

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JULY 9, 2008

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 9, 2008 at 7:00 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 Ms. Molé and Mr. DuMond.

Mr. Donnelly offered the invocation.

Mr. Homovich 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 Sheriff Mills who presented Theodore Tiska as Employee of the Month.

In March 1984 Sgt. Tiska was hired to work at the Correctional Facility. In 1988, he graduated from the Police Academy and was reassigned to the Road Patrol as a Deputy Sheriff. In the position of Sergeant, he supervises the road patrol deputies, participates in high profile cases and prepares and administers the highway safety grants for the Sheriff's Office.

Sheriff Mills said that Sgt. Tiska is a valuable and dependable team player. He is a good listener, maintains excellent notes and remains poised under pressure. He has been honored by the NYS Assembly for his efforts to lower the number of alcohol-related deaths in Delaware County and has been recognized for his efforts in serving the multi-jurisdictional drug task force. In a letter of appreciation written to Sgt. Tiska he was thanked for his performance during the floods of 2006 and 2007. Most recently, his efforts were instrumental in securing a grant in excess of \$57,000 from the Governor's Traffic Safety Council. Sgt. Tiska is thought of as a gentleman by his peers and throughout his many years of service has sustained his dedication, ambition and enthusiasm.

Sheriff Mills said that Sgt. Tiska is truly deserving of this recognition. He presented him with a \$100.00 Savings Bond and thanked him for all he has done for the County. Chairman Eisel presented him with the Certificate of Employee of the month and thanked him for his

dedicated service.

Sgt. Tiska thanked Sheriff Mills and the Board for this honor and remarked that it seems like he just started yesterday and that he will not be going anywhere any time soon.

Chairman Eisel granted privilege of the floor to Personnel Director Teddie Storey. Mrs. Storey presented Superintendent of Buildings and Grounds Peter Montgomery with a certificate of appreciation from the departments whose new home is located in the renovated offices at the old jail. Mrs. Storey said the workmanship is excellent and worthy of appreciation, adding a great deal of planning and hard work went into converting the old jail into professional office space.

Chairman Eisel thanked Mrs. Storey and commented that Buildings and Maintenance Department did an outstanding job renovating the old jail.

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

Commissioner Frazier introduced Cornell Cooperative Extension Senior Resource Educator Paul Cersoletti. Mr. Cersoletti provided a powerpoint presentation which gave an update on the accomplishments and future goals for the Precision Feed Management Program (PFM).

Mr. Cersoletti said the PFM was instituted by the Board of Supervisors nine years ago with a two year, four farm grant funded research and demonstration project in Delaware County in the Cannonsville Reservoir Basin. The project was developed and implemented under the Delaware County Action Plan for Watershed Protection and Economic Viability. It's mission statement is "to improve dairy farm sustainability through comprehensive feed management by reducing nutrient accumulation and loss as well as enhancing farm profitability."

The PFM program has expanded to the Susquehanna River Basins and is looking forward within the next five years to be working with all farmers in the County watershed that desire to work with the program. There are currently thirty-seven farms in the program and there is a waiting list that will increase this number to forty farms by the end of 2008.

The PFM program consists of three components, an on farm precision feed management planning process, education of farmers and the feed industry, and research and development. This is accomplished by precise formulation and delivery of dairy cattle diets to minimize overfeed and nutrient excretions, to improve production and utilization of homegrown forages and, the implementation of forage, reduced purchase grain diets.

The PFM program from 1999 to 2011 is anticipating a total of \$3.3 million in grant funding from sources such as, the U.S. Army Corp of Engineers, U.S. Environmental Protection

Agency, New York State Department of Environmental Conservation New York State Agriculture and Markets, New York State Soil & Water Conservation, USDA-NRCS, Watershed Agricultural Council, Catskill Watershed Corporation, and the USDA-SARE.

The PFM program has 2,800 cows in the program and has reduced manure phosphorus by 14,560 kilograms and manure nitrogen by 35,280 kilograms since the program began.

A study predicted that no-till corn production could reduce sediment bound phosphorus losses of nearly 60 pounds per acre from a typical Delaware County farm as compared to conventional methods. Currently 30 farmers have participated in the no-till program for a total of 553 acres of corn planted through the program. A study of PFM farms versus non-PFM showed that PFM farms are making more milk per cow per year and have lower operating costs than similar sized non-PFM farms in southeast New York State.

Mr. Cersoletti proudly stated that the PFM program in Delaware County has the distinction of leading the nation in this type of program.

In conclusion, Mr. Cersoletti invited all Supervisors to the picnic at the 4-H camp on Wednesday, July 23rd. The program will begin at 6:00 p.m. with a tour of the Lennox Model Forest. Hors d'oeuvres will be served at 6:30 p.m. followed by dinner at 7:00 p.m. Cornell Cooperative Extension will be in attendance with some of their farm equipment. Mr. Cersoletti advised that Cornell Cooperative Executive Director Jeanne Darling is in attendance and available to take reservations this evening.

Mr. Valente said that he has had the opportunity to tour a farm with Mr. Cersoletti and what he saw then was that the commercial feed producers were interested in the program and were making money. He remarked that he sees Mr. Cersoletti and the PFM program phasing out and this type of feeding becoming the industry standard.

In response to Mr. Valente, Mr. Cersoletti remarked that this is what this pilot program aspires to. He pointed out that the PFM program could not have reached this level of success without the support of the feed industry and over the years the program has developed a good working relationship with the feed producers.

