

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
FEBRUARY 23, 2011

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 23, 2011 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 Ms. Molé, Mr. Valente and Mr. Hynes.

Mr. Marshfield offered the invocation.

Mr. Utter 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 Commissioner of Social Services William Moon. Commissioner Moon introduced Margaret "Peg" Budine as Employee of the Month.

Ms. Budine was hired as a typist in July 1986 and promoted shortly thereafter to account clerk/typist and senior typist. As a result of a state-wide local title review her position was upgraded to child support collection investigator.

Commissioner Moon stated that Ms. Budine brings all the fine qualities to the position that the agency appreciates, a good friend, a dedication to the mission and always looking to doing a little better the next day for her fellow co-workers and clients. She was attracted to the position because she believes in the philosophy under which the program was started and knows that life is a struggle when both parents are not financially participating in the process of raising a child. Ms. Budine effectively manages a data base of approximately 1,000 child support collection accounts. With her assistance over the years the county has been able to maintain a quality child support program that annually collects about \$6 million. She was nominated by her co-workers for the balance and determination she brings to the job and makes her an effective staff member.

Commissioner Moon presented Ms. Budine with a \$100.00 savings bond. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Ms. Budine expressed her appreciation and stated that she has enjoyed working with the agency and her co-workers, adding that after 25 years she looks forward to joining the retirees.

Chairman Eisel granted privilege of the floor to Mr. Smith. Mr. Smith introduced Ed

Rossley, a member of the Delaware County Fair Board, to discuss this year's 125th Delaware County Fair Parade.

Mr. Rossley advised that this years parade will celebrate "125 Years of Fair Memories" with a float parade in addition to the traditional firemen's parade on Tuesday, August 16th. There will be nine divisions including: antique cars, antique tractors, old farm equipment, antique fire equipment, oxen and horse drawn vehicles, and horseback riders. The float division will include, individual, commercial organizational youth and adults. The floats will be judged and prizes awarded. He noted that the press luncheon attended by the Supervisors normally held on Tuesday will be held on Monday, August 15th.

In answer to Chairman Eisel, Mr. Rossley stated that the parade committee wanted to make the Supervisors aware of the events early to encourage discussion and participation. The information will be well publicized. Entries need to be submitted by August 8th. Questions may be directed to Lindy Taggart at 607-865-6251.

For standing committees reports, Chairman of the Personnel Committee Samuel Rowe introduced Director of Personnel Teddie Storey to update the Board on the county's prescription plan and the Early Retirement Reimbursement Program (ERRP) developed as part of the Obama Health Care Plan.

Mrs. Storey stated that the county's decision to change to a self-insured prescription plan in 2010 generated a savings of \$59,975. The program has been very successful and will continue into 2011. In addition, she has received word that the county's ERRP claims in the amount of \$78,922 have been approved and an electronic transfer of funds in that amount is forthcoming. The money is to be used to offset the cost of health insurance for county employees.

Chairman Eisel announced that the dates and locations for the Delaware County Public Health Free Rabies Clinics in 2011 has been placed on each Supervisor's desk.

Clerk of the Board Christa Schafer announced that a copy of the 2011 Directory of County, Town and Village Officials has been placed on each Supervisor's desk. County Clerk Sharon O'Dell had the directories printed by the County Printing Department at a substantial savings to the county and by not outsourcing gained the ability to update the directories and re-print as needed.

In 2010, 1,400 directories were printed at a cost of \$3,900 without the opportunity to update and re-print. The County Clerk ordered 600 directories printed at a cost of \$85.53 realizing a considerable savings. The Supervisors were asked to review their town's information and provide any changes to Mrs. O'Dell at their earliest convenience. The next printing will include any changes and updates and will be printed after the village elections.

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

RESOLUTION NO. 31

**TITLE: 2010 BUDGET AMENDMENT
RECEIPT OF GRANT FOR PUBLIC HEALTH PREPAREDNESS
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the Center for Disease Control and Prevention has awarded a grant to Health Research, Inc. for Public Health Preparedness and Response for H1N1 activities; and

WHEREAS, Delaware County will be awarded grant monies in the amount of \$60,750 to support these activities; and

WHEREAS, the goal is to conduct education and public awareness and increase availability of H1N1 immunization services; and

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

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

REVENUE ACCOUNT:

10-14012-44440101/4012006/906	Federal Public Health	\$60,750.00
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APPROPRIATION ACCOUNT:

10-14012-51327000/4012006/906	Personal Services	\$43,950.00
10-14012-54327000/4012006/906	General Grant Related Expense	6,032.00
10-14012-58332700/4012006/906	Fringes	10,768.00

The resolution was seconded by Mr. Bracci and adopted by the following vote: Ayes 4212, Noes 0, Absent 594 (Molé, Valente, Hynes).

