

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 13, 2009**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 13, 2009 at 5:30 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.

Mr. Marshfield offered the invocation.

Mr. Axtell 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 Mr. Bracci. Mr. Bracci introduced Commissioner of Social Services William Moon to discuss changes to the Youth Bureau funding.

Commissioner Moon advised that at the direction of the Youth Bureau Board, he and Chairman of the Youth Bureau Wayne Marshfield prepared a mailing detailing the changes in funding to the Summer Youth Recreation Program. The mailing will be sent to participating municipalities and will include a copy of Town of Hamden Supervisor Wayne Marshfield's letter choosing not to accept the Youth Bureau funding in the amount of \$500 and directing the Board on how he would like the \$500 spent.

The Summer Youth Recreation Program has not seen an increase in funding since 1989, yet the Youth Bureau is required to provide municipalities with funds for their summer youth programs. The Youth Bureau Board is faced with the reality that they cannot continue to fund the Summer Youth Recreation Program and adequately fund the "at risk" programs. The mailing asks the municipalities to review their summer recreation programs and advise the Youth Bureau if they would like to continue under the program.

Commissioner Moon said that he or Mr. Marshfield would be available to speak to any municipality privately, at the next Youth Bureau meeting being held on June 1st, or answer any questions at this time.

Also discussed was the Summer Youth Employment Program. Information on the Summer Youth Employment Program was placed on the each Supervisor's desk. He advised that because of its funding sources this program would not be affected and he looked forward to another very successful year.

In answer to Mr. Donnelly, Commissioner Moon asked that the municipalities reply as soon as they have reached a decision. He felt the State's decision to cut funding to the Summer Youth Recreation Program may indicate this program might be a dying product. There may be additional funding that could create some flexibility for the Youth Bureau through the Department of Social Services but, he suspects that funding will be directed towards programs with an "at risk" element.

Mr. Marshfield explained that over the years the Youth Bureau had made cuts to the "at risk" programs based on the number of youths to sustain the Summer Youth Recreation Program. A \$10 fee for the swimming program was instituted because it was found that families were signing up but, were not sincere in their efforts to use the program. Unfortunately, this backfired as the State reduced the funding further expressing concern that the required fee may prevent an interested youth from participating. He added that if any family had expressed financial concerns the fee would have been waived. A donation is now asked for and is acceptable by the State.

He said the amount of paperwork that needs to be completed by the municipality annually is daunting. The Town of Hamden used to receive \$850 to \$900. This year, the town would receive \$500 and the Hamden Town Board felt it was too much paperwork for the money.

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

**RESOLUTION NO. 77**

**TITLE: PROCLAMATION CELEBRATING 35 YEARS  
OFFICE FOR THE AGING**

**WHEREAS**, on May 8, 1974, the Delaware County Board of Supervisors, under then Chairman Kenneth M. Axtell, passed Local Law No. 1 creating the Delaware County Office for the Aging by unanimous vote; and

**WHEREAS**, the Agency has since developed and implemented programs, counseled individuals and families, advocated for the least restrictive and most appropriate level of care for the frail, and generally made it their mission to improve the quality of life for the senior citizens of Delaware County; and,

**WHEREAS**, the Agency has enjoyed the strong support of Delaware County's agencies, not for profit organizations, public institutions, business communities, volunteers, individual taxpayers and the County Board

**THEREFORE, BE IT RESOLVED**, that the Delaware County Office for the Aging be recognized as it celebrates its 35 years of service to the people of Delaware County.

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

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

**RESOLUTION NO. 78**

**TITLE: 2009 BUDGET AMENDMENT  
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 WM08838680) 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 generators for three communications tower sites, transmitters for two communications tower sites, expansion of the existing Pictometry program to include interiors of Critical Infrastructure buildings, electronic versions of the CEMP, wall mount projectors for the EOC and Fire Training Center, incident management software, and contracting with individual(s) to provide necessary training to First Responders; and

**WHEREAS**, this grant covers a period of September 1, 2008 through August 31, 2011 and needs to be added to the 2009 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 the 2009 budget be amended as follows:

**INCREASE REVENUE:**

10-13640-43338900/3640034/909	State Otr Public Safety	\$127,500.00
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**INCREASE APPROPRIATION:**