In answer to Mr. Marshfield, Mr. Cersoletti explained that the no-till process causes less soil erosion thereby reducing the phosphorus level.

Mr. Cersoletti explained in answer to Chairman Eisel, that the no-till process puts more down pressure to get the seed into the ground without disturbing the soil. He said the no-till machine will be on display at the 4-H picnic.

Mr. Utter commented that as a past farmer, he can see how no-till could save on fuel as well. With no-till the farmer is making maybe two passes, using the conventional planting

method the farmer made several passes before even getting around to planting.

In response to Mr. Utter Mr. Cersoletti replied, that in April 2006 a survey of farmers needs was taken. At that time, fuel prices were no where near what they are now, but the farmers' greatest concern was fuel pricing.

In answer to Mr. Hynes, Mr. Cersoletti said the program is only limited by resources and revenue. Nine years ago there was no rule book, they had to figure out how to make the program work. Over the years they have become more experienced and efficient.

Chairman Eisel said this program made good sense nine years ago and the fact that the Cannonsville Reservoir shows that the phosphorus levels are way down is proof of the program's success. He thanked Mr. Cersoletti for his presentation and encouraged him to keep up the good work.

For Standing Committee Reports Chairman of the Public Works (DPW) Committee Leonard Utter advised that the Town of Deposit is currently renting space for their highway department and is exploring options for a permanent location. The Town of Deposit Town Board approached the DPW Committee requesting to take over the DPW patrol garage in the Town of Deposit.

The Committee and the Town of Deposit have discussed and came to an agreement that the County would turn over all of its garage property in the Town of Deposit to the town for their highway purposes and they in turn would take over maintenance of all of the County roads that are in the Town of Deposit. The County would maintain ownership and maintenance of the bridges and a few other structures. This would be a permanent agreement.

There are three roads, County Route 48, 19 and 20 which total about 9.12 miles. There are eight bridges, and a little over an acre and half of property with an insured value of \$775,000.

Mr. Utter advised that there are six employees that would be melted into the DPW crew and over a short time attrition would reduce the workforce by that amount. Some of the equipment from the Town of Deposit patrol garage may turn into surplus, some would be blended into the present fleet. He advised that Town of Deposit Supervisor Tom Axtell would like to discuss the Town of Deposits concerns with the Board of Supervisor at this meeting in order to determine if this an agreement that the Board would consider.

Mr. Axtell explained that the Town of Deposit would like to know the Board's feeling on this matter because if this agreement is not going to bear fruit in terms of further discussion the Town of Deposit is still faced with having to build a new highway garage on property that it already owns on the edge of the Village of Deposit.

The Town of Deposit Board has looked at this very hard and agree that the County DPW

garage is a favorable site. The site is a little smaller acreage wise and the Town of Deposit will deal with the same problem the County has had with housing all their equipment, but it is still a workable situation. The Town of Deposit may still consider building a new highway town garage on their site, but smaller than what they are looking at now.

At this point, the Town of Deposit Town Board is favorable to continuing talks if the Board of Supervisors believes this is something they are agreeable to.

In answer to Mr. Meredith, Mr. Axtell stated that the Town of Deposit Board is willing to take over the control and maintenance of County Routes 48, 19 and 20.

Mr. Meredith stated that he is in favor of this.

Mr. Utter said that he would appreciate the consensus of this Board prior to moving forward with further discussion as ultimately it is the decision of this Board.

In answer to Mr. Marshfield, Mr. Axtell replied that maintenance such as paving and guardrail maintenance would be assumed by the Town of Deposit.

In reply to Mr. Marshfield, Mr. Utter said that the nearest patrol garage to the Town of Deposit town garage is Fishs Eddy.

Mr. Utter said in answer to Mr. Bracci that there would be no layoffs, except through attrition and there would also be a general downsizing of buildings and equipment.

Mr. Bracci said that he would support this as he sees it as win-win for the constituents and the County.

Mr. Valente questioned the current responsibilities of the DPW Town of Deposit patrol garage. Mr. Utter said the main responsibility is the roads mentioned. However, if there is a major job in that area, other patrol garages are asked to participate.

Commissioner of Public Works Wayne Reynolds answered in response to Mr. Valente, that there are other town roads outside the Town of Deposit that are maintained by the Town of Deposit patrol garage such as County Route 67, from the Village of Hancock north to County Route 10, County Route 47, from 27 South Extension up to 206 and 27 South to the end of the reservoir up to Trout Creek and County Route 20 in the Town of Masonville. The responsibility of these routes will be divided up resulting in site increases at the Sidney Center, Walton and Fishs Eddy patrol garages. Commissioner Reynolds said that he believes with the Town of Deposit maintaining their roads this agreement is a cost saving effort on the part of both agencies.

In answer to Mr. Valente, Commissioner Reynolds said that DPW has seven patrol

garages to maintain in the 19 towns. The patrol garages are located closer to the roads they maintain than the County DPW garage is. In his opinion, DPW should increase the level of services on critical roads, like County Route 7 which has an impact on all the towns and the local town roads should be in the hands of the local towns where economical decisions need to be made.

In answer to Mr. Hynes, Chairman Eisel replied that the ownership of the County Roads 48, 19 and 20 will be transferred to the Town of Deposit and become town roads. The bridges will remain county structures.

