARE COUNTY CLERK**

WHEREAS, Resolution No. 167 of 2007 approved the acceptance of a Government Records Management Improvement Fund (LGMIF) grant for the purchase of a wide format color scanner/copier and software for the Delaware County Clerk's Office/Records Management; and

WHEREAS, in consultation with the Regional Advisory Officer, it has been determined that it would be most cost effective to hire an outside vendor to convert maps into digital images and index them into access software instead of purchasing a \$23,000 scanner/copier and performing the work in-house; and

WHEREAS, there would not be any additional costs involved

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

INCREASE APPROPRIATION:

10-11410-54327595/1410002/963	Grant Supplies	\$ 4,013.00
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DECREASE APPROPRIATION:

10-11410-52200001/1410002/963	Equipment Grant	\$ 3,522.00
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INCREASE APPROPRIATION:

10-11410-54327200/1410002/963	Grant Contractual Services	\$17,596.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 55

**TITLE: 2007 BUDGET AMENDMENT
RESCIND RESOLUTION NO. 267 OF 2007
COMPOST PROJECT CLOSEOUT**

WHEREAS, Resolution No. 267 of 2007 closing out the composting project and listing the final project cost contained clerical errors resulting in the numbers reported being incorrect; and

WHEREAS, these errors have been corrected and the final costs calculated.

NOW THEREFORE BE IT RESOLVED, that Resolution No. 267 be rescinded and replaced with the following:

WHEREAS, the construction project is complete and the final Change Orders have been issued and agreed upon bringing the project total to \$21,010,752.60; and

WHEREAS, there is a balance of \$57,355.72 remaining in the project account (32-18161-52430000).

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

DECREASE ACCOUNT

32-18161-52430000	Otr Capital Outlay Compost	\$57,355.72
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INCREASE ACCOUNT

32-00000-34911000	Fund Balance Other Unreserved	\$57,355.72
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The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 56

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

LETTING OF FEBRUARY 21, 2008

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. 6-08	Stone & Gravel Products to: Brandows, 126 Parks Hill Road, Schenevus, NY 12155; Carver Sand & Gravel LLC, 494 Western Turnpike, Altamont, NY 12009; Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., PO Box 220, Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; Hanson Aggregates New York Inc., PO Box 513, Jamesville, NY 13078; LaFaver Sand & Gravel, LLC., 3135 County Highway 6, Bovina Center, NY 13740; Peckham Materials, Union Street, Athens, NY 12015; Platterkill Sand & Gravel, Inc., 111 Back Road Spur, Gilboa, NY 12076; Schaefer Enterprises of Deposit, Inc., 315 Old Rt. 10, Deposit, NY
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13754; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820; Stevens Excavating, 15 Stevens Lane, Otego, NY 13825

Bid Price: See Summary Sheet

PROPOSAL NO. 7-08 Gravel Processing to: Clark Companies, PO Box 427, Delhi, NY 13753

Bid Price: See Summary Sheet

PROPOSAL NO. 8-08 Transit Mixed Concrete to: Masters, RMC, Inc., PO Box 25, Kingsley, PA 18826; Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820; Wadler Bros., Inc., 47293 St. Hwy 28, Fleischmanns, NY 12430

Bid Price: See Summary Sheet

PROPOSAL NO. 9-08 Structural Steel Fasteners to: Fastenal Company, 7352 St. Hwy 23, Oneonta, NY 13820; The Woodward Company, 9 Burdick Drive, Albany, NY 12205

Bid Price: See Summary Sheet

PROPOSAL NO. 10-08 Steel Structural Shapes, Misc. to: Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 11-08 Used Steel Pipe & New Steel Pipe End Sections to: Allegany Pipe & Tubular, 2954 County Road 22, Andover, NY 14806-9616; Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820.

Bid Price: See Summary Sheet

PROPOSAL NO. 12-08 Interlocking Steel Sheet Piling to: Associated Pile & Fitting, LLC, PO Box 1048, Clifton, NJ 07014; Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820.

Bid Price: See Summary Sheet

PROPOSAL NO. 13-08 Steel Reinforcing Bars to: Otsego Iron & Metal Co., PO Box 339,

Oneonta, NY 13820.

Bid Price: See Summary Sheet

PROPOSAL NO. 14-08 Epoxy Coated Steel Reinforcing Bars to: Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 15-08 Guiderail Components to: Cardona & Sons, Inc., 397 Anthony St., Schenectady, NY 12308; tsego Iron & Metal Co., PO Box 339, Oneonta, NY 1382

Bid Price: See Summary Sheet

PROPOSAL NO. 16-08 Gabions to: Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820.