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

RESOLUTION NO. 32

**TITLE: 2011 BUDGET AMENDMENT
TRANSFER OF FUNDS
UNEMPLOYMENT BENEFITS
PERSONNEL DEPARTMENT**

WHEREAS, the 2011 Budget has appropriations for unemployment distributed among different departments for reimbursement purposes; and

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

WHEREAS, the remaining balance in the appropriation will be rolled into the Employee Benefit Reserve at the end of the year

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

FROM:

10-11040-58500000	Clerk Board	\$812.00
10-11165-58500000	District Attorney	1,974.00
10-11325-58500000	Treasurer	1,354.00
10-11327-58500000	Fiscal Affairs	1,145.00
10-11340-58500000	Budget Officer	79.00
10-11355-58500000	Real Property Tax	1,542.00
10-11364-58500000	Tax Acquired Prop	222.00
10-11410-58500000	County Clerk	4,084.00
10-11412-58500000	Records Management	180.00
10-11420-58500000	County Attorney	3,189.00
10-11430-58500000	Personnel	1,386.00
10-11450-58500000	Elections	1,080.00
10-11620-58500000	Buildings	4,089.00
10-11680-58500000	Information Technology	3,548.00
10-13020-58500000	Public Safety 911	237.00
10-13110-58500000	Sheriff - Law Enforcement	7,291.00
10-13140-58500000	Probation	3,181.00
10-13144-58500000	Community Service	114.00
10-13150-58500000	Sheriff Jail	14,320.00
10-13315-58500000	Stop DWI	235.00
10-13620-58500000	Safety Inspections	293.00
10-13640-58500000	Emergency Services	495.00
10-14010-58500000	Public Health	8,170.00
10-14012-58500000	Public Health	1,407.00
10-14013-58500000	Immunization	196.00
10-14035-58500000	Children Spec Health Care	122.00
10-14050-58500000	Lead	166.00
10-14059-58500000	Early Intervention	1,565.00
10-14060-58500000	Edu Physically Handicapped	881.00
10-14189-58500000	Emergency Medical	280.00
10-14310-58500000	Mental Health Clinic	7,193.00
10-14311-58500000	Community Support	629.00
10-14312-58500000	MH Crisis Serv Prog	320.00
10-14313-58500000	Kendras Law	360.00
10-14315-58500000	Enh Childrens Serv	306.00
10-14317-58500000	Alcoholism Clinic	3,010.00
10-14321-58500000	Exp Mental Health	729.00
10-16010-58500000	Social Services	24,107.00
10-16141-58500000	Home Energy Assistance	233.00
10-16326-58500000	Economic Development	1,122.00
10-16510-58500000	Veterans	453.00
10-16610-58500000	Sealer	259.00
10-16772-58500000	Office for Aging	2,269.00
10-17310-58500000	Youth	2,478.00
10-18020-58500000	Planning	3,371.00

10-18740-58500000	Watershed Affairs	1,168.00
22-18160-58500000	Land Fill Solid Waste	7,079.00
24-19050-58500000	Road	29,945.00
62-11710-58500000	Workers Compensation	481.00
Total:		\$149,149.00

TO:

10-19050-58500000	Unemployment Insurance	\$149,149.00
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The resolution was seconded by Mrs. Capouya and unanimously adopted.

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

RESOLUTION NO. 33

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

LETTING OF FEBRUARY 2, 2011

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. 1-11 Rental of Construction Equipment to: A. Montano Co., Inc., 571 Route 212, Saugerties, NY 12477; Anderson Equipment Co., 720 E. Franklin St., Endicott, NY 13760; BOTHAR Construction, 170 East Service Road, Binghamton, NY 13901; Boyle Excavating, Inc., 233 Boyle Road, Harpersfield, N.Y. 13786; Clark Companies, Inc., P.O. Box 427, Delhi, N.Y. 13753; Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, N.Y. 12043; Delaware Bulldozing Corp., 5700 Co. Hwy. 18, Bloomville, NY 13739; Delhi Rock Drilling, Inc., 20306 State Highway 28, Delhi, N.Y. 13753; Doig Excavating, Inc., PO Box 277, Downsville, NY 13755; Robert H. Finke & Sons, Inc., P.O. Box 127, Selkirk, N.Y. 12158; Killian Construction Inc., 210 Commerce Drive, Rochester, NY 14623; LaFever Excavating Inc., 3135 County Highway 6, Bovina Center, NY 13740; Pawlikowski's Excavating, 1215 Hamden Hill Road, Delhi, NY 13753; Reclamation Inc. of Kingston, P.O. Box 292, West Hurley, N.Y. 12491; Schulz's Trucking, 1838 Swantak Road, Bloomville, NY 13739; Seward Sand & Gravel, Inc., 532 Co. Hwy. 58, Oneonta, NY 13820; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Sullivan County Paving & Construction, Inc., 420

