

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS OCTOBER 26, 2011

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 26, 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 Mr. Layton.

Chairman Eisel welcomed Mr. McCarthy back after his absence due to knee replacement surgery.

Mr. Marshfield offered the invocation.

Mr. Hynes 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 Jessi Potter as Employee of the Month.

Ms. Potter was hired as a senior caseworker in October 2006 and promoted shortly thereafter to senior caseworker I. In July 2011 she was promoted to her current position of senior caseworker II. In this capacity Ms. Potter supervises the department's foster and adoption programs and the preventive casework staff at the Sidney School District.

Commissioner Moon stated that Ms. Potter's ability to excel was recognized immediately by her willingness to assist the department in elements of supervision prior to her official appointment as a senior caseworker. Additionally she earned herself the title of the "go to" person by the Sidney School faculty and staff because of her ability to communicate effectively with both children and their parents.

Ms. Potter enjoys working with people and takes great pride in what she does. Seeing children, adults and families overcome obstacles and improve their lives is her vision of what work is all about. Her co-workers recognize her dedication to what she does and appreciate that she is always focused on the positive.

Commissioner Moon presented Ms. Potter with a \$100.00 Savings Bond and thanked her for her service and dedication. Chairman Eisel presented Ms. Potter with the Certificate of Employee of the Month and thanked her for her dedicated service.

Ms. Potter thanked her co-workers for their support noting that she would not be able to do what she does without their commitment and dedication and the Board of Supervisors for their recognition of her services to the county.

Chairman Eisel granted privilege of the floor to Pro-Act Inc. Communication Specialist Terrence O'Neill to provide an update on the county's prescription discount card program.

Mr. O'Neill stated that in addition to Delaware County the program is administered in sixty-four other municipalities across New York State. As of the end of September the prescription discount card program surpassed \$64 million in savings to New York State residents. Current projections for 2011 will see a total increase of 33 percent in prescriptions filled and 51 percent in cash savings to residents.

Delaware County has been a member of the discount card program since February 2009 and has filled 28,000 prescriptions with a saving of \$1 million to residents. Current projections for 2011 sees an increase of 30 percent in prescriptions filled and an increase of 40 percent in cash saving to residents. The discount card program is working very well for county residents.

Pro-Act is working closely with municipalities through a utilization initiative program designed to educate municipalities to enhance the use of the program. Research has shown municipalities that continue to advertise the discount card program have seen even greater savings to their residents.

Mr. O'Neill thanked the Board for their support in making the prescription discount card program so effective in Delaware County.

In answer to Mr. Bracci, Mr. O'Neill explained that Pro-Act Inc. absorbs the costs of the program. The company receives a small fee for each prescription filled.

Chairman Eisel stated that this program could not have come at a better time for the residents of the county. He knows personally of people who have seen tremendous savings from the use of the card.

In response to Mr. Valente, Mr. O'Neill stated, that Pro-Act. Inc. offers a self insurance prescription benefit program to municipalities for their employees.

Chairman Eisel thanked Mr. O'Neill for his update.

For standing committee reports Chairman Eisel referenced the passage of Resolution No. 146 adopted at the October 12th Board meeting entitled: Resolution Urging Multi-Year State Takeover of the Local Share of Medicaid. He asked the Supervisors to sign a letter written to Governor Cuomo urging him to consider gradually relieving local property taxpayers from the burden of financing the state's Medicaid program. He felt the unity of the Board on this issue would make a greater impact.

As a follow up to the October 12th Board meeting, Commissioner Moon provided a brief update on the subjects of Medicaid expenditures, drug testing public assistance clients, and Medicaid takeover legislation. A detailed handout was distributed to the Supervisors.

Commissioner Moon explained that the Medicaid expenditures handout provided a summary of the 2010 Medicaid gross expenditures compared to prior year 2009 (which showed a decrease) was done in response to Mr. Triolo's request at the October 12th Board meeting. A review is being conducted of how the Department of Health has factored the decrease into the

county share of MMIS money being paid weekly.