Bid Price: See Summary Sheet

PROPOSAL NO. 17-08 Pressure Treated Timbers to: Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820; Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 18-08 Plain Elastomeric Bridge Bearing Material to: Allied Building Products, 24 Railroad Ave., Albany, NY 12205

Bid Price: See Summary Sheet

PROPOSAL NO. 19-08 Bridge Deck Membrane to: Allied Building Products, 24 Railroad Ave., Albany, NY 12205

Bid Price: See Summary Sheet

PROPOSAL NO. 20-08 Steel Sign Posts to: Otsego Iron & Metal Co., PO Box 339, Oneonta, NY 13820

Bid Price: See Summary Sheet

Towns may participate in these bids.

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.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 57

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

LETTING OF FEBRUARY 21, 2008

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. 22-08 Speciality Oils & Lubricants to:

Items 1, 2, 4, 5 & 6 to: NOCO Energy Corp.,
2440 Sheridan Drive
Tonawanda, NY 14150

Items 3 & 7 to: Mirabito Fuel Group
PO Box 5306
Binghamton, NY 13902

Item 8 to: Superior Lubricants
32 Ward Road
N. Tonawanda, NY 14120

See summary sheet for bid prices.

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. Smith and Mr. Haynes and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 58

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

LETTING OF MARCH 5, 2008

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. 25-08 WELDING GASSES to: Airgas Inc.,
643 Upper Court Street
Binghamton, NY 13904

Bid Price: \$8,216.46

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. Smith and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 59

**TITLE: ESTABLISHING THE TIPPING FEE SCHEDULE
FOR WASTES AT THE
SOLID WASTE MANAGEMENT CENTER**

WHEREAS, several waste categories handled at the Delaware County Solid Waste Management Center have tipping fees for acceptance and disposal; and

WHEREAS, the tipping fee schedule is periodically adjusted in response to operating conditions;

NOW, THEREFORE BE IT RESOLVED that the existing tipping fees be adjusted to

reflect the following schedule:

Friable Asbestos	\$200 per tons
Box Springs and Mattress	\$10 each
Computer units, Monitors, Televisions	\$10 each
Construction and Demolition Debris	\$70 per ton
Contaminated Soils	\$20 per ton
NYC Upgrade WWTP Sludge	\$75 per ton
Wood - Clean, Unpainted, Untreated Lumber	\$25 per ton

BE IT FURTHER RESOLVED that the above tipping fee schedule become effective April 1, 2008.

The resolution was seconded by Mr. Haynes.

In answer to Chairman Eisel, Commissioner of Public Works Wayne Reynolds said the friable asbestos was the only fee change. He pointed out the rate for asbestos is very low in comparison to the amount of detail involved in the disposal. The actual cost to the homeowner will be relatively small.

In answer to Chairman Eisel, Commissioner Reynolds replied that to handle friable asbestos you have to have a certified asbestos handler.

Commissioner Reynolds stated in reply to Mr. Marshfield, that shipping the asbestos out-of-county for disposal presents too great of a liability.

The resolution was unanimously adopted.

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

RESOLUTION NO. 60

**TITLE: AUTHORIZING PROFESSIONAL SERVICES,
SUPPLEMENT #1 FOR BRIDGE #9, BIN 3352273
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 42 of 2008 contained erroneous information;

NOW, THEREFORE BE IT RESOLVED that Resolution No. 42 of 2008 be rescinded and replaced with the following:

WHEREAS, Resolution No. 172 of 2007 authorized the Department to enter into an agreement with Delta Engineers, for professional services relating to the final preparation of

construction plans and construction inspection; and

WHEREAS, the structural integrity of the substructure units has been determined to be insufficient to carry the replacement superstructure loadings; and

WHEREAS, there have been numerous meetings with NYSDOT and the FHWA concerning this issue and it has been agreed upon that the units have to be replaced; and

WHEREAS, replacing the units is a substantial change in the scope of work

NOW, THEREFOR BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Supplemental Agreement #1 with Delta Engineers for \$320,932.00 which will raise the maximum amount payable to \$460,933.00.

The resolution was seconded by Mr. Smith.

In answer to Mr. Marshfield, Mr. Utter stated Bridge #9 is the Harvard Bridge.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

RESOLUTION NO. 61

**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, April 25, 2008; 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. Marshfield and unanimously adopted.

