

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 25, 2009

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 25, 2009 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. Axtell.

Mr. Marshfield offered the invocation.

Mr. Donnelly 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 Director of Public Health Bonnie Hamilton who presented Vera Buel as Employee of the Month.

Mrs. Buel began her employment with Public Health as a per diem registered nurse in October 1992. She became full-time with the department as a Public Health Nurse after receiving her Bachelors in Nursing degree in January 1999. In November 2004 she was promoted to Supervising Public Health Nurse. In this capacity, Mrs. Buel is responsible for public health programs that include communicable disease immunization, health education, early intervention, rabies control and lead poisoning prevention.

Mrs. Hamilton noted that public health is constantly changing and complimented Mrs. Buel's sense of humor, ability to multi-task and easily re-establish her priorities throughout the day. Mrs. Buel enjoys learning about new programs, plans and interventions. She has become knowledgeable about grants, work plans and implementation of better practices and is an active member of the department's policy and procedures committee. Mrs. Buel is a pleasure to work with and her co-workers consider her a knowledgeable resource who is always cheerful and willing to assist when needed.

Mrs. Hamilton presented Mrs. Buel with a \$100.00 savings bond. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Maddalone. Mr. Maddalone introduced Director of Emergency Services Richard Bell. Mr. Bell introduced Director of Office

for the Aging Thomas Briggs who serves as the Chairman of the Human Needs Committee.

Mr. Bell said that the County has experienced many emergency situations and as spring and summer approach so does the potential for flooding events. The U.S. Department of Homeland Security (USDHS) has created emergency preparedness informational material that will help our residents develop an emergency response plan for themselves and their families in the event of an emergency. As it is not always possible for government to respond to the many needs of its residents immediately in an emergency it is important that our citizens have the resources they need on hand to be self-sufficient for at least the first 72 hours of an emergency. The packet includes materials addressing the needs of businesses, older people, people with disabilities and special needs, pets and an in-depth guide to citizen preparedness. This information is provided free of charge by the USDHS and can be ordered in any quantity.

Mr. Briggs stated that the members that comprise the Human Needs Network consist of volunteers who commit to be there after the emergency to provide support for people who are now safe and trying to put their lives back in order. It is difficult for town officials to deal with both the human and infrastructure needs during an emergency. He encouraged each town to have its own emergency response strategy with citizen leaders involved. He referenced the very positive influence of a citizens group that formed in the Town of Sidney to help where needed after the 2006 flood. It is better to be prepared before the emergency than trying to deal with an emergency on the spot.

In answer to Chairman Eisel, Mr. Briggs encouraged the Supervisors to help the Human Needs Committee get this information into the hands of the residents. He noted that future plans include the purchase of software programs that provide information about any vulnerable person in the County. At this time, the efforts of the Committee is to distribute the informational material from the USDHS to our residents.

Mr. Bell replied in response to Mr. Donnelly, that the material is available from the USDHS in any quantity and can be shipped directly to the towns. He advised the Supervisors that they can contact the Office of Emergency Management to place an order which can be shipped directly to their town. The Office of Emergency Management currently has a supply of the materials on hand for distribution.

Mr. Marshfield commented that the Town of Hamden developed an emergency response plan in 1997.

Mr. Briggs suggested that each town consider appointing a Human Needs Liaison to be available in an emergency to perform a community human needs assessment. Often in an emergency situation town officials must first assess infrastructure but, it is helpful to the emergency response organizations coming to assist the town to have both the infrastructure and human needs assessments prior to arriving.

Chairman Eisel granted privilege of the floor to County Insurance Committee Chairman John Meredith. Mr. Meredith noted that enclosed in the packet of information placed on each

Supervisor's desk is a copy of the Workers' Compensation Board Release advising changes to the claim forms. He said there will now be heavy penalties if the forms are not completed correctly. If there are any questions on the enclosed materials the towns should contact the Self Insurance Fund office.

Chairman Eisel granted privilege of the floor to Mr. Utter. Mr. Utter referenced discussion at the March 11th Board of Supervisors' meeting regarding unpaid taxes by the City of New York. He advised that the taxes were paid directly to the Treasurer's Office as instructed by letter to the City by the County Treasurer. Neither he nor the Town of Middletown Tax Collector were aware that the taxes had been paid. Mr. Utter stated he made an apology to the officials of the City. He also noted that County Treasurer Beverly Shields called and apologized to him for not advising him or the Town of Middletown assessor of the receipt of taxes.

Mr. Homovich stated that he was relieved to hear that the taxes were paid and in a timely manner. He felt the discussion raised issues that needed to be addressed by the County. In his opinion, the taxes should be paid first to the Town. He felt that the Board is here to help the towns and if there is a problem a town needs help with, they should bring it to the Board floor.