10-13640-52200001/3640034/909	Equipment-Grant	\$114,400.00
10-13640-54327000/3640034/909	Grant Contracted Services	\$13,100.00

The resolution was seconded by Mr. Utter and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

**RESOLUTION NO. 79**

**TITLE: 2009 BUDGET AMENDMENT  
ACCEPTANCE OF CENTRALIZED PROPERTY TAX  
ADMINISTRATION ASSESSMENT STUDY GRANT  
REAL PROPERTY TAX SERVICES**

**WHEREAS**, the Real Property Tax Services has been awarded a grant from the State of New York, Office of Real Property Services for the completed Assessment Study for Centralized Property Tax Administration; and

**WHEREAS**, the acceptance of the grant does not obligate the County to implement county-wide assessing

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

**REVENUE ACCOUNT:**

10-11355-43308900/1355006/984 State Other – General Government \$25,000.00

**APPROPRIATION ACCOUNTS:**

10-11355-52200001/1355006/984 Equipment – Grant \$25,000.00

The resolution was seconded by Mr. Triolo and adopted by the following vote: 4461, Noes 345 (Homovich, DuMond), Absent 0.

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

**RESOLUTION NO. 80**

**TITLE: 2009 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
UNEMPLOYMENT BENEFITS  
PERSONNEL DEPARTMENT**

**WHEREAS**, the 2009 Budget has appropriations for unemployment distributed among different departments for reimbursement purposes; and

**WHEREAS**, the General Fund has an account for undistributed unemployment benefits that is used to pay for any unemployment claims during the year and this modification has been part of the past practice of the county; and

**WHEREAS**, the remaining balance in the appropriation will be rolled into the Employee

Benefit Reserve at the end of the year

**NOW, THEREFORE, BE IT RESOLVED**, that the following budget modification be made:

**FROM:**

10-11040-58500000	Clerk Board	\$591.00
10-11165-58500000	District Attorney	1,423.00
10-11325-58500000	Treasurer	970.00
10-11327-58500000	Fiscal Affairs	830.00
10-11340-58500000	Budget Officer	57.00
10-11355-58500000	Real Property Tax	1,107.00
10-11364-58500000	Tax Acquired Prop	117.00
10-11410-58500000	County Clerk	3,070.00
10-11420-58500000	County Attorney	2,043.00
10-11430-58500000	Personnel	1,036.00
10-11450-58500000	Elections	781.00
10-11620-58500000	Buildings	2,945.00
10-11670-58500000	Printing	118.00
10-11680-58500000	Information Technology	2,607.00
10-13020-58500000	Public Safety - 911	173.00
10-13110-58500000	Sheriff - Law Enforcement	4,921.00
10-13140-58500000	Probation	2,367.00
10-13150-58500000	Sheriff Jail	10,055.00
10-13315-58500000	Stop DWI	172.00
10-13620-58500000	Safety Inspections	215.00
10-13640-58500000	Emergency Services	360.00
10-14010-58500000	Public Health	6,307.00
10-14012-58500000	Public Health	1,042.00
10-14013-58500000	Immunization	140.00
10-14035-58500000	Children Spec Health Care	67.00
10-14050-58500000	Lead	114.00
10-14059-58500000	Early Intervention	1,074.00
10-14060-58500000	Edu Physically Handi	547.00
10-141895-85000000	Emergency Medical	268.00
10-14310-58500000	Mental Health Clinic	5,267.00
10-14311-58500000	Community Support	461.00
10-14312-58500000	MH Crisis Serv Prog	235.00
10-14313-58500000	Kendras Law	131.00
10-14315-58500000	Enh Childrens Serv	235.00
10-14317-58500000	Alcoholism Clinic	2,269.00
10-14321-58500000	Exp Mental Health	513.00
10-16010-58500000	Social Services	17,719.00

10-16326-58500000	Economic Development	837.00
10-16510-58500000	Veterans	336.00
10-16610-58500000	Sealer	189.00
10-16772-58500000	Office for Aging	1,631.00
10-17310-58500000	Youth	1,753.00
10-18020-58500000	Planning	2,434.00
10-18740-58500000	Watershed Affairs	848.00
22-18160-58500000	Public Works-Landfill	5,145.00
24-19050-58500000	Public Works-Road	21,925.00
62-11710-58500000	Workers Compensation	<u>361.00</u>
Total:		\$107,806.00