On the issue of drug testing public assistance clients, Commissioner Moon advised that drug testing is already being done by several departments for a variety of issues at a cost to the county. If the state were to take a position on this issue they would have to determine how they would implement such a program and who would they test. He suggested that the county review the testing protocol currently done to establish a baseline for further research. Testing can become very sophisticated as there would be a need to determine the use of prescription medications and illegal substances.

Chairman Eisel stated that he was aware of legislation being composed on drug testing for the next session of legislation. He expressed concern that if legislation were to be enacted it might cost the county more money to run the program.

In answer to Chairman Eisel, Commissioner Moon stated that much of what is being asked for is already being done. If there is concern that an individual on one of the county programs might be abusing substances he/she is given a regiment to follow, if the individual is non-compliant benefits are not given or are suspended.

Commissioner Moon referenced his letter written to Senator Bonacic to entice legislatures to provide meaningful mandate relief to the counties. The letter, he referred to as “the fairness letter” will be mailed to the 150 members of the legislature in order to foster support of the legislation. Currently 91 percent of the department’s costs are driven by state mandates.

Commissioner Moon further advised that FEMA has funded a post recovery case management team designed to help residents of Delaware and Greene Counties affected by Hurricane Irene and Tropical Storm Lee. The program is being administered through the Catholic Charities USA. The recovery teams will be in the area about four to six months. He pointed out that the county funded its own recovery model through Delaware Support and Services after the 2006 event.

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

RESOLUTION NO. 152

**TITLE: 2011 BUDGET AMENDMENT
RECEIPT OF A GRANT FOR IMMUNIZATION
PUBLIC HEALTH NURSING SERVICE**

WHEREAS, the New York State Department of Health has been awarded American Recovery and Reinvestment Act funds for Immunization for Delaware County; and

WHEREAS, the New York State Department of Health will award grant monies to Delaware County Public Health Nursing Service in the amount of \$1,514.95 to support immunization education; and

WHEREAS, the grant money will be used for education of staff;

NOW, THEREFORE, BE IT RESOLVED that the following 2011 budget amendment be authorized:

INCREASE REVENUE:

10-14013-44440100/4013002/906	Federal Public Health	\$1,514.95
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INCREASE APPROPRIATION:

10-14013-54327000/4013002/906	General Grant Related Expenses	\$1,514.95
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The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

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

RESOLUTION NO. 153

**TITLE: 2011 BUDGET AMENDMENT
RECEIPT OF A 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 activities; and

WHEREAS, Delaware County will be awarded grant monies in the amount of \$50,000 to support these activities; and

WHEREAS, the goal is to conduct education and public awareness; and

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

NOW, THEREFORE, BE IT RESOLVED that the following 2011 budget amendment be authorized:

INCREASE REVENUE:

10-14012-44440101/4012007/906	Federal Public Health	\$50,000.00
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INCREASE APPROPRIATION:

10-14012-51327000/4012007/906	Personal Services - Grant	\$41,891.00
10-14012-58327000/4012007/906	Fringes	\$8,109.00

The resolution was seconded by Mrs. Capouya.

In answer to Mr. Marshfield, Director of Public Health Bonnie Hamilton explained that the money is to be used for emergency preparedness and response training in an effort to ensure the county and its staff are ready to react in the event of a public health emergency.

The resolution was adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

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

RESOLUTION NO. 154

**TITLE: 2011 BUDGET AMENDMENT
TRANSFER OF FUNDS
PLANNING DEPARTMENT**

WHEREAS, the Delaware County All Hazard Mitigation Committee is in need of additional professional assistance with the preparation of the Multi-Jurisdiction All Hazard Mitigation Plan; and

WHEREAS, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Budget Officer, have agreed that additional funding of appropriations is needed;

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

FROM:

10-18020-51000000	Personal Services	\$35,000.00
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TO:

10-18020-54535000	Professional Fees	\$35,000.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

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

RESOLUTION NO. 155

**TITLE: 2011 BUDGET AMENDMENT
TRANSFER OF FUNDS
SOLID WASTE**

WHEREAS, the price of fuel has been high all year; and

WHEREAS, the excessively wet weather has caused an increase in the amount of leachate; and

WHEREAS, the motor on the compactor had to be replaced due to a catastrophic failure;