Bernas Road, Cohecton, NY 12726; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Vantage Equipment, LLC, 5985 Court Street Road, Syracuse, NY 13206; Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450; Waste Recovery Ent., LLC, PO Box 2189, Sidney, NY 13838.

Bid Price: See Summary Sheet

PROPOSAL NO. 3-11 Asphalt Concrete & Related Work for Parking Lots, Sidewalks & Misc. Small Jobs to: Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, N.Y. 12043

Bid Price: See Summary Sheet

PROPOSAL NO. 4-11 Cutting and Trimming Trees to: ASPLUNDH Tree Expert Co., 708 Blair Mill Road, Willow Grove, PA 19090

Bid Price: See Summary Sheet

PROPOSAL NO. 5-11 Liquid Bituminous Concrete & Related Equipment Bid to: Gorman Asphalt DBA American Asphalt, Church Street, Port of Albany, Albany, NY 12202; Central Asphalt Division of Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Peckham Materials Corp., Foot of Union Street, Athens, N.Y. 12015; Vestal Asphalt Inc., 201 Stage Road, Vestal, N.Y. 13850.

Bid Price: See Summary Sheet

Towns may participate in these bids.

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.

The resolution was seconded by Mr. Haynes.

Chairman Eisel granted Mr. Rowe's request to abstain from voting on this resolution.

The resolution was adopted by the following vote: Ayes 3867, Noes 0, Absent 594 (Molé, Valente, Hynes), Abstain 345 (Rowe).

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

RESOLUTION NO. 34

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

LETTING OF FEBRUARY 8, 2011

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. 6-11 Stone & Gravel Products to: Carver Sand & Gravel LLC, 494 Western Turnpike, Altamont, NY 12009; Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., PO Box 220, Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; E & R Pope's Excavating, LLC, 1073 Cty Hwy 1, Mt. Upton, NY 13809; LaFaver Sand & Gravel, LLC., 3135 County Highway 6, Bovina Center, NY 13740; Masonville Stone Inc., 12999 St. Hwy. 8, Masonville, NY 13804; Peckham Materials, 7065 Route 9w South, Catskill, NY 12414; Platterkill Sand & Gravel, Inc., 111 Back Road Spur, Gilboa, NY 12076; Schaefer Enterprises of Deposit, Inc., 315 Old Rt. 10, Deposit, NY 13754; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820; Shinhopple Sand & Gravel Inc., 400 Banker Rd., Downsville, NY 13755; Stevens Excavating, 15 Stevens Lane, Otego, NY 13825

Bid Price: See Summary Sheet

PROPOSAL NO. 7-11 Gravel Processing to: Clark Companies, PO Box 427, Delhi, NY 13753; Carver Sand & Gravel LLC, 494 Western Turnpike, Altamont, NY 12009

Bid Price: See Summary Sheet

PROPOSAL NO. 8-11 Transit Mixed Concrete to: Masters, RMC, Inc., PO Box 25, Kingsley, PA 18826; Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 9-11 Structural Steel Fasteners to: Fastenal Company, 7352 St. Hwy 23, Oneonta, NY 13820; The Woodward Company, 9 Burdick Drive, Albany, NY 12205