<b><u>TO:</u></b>		
10-19050-58500000	Unemployment Insurance	\$107,806.00

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

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

**RESOLUTION NO. 81**

**TITLE: 2009 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
COUNTY INSURANCE**

**WHEREAS**, it is necessary to fund the County Insurance account to cover premiums on purchased policies for 2009, incidental liability claims, administrative costs and continued funding of the insurance reserve account

**NOW, THEREFORE, BE IT RESOLVED** that the following expenditures are authorized:

<b><u>FROM:</u></b>		
10-11325-54630000	County Treasurer	\$800.00
10-11410-54350200	County Clerk	5,800.00
10-11620-54350200	Buildings	1,200.00
10-11620-54350200/1620004/975	Buildings (ARC)	6,000.00
10-13110-54350200	Sheriff	34,810.00
10-13140-54350200	Probation	22,000.00
10-13144-54350200	Probation CSS	900.00
10-13150-54350200	Jail	40,000.00
10-13315-54350100	STOP DWI	400.00

10-13640-54350200	Emergency Service	1,000.00
10-14010-54350200	Public Health Nurses	24,330.00
10-14012-54350200	Public Health Nurses	2,670.00
10-14189-54350200	Emergency Medical Ser	700.00
10-14310-54350200	Mental Health Clinic	10,000.00
10-14311-54350200	Community Support Prog	2,000.00
10-14313-54350000	Kendra's Law	1,000.00
10-14317-54350200	Alcoholism	4,500.00
10-14321-54350200	Expanded Mental Health Prog	500.00
10-16010-54350200	Social Services	40,000.00
10-16326-54350200	Economic Dev	550.00
10-16510-54350200	Veteran's Service Agency	1,180.00
10-16610-54350200	Sealer of Weights & Measures	390.00
10-16772-54350200	Office for Aging	2,600.00
10-18020-54350200	Planning Department	1,700.00
10-18740-54350200	Watershed Affairs	400.00
26-15130-54350200	Highway Department	98,800.00
22-18160-54350200	Solid Waste	<u>26,000.00</u>
	Total	\$330,230.00

**INCREASE REVENUE:**

10-19000-42280100	Interfund Revenue Insurance	\$330,230.00
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**INCREASE APPROPRIATION:**

10-11910-54350200	Unallocated County Insurance	\$330,230.00
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**BE IT FURTHER RESOLVED**, that any unexpended year end balance in account 10-11910-54350200 Unallocated County Insurance be transferred to 10-19901-59990200 Operating Transfer (out) for transfer to the Insurance Reserve Fund.

The resolution was seconded by Mr. Homovich and adopted by the following vote: Ayes 4806, noes 0, Absent 0.

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

**RESOLUTION NO. 82  
TITLE: AUTHORIZATION FOR AWARDS -  
DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS**

**LETTING OF APRIL 30, 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. 27-09:

JD 410J BACKHOE to:

Five Star Equipment, Inc.

1300 Dunham Dr.

Dunmore, PA 18512

Bid Price: \$91,693.00 each

County will make purchase w/trade for \$74,693.00

PROPOSAL NO. 28-09

ARTICULATED WHEEL LOADER to:

Anderson Equipment Co.

720 E. Franklin Street

Endicott, NY 13760

Bid Price: \$131,041.00 each

PROPOSAL NO. 29-09

ENCLOSED TRAILERS to:

The Trailer Connection

1203 State Route 7

Richmondville, NY 12149

Bid Price: \$7,460.00 each

PROPOSAL NO. 30-09:

10' HOPPER SPREADER to:

Chemung Supply Corp.

PO Box 527

Elmira, NY 14902

Bid Price: \$9053.00

PROPOSAL NO. 31-09:

SOLAR POWERED, TRAILER MOUNTED

VARIABLE MESSAGE BOARD to:

JC Smith, Inc.

416 Commerce Road

Vestal, NY 13850

Bid Price: \$16,120.00 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.