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

FROM:

22-00000-34911000	Fund Balance Otr Unreserved	\$150,000.00
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TO:

22-18160-54238040	Disposal of Leachate	\$100,000.00
22-18160-54415060	Maint & Repair Parts	\$30,000.00
22-18160-54515000	Petroleum, Oil, Lube	\$20,000.00

The resolution was seconded by Mr. Rowe and adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

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

RESOLUTION NO. 156

**TITLE: AUTHORIZATION FOR AWARD
DEPARTMENT OF EMERGENCY SERVICES**

LETTING OF AUGUST 11, 2011

WHEREAS, Delaware County has received a Homeland Security Grant for 2010 to provide consultant work

WHEREAS, 911 GIS and CAD addressing information enhancements were approved in this grant

WHEREAS, notice to bidders has been made, and proposals received, having been filed and the bidding procedures and documents have been approved by the County Attorney.

NOW, THEREFORE BE IT RESOLVED, that the Delaware County Department of Emergency Services is authorized to make award to the bidder meeting the specifications for the 911 GIS and CAD addressing information enhancements.

Bid: 911 GIS & CAD Addressing Information Enhancements:
Fountain Spatial, Inc.
137 Jay Street
Schenectady, New York 12305

Bid Price: \$24,000.00

The resolution was seconded by Mr. Utter.

In answer to Chairman Eisel, Director of Emergency Services Richard Bell explained the proposal is for professional services to review the 911 GIS and CAD addressing information enhancements. The lower proposal received from GeoInformics Solutions, LLC, a company located in Kentucky, included a variable for travel expenses. It was felt that the difference of approximately \$2,000 would be billed in travel costs making the two proposals very similar. Fountains Spatial, Inc. is a local company with knowledge of the area and a good understanding of the scope of the project.

In answer to Mr. Marshfield, Mr. Bell stated that Fountain Spatial, Inc. designed the current 911 addressing map book for the county and has also done work for the Department of Real Property.

The resolution was adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

Mr. Donnelly called up Local Law Intro. No. 2 of 2011. The Local Law was seconded by Mr. Rowe.

LOCAL LAW INTRO. NO. 2 OF 2011

LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

Be it enacted by the Board of Supervisors of the County of Delaware as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Delaware pursuant to General Municipal Law §3-c, and to allow the County of Delaware to adopt a budget for the fiscal year beginning January 1, 2012 and ending December 31, 2012 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal law §3-c, which expressly authorizes the Board of Supervisors to override the tax levy limit by the adoption of a local law approved by vote of at least sixty (60%) of the Board.

Section 3. Tax Levy Limit Override: The Board of Supervisors of the County of Delaware is hereby authorized to adopt a budget for the fiscal year 2012 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

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

RESOLUTION NO. 157

TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 2 OF 2011 RESOLUTION OF THE BOARD OF SUPERVISORS ACCEPTING PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c AND SCHEDULING PUBLIC HEARING FOR SAME

WHEREAS, on June 24, 2011 the New York State Legislature enacted Chapter 97 of the NYS Laws of 2011, hereinafter referred to as the “General Municipal Law §3-c”; and

WHEREAS, General Municipal Law §3-c expressly authorized local governments to override the tax levy limit by the adoption of a local law approved by a vote of at least sixty percent (60%) of the total voting power of the governing body (in this case, the “Delaware County Board of Supervisors”); and

WHEREAS, the County’s Attorney has prepared a proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c; and

WHEREAS, the Board of Supervisors has reviewed and modified the proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c;

NOW, THEREFORE, BE IT RESOLVED that the proposed law is ready for consideration by the Board of Supervisors; and

BE IT FURTHER RESOLVED, that the Board of Supervisors shall hold a public hearing for consideration of the Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c on November 22, 2011 at 12:00 p.m. in the Supervisors’ Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York ; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to publish notice of said hearing in the Walton Reporter and Deposit Courier, and to post copies of such notice in the manner provided by law.

