

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JUNE 23, 2010

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 23, 2010 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. Dolph 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. Smith. Mr. Smith introduced the 2010-2011 Delaware County Dairy Princess Nikki Holdridge. He announced that Miss Holdridge and her ambassadors will be serving refreshments during recess.

Miss Holdridge was accompanied by two of her Dairy Princess Ambassadors Sabra Warner and Miquela Hanselman and the Alternate Dairy Princess Ariel Scott.

Miss Warner stated that she is from the Town of Franklin and is the granddaughter of the Town of Franklin Supervisor Don Smith. Miss Hanselman stated that she attends South Kortright Central School, is from the Town of Stamford and the granddaughter of Town of Franklin Supervisor Don Smith. Miss Scott stated that she is from the Town of Masonville and this year her family's farm is celebrating its centennial.

Miss Holdridge lives on a small family operated farm known as Humdinger Holsteins and is a junior at the South Kortright Central School. She is very proud of her family's farm and the dairy industry. Amazed at the negative press milk and the dairy industry receives, noting there is a web-site that actually bashes milk, she knew she had to do something to educate the public on the benefits of milk and the truth about the dairy industry.

It is almost impossible to meet the daily recommended requirement of calcium without milk or another type of dairy product. One glass of milk provides 44 percent of the daily recommended requirement of calcium. Statistics show that nine out of ten teenage girls and seven out of ten teenage boys do not meet their daily calcium requirement. Rather than milk, teenagers are choosing to drink sweetened sports drinks and artificially flavored juice drinks with little to no nutritional value.

Miss Holdridge referenced a video shown on CNN which portrayed dairy farmers unfavorably. In retaliation, she was inspired to combat that negative publicity with a positive

campaign of her own. At the New York State Fair last year she placed a sign over her animals saying, "ask to pet me." This provided an opportunity to talk with people about the dairy industry. In addition, she speaks to farmers, encouraging them to keep their homesteads neat and clean in order to portray a positive image while producing a wholesome product.

Dairy farmers support local businesses, veterinarians, breeders, milk haulers and in Delaware County three local processing plants which employ hundreds of people across the county. For every one dollar a dairy farmer makes it generates \$2.50 in the local economy.

Miss Holdridge thanked the Board of Supervisors for the important role they play in support of the dairy industry and asked that they continue to keep farming and dairy number one in our communities.

Chairman Eisel thanked Miss Holdridge for her very passionate and professional presentation in support of dairy farming.

Privilege of the floor was granted to Mr. Hynes by Chairman Eisel. Mr. Hynes introduced Director of Veterans' Service John Boecke.

Mr. Boecke stated that the powerpoint presentation was created by Information Technology's Senior Computer Programmer Nancy Stuligross from pictures taken by some of the Honor Flight Guardians. The powerpoint was an overview of what is being done for WWII veterans in Delaware and the surrounding counties on a trip called the Honor Flight. He noted that it was an honor and privilege to be associated with this very important mission that has been the most emotional, inspirational and self-satisfying task he has ever been involved with.

Mr. Boecke introduced Director of Leatherstocking Honor Flight Group Greg Furlong who narrated the powerpoint presentation of a recent honor flight. Mr. Boecke praised Mr. Furlong and his team for spending countless hours working on the scheduling, coordination, and planning of this contribution driven life changing experience for these well deserved men and woman of WWII.

Mr. Furlong complimented the dedication and commitment of Mr. Boecke and thanked the county for their fund-raising efforts. Fund-raising is an important part of this program and they have been successful in their efforts because people recognize these veterans are special. The Leatherstocking Honor Flight is working to raise funds to provide three more flights this fall.

The Honor Flight Network program was conceived by Earl Morse, a physician assistant and Retired Air Force Captain. Mr. Morse wanted to honor the veterans he had taken care of for the past 27 years. After retiring from the Air Force in 1998, Mr. Morse was hired by the Department of Veterans Affairs to work in a small clinic in Springfield, Ohio. In May 2004, the World War II Memorial was finally completed and dedicated in Washington, D.C. Most of these senior heroes are in their 80s and lack the physical and mental ability to complete a trip on their own. Families and friends also lack the resources and time to take the three to four day journey to the nation's capital.

In December 2004, Mr. Morse asked one of his WWII veteran patients if he would like to be flown to Washington D.C. free of charge to visit the memorial. He told Mr. Morris that at his

age he would probably never get to see the memorial otherwise and graciously accepted the offer.

In January 2005, Mr. Morse addressed an audience of approximately 150 members of the aero club he was part of outlining a volunteer program to fly veterans at no cost to the WWII Memorial. After Mr. Morse spoke, eleven pilots who had never met his patients stepped up to volunteer and the Honor Flight was born.

The inaugural Honor Flight took place in May 2005. Six small planes flew out of Springfield, Ohio taking twelve WWII veterans on a visit to the memorial in Washington, DC. In August 2005, an expanding waiting list of veterans led the transition to commercial airline carriers with the goal of accommodating as many veterans as possible. Partnering with Honor Air in Hendersonville, North Carolina, the "Honor Flight Network" was formed and they continue working aggressively to expand the program to other cities across the nation.

The program is now in thirty-three states, ninety-two hubs and has collectively brought 36,000 WWII veterans to Washington, DC. There are approximately 3.5 to 4 million WWII veterans still among us out of the 16 million that served. There is a sense of urgency to the program as the country loses between 1,200 to 1,500 WWII veterans a day.