Commissioner Reynolds said that there are three bridge structures that are between the length of 5 and 20 feet that are on the County roads that have been mentioned, however, it would be to everyone's best interest for the County to maintain ownership of the bridges because the County has equipment the towns do not have.

In response to Mrs. Capouya, Mr. Axtell stated that it is his understanding that the expense of maintenance is the complete responsibility of the Town of Deposit and does not expect that the County will assist with the costs. Commissioner Reynolds added that there was discussion of the County assisting with specialized equipment for a period of time during the transition.

Mr. Rowe applauded the Town of Deposit for approaching the DPW Committee. In his opinion this might be the future of the County DPW to move into the more technical area and leave the day-to-day maintenance to the towns. He said that the Town of Hancock has a good working relationship with the Town of Deposit and offered their help if needed.

Chairman Eisel said that he thinks this is a great idea. He noted that in the past it has been discussed to return some of the roads to the towns thus reducing the County's responsibility. He agreed that this is a win-win situation for the County and the town.

In response to Mr. Donnelly's suggestion, Chairman Eisel asked Mr. Utter if he would like to have a show of hands. Mr. Utter responded that he felt it would be beneficial to him and Mr. Axtell. The Board's show of hands resulted in favor of the transfer.

Mr. Axtell thanked the Board and advised that the Town of Deposit Board will be working on putting together a suitable package for their August 12th Town meeting. The lease on the facility that the Town of Deposit is currently renting expires June 30, 2009.

Mr. Rowe questioned if the property owned by the Town of Deposit would be opened up for a railroad site if a building was not built on it. Mr. Axtell stated that the site does have a railroad siting on it and that IDA may be interested in the property. If that is the case, the property would go back on the tax roll.

Chairman Eisel asked Mr. Axtell if he felt the Town of Deposit Board could put together a package prior for the August 20th Board of Supervisors meeting in order for a resolution to be brought forward. Mr. Axtell felt that a resolution could be presented at the August 20th Board meeting.

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

RESOLUTION NO. 121

**TITLE: 2008 BUDGET AMENDMENT
SENATOR JOHN BONACIC- SPONSORED EQUIPMENT PURCHASE GRANT
SHERIFF'S OFFICE**

WHEREAS, Senator John J. Bonacic has secured \$20,000 in the 2007-2008 State budget for a member item with which to subsidize 100% of the cost of purchasing the following equipment:

• A Linstar Video System/Suspect Interview Unit	\$4,950.00
• 9 Tasers and Accessories	10,763.00
• A 20' long dual axle Trailer for transporting equipment	3,924.00
• Misc. equipment (as needed)	219.90
• Pneumatic Wheeler Dry Line Marker	143.10
	Total \$20,000.00

WHEREAS, application for this grant is made and when awarded, the State will award the County a grant in the amount of \$20,000.00.

THEREFORE, BE IT RESOLVED that the Sheriff's Office be given permission to accept the grant funding as described above and that the following accounts be established to accommodate the monies received and expenditures to be incurred under this program.

ESTIMATED REVENUE:

10-13110-43308900/3110030/907	STATE OTR	\$20,000.00
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APPROPRIATION:

10-13110-52200001/3110030/907	Equipment Grant	\$20,000.00
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The resolution was seconded by Mr. Utter.

In answer to Chairman Eisel, Sheriff Mills said that training is provided as the operators must be certified to use the equipment.

The resolution was adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé,

DuMond).

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

RESOLUTION NO. 122

**TITLE: 2008 BUDGET AMENDMENT
IN RECEIPT OF A GRANT FOR HEALTH EDUCATION INITIATIVE
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the Office of Rural Health has been awarded a grant for professional and community health education initiatives for telemedicine for this region; and

WHEREAS, the Office of Rural Health will award grant monies in the amount of \$10,000 to support this project; and

WHEREAS, the goals of telemedicine technology are to decrease hospitalizations and emergency department visits and to improve care; and

WHEREAS, Delaware County Public Health Nursing Service believes it is important to provide telehealth services to appropriate clients; and

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

THEREFORE, BE IT RESOLVED that the 2008 budget be amended to accept the grant money as follows:

REVENUE ACCOUNT:

10-14010-42270602	Grants from Non-Profit	\$10,000.00
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APPROPRIATION ACCOUNT

10-14010-54183000	Community Outreach & Education	\$10,000.00
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The resolution was seconded by Mr. Bracci.

In answer to Mr. Marshfield, Director of Public Health Bonnie Hamilton explained that telemedicine is a program that allows Public Health to monitor patients in their home without making nursing visits. There are eleven units currently in operation throughout the County. The unit can be programed to ask key questions for the patient to answer and that information is communicated electronically to Public Health where the data can be reviewed and analyzed with the patient and their caretaker. Telemedicine has helped to reduce emergency hospital visits and keep patients in their home. In addition, telemedicine has helped to make home visits more effective as the health care provider is better informed.

In answer to Chairman Eisel, Mrs. Hamilton said this grant will not be purchasing equipment, it will purchase what the department needs to educate referral sources, such as, patients, their principal caretakers, physicians and hospitals that this resource is available to them.

