

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
NOVEMBER 10, 2010

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 10, 2010 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. Smith, Mr. Rowe, Mr. DuMond and Mr. Hynes.

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. Utter.

Mr. Utter announced that the New York State Department of Environmental Conservation (NYSDEC) Water Supply Permit for the New York City Land Acquisition Program has been released. Written comments on the permit and the City's Draft Environmental Impact Study must be received by the NYSDEC Division of Environmental Permits by November 22nd. He referenced the information placed on each Supervisor's desk noting that it contains the website addresses which provides direct access to the permit, www.nyc.gov/html/dep/html/environmental_reviews/lap.shtml. In addition, the Department of Watershed Affairs has posted the information on their web-site, www.delcowatershed.com. The Supervisors and the public are encouraged to review the document as it will affect the county for the next 15 years.

He advised that the Coalition of Watershed Towns will be holding a meeting for Coalition members this Saturday, November 13th at the Margaretville Central School from 10:00 a.m. to 12:00 p.m. to discuss the permit and the outcome of the negotiations.

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

RESOLUTION NO. 198

TITLE: 2010 BUDGET AMENDMENT
SUICIDE PREVENTION GRANT
MENTAL HEALTH

WHEREAS, the Delaware County Mental Health Clinic applied for a grant from the

New York State Office of Mental Health to provide suicide prevention services to individuals in Delaware, Chenango and Otsego Counties; and

WHEREAS, this grant has been awarded in the amount of \$1,900 and will be passed through to the Mental Health Association in Ulster County, Inc. to provide these services

NOW, THEREFORE, BE IT RESOLVED that the following 2010 budget amendments be authorized:

ESTABLISH REVENUE ACCOUNT:

10-14314-43347200	Suicide Prevention Grant	\$1,900.00
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ESTABLISH APPROPRIATION ACCOUNT:

10-14314-54458024	Suicide Prevention	\$1,900.00
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The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 3807, Noes 0, Absent 999 (Smith, Rowe, DuMond, Hynes).

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

RESOLUTION NO. 199

**TITLE: 2010 BUDGET AMENDMENT
FOOD STAMP NUTRITION EDUCATION
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Food Stamp Nutrition Education program; and

WHEREAS, said monies is to be used to conduct nutrition education activities and is 100% reimbursed.

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

REVENUE:

10-16010-44461000	FS Nutrition Education	\$30,972.00
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APPROPRIATION:

10-16010-54311000	FS Nutrition Education	\$30,972.00
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The resolution was seconded by Mrs. Capouya and adopted by the following vote: Ayes 3807, Noes 0, Absent 999 (Smith, Rowe, DuMond, Hynes).

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

RESOLUTION NO. 200

**TITLE: 2010 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the following appropriation account is in need of funds

NOW, THEREFORE BE IT RESOLVED that the following 2010 budget transfer be authorized:

FROM:

10-16102-54200000	Contracted Services MMIS	\$14,300.00
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TO:

10-16129-54200015	Contracted Services Training Schools	\$14,300.00
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The resolution was seconded by Mrs. Capouya.

Commissioner of Social Services William Moon advised that this is a retroactive payment due to the state for the county’s use of the state juvenile facilities dating back to the years 2001 through 2004. He stated this has to do with the state legislature withdrawing support for the use of TANF funds to lower the cost to the counties and state for the expense of juvenile treatment. The total retroactive amount is \$48 million, the county’s share of that is \$14,300.

In answer to Mr. Marshfield, Commissioner Moon stated that to his knowledge only the City of New York has considered bringing a suit against the state to set aside the payment as their retroactive payment is \$30 million. If the city files an Article 78 then the county would have some idea as to whether filing a suit would be to our advantage.

Mr. Marshfield expressed his appreciation to Commissioner Moon for his continuing efforts to protest unjust actions or mandates which affect the county.

The resolution was adopted by the following vote: Ayes 3807, Noes 0, Absent 999 (Smith, Rowe, DuMond, Hynes).

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

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

RESOLUTION NO. 201

**TITLE: 2010 BUDGET AMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the Public Health program has been reorganized with changes in staffing patterns; and

WHEREAS, there are insufficient funds in the Immunization fringe benefits appropriations

NOW, THEREFORE BE IT RESOLVED, that the following 2010 budget transfers be authorized:

FROM:

10-14010-583000000	Social Security Emplr Contrib	\$475.00
10-14010-589000000	Medicare Emplr Contrib	\$200.00

TO

10-14013-583000000	Social Security Emplr Contrib	\$475.00
10-14013-589000000	Medicare Emplr Contrib	\$200.00

The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 3807, Noes 0, Absent 999 (Smith, Rowe, DuMond, Hynes).

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

RESOLUTION NO. 202

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,352,510.15 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	\$851,162.79
Countryside Care Center	\$420.00
Public Safety Communication System	\$6,172.92
OET	\$82,606.17

Highway Audits, as Follows:

Road	\$10,069.70
Machinery	\$99,262.42
Capital Road & Bridge	\$226,240.09
Capital Solid Waste	\$9,888.00
Solid Waste/Landfill	\$66,688.06

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 3807, Noes 0, Absent 999 (Smith, Rowe, DuMond, Hynes).

Budget Director Bob Homovich referenced the amended Exhibit A - Summary of Budget placed on each Supervisor's desk. He pointed out the changes in total appropriations and revenues noting that as a result the 2011 tax levy has been reduced to 2 .7074 percent.

He asked the Supervisors to consider adopting this budget with the noted changes as the preliminary budget.

He thanked everyone for their efforts in putting together a budget that he believes will work for the coming year.

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

RESOLUTION NO. 203
TITLE: PUBLIC HEARING
2011 PRELIMINARY BUDGET

BE IT RESOLVED that the budget, with the changes discussed, be adopted as the Preliminary 2011 Delaware County Budget and a public hearing be held on the 23rd day of November, 2010 at 12:30 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

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

Chairman Eisel appointed Town of Andes Supervisor Marty Donnelly to the Rural Transportation Committee.

Upon a motion the meeting adjourned for a short recess and reconvened in regular session with all Supervisors present except Mr. Smith, Mr. Rowe, Mr. DuMond and Mr. Hynes.

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

RESOLUTION NO. 204
TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss potential litigation.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Smith, Mr. Rowe, Mr. DuMond and Mr. Hynes.

Upon a motion, the meeting adjourned at 3:00 p.m.