The program seeks to find WWII veterans that are able to make the trip. The guardian's flight costs about \$300 which they must pay. Director of the Office for the Aging Tom Briggs and Commissioner of Watershed Affairs Dean Frazier were guardians on the May 2010 flight participating at their own expense.

The day is all about honoring the veterans and it was a total surprise for them. It started in Walton at 5:30 a.m. and traveled via Delhi to Schoharie. When the bus pulled into the park and ride area it was greeted by a full color guard at attention with hand salutes. There were 60 to 70 motorcycles there for an escort. When the bus met up with the Schoharie bus of veterans, Assemblyman Peter Lopez came on board and gave a speech.

Then came the State Troopers with their lights flashing. They blocked off all traffic and the motorcade began following the flashing lights from the State Troopers and the patriot motorcycles. Many people were on the overpasses with flags and waving. The bus exited off I-88 in Duanesburg and took the back way to the airport. At every intersection the traffic was stopped by the state and local police. Every officer would render a salute to the buses. There were many people also waving and cheering.

At the airport, the veterans were again treated to a full color guard. Speeches were given and the veterans were wearing their Honor Flight t-shirts proudly. The veterans received a standing ovation as they headed toward the gate. There were balloons flying and passengers applauding in the terminal.

Once in Baltimore, they were again greeted by the entire airport with standing ovations. There were members of each branch of service there to welcome the veterans as well. The Navy band was playing in the terminal. The veterans boarded the bus, had a lunch and headed to the WWII Memorial. They also visited the Iwo Jima Memorial and saw the changing of the guard at the Tomb of the Unknown Soldier.

After a stop for dinner, they headed back to the airport where they had “mail call.” Mail call was what the soldiers looked forward to everyday they were at war. Students from the Walton Central School wrote letters to each of the Delaware veterans.

The plane arrived at 9:30 p.m. The veterans who were expected to be dead tired were so pumped up from the excitement of the trip.

Mr. Boecke noted that he phoned each of the veterans after the trip to find out how they fared and to talk about what the trip meant to them. They all felt that the trip put closure on emotions that had been bottled up for sixty-five years.

If anyone knows of a WWII veteran or would like to volunteer to become a guardian, they should contact the Veterans Service Agency.

Chairman Eisel stated that this is an outstanding way of acknowledging the services of the WWII veterans. He wished his father, also a WWII veteran, was alive to be part of the program. On behalf of Delaware County, he acknowledged and thanked all the WWII veterans for their service to the country.

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

RESOLUTION NO. 105

**TITLE: 2010 BUDGET AMENDMENT
PUBLIC HEALTH NURSING SERVICES**

WHEREAS, the New York State Office of Homeland Security has announced the availability of grant funds for H1N1 activities in Delaware County; and

WHEREAS, the funds are to support health preparedness planning efforts; and

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

THEREFORE, BE IT RESOLVED that the 2010 budget be amended as follows:

REVENUE ACCOUNT:

| | | |
|-------------------------------|-----------------------|-------------|
| 10-14012-44440101/4012005/906 | Federal Public Health | \$27,778.00 |
|-------------------------------|-----------------------|-------------|

APPROPRIATION ACCOUNT

| | | |
|-------------------------------|-------------------------------|-------------|
| 10-14012-52200001/4012005/906 | Equipment | \$22,383.00 |
| 10-14012-54327000/4012005/906 | General Grant Related Expense | \$5,395.00 |

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

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

RESOLUTION NO. 106

**TITLE: 2010 BUDGET AMENDMENT
FOR THE DEVELOPMENT OF
HIGHWAY MANAGEMENT PLANS FOR THE TOWNS OF
DEPOSIT, HAMDEN, KORTRIGHT, ROXBURY AND WALTON
WATERSHED AFFAIRS**

WHEREAS, a local Technical Assistance Program was established by the Catskill Watershed Corporation and the New York City Department of Environmental Protection to provide support for community planning efforts designed to improve water quality; and

WHEREAS, Delaware County Action Plan encourages highway management planning to frugally maintain the community's infrastructure that will also enhance water quality; and

WHEREAS, Delaware County has been awarded grant funding under the Local Technical Assistance Program for the development of Highway Management plans for the Towns of Deposit, Hamden, Kortright, Roxbury and Walton; and

WHEREAS, the Delaware County Planning Department has the requisite expertise and will partner with individual towns to develop these plans

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors accept this funding; and

BE IT FURTHER RESOLVED, that the 2010 budget be amended as follows:

INCREASE REVENUE:

| | | |
|-------------------------------|--------------------------------|-------------|
| 10-18741-42270606/8740031/905 | Catskill Watershed Corporation | \$50,000.00 |
|-------------------------------|--------------------------------|-------------|

INCREASE APPROPRIATIONS:

| | | |
|-------------------------------|-------------------|-------------|
| 10-18741-51000000/8740031/905 | Personal Services | \$46,175.00 |
| 10-18741-58300000/8740031/905 | Social Security | \$3,100.00 |
| 10-18741-58900000/8740031/905 | Medicare | \$725.00 |

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

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

RESOLUTION NO. 107

**TITLE: 2010 BUDGET AMENDMENT
WATERSHED ENVIRONMENTAL ASSISTANCE PROGRAM
THIRD BROOK CORRIDOR MASS SLOPE FAILURE MITIGATION PROJECT
WATERSHED AFFAIRS**

WHEREAS, the County has been awarded a \$490,000 Watershed Environmental Assistance Program grant from the U.S. Army Corp. of Engineers, to implement the Third Brook