In answer to Mr. Marshfield, Commissioner of Public Works Wayne Reynolds stated that Proposal No. 29-09 is for two enclosed trailers which will replace two trucks and Proposal No. 31-09 is for two solar powered, trailer mounted variable message boards.

The resolution was adopted by the following vote Ayes 4806, Noes 0, Absent 0.

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

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

**RESOLUTION NO. 83**

**TITLE: LEGISLATIVE APPROVAL FOR CONTINUATION OF SALES TAX LEVY**

**WHEREAS**, Senate Bill 4848 and Assembly Bill 3988 have been introduced to allow the continuation of the 4% local sales and use tax rate;

**NOW, THEREFORE BE IT RESOLVED**, that the Delaware County Board of Supervisors requests the passage and enactment of Senate Bill 4848 and Assembly Bill 3988 entitled “AN ACT to amend the tax law, in relation to extending the authorization of the County of Delaware to impose an additional one percent of sales and compensating use taxes”; and

**BE IT FURTHER RESOLVED**, that the Clerk of the Board of Supervisors is directed and authorized to file with the Senate and Assembly Home Rule Messages or forms as needed to certify this resolution.

The resolution was seconded by Mr. Marshfield.

Mr. Donnelly explained that this is for the continuation of the additional one percent of sales and compensating use taxes not a new request. This is the same process the County must go through every two years.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 84**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,268,842.13 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	\$1,656,945.74
OET	\$117,888.20
Countryside	\$420.00
Highway Audits, as Follows:	
Road	\$131,408.52
Machinery	\$147,109.27
Capital Road & Bridge	\$107,287.13
Capital Solid Waste	\$35,450.67
Solid Waste/Landfill	\$72,332.60

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4806, Noes 0, Absent 0.

Chairman Eisel invited everyone in attendance to enjoy refreshments served in the lobby by the Office for the Aging in recognition of their 35 years of service to the people of Delaware County.

Upon a motion the meeting was adjourned for a short recess and reconvened with all Supervisors present except Mr. Meredith.

Chairman Eisel invited the Supervisors to attend the grand opening for recreational boating on the Cannonsville Reservoir at Dry Brook on Thursday, May 21<sup>st</sup> at 11:00 a.m.

Chairman Eisel granted privilege of the floor to Mr. Utter. Mr. Utter advised that the Economic Impact Assessment Report commissioned to determine the impact of New York City's Land Acquisition Program (LAP) on Delaware County is complete. He introduced Commissioner of Watershed Affairs Dean Frazier.

Commissioner Frazier, on behalf of himself and the Director of Economic Development Glenn Nealis, thanked the Board of Supervisors and the Delaware County Chamber of Commerce who jointly requested the report. Also recognized were the County Departments of Economic Development, Planning, Public Health, Real Property Tax, Social Services and Watershed Affairs; Cornell Cooperative Extension of Delaware County, the Delaware County Soil and Water Conservation, and Water Resources Consultant Steve Pacenka. Thanks were also extended to the many experts, the focus group participants, and the participating public for their input.

Commissioner Frazier advised that the next steps will be to introduce this report to regulatory and environmental groups and to hold presentations for the general public and any other interested groups. The full report will be posted on website [www.delcowatershed.com](http://www.delcowatershed.com).

He introduced Downeast Development Consulting Group President Greg Brown to discuss the New York City Watershed Economic Impact Assessment Report.

Mr. Brown provided a powerpoint presentation entitled: *The New York City Watershed Economic Impact Assessment Report, Determining Impacts and Developing Options Regarding New York City's Land Acquisition Program*.

In June of 2007, New York City received the fourth Filtration Avoidance Determination Document (FAD) from the Environmental Protection Agency (EPA) for its water supply system extending to 2017. One component of document was the insertion of a \$300 million, 10-year Land Acquisition Program (LAP). The scope of the LAP was unprecedented in relation to earlier FADs issued to manage and regulate the New York City watershed as well as the other unfiltered water supply systems in New York State.

New York City Water Supply provides 1.3 billion gallons of water per day to New York City and adjacent communities. It is the largest unfiltered water supply system in the world covering over 2,000 square miles of eight counties in upstate New York. It has been estimated that to date, New York City has spent nearly \$1.5 billion since 1997 on watershed protection management. New York City Comptroller William Thompson Jr. estimates it would cost \$6 billion to \$10 billion to build a filtration plant for the Catskill-Delaware watershed.