The resolution was adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 123

**TITLE: 2008 BUDGET AMENDMENT
PURCHASE OF A VAN
OFFICE FOR THE AGING**

WHEREAS, in Resolution No. 293-06 the Delaware County Office for the Aging accepted a grant in the amount of \$10,000 from the A. Lindsey and Olive B. O'Connor Foundation to be used to enhance programs and services for the elderly in Delaware County; and

WHEREAS, through additional fund-raising efforts the Delaware County Senior Council raised \$9,950 to purchase a smaller, more accessible van; and

WHEREAS, the Agency has been authorized to initiate a request for bids to purchase a replacement van for its transportation system and the Agency has received bids from four dealers; and

WHEREAS, the Agency's Advisory Committee has recommended that the bid for a 2008 Dodge Grand Caravan submitted by Carbone Auto Group of Yorkville, NY be accepted

THEREFORE, BE IT RESOLVED, that the Office for the Aging be authorized to accept this bid and purchase this vehicle for the amount of \$19,950.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the 2008 budget be amended to accept the additional fund-raising effort as follows:

REVENUES:

10-16772-41197200/6772026/977	Del. Co. Senior Council	\$9,950.00
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APPROPRIATIONS:

10-16772-52200000/6772026/977	Equipment	\$9,950.00
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The resolution was seconded by Mr. Maddalone.

In answer to Mr. Marshfield, Mr. Hynes stated that this will be replacement bus. It is smaller and more energy efficient.

Mr. Hynes said in response to Mr. Meredith that the bid for the used vehicle did not meet the specs.

The resolution was adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 124

**TITLE: CHANGE ORDER NO. 3, PROPOSAL NO. 48-06
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 171-06 authorized the Department of Public Works to make award of Proposal No. 48-06 to New Century Construction, LLC for Emergency Bridge Repairs No. 1 including bridge nos. 37, 45, 116 and 16-2 for the amount of \$1,596,401.28; and

WHEREAS, Resolution No. 278-06 authorized the Department of Public Works to execute change order no. 1 which raised the total amount of the work to \$1,615,069.28; and

WHEREAS, Resolution No. 305-06 corrected the award amount identified in Resolution No. 171-06 bringing the total amount of the work to \$1,625,069.28; and

WHEREAS, Resolution No. 70-07 authorized the Department of Public Works to execute change order no. 2 for bridge no. 37 which raised the total amount of the work to \$1,630,146.13; and

WHEREAS, Resolution No. 98-07 authorized the Department of Public Works to execute change order no. 2 for bridge no. 116 which raised the total amount of the work to \$1,633,287.58; and

WHEREAS, the work has been completed and the final quantities have been calculated and agreed to

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to execute the change orders as follows:

<u>Bridge No.</u>	<u>CO No. 2</u> <u>Amount</u>	<u>CO No. 3</u> <u>Amount</u>	<u>Final Total</u> <u>Amount</u>
37	**	(\$20,540.30)	\$ 321,317.03

45	(\$27,286.45)	N/A	\$ 495,230.03
116	**	(\$22,452.30)	\$ 326,772.35
16-2	(\$5,363.60)	N/A	\$ 414,325.52
** Previously approved		Total	\$1,557,644.93

The resolution was seconded by Mr. Rowe.

In answer to Mr. Bracci, Mr. Utter explained that this resolution, Resolution No. 125 and 126 are FEMA projects and were done under emergency conditions. The increased change orders are related to unforeseen expenses.

In response to Mr. Valente, Mr. Utter said that FEMA has agreed to reimburse the County for these change orders.

Mr. Utter agreed with Mr. Marshfield's calculation of all three resolutions totaling around \$12,027 in additional increase and that there would be a structure in stock for use elsewhere.

The resolution was adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 125

**TITLE: CHANGE ORDER NO. 2, PROPOSAL NO. 49-06
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 171-06 authorized the Department of Public Works to make award of Proposal No. 49-06 to New Century Construction, LLC for Emergency Bridge Repairs No. 2 including bridge nos. 118, 174, and 67-18 for the amount of \$1,286,195.28; and

WHEREAS, Resolution No. 279-06 authorized the Department of Public Works to execute change order no. 1 for bridge no. 118 which raised the total amount of the work to \$1,306,595.28; and

WHEREAS, Resolution No. 306-06 corrected the award amount identified in Resolution No. 171-06 bringing the total amount of the work to \$1,282,595.28; and

WHEREAS, the work has been completed and the final quantities have been calculated and agreed to

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to execute the change orders as follows:

<u>Bridge No.</u>	<u>CO No. 1</u> <u>Amount</u>	<u>CO No. 2</u> <u>Amount</u>	<u>Final Total</u> <u>Amount</u>
118	**	(\$4,165.37)	\$ 490,285.35
174	\$14,323.80	(\$27,502.30)	\$ 362,727.74
67-18	\$11,669.40	(\$20,156.72)	\$ 403,751.00
** Previously approved		Total	\$1,256,764.09

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 126

**TITLE: CHANGE ORDER NO. 4, PROPOSAL NO. 52-06
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 189-06 authorized the Department of Public Works to make award of Proposal No. 52-06 to New Century Construction, LLC for Emergency Bridge Repairs No. 4 including bridge nos. 42, 28-4 and 111 for the amount of \$2,463,682.24; and

WHEREAS, Resolution No. 189-06 had a typographical error between the resolution and the bid summary for bridge 42, with \$577,851.04 being the correct amount making the contract total \$2,483,682.24; and

WHEREAS, Resolution No. 71-07 authorized the Department of Public Works to execute change order no. 1 for bridge nos. 42 and 111 which raised the total amount of the work to \$2,509,381.26; and

