

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS

JANUARY 28, 2009

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, January 28, 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. Donnelly and Mr. DuMond.

Mr. Marshfield offered the invocation.

Mr. Triolo 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. Maddalone. Mr. Maddalone introduced Director of Emergency Services Richard Bell for an update on the expanded emergency declaration that was announced by the Federal Emergency Management Agency (FEMA).

Mr. Bell referenced the ice storm event of December 2008 and advised that FEMA has announced an expanded emergency declaration awarded to several counties within New York State. The Department of Emergency Services received the official report from FEMA awarding category "A" and "B" for Delaware County and will be contacting eligible town supervisors and their highway superintendents advising them of this update.

Mr. Marshfield introduced Director of Real Property Tax Services (RPTS) Michael Sabansky to provide an update on the Centralized Property Tax Administration Program.

Mr. Sabansky passed out a copy of the completed *Centralized Property Tax Administration Program Assessment Study for Delaware County* to each Supervisor. He said this study was funded by the New York State Office of Real Property Services grant that was offered in 2008.

RPTS contracted with Michael Swan Consulting to perform the study. The task was strictly to compile facts, not to make any recommendations. Town assessors and town

supervisors were interviewed to obtain relevant data to input into the study.

Mr. Sabansky stated that the intent of the study was to look into the assessment practices within Delaware County, review the process, and present alternatives that could result in a more efficient and uniform assessment system.

The study looked at the present system of assessing in Delaware County. In addition, three other methods of assessing were addressed. The other options for assessing the County would be county run assessing, contracting of services with the towns and a coordinated assessing program.

Mr. Sabansky noted that the submission of the completed study along with a copy of the minutes showing that the study had been presented to the Board of Supervisors will qualify the County for the second payment of \$25,000 from New York State.

Mr. Sabansky stated that he hoped that the supervisors would take the time to review the study and he would be happy to answer any questions.

Chairman Eisel granted privilege of the floor to Mr. Homovich.

Mr. Homovich referenced the undeclared flooding event of July 23, 2008 that affected Holiday and Berry Brook Roads in the Town of Colchester. He extended thanks for a job extremely well done on behalf of himself and the Town of Colchester to the United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS) and the Delaware County Soil and Water Conservation District (DCSWD) for their work under the Emergency Watershed Protection Program. At the conclusion of the project and upon the final inspection by NRCS, application was made for reimbursement by the DCSWD through the federal government on December 16th and the funds were transferred to the Town of Colchester account on December 26th. This is a phenomenal turn around and the Town of Colchester is very appreciative.

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

RESOLUTION NO. 15

**TITLE: 2008 BUDGET AMENDMENT
TO RESOLUTION NO. 194-08
AID TO PROSECUTION GRANT
DISTRICT ATTORNEY**

WHEREAS, Resolution No. 194-08 was adopted by the Board on October 25, 2008; and

WHEREAS, after evaluating the needs of the department it has been determined that the

grant monies should be used for the purchases of two file cabinets rather than office supplies

THEREFORE, BE IT RESOLVED, that the following transfer be authorized for the purchase of two file cabinets.

FROM:

| | | |
|-------------------|-----------------|----------|
| 10-11165-54595320 | Office Supplies | \$503.00 |
|-------------------|-----------------|----------|

TO:

| | | |
|-------------------|-----------|----------|
| 10-11165-52200000 | Equipment | \$503.00 |
|-------------------|-----------|----------|

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 16

**TITLE: 2009 BUDGET AMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the Public Health Preparedness Grant will be ending on March 31, 2009 instead of August 9, 2009 and the State has encouraged Public Health to use the funds that have been appropriated by March 31, 2009; and

WHEREAS, Public Health is in need of computer equipment to replace outdated equipment and a fit test machine, as the one that they currently have is over eight years old and there is an increase need for people to be fit tested; and

WHEREAS, the funding needs to be transferred to the appropriate equipment account;

THEREFORE BE IT RESOLVED, that the following transfers be made:

FROM:

| | | |
|-------------------|--------------------------------|------------|
| 10-14010-52200000 | Equipment | \$1,800.00 |
| 10-14012-54195000 | Consultant | 5,500.00 |
| 10-14012-54327000 | General Grant Related Expense | 2,000.00 |
| 10-14012-54595320 | Supplies Office | 1,409.00 |
| 10-14059-52200000 | Equipment | 900.00 |
| 10-14012-54183000 | Community Outreach & Education | 2,500.00 |

TO:

10-14012-52200000

Equipment

\$14,109.00

The resolution was seconded by Mr. Maddalone.