The report was initiated to complete an economic analysis of Delaware County's economy and establish a baseline for monitoring and developing projections of future economic conditions.

The analysis determined the continuation of the LAP may potentially result in the loss of 460 jobs within the natural resource based industries. It projects that the County may see 157 new tourism related jobs and 147 jobs in certain resource-dependent manufacturing sectors. It further indicated a potential transition within the economy of industries providing higher earnings per worker being replaced by jobs in industries with lower earnings per worker.

The report found that current County wages are substantially lower than the State average for all sectors. As geography and regulations already impact development potential, the random pattern of acquisitions by the City make it likely that land valued locally for its ability to support even moderate levels of development will be acquired. Less available land would equate to lower levels of growth and create an inflationary impact on land values. He pointed out that growth in personal income lags behind the growth in land values. There is also a significant and increasing vacancy rate among housing units which suggests a substantial level of second home ownership. A flat growth in building permits since 1992 was noted and housing costs and land

values have jumped and are raising significantly higher than surrounding counties. The tax implications under LAP suggests that the City may challenge their tax assessments in the future causing the loss of millions of dollars in assessments to the County. In addition, since 1996 the population of the County has declined and the number of school enrollments has dropped.

The analysis suggests the County work towards strengthening the partnership with the City and plan for the future as proposed in the Delaware County Smart Growth Comprehensive Development Plan. Other recommendations were to build collaborations to avoid conflicts with officially adopted local plans and compilation of all current town level land use plans into a County land use master plan.

Mr. Brown encouraged the Board when possible to read the full final report as well as the executive summary. He thanked the Board for the opportunity to present this information.

Mr. Brown stated in answer to Mr. Triolo, that the study did not break down the potential loss of the 460 jobs within the natural resource based industries by direct or indirect jobs or in terms of salary versus self-employed. The report found the industries most affected, forestry, agricultural and mining, have a high level of self-employment and analyzed the potential growth or losses under a variety of different scenarios.

In response to Mr. Triolo, Mr. Brown said that the average proprietor job in 2006 paid \$12,427 versus the \$32,240 for a salaried employee. This is an area of concern as self-employed individuals usually have a greater income potential than the salaried individuals. This fact speaks to the nature of the self-employment in the County which consist mostly of small scale resource based activities and hobby businesses. Hobby businesses are defined as businesses that operate on varying hours of less than full-time. These findings are troubling because all of the information tends to point to continued growth in the area of self-employment.

Mr. Brown explained in answer to Chairman Eisel, the analysis contained in the report with regard to the impact of the LAP on the County's natural resource industries revolves around the availability of land. The analysis that was conducted looked at how much of the land within each municipality is zoned and used for the different industries throughout the County and how many jobs are in that industry within each municipality to determine a jobs per acre ratio.

The analysis then focused on what would happen when some of that land was taken away. The potential lost opportunities as a result of land acquisition in industries such as agriculture and forestry can now be calculated using the jobs per acre ratio. The projected potential growth in the industry of tourism and recreation was based on the premise that land acquisitions removed from development would be available for use. If this is not the case, tourism and recreation would also be adversely affected.

Mr. Triolo remarked that if the City would allow access for open hunting on their land the County could see an increase in tourism and recreation. Mr. Brown agreed that all considered, allowing open hunting and access to the reservoirs would be two of the easier concessions the

City could make.

Mr. Brown answered in response to Mr. Triolo, that the analysis did not consider the impact of the Watershed Agricultural Council easements. Discussion on easements came up as an area of the City's activity that could be modified and improved.

In reply to Mr. Triolo, Mr. Brown explained the vacancy rate statistic is made up of homes that are not considered a primary resident of the owner. The data indicates that there may be vacant homes not figured into the vacancy rate statistic because it benefits the second homeowner to list their upstate home as their primary residency.