Corridor Mass Slope Failure Mitigation to continue the implementation of the Delaware County Action Plan over a three-year period; and

WHEREAS, the requisite match is identified and committed through in-kind sources from Village of Walton, Town of Walton, Delaware County Soil and Water Conservation District, Delaware County Department of Watershed Affairs and New York City Department of Environmental Protection

NOW, THEREFORE BE IT RESOLVED, that the Delaware County Board of Supervisors hereby authorizes the Chairman of the Board to enter into a contract, identified as the project partnership agreement (PPA), with the U.S. Army Corp. of Engineers to conduct this work and; enter into a subcontract between Delaware County and Delaware County Soil and Water Conservation District; and

BE IT FURTHER RESOLVED, that the 2010 budget be amended as follows:

INCREASE REVENUE:

| | | |
|-------------------------------|-------------------------|--------------|
| 10-18741-44498900/8740030/900 | Army Corp. of Engineers | \$490,000.00 |
|-------------------------------|-------------------------|--------------|

INCREASE APPROPRIATIONS:

| | | |
|-------------------------------|-------------|--------------|
| 10-18741-54327200/8740030/900 | Contractual | \$490,000.00 |
|-------------------------------|-------------|--------------|

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

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

RESOLUTION NO. 108

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

WHEREAS, Delaware County Route 17 has been reduced to one-lane traffic in the Town of Hancock due to a slope failure caused by the Beaverkill River; and

WHEREAS, relocation of the damaged facility will require additional right of way; and

WHEREAS, the Department of Public Works has continued to negotiate with the affected property owners and has acquired another signed option; and

WHEREAS, the Board of Supervisors is authorized to provide such right of way pursuant to the provisions of Section 118 of the Highway Law; and

WHEREAS, the following landowner has agreed to trade their property that the County needs for highway purposes for surplus property that the County owns but does not need for highway purposes.

NOW, THEREFORE, BE IT RESOLVED, that the portion of property acquired with Resolution No. 204 of 2009 and described as Map Number 3, Parcel No. 3 not required for the relocation of County Route 17 is herewith deemed as surplus property; and

BE IT FURTHER RESOLVED, that the Department of Public Works is authorized to acquire the following parcel in the Town of Hancock in exchange for 0.5 acres of surplus property described above, closing costs and a four year option to purchase from the County additional surplus property adjacent to the 0.5 acres at the purchase price paid by the County.

Map No. 1, Parcel No. 1
Louise Moore 0.19 Acres

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

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

RESOLUTION NO. 109

**TITLE: PURCHASE OF TEMPORARY EASEMENT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department of Public Works is proceeding with plans for the replacement of Bridge #4, BIN 335178, Town of Andes; and

WHEREAS, the replacement plans require the purchase of a temporary easement in order to construct a temporary bridge to maintain traffic during construction; and

WHEREAS, the Board of Supervisors is authorized to provide such right of way pursuant to the provisions of Section 118 of the Highway Law.

NOW, THEREFORE, BE IT RESOLVED, that the Department of Public Works is authorized to purchase the following parcel in the Town of Andes, for the sum of One Thousand dollars (\$1,000.00) and the removal of a willow tree.

Map No. 1, Parcel No. 1
Anthony & Mary Cosenza 0.08 Acres

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

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

RESOLUTION NO. 110

**TITLE: AUTHORIZATION FOR PROFESSIONAL SERVICES
MASS FATALITY PLAN
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Resolution No. 188 of 2009 authorized the Department of Emergency Services to accept an awarded grant under the fiscal year 2009 from the New York State Office of Homeland Security (OHS) to provide planning for citizen and community preparedness; and

WHEREAS, the aforementioned grant will subsidize 100 percent of the cost of developing a Mass Fatality plan for Delaware County; and

WHEREAS, the department has followed the Request for Proposal (RFP) rules to select a consultant to perform necessary tasks associated with developing this plan; and

WHEREAS, Health Care Compliance Enterprise, L.L.C has provided a project work plan for the Mass Fatality Plan, which will include communications and sight visits with appropriate subject matter experts from hospitals, public health, vital records, cemeteries, medical examiner, funeral directors, public works and law enforcement; input from faith based groups and non-profit emergency response groups where appropriate; a table top exercise in accordance with HSEEP protocols to validate the working of the plan for a cost not to exceed \$17,000.

THEREFORE, BE IT RESOLVED, that the Department of Emergency Services is herewith authorized to enter into an agreement with Health Care Compliance Enterprises, LLC with its offices at PO Box 173, Greene, NY 13778.

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

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

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

RESOLUTION NO. 111

**TITLE: 2010 BUDGET AMENDMENT
TRANSFER OF FUNDS
VETERANS' SERVICE AGENCY**

WHEREAS, it is necessary for the Delaware County Veterans Services Agency to purchase a new HP CLJ CP2025DN printer at a cost of \$410.00; and

WHEREAS, there are insufficient funds in the equipment account

NOW, THEREFORE BE IT RESOLVED that the following transfer of funds be made:

FROM:

| | | |
|-------------------|-------------------|----------|
| 10-16510-54625010 | Travel Department | \$410.00 |
|-------------------|-------------------|----------|

TO:

| | | |
|-------------------|-----------|----------|
| 10-16510-52200000 | Equipment | \$410.00 |
|-------------------|-----------|----------|

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

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

RESOLUTION NO. 112

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, upon receipt of cash consideration hereinafter set forth.