Bid Price: See Summary Sheet

- PROPOSAL NO. 10-11 Steel Structural Shapes, Misc. to: Ben Weitsman & Son, Inc., 15 West Main St., Owego, NY 13827; Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Tarco Steel, Inc., 13 Spud Lane, Binghamton, NY 13904
- Bid Price: See Summary Sheet
- PROPOSAL NO. 11-11 Used Steel Pipe & New Steel Pipe End Sections to: Allegany Pipe & Tubular, 2954 County Road 22, Andover, NY 14806-9616; Chemung Supply Corp., PO Box 527, Elmira, NY 14902.
- Bid Price: See Summary Sheet
- PROPOSAL NO. 12-11 Interlocking Steel Sheet Piling to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902.
- Bid Price: See Summary Sheet
- PROPOSAL NO. 13-11 Steel Reinforcing Bars to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Ben Weitsman & Son, Inc., 15 West Main St., Owego, NY 13827
- Bid Price: See Summary Sheet
- PROPOSAL NO. 14-11 Epoxy Coated Steel Reinforcing Bars to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Ben Weitsman & Son, Inc., 15 West Main St., Owego, NY 13827
- Bid Price: See Summary Sheet
- PROPOSAL NO. 16-11 Gabions to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902.
- Bid Price: See Summary Sheet
- PROPOSAL NO. 17-11 Pressure Treated Timbers to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820
- Bid Price: See Summary Sheet
- PROPOSAL NO. 18-11 Plain Elastomeric Bridge Bearing Material to: A.H. Harris & Sons Inc., 367 Alumni Rd., Newington, CT 06111
- Bid Price: See Summary Sheet
- PROPOSAL NO. 19-11 Bridge Deck Membrane to: Allied Building Products, 24 Railroad Avenue, Albany, NY 12205
- Bid Price: See Summary Sheet

PROPOSAL NO. 20-11 Steel Sign Posts to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902

Bid Price: See Summary Sheet

PROPOSAL NO. 21-11 Lubricating Oils to: NOCO Distribution, LLC, 2440 Sheridan Drive, Tonawanda, NY 14150

Bid Price: See Summary Sheet

PROPOSAL NO. 22-11 Portland Cement to: Oneonta Block Co., 6459 State Highway 23, Oneonta, NY 13820

Bid Price: See Summary Sheet

Towns may participate in these bids.

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.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4212, Noes 0, Absent 594 (Molé, Valente, Hynes).

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

RESOLUTION NO. 35

**TITLE: APPROPRIATION OF MACHINERY EQUIPMENT FUNDS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the County has budgeted for the purchase of a new guiderail post pounder in the 2011 budget; and

WHEREAS, the bids have been sent out and are due back today (February 23, 2011); and

WHEREAS, the cab and chassis for the post pounder will be purchased off from the state bid which expires on March 1, 2011; and

WHEREAS, we need to inform Navistar of the location to drop ship the cab and chassis prior to that date; and

WHEREAS, the Department would like to appropriate the budgeted amount for this truck so that award can be made by the Department upon receipt of the bids.

NOW, THEREFORE, BE IT RESOLVED, that \$110,000 be appropriated from account 26-15130-52200000 to cover the cost of the truck purchase.

The resolution was seconded by Mr. Haynes.

Mr. Utter explained that the guiderail post pounder is going to be installed on the International Truck that has not yet been manufactured.

The resolution was adopted by the following vote: Ayes 4212, Noes 0, Absent 594 (Molé, Valente, Hynes).

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

RESOLUTION NO. 36

**TITLE: STIPULATION WITH VILLAGES IN
TAX FORECLOSURE PROCEEDINGS
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 15, 2011; 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 "Notice of Stipulation."

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

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

RESOLUTION NO. 37

**TITLE: SENATE AND ASSEMBLY TO ENACT APPROPRIATE LEGISLATION TO
ESTABLISH A SECOND COUNTY JUDGE IN DELAWARE COUNTY**

WHEREAS, the Delaware County Board of Supervisors has long recognized the need for a second County Judge for Delaware County resulting from increased Family Court caseloads and additional administrative and judicial responsibilities; and

WHEREAS, the Chief Judge of the New York State Court of Appeals has repeatedly urged the New York State Legislature to create additional Judges for the Family Court; and

WHEREAS, the creation of a second County Court Judgeship to serve the increased needs of the people of Delaware County is in the best interests of Delaware County.

THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors requests the Senate and Assembly to enact appropriate legislation to establish a second County Judge in Delaware County.

The resolution was seconded by Mr. Triolo.

In answer to Mr. McCarthy, Chairman Eisel stated that funding will come from the state. The Board has previously passed several similar resolutions. The need for a second judge is more urgent now as the workload has increased significantly.

The resolution was adopted by the following vote: Ayes 4212, Noes 0, Absent 594 (Molé, Valente, Hynes).