WHEREAS, Resolution No. 99-07 authorized the Department of Public Works to execute change order no. 2 for bridge no. 42 which raised the total amount of the work to \$2,511,729.81; and

WHEREAS, Resolution No. 173-07 authorized the Department of Public Works to execute change order no. 1 for bridge no. 28-4 which raised the total amount of the work to \$3,362,113.12; and

WHEREAS, the work has been completed and the final quantities have been calculated and agreed to.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to execute the change orders as follows:

<u>Bridge No.</u>	<u>CO No. 2</u> <u>Amount</u>	<u>CO No.3</u> <u>Amount</u>	<u>Final Total</u> <u>Amount</u>
42	**	\$295,707.54	\$ 893,105.35
111	(\$85,163.00)	N/A	\$ 825,211.24
28-4	(\$96,844.60)	N/A	\$1,757,496.47
** Previously approved		Total	\$3,475,813.06

The resolution was seconded by Mrs. Capouya and adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO: 127

TITLE: CONTRACT(S) TO CONDUCT THE COUNTY ECONOMIC IMPACT ANALYSIS OF NEW YORK CITY'S LAND ACQUISITION PROGRAM WATERSHED AFFAIRS

WHEREAS, New York City's 2007 Filtration Avoidance Determination required the City of New York to commit \$300 million for land acquisition in the watershed; and

WHEREAS, the majority of lands available for acquisition are located in Delaware County; and

WHEREAS, Delaware County is concerned about the economic and social impacts of the acquisition program on Delaware County; and

WHEREAS, Delaware County committed to conduct an analysis of the potential impacts and has allocated funds for the analysis in the 2008 budget; and

WHEREAS, Delaware County has selected Downeast Group Development Consulting to conduct the analysis; and

WHEREAS, Delaware County also plans to contract with three renowned experts from various fields of expertise that are integrally related to the economic impact analysis for the purposes of providing a broader base of independent input and recommendations in order to instill a higher level of objectivity, credence and professional standing to the study.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of

Supervisors authorizes the Chairman of the Board of Supervisors to enter into contracts with Downeast Group Development Consulting and expert panel members.

The resolution was seconded by Mr. Axtell.

Mr. Bracci said in his opinion this is an outstanding resolution and will provide the County with a lot of answers.

Chairman Eisel agreed, adding that it will be helpful in the future to look back at the geography.

Mr. Marshfield said that he has heard good comments from the public about this impact study.

In answer to Mr. Marshfield, Commissioner Frazier provided the names of the three expert consultants and a brief explanation of their expertise. David H. Moreau, a recently retired Professor of Urban Planning at the University of North Carolina, with expertise in systems analysis, planning and management of urban water systems, management of water supplies during droughts and planning and evaluation of watershed management programs. John R. Nolon a Professor at Pace University Law School representing the discipline of land use law and has written for key publications about land use law and about home rule in New York. A.E. Luloff of Pennsylvania State University, Professor of Rural Sociology. His teaching, research, and writing concentrates on the impacts of rapid social change as a result of sociodemographic shifts, on the natural and human resources bases of the community and changes in land cover and use, particularly in areas at the rural-urban fringe, and the impact of rural development and environmental policy on small and rural communities. It is important to note that the services they are providing are independent of their university affiliations, however, their affiliations speak to their credentials and standing in their respective fields of expertise.

In answer to Mr. Valente, Commissioner Frazier said that if all goes as planned the study will begin July 21st and should be completed by February 29, 2009.

Mr. Utter said that he is behind this impact study all the way because it has the potential to validate what we have been saying to New York City about their Land Acquisition Program.

The resolution was adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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. 128

**TITLE: CONVEYANCE OF COUNTY OWNED PROPERTY
TO THE DEPARTMENT OF PUBLIC WORKS
TREASURER'S OFFICE**

WHEREAS, Tax Map No. 431.-1-7 in the Town of Hancock, previously assessed to Josh Prottas, is adjacent to the Fishs Eddy Patrol Garage;

THEREFORE, BE IT RESOLVED that the County of Delaware retain the parcel for the Department of Public Works and cancel the taxes for 2006, 2007 and 2008 in the amount of \$29,043.05.

The resolution was seconded by Mr. Rowe and Mr. Triolo and adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 129

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.

COL06TX.015

ASSESSED TO:

TOWN OF:	<u>MRS AMELIA LISKA</u>
TAX MAP NO:	122400:COLCHESTER
SCHOOL DISTRICT:	339.-1-10
ACREAGE:	122401:DOWNSVILLE
CONVEYED TO:	290.00'F X 335.00'D: 1.00A ACRES
	MRS AMELIA LISKA
	PO Box 74
	CONGERS NY 10920
CASH CONSIDERATION:	\$1,092.99
TAX DEFICIT:	\$772.29

DAV06TX.029A

ASSESSED TO:

TOWN OF:	<u>FRANCINE M LA ROCA</u>
	122600:DAVENPORT

TAX MAP No: 10.-3-10.2
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 5.00A ACRES
CONVEYED TO: FRANCINE M LAROCA
PO BOX 24
WEST DAVENPORT NY 13860
CASH CONSIDERATION: \$1,936.07
TAX DEFICIT: \$1,491.99

DAV06TX.017

ASSESSED TO:

LEONARD COLBAN

TOWN OF: 122600:DAVENPORT
TAX MAP No: 14.-1-24.2
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 24.95A ACRES
CONVEYED TO: LEONARD COLBAN
c/o TIMOTHY & MICHAEL GANNON
102-31 163RD DRIVE
HOWARD BEACH NY 11414
CASH CONSIDERATION: \$1,940.83
TAX DEFICIT: \$1,578.40

DAV06TX.038

ASSESSED TO:

WARREN E SCHUMAN AND CAROLE F SCHUMAN

TOWN OF: 122600:DAVENPORT
TAX MAP No: 21.-1-6
SCHOOL DISTRICT: 361200:ONEONTA CITY SCHOOL
ACREAGE: 127.00A ACRES
CONVEYED TO: WARREN E SCHUMAN AND CAROLE F SCHUMAN
6473 ST HWY 23
ONEONTA NY 13820
CASH CONSIDERATION: \$30,673.31
TAX DEFICIT: \$24,928.56

DAV06TX.039

ASSESSED TO:

WARREN E SCHUMAN AND CAROLE F SCHUMAN

TOWN OF: 122600:DAVENPORT
TAX MAP No: 21.-1-61.3

SCHOOL DISTRICT: 361200:ONEONTA CITY SCHOOL
 ACREAGE: 0.83A ACRES
 CONVEYED TO: WARREN E SCHUMAN AND CAROLE F SCHUMAN
 6473 ST HWY 23
 ONEONTA NY 13820
 CASH CONSIDERATION: \$700.99
 TAX DEFICIT: \$385.76

DEP06TX.006

ASSESSED TO: **MICHAEL A DAMIANO**
 TOWN OF: 123089:DEPOSIT
 TAX MAP NO: 246.-3-12
 SCHOOL DISTRICT: 034201:DEPOSIT
 ACREAGE: 6.64A ACRES
 CONVEYED TO: MICHAEL A DAMIANO
 261 STRAWTOWN RD
 NEW CITY NY 10956
 CASH CONSIDERATION: \$2,408.72
 TAX DEFICIT: \$1,881.40

FRA06TX.005

ASSESSED TO: **EDWARD M BEHRENS AND CAROL ANN J BEHRENS**
 TOWN OF: 123289:FRANKLIN
 TAX MAP NO: 44.-3-1
 SCHOOL DISTRICT: 123201:FRANKLIN
 ACREAGE: 13.20A ACRES
 CONVEYED TO: CAROLANN JOSLIN*
 1935 MEADOWBROOK DR SW APT 604
 HUNTSVILLE AL 35803
 CASH CONSIDERATION: \$1,864.66
 TAX DEFICIT: \$1,360.98

*sold to Carolann Joslin only per Judgement of Divorce.

FRA06TX.002

ASSESSED TO: **CIRO CAPUTO, GIUSEPPE CAPUTO AND RAFFAELE**
CAPUTO
 TOWN OF: 123289:FRANKLIN

TAX MAP No: 124.-3-11.3
 SCHOOL DISTRICT: 122801:DELAWARE ACADEMY
 ACREAGE: 4.20A ACRES
 CONVEYED TO: CIRO CAPUTO, GIUSEPPE CAPUTO AND
 RAFFAELE CAPUTO
 55 SEMINARY AVE
 YONKERS NY 10704
 CASH CONSIDERATION: \$1,434.41
 TAX DEFICIT: \$1,060.99

FRA06TX.024

ASSESSED TO: **WILLIAM B ZUK AND PAMELA A ZUK**
 TOWN OF: 123289:FRANKLIN
 TAX MAP No: 165.-1-19
 SCHOOL DISTRICT: 123201:FRANKLIN
 ACREAGE: 50.00'F x 140.00'D:0.25A ACRES
 CONVEYED TO: WILLIAM B ZUK AND PAMELA A ZUK
 55 SHAW ST APT 5
 NEW LONDON CT 06320
 CASH CONSIDERATION: \$3,825.36
 TAX DEFICIT: \$3,167.79

HAN06TX.003A

ASSESSED TO: **DANIEL BERRIOS AND DONNA MARIE BERRIOS**
 TOWN OF: 123689:HANCOCK
 TAX MAP No: 463.-2-71
 SCHOOL DISTRICT: 123606:HANCOCK
 ACREAGE: 5.10A ACRES
 CONVEYED TO: DANIEL BERRIOS AND DONNA MARIE BERRIOS
 42-29 202 ND ST
 BAYSIDE NY 11361
 CASH CONSIDERATION: \$2,166.02
 TAX DEFICIT: \$1,536.85

HAN06TX.003B

ASSESSED TO: **DANIEL BERRIOS AND DONNA MARIE BERRIOS**
 TOWN OF: 123689:HANCOCK
 TAX MAP No: 463.-2-72

SCHOOL DISTRICT: 123606:HANCOCK
ACREAGE: 5.25A ACRES
CONVEYED TO: DANIEL BERRIOS AND DONNA MARIE BERRIOS
42-29 202 ND ST
BAYSIDE NY 11361
CASH CONSIDERATION: \$2,166.01
TAX DEFICIT: \$1,536.85

HAN06TX.030

ASSESSED TO:

LILLIAN GABRELIAN

TOWN OF: 123689:HANCOCK
TAX MAP NO: 463.-2-24
SCHOOL DISTRICT: 123606:HANCOCK
ACREAGE: 5.10A ACRES
CONVEYED TO: ALICE GAIL GABRELIAN
3508 WEST RAWSON AVE
FRANKLIN WI 53132
CASH CONSIDERATION: \$1,998.84
TAX DEFICIT: \$1,548.76

