

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

APRIL 9, 2008

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 9, 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. Hynes.

Mr. Donnelly offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

The Clerk read a card of thanks from Colin Ryan, son of the late Town of Stamford Supervisor Patrick Ryan. The card expressed the family's grateful appreciation for the Board's expression of sympathy.

The Clerk read a letter from Delaware County Historical Association (DCHA) Director Tim Duerden. The letter thanked the Board of Supervisors for their generous support which enables DCHA to carry out its mission of preserving and presenting the history and traditions of Delaware County.

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

Chairman Eisel granted privilege of the floor to Mr. Utter. Mr. Utter called upon Chairman Eisel and Commissioner of Public Works Wayne Reynolds.

Mr. Utter announced that the New York Chapter of American Public Works Association (APWA) selected the Delaware County Department of Public Works as the 2007 recipient of the New York Chapter Disaster/Emergency Response Project of the Year Award for the County Route 7 flash flood damage project. The award was presented at the APWA Awards Banquet attended by Mr. Utter.

Mr. Utter complimented Commissioner Reynolds and his department for their commitment and dedication to the reconstruction of County Route 7. It is a tribute to Commissioner Reynolds that in

less than 12 hours after the event he was able to mobilize equipment and contractors who were willing to give up other work to come to the aid of the County.

On behalf of the New York Chapter of APWA, Mr. Utter presented Commissioner Reynolds with a plaque which reads “Public Works Project of the Year Disaster/Emergency Response to County Route 7 Flash Flood Repairs, Delaware County Department of Public Works Focused on Our Community.”

Chairman Eisel extended his appreciation for the outstanding job Commissioner Reynolds and all those that helped reconstruct County Route 7. He reflected on the day he brought Senator Schumer to see the devastation and they saw Commissioner Reynolds running from place to place.

Commissioner Reynolds acknowledged with gratitude his department, the Chairman of the Public Works Committee Leonard Utter, Chairman Eisel and Town of Colchester Supervisor Robert Homovich. He said these three men insisted that he not worry about the money, just get the work done. The employees did a superb job and he expressed his thanks to the participating vendors. The support of everyone involved with the reconstruction of County Route 7 was what made it possible to get the job done. Commissioner Reynolds stated that he will make sure everyone involved with the project receives a letter advising them of this honor.

Chairman Eisel granted privilege of the floor to Mr. Rowe. Mr. Rowe thanked everyone for the cards, thoughts and prayers for his son, Samuel Rowe III. There is a long road still ahead for Samuel, however, Mr. Rowe believes the progress his son has made is a true miracle and would not have been possible without all the prayers.

Chairman Eisel granted privilege of the floor to Budget Director John Meredith. Mr. Meredith referenced his comments made at the March 12th Board of Supervisors meeting regarding the Indigent Legal Service Fund 2007 Annual Report. He advised that the New York State Association of Counties was able to push through legislation that would give the counties a few extra months to respond to the State. There are encumbrances that will bring the amount spent to defend indigents in 2007 over the amount spent in 2006 which will qualify the County to receive funding from the State.

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

RESOLUTION NO. 76

**TITLE: 2008 BUDGET AMENDMENT
DESIGNATION OF DELAWARE COUNTY
AS LOCAL SPONSOR FOR SNOWMOBILE GRANT
PLANNING DEPARTMENT**

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has made funds available to develop and/or maintain snowmobile trails in New York State; and

WHEREAS, applications for grants for such development and/or maintenance of snowmobile trails require a local government sponsor; and

WHEREAS, the Delaware Otsego Chenango Snowriders, the Hamden Hill Ridge Riders, the Maywood Snow Riders, the Otego Snow-Goers, the Delaware Valley Ridge Riders, the Central Catskill Trail Association and the D & D Snowdiggers have applied for said funds for the development and/or maintenance of snowmobile trails in Delaware County;

NOW, THEREFORE, BE IT RESOLVED that Delaware County is hereby declared as the Local Sponsor for this application under the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Grant Program;

FURTHER, BE IT RESOLVED that the Planning Department budget be amended to receive and dispense these moneys in compliance with the requirements of the Preservation Snowmobile Trails Grant Program as follows:

REVENUE

10-17989-43388900/8020014/908	State Otr Culture & Recreation	\$77,425.00
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APPROPRIATION

10-17989-54555000/8020014/908	Recreation Snowmobile Grant	\$77,425.00
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The resolution was seconded by Mr. Maddalone and adopted by the following vote: Ayes 4555, Noes 0, Absent 251 (Hynes).

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

RESOLUTION NO. 77

**TITLE: 2008 BUDGET AMENDMENT
TRANSFER OF FUNDS
BOARD OF SUPERVISORS**

WHEREAS, in order to make informed decisions, an independent consulting firm was hired to perform a study on the Correctional Facility, the Sheriff's Office and for the relocation of the 911 Public Safety Answering Point Center; and

WHEREAS, funding is needed to pay for said services

THEREFORE, BE IT RESOLVED the following transfer of funds be authorized:

FROM:

10-11990-54900000 Contingency \$19,530.00

TO:

10-11010-54535000 Professional Services - Board of Supervisors \$19,530.00

The resolution was seconded by Mr. Maddalone.

Mr. Bracci remarked that in his opinion, this is money well spent.

The resolution was adopted by the following vote: Ayes 4555, Noes 0, Absent 251 (Hynes).