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

RESOLUTION NO. 62

**TITLE: RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE
TO END THE PRACTICE OF PASSING COSTS FOR STATE PROGRAMS TO
COUNTY GOVERNMENT AND OUR PROPERTY TAXPAYERS**

WHEREAS, unfunded state mandates shift the responsibility and the cost of implementing programs from the state to the local level and force localities to cut existing services or raise property and other local taxes to achieve the additional requirements; and

WHEREAS, state government leaders have acknowledged that high property taxes are a problem for residents and businesses in New York State, making the state less attractive and less competitive; and

WHEREAS, the Citizens Budget Commission states that local taxes in New York State are 79% higher than the national average and that state laws result in high local tax burdens; and

WHEREAS, the Tax Foundation, based in Washington D.C., reports that nine of the top ten counties nationwide in median real estate taxes as a percentage of median home value are in New York State; and

WHEREAS, the Governor has formed a bipartisan commission to make recommendations on a package of reforms that gets at the root causes of what is driving taxes so high, including looking at unfunded mandates on both school districts and municipalities, proposals on how to make our tax relief system fairer to the middle class taxpayer, and a proposal for a fair and effective cap to hold the line on school district property taxes, with said commission due to report its findings in June of this year; and

WHEREAS, the New York State Association of Counties has previously recommended that state policy makers should strive to forge a stronger state/local partnership by eliminating unnecessary state requirements, make the state more responsive by requiring state payment of mandates it deems essential and to establish alternative methods for performance and implementation; and

WHEREAS, while awaiting the recommendations of the Governor's commission on ways to reduce the high property taxes in New York State, state policy makers should refrain from making the problem worse by shifting costs from the state's 2008-2009 budget to county budgets and our property taxpayers;

NOW, THEREFORE, BE IT RESOLVED, that Delaware County calls on the Governor and State Legislature to end the practice of passing costs for state programs to county

government and our property taxpayers; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward copies of this resolution to the Governor, Senator Hillary Rodham Clinton, Senator Charles Schumer, Senator Joseph Bruno, Senator John Bonacic, Assemblyman Sheldon Silver, Assemblymen Clifford Crouch, Assemblymen Peter Lopez and the NYS Association of Counties.

The resolution was seconded by Mr. Meredith.

Chairman Eisel referenced Resolution Nos. 62, 63 and 64 noting that he will continue to keep abreast of these issues and provide as much information to the Supervisors as possible.

He referenced a statement he read in the NYSAC wire that the shift of responsibility leaves the local government no choice but, to cut local level services or to raise taxes. The New Jersey State Governor said in his budget speech that he will be cutting departments within their government. Chairman Eisel said it is time for New York State to start cutting programs or stabilize their growth. This resolution will make it known that Delaware County wants an end to the practice of passing costs for State programs to county government.

Mr. Meredith remarked that for the past few years our County budgets have been solid and it unfair for the State to balance their budget by passing costs for State programs to county government.

Chairman Eisel said he feels these shifts are just the beginning and fears there are more to come.

Commissioner Moon commented that the State needs to preserve partnerships with the counties. He referenced Resolution No. 64 in which the State proposes to increase the county share of public assistance by two percent, while the State's share is reduced by that amount. He agreed that once the process of shifting the costs starts it will continue.

The resolution was unanimously adopted.

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

RESOLUTION NO. 63

TITLE: RESOLUTION IN OPPOSITION TO THE PROPOSED SHIFT OF 100 PERCENT OF THE COST OF JUVENILE DETENTION FACILITIES TO COUNTIES ECONOMIC DEVELOPMENT

WHEREAS, the New York State Association of Counties has expressed its opposition to the unprecedented 2008-09 Executive Budget proposal that ends the state/local partnership in

funding the costs associated with operating youth detention facilities by requiring counties to assume 100 percent of the cost; and

WHEREAS, according to the 2008-09 Executive Budget proposal, effective April 1, 2008, counties will assume the full cost of youth placed by the Family Court system in secure and non-secure detention facilities; and

WHEREAS, the State currently reimburses counties 50 percent for secure and non-secure youth detention costs; and

WHEREAS, this is an example of a break in a state/local partnership, and yet another unfunded mandate being imposed upon the Counties; and

WHEREAS, the State expects to save \$35.4 million by shifting this cost to local property taxpayers; and

WHEREAS, this proposal is being used to justify the State's ill-advised plans to close many of their highly successful Upstate facilities while maintaining high-cost, low performing facilities elsewhere.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors urges the State Legislature to oppose this policy and fiscal shift of 100 percent of the cost of juvenile detention facilities to counties, and;

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward copies of this resolution to the Governor, Senator Hillary Rodham Clinton, Senator Charles Schumer, Senator Joseph Bruno, Senator John Bonacic, Assemblyman Sheldon Silver, Assemblymen Clifford Crouch, Assemblymen Peter Lopez and the NYS Association of Counties.