HAN06TX.075

ASSESSED TO:

WILLIAM TURNER TAYLOR

TOWN OF: 123689:HANCOCK
TAX MAP NO: 372.-3-43
SCHOOL DISTRICT: 123606:HANCOCK
ACREAGE: 5.40A ACRES
CONVEYED TO: WILLIAM TURNER TAYLOR
3 GREENWICH DR #86
JERSEY CITY NJ 07305
CASH CONSIDERATION: \$2,071.04
TAX DEFICIT: \$1,610.55

HAR06TX.005

ASSESSED TO:

KEITH BELL AND CLAUDIA BELL

TOWN OF: 123889:HARPERSFIELD
TAX MAP NO: 40.-1-96
SCHOOL DISTRICT: 125201:STAMFORD

ACREAGE: 277.00'F x 147.00'D ACRES
 CONVEYED TO: KEITH BELL AND CLAUDIA BELL
 27443 STATE HWY 23
 STAMFORD NY 12167
 CASH CONSIDERATION: \$13,254.61
 TAX DEFICIT: \$11,173.43

KOR06TX.021

ASSESSED TO: **PETER AND DEBORAH D WISNIEWSKI**
 TOWN OF: 124000:KORTRIGHT
 TAX MAP NO: 67.-2-33
 SCHOOL DISTRICT: 125202:SOUTH KORTRIGHT
 ACREAGE: 5.10A ACRES
 CONVEYED TO: PETER AND DEBORAH D WISNIEWSKI
 5537 110TH AVENUE, #R101
 PINELLAS PARK FL 33782
 CASH CONSIDERATION: \$6,590.20
 TAX DEFICIT: \$5,211.71

MAS06TX.009

ASSESSED TO: **LENORE E CASSESE**
 TOWN OF: 124200:MASONVILLE
 TAX MAP NO: 160.-1-59.3 NOW 160.-1-59.31
 SCHOOL DISTRICT: 125001:SIDNEY
 ACREAGE: 13.25A ACRES
 CONVEYED TO: LEONORE CASSESE
 375 STEAM MILL RD
 DEPOSIT NY 13754
 CASH CONSIDERATION: \$4,254.85
 TAX DEFICIT: \$3,251.31

MAS06TX.009

ASSESSED TO: **LENORE E CASSESE**
 TOWN OF: 124200:MASONVILLE
 TAX MAP NO: 160.-1-59.3 NOW 160.-1-59.32
 SCHOOL DISTRICT: 125001:SIDNEY
 ACREAGE: 13.25A ACRES

CONVEYED TO: ARTHUR SABANOS AND MARGARET SABANOS
 464 COUNTY RD 26
 NINEVEH NY 13813

CASH CONSIDERATION: \$3,508.03

TAX DEFICIT: \$3,340.98

MID06TX.018

ASSESSED TO: **WILLIAM HRAZANEK AND RAFAEL PEREZ**
D/B/A R & B ENTERPRISES

TOWN OF: 124601:MIDDLETOWN

TAX MAP NO: 287.13-2-22

SCHOOL DISTRICT: 124601:MARGARETVILLE

ACREAGE: 39.00'F x 132.00'D ACRES

CONVEYED TO: WILLIAM HRAZANEK AND RAFAEL PEREZ
 D/B/A R & B ENTERPRISES
 PO Box 43
 FLEISCHMANN'S NY 12430

CASH CONSIDERATION: \$5,917.85

TAX DEFICIT: \$4,907.53

MID06TX.022

ASSESSED TO: **HARUNA KIMURA**

TOWN OF: 124689:MIDDLETOWN

TAX MAP NO: 308.-1-4

SCHOOL DISTRICT: 124601:MARGARETVILLE

ACREAGE: 13.80A ACRES

CONVEYED TO: HARUNA KIMURA
 611 W 111TH ST APT 66
 NEW YORK NY 10025

CASH CONSIDERATION: \$1,884.58

TAX DEFICIT: \$1,451.24

ROX06TX.008

ASSESSED TO: **ROSA GARCIA AND BLAS GARCIA**

TOWN OF: 124800:ROXBURY

TAX MAP NO: 180.-2-24

SCHOOL DISTRICT: 124802:ROXBURY

ACREAGE: 6.07A ACRES

CONVEYED TO: ROSA GARCIA AND BLAS GARCIA
25 GREENFIELD LANE
COMMACK NY 11725
CASH CONSIDERATION: \$3,516.93
TAX DEFICIT: \$2,874.52

SID06TX.032

ASSESSED TO: **MICHAEL GAVIN & TINA LYN GAVIN**
TOWN OF: 125001:SIDNEY
TAX MAP NO: 115.12-12-1
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 82.00'F X 114.00'D:0.25A ACRES
CONVEYED TO: MICHAEL GAVIN AND TINA LYN GAVIN
C/O UNITED REALTY
ATTN: TRIANGLE 69
200 BROAD HOLLOW RD SUITE 401
MELVILLE NY 11747
CASH CONSIDERATION: \$7,358.10
TAX DEFICIT: \$5,948.25