In answer to Mr. Marshfield, Director of Public Health Bonnie Hamilton explained that approximately \$12,000 will be used to replace the fit test machine. The remainder of the funds will be used to replace outdated computer equipment. The funds are being transferred from the appropriation line 4010 to 4012 in order to increase the amount of allowable State reimbursement from 36 percent to 100 percent.

The resolution was adopted by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

Mr. Marshfield expressed his concern with regard to the acceptance of grants. He acknowledged the value of these programs but, wanted the Board to be aware that once a grant funding for equipment or program is complete, the maintenance/replacement of the equipment and the continuation of the established program becomes part of the County's budget and ultimately the financial burden of the taxpayers.

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

RESOLUTION NO. 17

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

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

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

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

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

FURTHER, BE IT RESOLVED that the Planning Department budget be amended to

receive and dispense these moneys in compliance with the requirements of the Preservation Snowmobile Trails Grant Program as follows:

REVENUE

10-17989-43388900/8020014/908 State Otr Culture & Recreation \$143,750.00

APPROPRIATION

10-17989-54555000/8020014/908 Recreation Snowmobile Grant \$143,750.00

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 18

TITLE: APPROVAL TO ACCEPT FUNDS FROM THE NEW YORK STATE DIVISION OF HOUSING FOR THE PURPOSE OF PARTICIPATING IN THE GREATER CATSKILLS FLOOD REMEDIATION PROGRAM PLANNING DEPARTMENT

WHEREAS, Delaware County has experienced widespread catastrophic flooding, adversely affecting many of its towns and villages, warranting the declaration of a countywide “State of Emergency” each year since 2004; and

WHEREAS, Senator John Bonacic and the New York State Division of Housing has allocated \$2,000,000.00 to Delaware County for a voluntary flood buyout program known as the Greater Catskills Flood Remediation Program;

NOW, THEREFORE, BE IT RESOLVED, the Delaware County Board of Supervisors accepts these grant moneys in the amount of \$2,000,000.00; and

BE IT FURTHER RESOLVED, that these grant funds are to be appropriated as follows:

INCREASE REVENUE:

10-18020-43358901/8020022/908 New York State Department Grant \$2,000,000.00

INCREASE APPROPRIATIONS:

10-18020-54327000/8020022/908 Greater Catskill Flood Remediation Program \$2,000,000.00

The resolution was seconded by Ms. Molé.

In answer to Mr. Marshfield, Chairman Eisel noted the funding has been appropriated by Senator John Bonacic and the New York State Division of Housing.

Chairman Eisel remarked if the funding does not become available, the County would not be obligated to fund the program.

The resolution was adopted by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 19

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

LETTING OF JANUARY 23, 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. 23-09 LP Gas, Storage Tanks and Piping to:
Mirabito Energy Group
PO Box 5306
Binghamton, NY 13902

Bid Price: Firm Differential of .60 per gallon

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 reply to Mr. Marshfield, Mr. Utter stated that the .60¢ per gallon fee would be in effect until a new agreement is made next year.

Commissioner of Public Works Wayne Reynolds explained the fee is a delivery price over the cost of the fuel. The gas, storage tanks and piping are included in the bid and since Mirabito is the owner of the tanks and piping, it is their liability to maintain them.

In answer to Mr. Marshfield, County Attorney Richard Spinney said that he believed a delivery fee of .60¢ per gallon was very reasonable based on the current market pricing.

Mr. Homovich noted that towns are required to complete an energy audit that is to be attached to the Annual Report Document. He questioned if the County was required to do the same. Clerk of the Board Christa Schafer stated that at this time, she had not heard anything to that effect.