Mr. Bracci commented that Delaware County is unique in the United States and partnering with the City could enhance our environment for recreation and tourism. He agreed with the findings of the analysis and was especially interested in developing the Delaware County Smart Growth Comprehensive Development Plan. He felt at this time the County did not have a clear strategy. Without a clear strategy, he feared the County would become an area where people could work in service related jobs but, could not afford to live here. In addition, he felt the expected completion date of December 31, 2009 would make it impossible to include all the watershed towns in the process.

Mr. Brown in response to Mr. Bracci, referenced the research done by Dr. John Nolon of Pace University. He stated that Dr. Nolon's finding suggested that the watershed towns combine their local authority as it relates to land use planning with the efforts of the New York State's Smart Growth Initiative for revitalizing the upstate region and begin to map out a concrete plan that can be brought into the process with the City.

Mrs. Capouya commented that she heard Dr. Nolon speak and felt his work was remarkable. She agreed creating a Smart Growth Comprehensive Plan would be a great deal of work but, felt it could and should be done. She believed this was very important to the future of the County.

Mr. Homovich said that good honest people from the watershed towns worked hard with the City to create the Memorandum of Agreement (MOA) and develop a working partnership. Over the years the City has had one plan or program after the other changing the regulations in place to maintain the water quality but, the MOA has never been updated.

He felt the City has one idea for our environment and another for their watershed environment. The study shows that there is more going on than efforts to maintain pure water. Millions of dollars have been spent by the City to maintain the water quality with no indication of when it will end. He questioned at what point the City is going to feel they have achieved an acceptable water quality.

Anything that has a great impact on our economic growth, like natural gas, the hydro

electric project, and resort development have been fought by the City. In his opinion, the future of this County is not tourism, it is using our natural resources. If the area does not have retention, there is no economic growth. There are already many vacant businesses throughout the County because they cannot survive here.

Furthermore, Mr. Homovich felt that the MOA needed to be addressed with the City. He suggested that the people of this County need to have a voice. He believes the issue should be put on the November election ballot giving County residents the opportunity to decide if they feel the MOA should be renegotiated or indicate if they are satisfied with how it is now. He questioned if the watershed towns are better off today than they were before the MOA was signed.

Mr. Rowe stated he felt that the watershed towns should be building a case for filtration. As long as the City is pulling their drinking water out of our reservoirs Delaware County is going to be a loser. The watershed towns have to prove to the City that they are losing money this way. In his opinion, a better use for the government stimulus money would have been to help the City build a filtration system. There are opportunities for recreation and economic growth that are hindered by the City and their lack of understanding of the possibilities that exist here. Until the City filters the water downstate he did not believe the watershed towns would see any concessions by the City on land use.

In his opinion, the hardwood and bluestone industries will carry Delaware County. Tourism is a nice slice of the pie. The County cannot remain in the mentality of closed box thinking like a pizza that only has eight slices. This County is going to have to think like a sheet pizza with 40 to 50 slices.

Mr. Brown referenced a gentleman who expressed a similar opinion on the Downeast's website Blog which can be accessed at [www.downeastgroup.ca/blog](http://www.downeastgroup.ca/blog). This gentleman took issue with the title "*The New York City Watershed Economic Impact Assessment Report*". He questioned why the assessment report was not titled "*The Delaware County Economic Impact Assessment Report regarding the New York City Watershed.*" He felt that the watershed towns afford the City the opportunity to continue to avoid building a water filtration system and that going forward plans should be made with the assumption that in time the City will build a filtration system.

In response to Mr. Valente, Water Resources Consultant Steve Pacenka advised that the water rates are published in the New York City Independent Budget Office Fiscal Brief Report.

Mr. Homovich remarked that is it criminal for the City to think that they can grieve their taxes and maybe win. If they do not want to pay the taxes they should not purchase the land. The watershed was supposed to be a showcase model for the whole world. In his opinion, the City should take the responsibility to make sure this area survives. He feels the watershed towns are dying on the vine.

Mr. Marshfield commented that the Board is looking at a lot bigger picture than partnering with the New York City Department of Protection (NYCDEP). The towns of Hamden and Hunter were selected as pilot projects and were asked to devise a corridor of property that would be designated acreage for expanded hamlet areas. The Town of Hamden originally selected 5,000 acres and was encouraged by NYCDEP to reduce that amount. They decided on 2,700 acres and the NYCDEP was happy with that. Shortly thereafter, a letter was received from the New York State Department of Health (NYSDOH) and environmentalists saying that the Town of Hamden was creating urban sprawl and they strictly oppose it. In his opinion, the environmentalists will be the biggest problem.