AND08TX.027

ASSESSED TO:

JAY WRIGHT

TOWN OF: 122000:ANDES
TAX MAP NO: 259.-1-18.2
SCHOOL DISTRICT: 122002:ANDES
ACREAGE: 1.30A ACRES
CONVEYED TO: JAY L E WRIGHT AND ELSIE M WRIGHT
319 HERRICK ROAD
ANDES NY 13731
CASH CONSIDERATION: \$854.72
TAX DEFICIT: \$575.99

DAV08TX.023

ASSESSED TO:

ANTHONY GAETA

TOWN OF: 122600:DAVENPORT
TAX MAP NO: 14.-2-9
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 6.50A ACRES
CONVEYED TO: ANTHONY GAETA
95 HARRISON ST
NUTLEY NJ 07110
CASH CONSIDERATION: \$1,567.52
TAX DEFICIT: \$1,220.11

DAV08TX.056

ASSESSED TO:

DAVID TORRES AND TAYNA L BROCKSTEDT

TOWN OF: 122600:DAVENPORT
TAX MAP NO: 22.3-1-26
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 49.50'F x 110.00'D: 0.25A ACRES
CONVEYED TO: DAVID TORRES & TANYA L BROCKSTEDT
116 CHARLOTTE CREEK RD
ONEONTA NY 13820
CASH CONSIDERATION: \$1227.89

TAX DEFICIT: \$920.04

DEL08TX.009

ASSESSED TO: **STEPHEN Q DOENGES AND ELAINE RUTH DOENGES**

TOWN OF: 122889:DELHI

TAX MAP NO: 150.-1-37

SCHOOL DISTRICT: 122801:DELAWARE ACADEMY

ACREAGE: 1.80A ACRES

CONVEYED TO: STEPHEN Q DOENGES AND ELAINE RUTH DOENGES
55 MEREDITH ST
DELHI NY 13753

CASH CONSIDERATION: \$12,055.45

TAX DEFICIT: \$ 9,657.21

HAN08TX.024

ASSESSED TO: **ANTHONY J FALCONIERE, ANDREW FALCONIERE,
MARGARET HYER, VINCENZA BISCEGLIE**

TOWN OF: 123689:HANCOCK

TAX MAP NO: 420.2-2-6

SCHOOL DISTRICT: 122401:DOWNSVILLE

ACREAGE: 100.00'F x 235.00'D: 1.00A ACRES

CONVEYED TO: ANTHONY J FALCONIERE, ANDREW FALCONIERE,
MARGARET HYER, VINCENZA BISCEGLIE
PO Box 10
EAST BRANCH NY 13756

CASH CONSIDERATION: \$1,589.53

TAX DEFICIT: \$1,109.01

HAN08TX.047

ASSESSED TO: **NIKI LUCIANO**

TOWN OF: 123689:HANCOCK

TAX MAP NO: 444.-2-55

SCHOOL DISTRICT: 484401:ROSCOE

ACREAGE: 5.30A ACRES

CONVEYED TO: NIKI LUCIANO
1704 SANDERLING CTR
BRANDON FL 33511

CASH CONSIDERATION: \$2,030.29

TAX DEFICIT: \$1,577.32

HAN08TX.056

ASSESSED TO: **CLINTON E PERRY AND EVA M PERRY**

TOWN OF: 123689:HANCOCK

TAX MAP NO: 431.2-1-58
 SCHOOL DISTRICT: 123606:HANCOCK
 ACREAGE: 100.00'F x 200.00'D: 0.50A ACRES
 CONVEYED TO: ESTATE OF EVA M PERRY
 C/O JUDITH ROSENFELD
 PO Box 573
 HANCOCK NY 13783

CASH CONSIDERATION: \$3,541.82
 TAX DEFICIT: \$2,810.09

HAN08TX.061

ASSESSED TO: **ROSELAND COMMUNITY GUN CLUB**
 TOWN OF: 123689:HANCOCK
 TAX MAP NO: 420.2-1-22
 SCHOOL DISTRICT: 122401:DOWNSVILLE
 ACREAGE: 130.00'F x 90.00'D: 0.25A ACRES

CONVEYED TO: ROSELAND COMMUNITY GUN CLUB
 C/O EUGENE M BRENNAN
 15 E BRANCH PL
 VAUXHALL NJ 07088

CASH CONSIDERATION: \$3,160.00
 TAX DEFICIT: \$2,561.87

HAR08TX.008

ASSESSED TO: **THOMAS E DAVIS & PENNY E DAVIS**
 TOWN OF: 123889:HARPERSFIELD
 TAX MAP NO: 28.-1-6.5
 SCHOOL DISTRICT: 125201:STAMFORD
 ACREAGE: 1.50A ACRES
 CONVEYED TO: THOMAS E DAVIS & PENNY E DAVIS
 441 HORNBECK RD
 HARPERSFIELD NY 13786

CASH CONSIDERATION: \$7,785.18
 TAX DEFICIT: \$6,552.23

HAR08TX.014C

ASSESSED TO: **MIGUEL LOPEZ (AKA MICHAEL LOPEZ) AND JOYCE
 LOPEZ**
 TOWN OF: 123889:HARPERSFIELD
 TAX MAP NO: 40.-1-70
 SCHOOL DISTRICT: 125201:STAMFORD

ACREAGE: 1.00A ACRES
CONVEYED TO: MIGUEL LOPEZ(AKA MICHAEL LOPEZ)
AND JOYCE A LOPEZ
28126 STATE HWY23
STAMFORD NY 12167
CASH CONSIDERATION: \$34,895.27
TAX DEFICIT: \$24,759.10