The resolution was adopted by the following vote: Ayes 4401, Noes 128 (Marshfield), Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 20

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

LETTING OF JANUARY 21, 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. SW1-09 Supply and Installation of Level Bed Compost Agitator to:

Siemans Water Technologies, Corp.
333 South Street, Suite 300
Shrewsbury, MA 01545-4197

Bid Price: \$540,000.00 includes spare parts

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.

Mr. Utter said that this is a budgeted item for 2009 and explained the current agitator is used on a daily basis and is located in a highly corrosive atmosphere of the maturation building at the Solid Waste Facility. In order to maintain the life of the unit, the agitator must be removed,

cleaned and thoroughly inspected on a regular basis. The purchase of an alternate agitator will enable the facility to continue their daily processing and allow for the maximum life of the unit.

In answer to Chairman Eisel, Mr. Utter said that because of the environment there is no way of protecting the agitator other than removing it and maintaining it appropriately. The purchase of a second agitator will allow for an extended life on both of the agitators.

Mr. Utter replied in response to Mr. Marshfield, that using stainless steel was a good move on the part of the County, the building shows no sign of corrosion anywhere. He pointed out that the mild steel used at the maturation building at the Tracey facility failed.

In reply to Mr. Marshfield, Mr. Utter said that funding for this purchase is coming from the Solid Waste Management Reserve.

Mr. Utter stated in response to Mr. Meredith, that the parts are not stock items, they have to be built.

In response to Mr. Bracci, Mr. Utter stated that he could not say how long the facility could continue to operate efficiently with only one agitator.

Commissioner Reynolds pointed out that this piece of equipment is used everyday and the process would have to be shut down to perform the maintenance. The maintenance entails removing the agitator which takes two days, then the time to ensure it is cleaned, inspected and painted. Having a second agitator would keep the process going and extend the life of both agitators. The design of the facility requires the agitator to work twice as hard as is typical for this type of unit. The goal of the DPW Committee is to make sure the County gets the optimum use out of the equipment.

The resolution was adopted by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 21

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

LETTING OF JANUARY 21, 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. SW2-09 New 6,500 Gallon Tank Trailer to:

Tri Tank Corp.
115 Farrell Road
Syracuse, NY 13209

Bid Price: \$46,000.00

PROPOSAL NO. SW3-09 Landfill Compactor Wheels to:

Terra Compactor Wheels
W5933 Sartorti Lane
Plymouth, WI 53073

Bid Price: \$20,000.00

PROPOSAL NO. SW4-09 Bobcat T190 Compact Track Loader to:

Bobcat of Oneonta (Springer's Inc.)
56 Oneida Street
Oneonta, NY 13820

Bid Price w/trade: \$28,650.00

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 Mr. Maddalone.

In response to Mr. Meredith, Commissioner Reynolds said that multiple bids were sent out on the trailer, however Tri Tank Corp. was the only company that responded.

Mr. Utter answered in reply to Mr. Meredith, that it was his understanding the used loaders were worn out and not worth the money. There is no warranty with the used loaders and in the long run DPW is better off with the new loader.

Mr. Meredith remarked that he believes there is the mind set that purchasing new is the only way and felt that DPW should look harder at the used loaders. Commissioner Reynolds in response to Mr. Meredith, replied that the used loaders were looked at and found one to be worn out and the other was in need of sprockets among other things.

Commissioner Reynolds answered in reply to Mr. Homovich, that the trade-in is a 1992

with over 2000 hours on it. The decision was made to trade-in the loader as the Committee felt they did not want to add another piece of equipment to the inventory.

Mr. Homovich felt that the trade-in value of \$2,500 was too low for a piece of equipment that holds its value quite well. He suggested the bobcat loader be put out to bid and if an offer of more than \$2,500 was not received then the piece could be used as a trade-in. Commissioner Reynolds noted that the trade-in value may be a little low, however, the Committee felt that a trade-in was in the County's best interest.