Referencing the hydro project, Mr. Marshfield said that NYCDEP accompanied representatives from the Delaware County Electric Cooperative to Washington, DC to discuss the City's opposition to the project.

Mr. Valente stated that this County leads the way as an environmental community in the tradition of the farmer who has always been stewards of their land. Farmers compost and we want to generate electricity from composting. A great deal of money is spent on environmental issues and the County has been stopped by the City from projects that would create new environmental opportunities. The County does not need to be told to be good stewards, we are good stewards and should be recognized for that.

Mr. Bracci remarked we have been the nice guys and look where it has gotten us. There have been comments made that the LAP is more about open spaces than about clean water.

In answer to Mr. Triolo, Mr. Brown said that a successful approach for Delaware County would be to consider the "50 slice pizza" suggested by Mr. Rowe and define several industries to sustain growth and retention. He felt the Smart Growth Plan was an important step. Once there is a plan in place you can mobilize more effectively.

Mr. Nealis explained that many of the components of the Delaware County Smart Growth Comprehensive Development Plan are already being worked on or are in place. The County's economic development strategies are already in line with the Smart Growth Plan. There is work involved but this can be accomplished by the deadline.

Mr. Brown agreed with Mr. Nealis noting that is what Dr. Nolon is referring to, leveraging the State initiatives and the County's own local authority to create the concrete data necessary to strategize with the City.

Mr. Bracci remarked that he felt the State and the City were one in the same.

In answer to Mrs. Capouya, Mr. Nealis said that another point for the study was that the LAP had never been looked at from the perspective of how it will affect the people who live and work here.

Mrs. Capouya said that the Board made the decision to have the Economic Impact Study done. The report indicates there are negative impacts associated with the LAP. The analysis proves what we have seen happening and what we fear will happen. This analysis is of value to us because it provides the concrete data we need to negotiate with the City.

Mr. Homovich remarked that he sees this as just another plan. While we are making these plans we are losing businesses and families because they cannot make a living here.

Mrs. Capouya felt that an action needed to be initiated by the Board of Supervisors as our residents have the most to lose and the most to gain.

Mr. Utter questioned what the County was going to use as their bargaining chip.

In response Mr. Homovich said that the watershed towns hold the trump card. If everyone in the watershed pulled out of the MOA the City would have to do something different. We are already dealing with a failing economy and reduced sales tax revenue coming into the County. The impact of this may mean layoffs in our next year's budget.

Mr. Utter asked if pulling out of the MOA would relieve the watershed towns of the current regulations. Mr. Homovich commented maybe not but it may force the City to think about building a filtration system.

Commissioner Frazier said that this document is a very important tool to the SEQRA under the scoping process to help get the County's issues on the table. The SEQRA process allows the introduction of potential negative impacts as a result of the implementation and this document can do that for the County. The analysis can also be used to support current lawsuits specific to the LAP.

Mr. Donnelly remarked that he has a high regard for the MOA and the City was in violation of the document by not inviting the watershed towns to the table at the time of the last FAD. This action by the City showed their disregard of the MOA and their insincerity in partnering with the watershed towns.

Mr. Hynes commented that the County joined the Coalition of Watershed Towns for more power against the City. He agrees there are problems but, asks the Board to remember what it was like dealing with the City before the MOA. He could not see the County pulling out now.

Mr. Homovich stated that the MOA we have today is not the MOA that was signed in 1997. He felt the City has taken advantage of the people who tried in good faith to partner with them.

Mr. Hynes questioned if it was known for sure that the watershed towns would be



relieved of the current regulations and restrictions if the City put in a filtration system or if the towns pulled out of the MOA.

Mr. Donnelly said in his opinion, it is wrong to be talking about pulling out of the MOA. Even without the MOA there will be restrictions and regulations enforced by the NYSDOH.

Mr. Utter thanked Mr. Brown and all of those involved with the presentation. A great deal of work has gone into creating this document. It is now up to the Board to take it from here.

Upon a motion, the meeting was adjourned at 8:30 p.m.