KOR08TX.030

ASSESSED TO:

JAMES J YOUNG AND ANNE MARIE YOUNG

TOWN OF: 124000:KORTRIGHT
TAX MAP NO: 67.-1-34
SCHOOL DISTRICT: 125202:SOUTH KORTRIGHT
ACREAGE: 1.00A ACRES
CONVEYED TO: JAMES J YOUNG AND ANNE MARIE YOUNG
200 CARTWRIGHT DRIVE
BONAIRE GA 31005
CASH CONSIDERATION: \$931.86
TAX DEFICIT: \$595.20

KOR08TX.031

ASSESSED TO:

JAMES J YOUNG AND ANNE MARIE YOUNG

TOWN OF: 124000:KORTRIGHT
TAX MAP NO: 67.-1-35
SCHOOL DISTRICT: 125202:SOUTH KORTRIGHT
ACREAGE: 1.00A ACRES
CONVEYED TO: JAMES J YOUNG AND ANNE MARIE YOUNG
200 CARTWRIGHT DRIVE
BONAIRE GA 31005
CASH CONSIDERATION: \$527.80
TAX DEFICIT: \$279.53

KOR08TX.032

ASSESSED TO:

JAMES J YOUNG AND ANNE MARIE YOUNG

TOWN OF: 124000:KORTRIGHT
TAX MAP NO: 67.-1-33
SCHOOL DISTRICT: 125202:SOUTH KORTRIGHT
ACREAGE: 1.00A ACRES
CONVEYED TO: JAMES J YOUNG AND ANNE MARIE YOUNG
200 CARTWRIGHT DRIVE
BONAIRE GA 31005
CASH CONSIDERATION: \$385.92
TAX DEFICIT: \$168.69

ASSESSED TO:

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| TOWN OF: | <u>BRUCE W STRONG</u> |
| TAX MAP NO: | 124200:MASONVILLE 225.-2-3 |
| SCHOOL DISTRICT: | 125001:SIDNEY |
| ACREAGE: | 5.26A ACRES |
| CONVEYED TO: | BRUCE STRONG 69 LYNDA MARIA LANE MASONVILLE NY 13804 |
| CASH CONSIDERATION: | \$36,434.19 |
| TAX DEFICIT: | \$23,114.66 |

ASSESSED TO:**JAMES VALENTI AND JOHN VALENTI**

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|---------------------|---|
| TOWN OF: | 124400:MEREDITH |
| TAX MAP NO: | 62.-1-19.2 |
| SCHOOL DISTRICT: | 122801:DELAWARE ACADEMY |
| ACREAGE: | 8.90A ACRES |
| CONVEYED TO: | JAMES VALENTI AND JOHN VALENTI 22 BRIAN DRIVE EAST ISLIP NY 11730 |
| CASH CONSIDERATION: | \$7,538.67 |
| TAX DEFICIT: | \$6,698.49 |

ASSESSED TO:**BRADLEY F FINCH**

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|---------------------|--|
| TOWN OF: | 124601:MIDDLETOWN |
| TAX MAP NO: | 287.17-3-24 |
| SCHOOL DISTRICT: | 124601:MARGARETVILLE |
| ACREAGE: | 0.22A ACRES |
| CONVEYED TO: | BRADLEY F FINCH PO Box 21 FLEISCHMANN'S NY 12430 |
| CASH CONSIDERATION: | \$2,803.46 |
| TAX DEFICIT: | \$2,284.71 |

ASSESSED TO:**HARUNA KIMURA**

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|------------------|----------------------|
| TOWN OF: | 124601:MIDDLETOWN |
| TAX MAP NO: | 286.20-2-17 |
| SCHOOL DISTRICT: | 124601:MARGARETVILLE |
| ACREAGE: | 18.30A ACRES |

CONVEYED TO: HARUNA KIMURA
611 WEST 111TH STREET APT 66
NEW YORK NY 10025

CASH CONSIDERATION: \$39,045.51
TAX DEFICIT: \$33,284.25

MID08TX.052

ASSESSED TO: **JOHN PEREZ**

TOWN OF: 124689:MIDDLETOWN
TAX MAP NO: 261.-3-1.14
SCHOOL DISTRICT: 124601:MARGARETVILLE
ACREAGE: 5.10A ACRES
CONVEYED TO: THE ESTATE OF JOHN PEREZ
C/O GARY A ROSA, ATTORNEY
PO Box 839
MARGARETVILLE NY 12455

CASH CONSIDERATION: \$1,933.72
TAX DEFICIT: \$1,523.83

MID08TX.053

ASSESSED TO: **JOHN PEREZ**

TOWN OF: 124689:MIDDLETOWN
TAX MAP NO: 261.-3-1.15
SCHOOL DISTRICT: 124601:MARGARETVILLE
ACREAGE: 5.12A ACRES
CONVEYED TO: THE ESTATE OF JOHN PEREZ
C/O GARY A ROSA, ATTORNEY
PO Box 839
MARGARETVILLE NY 12455

CASH CONSIDERATION: \$8,117.16
TAX DEFICIT: \$6,930.77

MID08TX.054

ASSESSED TO: **JOHN PEREZ**

TOWN OF: 124689:MIDDLETOWN
TAX MAP NO: 261.-3-1.16
SCHOOL DISTRICT: 124601:MARGARETVILLE
ACREAGE: 5.49A ACRES
CONVEYED TO: THE ESTATE OF JOHN PEREZ
C/O GARY A ROSA, ATTORNEY
PO Box 839
MARGARETVILLE NY 12455