The resolution was adopted by the following vote: Ayes 3968, Noes 561 (Meredith), Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 22

TITLE: NOTICE OF LEAD AGENCY FOR THE RELOCATION OF COUNTY ROUTE 17 AT ELK BROOK DEPARTMENT OF PUBLIC WORKS

WHEREAS, County Route 17 in the area of Elk Brook, Town of Hancock, is failing; and

WHEREAS, the County has developed plans to relocate this portion of road away from the river to prevent its ultimate failure; and

WHEREAS, the Board of Supervisors is desirous of assuming the status of Lead Agency in accordance with 6NYCRR Part 617 State Environmental Quality Review Act of the environmental review of the project.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors herewith assumes Lead Agency status pursuant to Part 617 for the project and authorizes the Department of Public Works to fulfill all the obligations and responsibilities associated with assuming that role.

The resolution was seconded by Mr. Rowe.

Mr. Utter explained that this is a section of County Route 17 next to the Beaverkill stream that has been failing for many years. The topography is such that there is land available to relocate this section of County Route 17. This resolution designates Delaware County as lead agency.

In answer to Mr. Marshfield, Commissioner Reynolds said there are two sections of failure on County Route 17. There is no funding available for the oldest failure, but the newest

failure is eligible for FEMA funding.

The resolution was unanimously adopted.

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

RESOLUTION NO. 23

TITLE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, a Project for Delaware County Route 14 over Spring Valley Brook, BIN 3352230, Town of Delhi, Delaware County, PIN 9752.65 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the Locally Administered costs and 100% of the non-Federal share of the State Administered costs of the Preliminary Engineering and Right of Way Incidentals work; and

WHEREAS, the County of Delaware has previously executed Marchiselli Aid Superseding Project Agreement (DO17586) and Supplemental Agreement #1 for the Preliminary Engineering and Right of Way Incidentals work and has appropriated \$293,200 and \$30,400.

NOW, THEREFORE, the Delaware County Board, duly convened, does hereby

RESOLVE, that the Delaware County Board hereby approves the above subject project; and

IT IS FURTHER RESOLVED, that the Delaware County Board hereby authorizes the County of Delaware to pay in the first instance 100% of the Federal and non-Federal share of the costs of the Locally Administered costs and 100% of the non-Federal share of a cost increase of the State Administered costs of the Preliminary Engineering and Right-of-Way Incidentals work for the Project or portions thereof; and

IT IS FURTHER RESOLVED, that the sum of \$5,905.95 is hereby appropriated from 34-15112-54000000 and made available to cover the cost increase of participation in the above phase of the Project; and

IT IS FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Delaware County Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and

IT IS FURTHER RESOLVED, that the Chairman of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Delaware with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and

IT IS FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project; and

IT IS FURTHER RESOLVED, this Resolution shall take effect immediately.

The resolution was seconded by Mr. Haynes.

Mr. Utter explained that this resolution is the paperwork for a bridge project located just outside of the Town of Delhi completed about three years ago.

The resolution was unanimously adopted.

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

RESOLUTION NO. 24

**TITLE: APPOINTMENT OF DELAWARE COUNTY
FIRE ADVISORY BOARD**

BE IT RESOLVED, that the following appointments be made to the Delaware County Fire Advisory Board in accordance with 225-a of the County Law for year 2009:

Chairman: Dale Downin, Franklin
Vice Chairman: Mike Odell, Masonville
Secretary: John Gilmore, Sidney

Voting Departments:

Andes - Chief Shayne Moshier

Margaretville – Chief Fred Gartleman

Arena - Chief Mike Sarrubi
Arkville - Chief Robert Sweeney
Bloomville - Chief Mike Pietrantonio
Bovina - Chief Robert Burgin
Delhi - Chief Dan Brandenburg
East Meredith - Chief David Briggs
Franklin - Chief Tom Worden
Grand Gorge - Chief DJ Speenburgh
Halcottsville Chief Jeff Slauson
Hobart - Chief Ken Muthig

Masonville – Chief Gary Mott
Meridale – Chief Donald Aitken
Sidney – Chief Barry MacPherson
Sidney Center – Chief David Gill
South Kortright – Chief Jack Flannery
Stamford – Chief Don VanEtten
Treadwell-Chief Jim Lynch
Trout Creek – Chief Chris Kinney
Walton – Chief Erwin LaTourette