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

RESOLUTION NO. 78

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

LETTING OF MARCH 27, 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. 24-08 Electric Wire Rope Hoist to:

Material Handling Technologies, Inc.
7488 Round Pond Road
N. Syracuse, NY 13212

Bid Price: \$17,015.00

PROPOSAL NO. 26-08 Stainless Steel Tandem Axle Dump Box & Snow Plow Equipment
to:

Wayne's Welding Inc.
66 Calder Avenue

Yorkville, NY 13495

Bid Price: \$71,139.00 each

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. Rowe and adopted by the following vote: Ayes 4555. Noes 0, Absent 251 (Hynes).

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

RESOLUTION NO. 79

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

LETTING OF APRIL 2, 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. 28-08 Supply of HDPE Pipe Liners to: ISCO Industries
PO Box 4545
Louisville, KY 40204

Bid Price: \$347,206.32

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 Mrs. Capouya.

In answer to Mr. Meredith, Mr. Utter stated that HDPE stands for heavy duty polyethylene pipe.

Mr. Utter explained in answer to Mr. Marshfield, that throughout the County there are corrugated culvert pipes that are rusting out. These pipes have between 15 to 20 feet of fill over the top of them. The HDPE liners are between 1 to 2 inches smaller and are pushed through the existing pipe. This reverses the corrugation of the original pipe and does not restrict the flow of water. This process saves the County a tremendous amount of money.

The resolution was adopted by the following vote: Ayes 4555. Noes 0, Absent 251 (Hynes).

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

RESOLUTION NO. 80

**TITLE: DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE CELEBRATES
NATIONAL PUBLIC HEALTH WEEK
APRIL 6 - 12, 2008**

WHEREAS, the first full week in April is National Public Health Week; and

WHEREAS, taking preventive action and adopting a healthier lifestyle can empower our residents to stay healthy; and

WHEREAS, Delaware County Public Health plans, coordinates and implements programs promoting increased physical activity and healthy nutrition; and

WHEREAS, Delaware County Public Health is committed to working with individuals, families, worksites and community partners to hold educational health fairs, promote activity programs, provide education and provide coordination and services to people living and working in Delaware County

NOW, THEREFORE, BE IT RESOLVED, that Delaware County recognizes April 6 through 12, 2008 as Public Health Week.

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

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

Mr. Maddalone withdrew Resolution Number 81 entitled: 2008 Budget Amendment Transfer of Funds Stop-DWI.

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

RESOLUTION NO. 82

**TITLE: OBSERVANCE OF NATIONAL POLICE WEEK
MAY 11 - 17, 2008
SHERIFF'S OFFICE**

WHEREAS, May 11 - 17, 2008, has been proclaimed "National Police Week"; and

WHEREAS, Public Law 87-54, passed by a Joint Resolution of the 87th Congress of the United States and signed into law by President John F. Kennedy, designates May 15 as Peace Officers Memorial Day in honor of federal, state, and municipal police and peace officers who have been killed or disabled in the line of duty. The calendar week of each year during which May 15 occurs is Police Week, and throughout the United States, police departments conduct community activities during this week and hold memorial services on May 15; and

WHEREAS, all United States flags are to be flown at half-staff on May 15, "Peace Officers Memorial Day" as a special tribute honoring the thousands of American law enforcement officers killed in the line of duty; and

WHEREAS, the citizens of Delaware County take this opportunity to publicly acknowledge the men and women in law enforcement who are prepared to surrender the supreme sacrifice in order to protect the common good.

THEREFORE, BE IT RESOLVED, that during the week of May 11 - 17, 2008, we acknowledge those who have chosen police work as their life's vocation. Their role is a silent one until they are needed. But once called into service, they are ever quick to respond, and vigilant and resourceful in their resolve. We are honored by their presence and mindful of their personal commitment.

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

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

RESOLUTION NO. 83

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,150,402.25 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	\$1,778,444.95
Capital	\$655.89
OET	\$ 20,935.74
Countryside	\$860.00
Highway Audits, as Follows:	
Road	\$168,816.93
Machinery	\$76,451.35
Capital Road & Bridge	\$20,222.08
Capital Solid Waste	\$218.54
Solid Waste/Landfill	\$83,796.77

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4555. Noes 0, Absent 251 (Hynes).

Chairman Eisel referenced last year's invitation by the New York City Department of Environmental Protection (NYCDEP) to discuss specific issues related to Delaware County. The meetings were attended by the Commissioner of the NYCDEP Emily Lloyd and Deputy Commissioner of the NYCDEP Paul Rush, Commissioner of Watershed Affairs Dean Frazier and himself. Among the issues discussed was the recreational use of the reservoirs as an economic development opportunity for the County. Both Commissioner Lloyd and Mr. Rush agreed that allowing the recreational use of the reservoirs would favorably impact the economy but, wanted the blessings of the NYCDEP, the Department of Health and the Environmental Protection Agency.

Chairman Eisel announced that he received word this week from Commissioner Lloyd and Mr. Rush that everyone was in agreement that boating and other recreational usage should be explored further. The goal is to have boating on the Cannonsville Reservoir by 2009 and if successful, move on to the Pepacton Reservoir. An exploratory committee to include representatives from the NYCDEP will be created to review the recreational use of the reservoirs.

Mr. Bracci remarked that this is an excellent first start. He and Mr. Meredith have also been in discussion with the NYCDEP about recreational use of the reservoirs and have created a video entitled, *Tale of Two Cities: A Visual Comparison of Two Watersheds Under the Same Regulations with Very Different Recreational Uses*. He stated that he and Mr. Meredith refer to the reservoirs as lakes, because in their opinion, that is what they are.

Upon a motion, the meeting adjourned at 1:30 p.m.