CASH CONSIDERATION: \$1,982.94

TAX DEFICIT: \$1,566.85

ROX03TX.004

ASSESSED TO: **RUTH HELEN BROWN**

TOWN OF: 124800:ROXBURY

TAX MAP NO: 202.-1-23

SCHOOL DISTRICT: 124802:ROXBURY

ACREAGE: 2.03A ACRES

CONVEYED TO: THE ESTATE OF MRS RUTH HELEN BROWN
95 BEDFORD ST., APT 1B
NEW YORK NY 10014-3773

CASH CONSIDERATION: \$10,576.86

TAX DEFICIT: \$7,211.70

ROX08TX.039

ASSESSED TO: **MICHAEL VLISMAS**

TOWN OF: 124800:ROXBURY

TAX MAP NO: 135.-2-1

SCHOOL DISTRICT: 124802:ROXBURY

ACREAGE: 7.76A ACRES

CONVEYED TO: MICHAEL VLISMAS
35 FIRST AVE
MASSAPEQUA PARK NY 11762

CASH CONSIDERATION: \$2,580.20

TAX DEFICIT: \$2,060.63

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

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

RESOLUTION NO. 113

**TITLE: APPROVAL TENTATIVE AGREEMENT
CSEA, LOCAL 1000 AFSCME, AFL-CIO**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County CSEA, Local 1000 AFSCME, AFL-CIO for the terms and conditions of employment for the years 2010 and 2011.

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

Mr. Rowe stated that contract negotiations were determined around the parameters the Board provided. There was a zero percent increase in the 2010 budget and a blanket increase in the amount of \$1,000 for 2011. The contract is a very generic package. If the county were not to give any raises, our salaries would move further apart from surrounding counties, towns and state. He recognizes times are tough but, felt the employees deserve something as they work hard for the county. This package is something the Human Resources Committee felt the county could afford.

Chairman Eisel said that he appreciates the fact that the employees understand the financial strain the county is under.

The resolution was unanimously adopted.

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

RESOLUTION NO. 114

**TITLE: STANDARD WORK DAY AND REPORTING RESOLUTION
NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

BE IT RESOLVED, that the County of Delaware hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

ELECTED OFFICIALS:

| Title | Name | Standard Work Day (hrs/day) | Term Beings/Ends | Employer Rec. of Time Worked (Y/N) | Days per Month Based on Record of Activities |
|-------------------------|-----------------------|-----------------------------|------------------------------|------------------------------------|--|
| Chairman, BOS | | | Chairman: 01/01/10-12/31/10 | N | |
| Supervisor-Harpersfield | James E. Eisel, Sr. | 6 | Supervisor:01/01/08-12/31/11 | N | 20.0 |
| Supervisor-Andes | Martin A. Donnelly | 6 | 01/01/10 - 12/31/11 | N | 5.97 |
| Supervisor-Bovina | Tina A. Molé | 6 | 01/01/10 - 12/31/11 | N | 4.83 |
| Supervisor-Davenport | Dennis J. Valente | 6 | 01/01/10 - 12/31/11 | N | 11.56 |
| Supervisor-Franklin | Donald Smith | 6 | 01/01/10 - 12/31/11 | N | 4.94 |
| Supervisor-Hancock | Samuel Rowe | 6 | 01/01/10 - 12/31/11 | N | 2.93 |
| Supervisor-Kortright | George E. Haynes, Jr. | 6 | 01/01/10 - 12/31/11 | N | 2.89 |
| Supervisor-Masonville | Craig S. DuMond | 6 | 01/01/10 - 12/31/11 | N | 2.28 |
| Supervisor-Meredith | Keitha Capouya | 6 | 01/01/10 - 12/31/11 | N | 5.86 |
| Supervisor-Stamford | Michael L. Triolo | 6 | 01/01/10 - 12/31/11 | N | 3.61 |
| Supervisor-Tompkins | William Layton | 6 | 01/01/10 - 12/31/11 | N | 6.56 |
| Supervisor-Walton | Bruce E. Dolph | 6 | 01/01/10 - 12/31/11 | N | 2.03 |
| Treasurer | Beverly J. Shields | 7 | 01/01/10 - 12/31/13 | Y | N/A |
| County Clerk | Sharon A. O'Dell | 7 | 01/01/07 - 12/31/10 | Y | N/A |
| District Attorney | Richard Northrup | 7 | 01/01/09 - 12/31/12 | Y | N/A |

APPOINTED OFFICIALS:

| | | | | | |
|--|--------------------|---|---------------------|---|-----|
| County Attorney | Richard Spinney | 6 | 01/01/09 - 12/31/12 | Y | N/A |
| Clerk of the Board | Christa M. Schafer | 7 | 01/01/10 - 12/31/10 | Y | N/A |
| Director Real Property Tax Service | Michael Sabansky | 7 | 10/01/07 - 09/30/13 | Y | N/A |
| Personnel Officer | Leonarda T. Storey | 7 | 04/28/07 - 04/27/13 | Y | N/A |
| STOP DWI Coordinator | Lisa Barrows | 7 | 01/01/09 - 12/31/10 | Y | N/A |
| Director, Info. Tech. | Joseph deMauro | 7 | 01/01/07 - 12/31/10 | Y | N/A |
| Director, Emerg. Service | Richard Bell | 7 | 03/28/07 - 03/27/11 | Y | N/A |
| Director, Mental Health | Patricia Thomson | 7 | 01/01/10 - 12/31/13 | Y | N/A |
| Commissioner, DSS | William Moon | 7 | 01/04/10 - 01/04/14 | Y | N/A |
| Director, Veterans Serv. | John W. Boecke | 7 | 01/01/10 - 12/31/11 | Y | N/A |
| Dir., Office for Aging | Thomas Briggs | 7 | 01/01/09 - 12/31/10 | Y | N/A |
| Planning Director | Nicole Franzese | 7 | 01/01/08 - 12/31/10 | Y | N/A |
| Dir., Economic Develop. | Glenn Nealis | 7 | 01/01/10 - 12/31/11 | Y | N/A |
| Commissioner, Dept. of Public Works | Wayne Reynolds | 8 | 01/01/07 - 12/31/10 | Y | N/A |
| Public Health Director | Bonnie Hamilton | 7 | 01/01/08 - 12/31/10 | Y | N/A |
| Commissioner, Watershed Affairs | Dean Frazier | 7 | 01/01/10 - 12/31/11 | Y | N/A |

The resolution was seconded by Mr. Rowe.

Chairman Eisel explained that time reporting for elected and appointed officials are now a requirement by the New York State and Local Employees' Retirement system.

In answer to Mr. Donnelly, Chairman Eisel noted that this resolution reflects the county time only however, the reporting requirement is the same for each of the towns.

In answer to Ms. Molé, Clerk of the Board Christa Schafer noted that only the Supervisors that participate in the retirement system are included in the resolution.

The resolution was unanimously adopted.

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

RESOLUTION NO. 115

**TITLE: COMMENTING ON PROPOSED 6NYCRR PART 247
REGULATIONS ON OUTDOOR WOOD BOILERS
ECONOMIC DEVELOPMENT**

WHEREAS, the price of home heating fuels has skyrocketed for citizens within Delaware County; and

WHEREAS, Delaware County has one of the lowest per capita / Median Household incomes in New York State; and

WHEREAS, Delaware County has a large population of senior citizens and families on fixed incomes; and

WHEREAS, outdoor wood boilers (OWBs) can offer a safer alternative to indoor wood stoves and furnaces that can start home fires because of stray sparks or chimney fires, and cause other respirator issues due to wood dust, mold, smoke and dirt in the house; and

WHEREAS, OWBs can provide a cost effective alternative to fossil fuels while limiting CO2 omissions created by burning fossil fuels and reducing our dependency on foreign oil; and

WHEREAS, neither the State nor the Federal Government has a long term, cost effective energy plan which provides for the heating needs of rural communities such as Delaware County; and

WHEREAS, the NYSDEC has taken actions that will prevent the cost effective development of natural gas wells in the New York City Watershed thereby eliminating the possibility of County Residents heating their homes with low cost natural gas; and

WHEREAS, firewood plays an important role in the economy of Delaware County as it provides work for local foresters and loggers when the price of logs is down; and

WHEREAS, it is nationally recognized by State Natural Resource Agencies and forest management professionals that “Timber Stand Improvement (TSI)” has environmental benefits which include: removal of dead or diseased trees, removing lower value species, improve species composition, promote growth of valuable trees, and also improving fruit production and therefore wildlife habitat; and

WHEREAS, without a firewood market, it becomes uneconomical to perform TSI work thereby reducing the value of the private forests in the state; and

WHEREAS, the active management of the private forests in the rural communities of New York to produce renewable heating fuels is part of our heritage; and

WHEREAS, the production, transportation within a 50 mile radius and storage of firewood does not pose the threat to water quality that fossil fuels do; and

WHEREAS, OWBs were not made for, and never should have, any solid waste burned in them; and

WHEREAS, no other State has required that existing OWBs be taken out of service prematurely and no other NYS law has required the premature replacement of serviceable items; and

WHEREAS, verifiable complaints should be addressed by higher chimney and/or proper fuel use requirements; and

WHEREAS, over the past several years a number of actions have occurred in support of the development of cleaner-burning and more efficient OWB devices, including:

In August 2005, the then NY Attorney General and 6 other State Attorney

Generals along with, Northeast States for Coordinated Air Use Management (NESCAUM), which was supported by the Hearth, Patio and Barbecue Association (HPBA Outdoor Furnace Manufacturers Caucus, petitioned the United States Environmental Protection Agency (USEPA) to set standards for OWBs.

The EPA Hydronic Heater Phase 2 Program was released in October 2008 and established an emissions reduction program for OWBs

On August 13, 2009 the New York State Energy Research and Development Authority (NYSERDA) Announced \$1.5 Million in funding for developing a high-efficiency biomass-heating market, and

The USEPA is currently in the process of establishing nationwide- Federal regulations for OWBs that could be promulgated by May 2012 by EPA's most recent schedule made publicly available; and

WHEREAS, Senate Bill S8061, which supports clean burn regulations, supports restrictions that require new installations to meet EPA standards, defines Outdoor Wood Boiler nuisance violations, asks the DEC to provide public guidance on operation, siting, and stack height, does not require the removal of existing units before the end of their useful life, and allows local governments to establish more stringent regulations as appropriate for their communities; and

WHEREAS, the New York State Department of Environmental Conservation is April 2010 published and is currently soliciting comments on proposed regulation 6NYCRR Part 247, Outdoor Wood Boilers.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors supports the following requirements in the proposed 6 NYCRR, Par 247 regulations:

Proposed emissions limits, and

New OWBs sold after April 15, 2011 have to meet these proposed emission limits, and any provisions that are consistent with the EPA Hydronic Heater Phase 2 Program; and

BE IT FURTHER RESOLVED that the Board of Supervisors does not support the following requirements in the proposed DEC Part 247 regulations:

Requiring the removal of existing OWBs by 2015 or 2020 (depending on when the furnace was purchased but before the end of their useful life) which unreasonably subjects these owners to significant economic hardship, and

Any other provisions that are inconsistent with the EPA Hydronic Heater Phase 2 Program and other Northeast State regulations including Vermont, Maine, New Hampshire, and Massachusetts, and

Arbitrary chimney heights that are not consistent with current building codes.