Alternate Departments (in order):

Downsville – Chief Mark Mattson
Pindars Corners – Chief Matt Rittlinger
Fleischmanns – Chief Todd Wickham
Roxbury – Chief Allen Hinkley
Davenport – Chief Fred Utter

Cooks Falls – Chief Matt Murphy
Deposit – Chief John Mauro
East Branch – Chief Rodney Keesler
Hancock – Chief Chris (Jake) Geer

Voting departments were selected based on meeting attendance for the previous year. Alternates are listed in order of their meeting attendance.

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

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

RESOLUTION NO. 25

**TITLE: RESOLUTION TO PARTICIPATE AS CO-APPLICANT
WITH THE SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT
BOARD IN ITS APPLICATION TITLED THE SOUTHERN TIER EAST REGIONAL
GEOSPATIAL RESOURCE (RGR) PROGRAM TO BE SUBMITTED TO THE NEW
YORK STATE DEPARTMENT OF STATE'S SHARED SERVICES/LOCAL
GOVERNMENT EFFICIENCY GRANT PROGRAM
PLANNING DEPARTMENT**

WHEREAS, the Southern Tier East Regional Planning Development Board has invited its member counties to participate as co-applicants in an application titled the Southern Tier East Regional Geospatial Resource (RGR) Program to be submitted to the New York State Department of State's Shared Services/Local Government Efficiency Grant Program; and

WHEREAS, the Southern Tier East Geospatial Resource Program is intended to promote a service sharing arrangement to save County tax dollars by sharing functions such as training, identifying common impediments to Geographical Information System (GIS) programs, and

researching a searchable mutually accessible and editable data application resulting in the implementation of the most efficient and effective practices for development and maintenance of spatial data and tools in GIS technology; and

WHEREAS, the funding request for this proposed project is for \$50,000, with a required Local Share of a ten percent cash match or \$5,000 to be provided solely by STERPDB; and

WHEREAS the application shall not create any financial obligation on the part of the County; and

WHEREAS, it is the intent of the County of Delaware to participate in such regional program; and

NOW THEREFORE BE IT RESOLVED, that in furtherance of its participation the County of Delaware hereby designates the Director of the Southern Tier East Regional Planning Development Board, Robert A. Augenstern, as Lead Applicant Contact Person to submit an application for the 2008-2009 program years and authorizes him to execute all financial and/or administrative processes relating to the grant program;

NOW THEREFORE BE IT FURTHER RESOLVED, that as a co-applicant, the County agrees that its GIS personnel will: participate in the Regional GIS User Group; participate in STERPDB sponsored GIS training; contribute information, ideas, comments and critiques to the study/survey and plan to develop a shared searchable web data application.

The resolution was seconded by Ms. Molé.

Director of Planning Nicole Franzese replied in answer to Mr. Marshfield, that Planning's web-site currently does not provide this service. Agreeing to participate will provide a way to get the County Planning library's larger documents into a regional library to be shared online.

The resolution was unanimously adopted.

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

RESOLUTION NO. 26

TITLE: SUPPORT FOR THE CONTINUATION OF THE EMPIRE ZONE PROGRAM ECONOMIC DEVELOPMENT

WHEREAS, the economic stability and sustainability of Delaware County is vital to its residents and businesses; and

WHEREAS, the County of Delaware is desirous of a balanced economy existing of a range of various types of business, industry, tourism and recreation; and

WHEREAS, the tax revenue generated by businesses throughout Delaware County and the State of New York provide much needed relief to the individual taxpayers and their families; and

WHEREAS, the New York State Empire Zone program has been a proven stimulus in the growth and revitalization of weakened local economies throughout New York State bringing thousands of new jobs to its sponsoring counties; and

WHEREAS, the Delaware County Empire Zone, established in 2006, is in its early stages of operation and thus the attraction of new businesses and jobs for the people of Delaware county; and