SID06TX.029A

ASSESSED TO: **BART MUNHOLAND AND LEEANN MUNHOLAND**
TOWN OF: 125001:SIDNEY
TAX MAP NO: 115.16-5-16
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 0.25A ACRES
CONVEYED TO: BART MUNHOLAND AND LEEANN MUNHOLAND
1026 FLETCHER ST
PORT CHARLOTTE FL 33952
CASH CONSIDERATION: \$6,393.14
TAX DEFICIT: \$4,773.74

STA06TX.011

ASSESSED TO: **JOHN ESPOSITO**
TOWN OF: 125289:STAMFORD
TAX MAP NO: 68.-2-3.211
SCHOOL DISTRICT: 125202:SOUTH KORTRIGHT
ACREAGE: 29.99A ACRES

CONVEYED TO:	JOHN ESPOSITO 12 CANDLEWOOD LAKE DRIVE SHERMAN CT 06784
CASH CONSIDERATION:	\$3,652.33
TAX DEFICIT:	\$2,950.89

WAL06TX.024

<u>ASSESSED TO:</u>	<u>THOMAS REYNOLDS</u>
TOWN OF:	125689:WALTON
TAX MAP NO:	296.-1-54.2
SCHOOL DISTRICT:	125601:WALTON
ACREAGE:	12.38A ACRES
CONVEYED TO:	THOMAS REYNOLDS 59 BARTELL RD BINGHAMTON NY 13905
CASH CONSIDERATION:	\$4,007.37
TAX DEFICIT:	\$3,263.63

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

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

RESOLUTION NO. 130

**TITLE: PURCHASE OF HIGHWAY RIGHT OF WAY
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Delaware County Department of Public Works has entered into an agreement with the New York State Department of Transportation to receive federal aid under PIN 9753.05 for the reconstruction of County Bridge No. 9, BIN 3352730, and its approaches; and

WHEREAS, the new structure and highway realignment will require additional right of way; and

WHEREAS, Resolution No. 307-06 authorized the acquisition of right of way for the bridge reconstruction project; and

WHEREAS, a release has been executed by Mr. Todd Schwartz.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Department of

Public Works is authorized to purchase the following parcels in the Town of Hancock for the respective amounts including damages.

Map No. 1 Parcel No. 1	0.41 Acres	Fee
Map No. 2 Parcel No. 2	0.32 Acres	Temp. Easement
Todd Schwartz		\$7,509.00

The resolution was seconded by Mr. Rowe and adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 131

**TITLE: AUTHORIZATION TO ACQUIRE RIGHT OF WAY
FOR BRIDGE 2-2 RECONSTRUCTION
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, County Bridge No. 2-2, BIN 3352470, County Route 2 over Bagley Brook in the Town of Hamden is in need of reconstruction; and

WHEREAS, Resolution No. 313-04 authorized the Department of Public Works to enter into an agreement with the NYSDOT for Federal funding for the replacement of the bridge; and

WHEREAS, the Department of Public Works has developed plans for the new bridge to be constructed directly downstream of the current structure which will be used to maintain traffic during the phased construction; and

WHEREAS, the new location of the bridge will require a realignment of County Route 2; and

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

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

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

The resolution was seconded by Mr. Rowe and Mrs. Capouya.

Mr. Marshfield said that he will be voting against this resolution because he understands that this piece of property was appraised for a certain amount and the Federal Department of Transportation reduced the appraisal by \$6,000. In his opinion, this is unfair they have you over a barrel as you cannot go out and offer any more for the land then they approve.

The resolution was adopted by the following vote: Ayes 4471, Noes 128 (Marshfield), Absent 207 (Molé, DuMond).

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

RESOLUTION NO. 132

**TITLE: AMENDMENT TO RESOLUTION NO. 11-08
DESIGNATION OF DEPOSITORY FOR DELAWARE COUNTY FUNDS**

BE IT RESOLVED that, pursuant to Section 212 of the County Law, as amended and now in force, the banks hereinafter specified are hereby designated as a depository for County Funds, together with the maximum amount that may be kept on deposit therein at any one time, and the County Treasurer is hereby authorized and directed to deposit County monies in the banks herein designated.

BE IT RESOLVED the County Treasurer is authorized to wire funds and use electronic transfer of funds (ACH) from or to each facility.

BE IT FURTHER RESOLVED that one certified copy of the resolution shall be filed in the office of the County Clerk, one in the office of the State Comptroller and two in the office of the County Treasurer by the Clerk of the Board of Supervisors.

The National Bank of Delaware County	\$23,000,000.00
The Delaware National Bank of Delhi	7,000,000.00
The Delaware National Bank of Delhi (Court and Trust Fund Designated by NYS Comptroller)	7,000,000.00
The National Bank and Trust Company	40,000,000.00
* Wilber National Bank (increased from \$10,000,000.00)	13,000,000.00

* Amended from Resolution No. 11-08

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

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

RESOLUTION NO. 133

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$4,222,198.26 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	\$2,194,951.13
OET	\$141,183.42
Highway Audits, as Follows:	
Road	\$439,211.40
Machinery	\$269,070.28
Capital Road & Bridge	\$696,760.07
Capital Solid Waste	\$348,417.31
Solid Waste/Landfill	\$132,604.65

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4599, Noes 0, Absent 207 (Molé, DuMond).

Chairman Eisel made the following appointment to the Traffic Safety Board:
Michael Hood - Chief, Sidney PD

Upon a motion the meeting was adjourned at 8:15 P.M.