

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**AUGUST 25, 2010**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 25, 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.

Ms. Molé led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting were accepted as presented.

The Clerk read a letter from the Delaware County Fair Board of Directors thanking the Board of Supervisors for the generous donation of \$5,000 to help rebuild the 4-H horse barn. In recognition of those who helped make this possible, the names of all the contributors will be placed on a large board and attached to the barn.

The Clerk reported all other communications received have been referred to their respective committees for review.

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

**RESOLUTION NO. 137**

**TITLE: 2010 BUDGET AMENDMENT  
PUBLIC SAFETY COMMUNICATION SYSTEM CAPITAL PROJECT  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, appropriations are needed to cover expenditures for the various plans, development and construction of the County Public Safety Communication System; and

**WHEREAS**, the Department of Emergency Services was awarded a grant of \$729,000 under the New York State Office of Homeland Security and Federal Emergency Management Agency to subsidize the cost of system design, community outreach, system procurement assistance and system implementation as adopted by Resolution No. 121-2009; and

**WHEREAS**, the Department of Emergency Services has applied for additional grant funding to assist with the cost; and

**WHEREAS**, due to the tremendous cost of the project additional funding is necessary to

reduce the amount of funds the County will have to borrow in the future as the project progresses; and

**WHEREAS**, in order to properly record the costs associated with the County Public Safety Communication System the account of Public Safety Communication System Capital Project needs to be established

**THEREFORE, BE IT RESOLVED** that Resolution No. 121-2009 be amended to accept the grant funding in the Public Safety Communication System Capital Project; and

**BE IT FURTHER RESOLVED** that the balance of funds plus accrued interest in the Sales Tax Capital Reserve and the Capital Project for the Development of Industrial Parks be appropriated to the Public Safety Communication System Capital Project; and

**BE IT FURTHER RESOLVED** the Public Safety Communication System Capital Project Account be established and the following budget amendments be authorized:

**GENERAL FUND**

**DECREASE REVENUE:**

10-13640-43338900 State Other Public Safety \$729,000.00

**DECREASE APPROPRIATION:**

10-13640-54327000 Grant Contracted Services \$729,000.00

**SALES TAX CAPITAL RESERVE PROJECT**

**TRANSFER FROM:**

31-00000-34911000 Fund Balance Other Unreserved \$2,168,384.28

**TRANSFER TO:**

31-11010-59990100 Operating Transfer [out] Pub Safety Comm Sys Capital Proj \$2,168,384.28

**CAPITAL PROJECT FOR THE DEVELOPMENT OF INDUSTRIAL PARKS**

**TRANSFER FROM:**

37-00000-34911000 Fund Balance Other Unreserved \$114,524.06

**TRANSFER TO:**

37-16430-59990100 Operating Transfer [out] Pub Safety Comm Sys Capital Proj \$114,524.06

**PUBLIC SAFETY COMMUNICATION SYSTEM CAPITAL PROJECT**

**ESTABLISH REVENUE ACCOUNTS:**

38-13640-43338900 Interoperable Emergency Communications Grant \$729,000.00

38-13640-45503100 Transfer [in] \$2,282,908.34

**ESTABLISH APPROPRIATION ACCOUNTS:**

38-13640-54000000	Contractual Expenses	\$2,282,908.34
38-13640-54327000	Interoperable Emergency Communications Grant	\$729,000.00

The resolution was seconded by Mr. Triolo.

Mr. Homovich explained that this resolution is setting aside the money to begin the public safety communication system capital project. Establishing the tracking of expenditures in this manner will provide a clear accounting of the spending. At some point, a bond may be necessary but, using this money will reduce the amount the county will have to borrow. The project is moving along at a fairly fast pace and this money will be needed to pay incoming bills.

In answer to Mr. Marshfield, Mr. Homovich confirmed that the resolution is a transfer of funds that the county has earmarked for capital projects.

Chairman Eisel stated as the project moves forward he believes there will be opportunities to apply for grants that will help the county with the tremendous cost of this project.