WHEREAS, the New York State Empire Zone program has shown great promise for the economy of Delaware County in future interest of prospective businesses inquiring from outside of New York State and assisting local companies prepare for growth; and

WHEREAS, the New York State Empire Zone program has a planned sunset date of June 30, 2011 and Delaware County has had two years to promote the Empire Zone to businesses while other areas of the State have benefitted from this designation for the last 22 years; and

WHEREAS, in the two years Delaware County has had an Empire Zone designation, new investment by zone certified businesses has totaled \$38.1 million, leading to the creation of 349 new jobs, with these businesses combining for over \$256 million in total payroll; and

WHEREAS, the Governor's proposed budget will make sweeping changes to the Empire Zone program that will have an inordinate and negative effect upon Empire Zones in rural Upstate NY, lead to company relocation and a loss of credibility to New York's economic development efforts; and

WHEREAS, increasing New York's already high cost of doing business by raising business fees and taxes, significantly cutting the State's business development budget, and tarnishing the credibility of our economic development efforts would made New York less competitive.

NOW, THEREFORE, BE IT RESOLVED, The Delaware County Board of Supervisors hereby requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017; and

BE IT FURTHER RESOLVED, that the New York State Legislature, in an effort to maintain continuity and to stimulate new business investment and job creation, is encouraged to

enact legislation that will make the Empire Zone program less bureaucratic, more targeted and more cognizant of the reality of economic development in rural, Upstate New York; and

BE IT FURTHER RESOLVED, that the Empire Zone Coordinator is hereby directed to forward a copy of this resolution to Senator John J. Bonacic, Assemblyman Clifford Crouch, Assemblyman Peter Lopez, Randal Coburn Director of the Empire Zone program and Empire Zone Coordinators of each zone municipality in the great State of New York to encourage and enlist their support.

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

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

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

RESOLUTION NO. 27

**TITLE: AUTHORIZATION FOR AWARDS- COUNTY AUTO BID
DEPARTMENT OF SOCIAL SERVICES**

Notice to bidders and proposals having been filed and the bidding procedure and documents having been approved by the County Attorney:

BE IT RESOLVED that the Department of Social Services is authorized to award the lowest bidder meeting specifications as follows:

PROPOSAL NO. 01-09 2010 Ford Fusion (mid-size automobile) to:

Vision Ford
4545 Ridge Road West
Rochester, New York 14626

Bid Price: \$14,860.00

All original bids and summary sheet of 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. Hynes.

Mr. Meredith stated in reply to Mr. Hynes, that the vehicle is a 2010 being built for delivery next month.

The resolution was approved by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

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

RESOLUTION NO. 28

**TITLE: STIPULATION WITH VILLAGES IN
TAX FORECLOSURE PROCEEDING
TREASURER'S OFFICE**

WHEREAS, the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said proceeding is returnable before the New York State Supreme Court Delaware County, April 3, 2009; and

WHEREAS, said proceeding effects tax liens of both the County and several villages of Delaware County

NOW, THEREFORE, BE IT RESOLVED the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the County will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "A Notice of Stipulation."

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

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

RESOLUTION NO. 29

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,841,211.46 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 | \$1,889,266.56 |
| OET | \$41,588.82 |
| Countryside | \$360.00 |

| | |
|-----------------------------|--------------|
| Risk Retention | \$10,000.00 |
| Highway Audits, as Follows: | |
| Road | \$311,426.71 |
| Machinery | \$358,385.15 |
| Capital Road & Bridge | \$107,244.75 |
| Capital Solid Waste | \$0.00 |
| Solid Waste/Landfill | \$122,939.47 |

The resolution was seconded by Ms. Molé and Mr. Triolo and adopted by the following vote: Ayes 4529, Noes 0, Absent 277 (Donnelly, DuMond).

Chairman Eisel made the following appointments:

Soil and Water Conservation District Board:

Andy Kiraly, Franklin
 Supervisor Leonard Utter
 Supervisor Don Smith

Workforce Investment Board

Robin Halaquist

Youth Bureau Board of Directors

Diane Oles

Upon a motion, the meeting was adjourned at 2:00 p.m.