BE IT FURTHER RESOLVED that the Board of Supervisors request that Section 247.5 Residential-size New Outdoor Wood Boilers Paragraph (b) to be amended as follows: Setback. A residential -size new outdoor wood boiler shall be located on the property so as to conform to local zoning and building regulations or no closer than 250 feet from the nearest residence not served by the OWB when located on or adjacent to contiguous agriculture, forested or otherwise uninhabited vacant lands larger than three (3) acres; and

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby call on Governor Paterson, both houses of the new York State Legislature, the New York State Association of Counties, and the New York State Agencies to support the continued use of, and the development of clean, and efficient OWBs, by proposing New York State regulations that are consistent with the US EPA Hydronic Heater Phase 2 Program; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor David Paterson, Attorney General Andrew Cuomo, Senator John Bonacic, Assemblyman Clifford Crouch, Assemblyman Peter Lopez, the New York State Association of Counties, the New York State Association of Towns, and the New York State Department of Environmental Conservation.

The resolution was seconded by Mr. Utter.

Chairman Eisel remarked that this is another contentious issue.

Mr. Marshfield stated that in the Town of Hamden neighbors are being harassed by other neighbor's smoke from outside wood boilers and he felt sure other towns were experiencing similar problems. He supports legislation on outside wood boilers because he feels there needs to be a law. This is a good resolution because it reasonably gives us the foundation for a law. He opined that Delaware County needs to have the outside wood boilers, noting that the NYSDEC took away the right to drill for natural gas.

Mr. McCarthy noted that there are homes with outside wood burners located very close to his warehouse. He was very concerned the boilers would make his product smell from the wood smoke but, it did not.

Mr. Valente said there are already regulations on the outside wood boilers. In his opinion, the NYSDEC is an agency that needs to look busy because they are realizing we can no longer afford all these bureaucrats. Any towns or villages desiring to ban wood burning should do so but do not impose it on others.

Chairman Eisel commented that he felt more could be accomplished if neighbor would talk to neighbor and work things out instead of involving the strong arm of the law.

Mr. Homovich stated wood boilers are an economical way to heat, it is a way of life in our county to survive on its natural resources. In the Town of Colchester a second homeowner made a complaint against their full-time neighbor's outside wood boiler. A representative from the NYSDEC came to the home three times and finally found the homeowner in non-compliance. A fine of \$25,000 a day was imposed upon the homeowner while in non-compliance. The homeowner spent \$8,000 on the outside wood boiler which he took out and sold. From his experience as a firefighter he felt the outside wood boilers were safer than fireplace chimneys. He expressed concern that the NYSDEC regulations will not stop at outside the home. He opined that it is the job of the towns and villages to make regulations. The NYSDEC's tactics do not set well with our people. This is a great resolution and he hopes the concerns expressed therein will be heard.

Mr. Rowe noted that the Town of Hancock has not had any problems to date with outside wood boilers, but the Village of Hancock has. They reviewed each concern and passed ordinances that everyone could live with. He remarked that you cannot say "no" to everything.

This is a situation where developing ordinances is best done locally. He agreed this is a very well written resolution

Mr. Hynes commented that the Town of Roxbury is also experiencing neighbors fighting with neighbors over the smoke from the outside boilers. What they found is that some people are abusing the heater by burning garbage, treated lumber and other inappropriate items. Along with regulations, people need to use common sense.

The resolution was unanimously adopted.

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

RESOLUTION NO. 116

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,072,746.48 were hereby presented to the Budget Oversight Committee for approval for payment on June 9, 2010 prior to presentation to the Board of Supervisors;

THEREFORE, the County Treasurer was directed to pay said expenditures as listed below and this Board now approves of said payment as follows:

| | |
|-----------------------------|--------------|
| General Fund | \$932,799.88 |
| OET | \$98,543.01 |
| Countryside | \$0.00 |
| Highway Audits, as Follows: | |
| Road | \$479.98 |
| Machinery | \$19,804.91 |
| Capital Road & Bridge | \$ |
| Capital Solid Waste | \$ |
| Solid Waste/Landfill | \$21,118.70 |

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,997,377.71 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 | \$1,128,143.44 |
| OET | \$7,469.86 |
| Countryside | \$420.00 |
| Highway Audits, as Follows: | |
| Road | \$251,322.23 |
| Machinery | \$87,557.46 |
| Capital Road & Bridge | \$353,160.42 |

Capital Solid Waste
Solid Waste/Landfill

\$52,326.23
\$116,978.07

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

Chairman Eisel invited everyone in attendance to enjoy refreshments in the lobby served by the Delaware County Dairy Princess, her alternates and ambassador.

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 117

TITLE: EXECUTIVE SESSION

BE IT RESOLVED, that the Delaware County Board of Supervisors convene in executive session to discuss matters relating to possible litigation.

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

The meeting reconvened in regular session with all Supervisors present.

Upon a motion, the meeting adjourned at 8:00 p.m.