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

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

**RESOLUTION NO. 138**

**TITLE: 2010 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SOLID WASTE OPERATIONS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, an error was made calculating the interest payment on the composting bond and additional money is required to cover the second 2010 payment

**NOW, THEREFORE, BE IT RESOLVED** that the following transfer be authorized:

**FROM:**

22-18160-54415060	Maint. & Repair Parts	\$357.98
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**TO:**

22-18160-57710000	Interest Payment EFC	\$357.98
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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. 139**

**TITLE: AUTHORIZATION TO SIGN AN EASEMENT  
WITH THE TOWN OF HANCOCK  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Town of Hancock is proceeding with plans to construct a new highway garage on property purchased from the County of Delaware and have applied for underground electrical service from NYSE&G; and

**WHEREAS**, the underground service line will cross a portion of the County's remaining land and the town will need an easement to install and construct the underground electrical service line; and

**WHEREAS**, said easement and underground electrical service line will not affect the County's activities there.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Delaware grant an easement to the Town of Hancock for said underground electrical service; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board of Supervisors is authorized to execute the required easement.

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

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

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

**RESOLUTION NO. 140**

**TITLE: DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE  
RECOGNIZES SEPTEMBER AS TESTICULAR CANCER AWARENESS MONTH**

**WHEREAS**, testicular cancer is most common in men between the ages of 18 to 36, although men of any age can develop this disease; and

**WHEREAS**, a man who has a close relative (particularly a brother) who has had testicular cancer has an increased risk of developing testicular cancer himself; and

**WHEREAS**, 1 in 271 men will be diagnosed with testicular cancer in their lifetime; and

**WHEREAS**, most cases of testicular cancer can be detected at an early stage, and men often find the cancer themselves while performing self-examinations. Public health recommends that men ages 15 to 55 perform a monthly self-examination to identify any changes; and

**WHEREAS**, when detected early testicular cancer is one of the most curable forms of cancer

**NOW, THEREFORE, BE IT RESOLVED**, that Delaware County recognizes September as Testicular Cancer Awareness Month.

The resolution was seconded by Mr. Donnelly and Mr. Rowe.

Mr. Rowe commented on the benefits of early detection. He mentioned a thirty-five year old friend of his was diagnosed early and as a result will be able to have a family when that time comes. His friend has been in remission for nine years.

He took this opportunity to alert everyone of the importance of having infant males born with an undescending testicle checked as it increases the likelihood of testicular cancer even when corrective surgery is performed.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 141**

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

**LETTING OF AUGUST 25, 2010**

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. 37-10 Geosynthetic Material to:	A.H. Harris & Sons, Inc. 17 Commercial Ave. Albany, NY 12205-5703
Bid Price:	\$535/roll

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. Haynes.

In answer to Mr. McCarthy, Mr. Utter explained that geosynthetic material is used in road building. The material is laid down on the subgrade letting the water through but preventing the

fine soil particles from contaminating the subbase, basically stabilizing the subbase coarse.

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

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

**RESOLUTION NO. 142**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$754,002.96 were hereby presented to the Budget Oversight Committee for approval for payment on August 11, 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	\$698,767.50
OET	\$2,000.00
Countryside	\$420.00
Highway Audits, as Follows:	
Road	\$98.00
Machinery	\$47,487.24
Capital Road & Bridge	\$59.88
Capital Solid Waste	\$
Solid Waste/Landfill	\$5,170.34

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,836,566.24 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	\$623,602.33
OET	\$55,902.49
Highway Audits, as Follows:	
Road	\$832,126.37
Machinery	\$67,661.78
Capital Road & Bridge	\$1,152,408.98
Capital Solid Waste	\$18,223.80
Solid Waste/Landfill	\$86,640.49

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes

4806, Noes 0, Absent 0.

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

**RESOLUTION NO. 143**

**TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss contract negotiations.

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

The meeting reconvened in regular session with all Supervisors present.

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

**RESOLUTION NO. 144**

**TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss 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 7:03 p.m.