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

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

RESOLUTION NO. 64

**TITLE: RESOLUTION URGING THE STATE LEGISLATURE
TO OPPOSE THE PROPOSED SHIFT OF THE STATE'S HISTORIC SHARE
OF PUBLIC ASSISTANCE TO COUNTIES
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, Delaware County believes that the 2008-09 Executive Budget has broken a historic, fundamental state/local partnership by proposing to increase the county share of public

assistance by two percent, while simultaneously decreasing the state share by two percent; and

WHEREAS, this shift in cost sets a policy from the Governor that mandates local property taxpayers increase their taxes for public assistance, while the State saves itself \$40.5 million per year; and

WHEREAS, since 1938, counties and New York State have equally shared in the cost of public assistance at a 50 percent state, 50 percent local split for this program; and

WHEREAS, the 2008-09 Executive Budget proposes to break this historic state/local fiscal partnership by shifting a portion of the State's cost for the Family Assistance and the Safety Net program; and

WHEREAS, the Governor's proposed budget includes another serious impact to counties by implementing a local share for the cost of carving out two-parent families from the federal work participation rates, by removing the local district hold-harmless provision; and

WHEREAS, this carve-out of the two parent families will save the state approximately \$7.5 million per year, but directly, negatively impact county budgets:

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors opposes any policy or fiscal initiative like this proposed increase in the local share for public assistance and "two-parent carve-out" that changes the fundamental promise Governor Spitzer made to the counties of New York State about ongoing, historic state and local partnerships; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward copies of this resolution to the Governor, Senator Hillary Rodham Clinton, Senator Charles Schumer, Senator Joseph Bruno, Senator John Bonacic, Assemblyman Sheldon Silver, Assemblymen Clifford Crouch, Assemblymen Peter Lopez and the NYS Association of Counties.

The resolution was seconded by Mr. Hynes.

Commissioner Moon remarked that he does not understand the State's reasoning behind carving out the two-parent families from the federal work participation rates. In his opinion, he thinks someone at the State level sees this as an opportunity to make money.

The resolution was unanimously adopted.

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

RESOLUTION NO. 65

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,697,153.54 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	\$1,120,232.41
Capital	\$626.38
DCCC	\$360.00
OET	\$36,641.04
Highway Audits, as Follows:	
Road	\$168,207.58
Machinery	\$151,671.84
Capital Road & Bridge	\$143,759.84
Capital Solid Waste	\$3,005.55
Solid Waste/Landfill	\$72,648.90

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

Chairman Eisel made the following appointments:

Code Enforcement Officer Dale Down as the Delaware County Fair Housing Officer

Supervisor Leonard Utter to the Delaware County Soil & Water Conservation District Board

Chairman Eisel reported that he and the Board of Elections Commissioners and the Committee met with a representative of the Sequoia Voting Systems for a demonstration of the Imagecast Optical Scan voting machine. The voting machine is approximately three foot by three foot square with an attached printer. In the interest of saving space, the unit will be reconfigured and the printer will be on the top of the voting machine. It will have handicapped accessibility for the blind and deaf with a choice of several different languages.

He explained that the voter will fill in a paper ballot with a number two pencil. The

ballot is then fed into the scanner. If the scanner accepts the ballot it will tabulate it and put into a basket. If ballot is not accepted the voter will have to begin the process again. Two programmers are required, one Democrat and one Republican. At this time, it is not certain if all of the voting machines will be housed at the County or if they can be stored at the towns.

In his opinion, the demonstration did not go well and it took the representative a long time to eventually get the machine to function as it should. The machines are on order, they will go to Albany first for inspection and then be shipped to the county. Chairman Eisel said that at this time, he does not have a lot of confidence in the voting machine but, he hopes as time goes on it will improve.

Chairman Eisel stated in response to Mr. Marshfield, that there will be one voting machine per voting district.

Mr. Homovich pointed out that this State mandate is another example of something the State is involved in that they should have stayed out of. He commented that this mandate will get more expensive as times goes on.

Mr. Maddalone remarked that our voting system worked fine, there is no reason to change it.

Referencing Mr. Homovich's comments, Chairman Eisel pointed out a few of the maintenance costs that would be associated with the voting machines such as, batteries, chargers, ink cartridges and paper.

Mr. Utter noted that one voting machine can do more than one district if the districts are consolidated into one polling site.

In answer to Mr. Utter, Mr. Hynes said that he understands for the fall elections, the County's existing lever and the new Imagecast Optical Scan voting machines will be used.

Mr. Meredith replied in answer to Mr. Utter, that the Town of Walton has five districts and one polling place.

Chairman Eisel explained in answer to Mr. Marshfield, that the company also provides three sided enclosures that set up on a table so the voter can complete their ballot in privacy. The number of enclosures at each polling site has not been determined at this time.

Mr. Donnelly expressed concern that the County has to pay to have languages other than English on the machines. He felt that people who immigrate to America should learn the English language.

In response to Mr. Marshfield, Mr. Hynes said that the Board of Elections will holding

demonstrations throughout the County.

Upon a motion, the meeting adjourned at 1:35 P.M.