In answer to Mr. Bracci, Mrs. Shields noted that because the properties fell into Roll Section 6 the properties located in the Towns of Middletown and Roxbury were instructed to forward their taxes to the County Treasurer. She indicated that this was the first time in twenty years that the City followed the letter of instruction rather than send their payment directly to the town. She explained that the majority of City owned land falls into Roll Section 1 which directs payment to the towns but, these parcels, were classified by an assessor twenty years ago as Roll Section 6 and this is the first time in those twenty years the taxes were sent to the County Treasurer.

Mrs. Shields stated in reply to Mr. Utter, that the Department of Real Property Tax Services called the State and learned that there is no consistency between the towns and that the classification is made by the town assessor. In these two cases, twenty years ago, the assessors classified the properties that were in question as Roll Section 6.

In response to Mr. Homovich, Chairman Eisel stated that Director of Real Property Tax Services Michael Sabansky will be looking into the classifications and as soon as information is available it will be provided to the Board.

For Standing Committee Reports, Board of Elections/County Clerk Committee Chairman Thomas Hynes stated that information regarding the proposed consolidation of polling sites has been placed on each Supervisor's desk. He encouraged the Supervisors to review the information provided by the Election Commissioners and to contact the Commissioners of Elections at their earliest convenience with any questions or concerns as the final decision must be made by May 1, 2009.

For Standing Committee Reports, Mr. Rowe advised that the Public Service Commission evidentiary hearings have begun and can be viewed on the Communities Against Regional

Interconnect (CARI) website, www.caricoalition.org. Representatives of the New York Regional Interconnect (NYRI) project are having to answer in-depth questions about the project. He expressed his amazement when he heard that the NYRI representatives were unaware the project would pass through the watershed. Needless to say, the discussion was very interesting.

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

RESOLUTION NO. 56

**TITLE: 2009 BUDGET AMENDMENT
VEHICLE PURCHASE
SHERIFF'S OFFICE**

WHEREAS, the Delaware County Sheriff's Office has received insurance recovery funds pertaining to an accident occurring on January 9, 2009, which involved the 2005 Jeep Grand Cherokee assigned to Sheriff Mills; and

WHEREAS, an equipment purchase authorization approving the replacement of the vehicle was granted on February 25, 2009.

THEREFORE, BE IT RESOLVED that the 2009 budget be amended appropriating the insurance recovery funds towards the purchase of a replacement vehicle.

INCREASE REVENUE:

10-13110-42268000	Insurance Recoveries	\$14,000.00
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INCREASE APPROPRIATION:

10-13110-52200000	Equipment	\$14,000.00
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The resolution was seconded by Mr. Donnelly.

In answer to Mr. Marshfield, Sheriff Mills replied that he monitors his vehicle plan regularly in order to ensure he maintains an appropriate amount of vehicles for the deputies and corrections. Currently there are sufficient vehicles for each deputy to have their own vehicle, and to allow for corrections to have the amount of vehicles they need to transport prisoners throughout the County.

The resolution was adopted by the following vote: Ayes 4637, Noes 0, Absent 169 (Axtell).

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

RESOLUTION NO. 57

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

LETTING OF MARCH 12, 2009

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. SW5-09 New Forklift to: Empire Forklift, Inc.
PO Box 108
Bloomingburg, NY 12721

Bid Price: \$22,000.00

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 and adopted by the following vote: Ayes 4637, Noes 0, Absent 169 (Axtell).

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

RESOLUTION NO. 58

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

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

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

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

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

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

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

RESOLUTION NO. 59

**TITLE: APPROVAL TENTATIVE AGREEMENT
DEPUTY SHERIFFS
PERSONNEL OFFICE**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County Deputy Sheriffs Police Benevolent Association for the terms and conditions of employment for the years 2009, 2010 and 2011

NOW, THEREFORE, BE IT RESOLVED that said tentative agreement is hereby approved as presented to the Board; and

BE IT FURTHER RESOLVED that the Chairman of the Board is authorized to execute a collective bargaining agreement which incorporates the terms of said tentative agreement.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4637, Noes 0, Absent 169 (Axtell).

Chairman Eisel waived Board Rule 10 to permit the introduction without objection of the following not-prefiled resolution.

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

RESOLUTION NO. 60

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,528,830.83 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	\$1,112,360.99
Countryside	\$500.00
OET	\$43,330.78
Highway Audits, as Follows:	
Road	\$113,116.62

Machinery	\$57,683.43
Capital Road & Bridge	\$52,365.56
Capital Solid Waste	\$51,019.79
Solid Waste/Landfill	\$98,453.66

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4637, Noes 0, Absent 169 (Axtell).

Chairman Eisel made the following appointment to the Workforce Investment Board:
Robin Halaquist to replace Linda Gonzalez

Upon a motion, the meeting was adjourned at 1:45 p.m.