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

RESOLUTION NO. 38

TITLE: RESOLUTION CALLING ON THE GOVERNOR AND THE STATE LEGISLATURE TO RECOGNIZE COUNTY PROBATION DEPARTMENTS AS IMPORTANT PARTNERS IN PUBLIC SAFETY AND TO ALLOCATE STATE FUNDING TO PAY FOR THE PROGRAMS PROBATION DEPARTMENTS ARE MANDATED TO PROVIDE PROBATION DEPARTMENT

WHEREAS, County Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, it is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, state funding for Probation has been drastically cut from a 53.4 percent state share in 1990 to only 14 percent in 2010, putting a huge strain on counties to fund the remaining 86 percent at a cost to county property tax payers of \$340 million in 2010; and

WHEREAS, during a special legislative session on November 18, 2009, the legislature passed and the Governor signed Leandra's Law, which increased penalties for Driving While Intoxicated (DWI) and mandated harsher penalties including mandatory sentencing of ignition interlock devices (IIDs) for DWI offenders; and

WHEREAS, regulations promulgated by the Office of Probation and Correctional Alternatives (OPCA) mandated that counties create plans for monitoring those individuals sentenced to IIDs and required counties to designate an entity to be responsible for monitoring and probation is mandated to collect DNA from offenders, for which counties receive no reimbursement from the state; and

WHEREAS, County Probation Departments were the most commonly designated entity to monitor these offenders, thus further straining probation department budgets and resulting in an increase in workload for probation officers; and

WHEREAS, the legislation provided no funding or resources whereby the ignition interlock section of this legislation could be implemented by local jurisdictions, thus creating an

unfunded mandate on counties that are responsible for ensuring that individuals sentenced to IIDs comply with the law and their sentence; and

WHEREAS, the New York State Vehicle & Traffic Law currently states that court ordered surcharges in DWI related convictions be forwarded by the courts to the State of New York; and

WHEREAS, these court ordered surcharges on Driving While Intoxicated convictions should be directed to the counties to be used to support the enforcement of the ignition interlock provisions of Leandra's Law; and

WHEREAS, in 2010 the New York State Senate unanimously approved S.7951 which would amend New York State Vehicle & Traffic Law Sections 1809-C and 1809-E directing that mandatory court ordered surcharges imposed and collected on DWI offenses be directed to the STOP DWI Program in the county where the offense occurred.

NOW THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors recognized the extraordinary and important role probation provides to the community, law enforcement and the courts; and

BE IT FURTHER RESOLVED, that the Delaware County Board of Supervisors urges Governor Andrew M. Cuomo and the New York State Legislature to fund Probation at adequate levels to ensure the continued support of and resources for the important work probation officers perform;

BE IT FURTHER RESOLVED, that the New York State Association of Counties urges the redirection of court order surcharges in DWI related convictions be directed to the counties who administer STOP DWI, Probation and other anti-DWI programs and alleviate the undue burdens Leandra's Law placed on county services and redirect the DNA collection fee to the county entity, be it Probation Departments or Sheriffs' Departments that collect the DNA; and

BE IT FURTHER RESOLVED, that the Delaware County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the appropriate New York State Legislatures and all others deemed necessary and proper.

The resolution was seconded by Mrs. Capouya.

Director of Probation Scott Glueckert stated in answer to Chairman Eisel that the state is paying 12.5 percent at this time.

Mr. DuMond noted that the state continues to add additional responsibilities and requirements.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 39

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$899,780.38 were hereby presented to the Budget Oversight Committee for approval for payment on February 18, 2011 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	\$661,160.82
OET	\$106,392.01
Countryside	\$420.00
Highway Audits, as Follows:	
Road	\$0.00
Machinery	\$105,439.68
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$26,367.87

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,787,972.08 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	\$1,006,239.84
OET	\$141,835.98
Highway Audits, as Follows:	
Road	\$301,665.12
Machinery	\$157,886.67
Capital Road & Bridge	\$66,873.07
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$113,471.40

The resolution was seconded by Mr. Marshfield and Mr. Triolo and adopted by the following vote: Ayes 4212, Noes 0, Absent 594 (Molé, Valente, Hynes).

Chairman Eisel made the following appointment to the CDO Workforce:
Shelly Farrell, Payroll Administrator, Meadwestvaco

Chairman Eisel provided each Supervisor with a copy of the Delaware County Public Health Nursing Service CHHA & LTHHCP Agency Review completed February 14, 2011 by the firm of Jack Venesky, CPA & Associates. The Supervisors were asked to read through the report

and a Special Meeting was scheduled for Wednesday, March 9th at 1:00 p.m. to discuss the Certified Home Health Care Agency (CHHA) and the Long Term Home Health Program (LTHHP) as well as any other county business. An associate from the firm of Jack Venesky, CPA & Associates will be present to discuss the report and answer questions.

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

RESOLUTION NO. 40

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present except Ms. Molé, Mr. Valente and Mr. Hynes.

Upon a motion, the meeting adjourned at 1:50 p.m.