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

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

RESOLUTION NO. 158

TITLE: INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF GREENE FOR THE PROVIDING OF EMERGENCY SERVICES

WHEREAS, the County of Greene has requested that the County of Delaware enter into an inter-municipal agreement for the providing of emergency municipal assistance; and

WHEREAS, the County of Delaware deems such an agreement to be in its best interest

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board of Supervisors is authorized to enter into an inter-municipal agreement with the County of Greene for the providing of emergency assistance.

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

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

RESOLUTION NO. 159

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
DEPARTMENT OF OFFICE FOR THE AGING, SOCIAL SERVICES**

AND VETERANS' SERVICE AGENCY

WHEREAS, Resolution No. 269 of 1990 prohibited full time county employees from holding more than one county position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

WHEREAS, the Department of Social Services, Office for the Aging and the Veterans' Service Agency are experiencing difficulties in recruiting bus drivers to serve as drivers on a regularly needed basis to serve the elderly and medically needy; and

WHEREAS, from time to time employees in other county departments may be willing to work on a per hour, as needed basis.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2012 for county employees who are willing to work on a per hour, as needed basis for the Department of Social Services, Office for the Aging and the Veterans' Service Agency.

The resolution was seconded by Ms. Molé and unanimously adopted.

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

RESOLUTION NO. 160

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
SHERIFF'S OFFICE**

WHEREAS, Resolution No. 269-1990 prohibited full time county employees from holding more than one county position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

WHEREAS, the Sheriff's Office is experiencing difficulties in recruiting deputies, dispatchers, registered nurses and correction officers; and

WHEREAS, from time to time employees in other county departments are willing to work on a per hour, as needed basis in the Sheriff's Office.

THEREFORE, BE IT RESOLVED that Resolution No. 269 is hereby temporarily waived until December 31, 2012 for County employees who are willing to work on a per hour, as needed basis in the Sheriff's Office.

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

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

RESOLUTION NO. 161

**TITLE: AUTHORIZATION OF FOUR DAY WORK WEEK
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 55 of 1993, as modified, authorizes a four ten hour per day work week in the Public Works Department which is subject to annual approval by the County and Public Works employees,

NOW THEREFORE BE IT RESOLVED, that subject to approval of the Public Works employees, four day work schedules for 2012 are hereby approved in the Public Works Department as follows:

- 1.) January 1 to March 31, 2012: Bridge Crews only.
- 2.) April 1 to October 27, 2012: All Public Works employees, except those employees specifically excluded from the four day work week by agreement with the union, ie. landfill employees, certain engineering staff, etc.
- 3.) November 25 to December 31, 2012: Bridge Crews only.

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

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

RESOLUTION NO. 162

TITLE: AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL

WHEREAS, the Office of Community Renewal is accepting applications from eligible communities for microenterprise funds available through the Community Development Block Grant Program; and

WHEREAS, Delaware County has reviewed its community development issues and needs, and has identified a need for assistance, in the form of grant funding to local businesses impacted by recent flooding; and

WHEREAS, Delaware County has scheduled public hearings to obtain citizen's views in order to develop a comprehensive program and application for microenterprise funds; and

WHEREAS, the NYS Office of Community Renewal process requires that the governing body of the applicant authorize the submission of the application and related actions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors and the Director of Economic Development to submit an application to the NYS Office of Community Renewal and to act in connection with the submission of the application, including the execution of all required certifications and forms and to provide such additional information as may be required.

The resolution was seconded by Mr. Hynes.

Mr. Valente explained that this resolution would allow the county to request \$200,000 in funds that would be administered by the Delaware County Local Development Corporation staffed by Economic Development. If awarded, the funds would allow for the creation of a comprehensive microenterprise flood relief program designed to aid in the recovery of existing small businesses throughout the county. This would be accomplished through the provision of working capital grants designed to offset the expenses relating directly to the flooding experienced in August and September 2011. The program will allow for a tiered grant award dependent upon the amount of flood related injury sustained by the business, minus any additional assistance through other grants, and insurance.

Mr. Valente provided an update on another effort of Economic Development specific to the Town of Davenport. Greene Lumber Co. LP, a business that closed several years ago is currently in the planning phase of a restart project. Economic Development, on behalf of the town, is planning to submit an application for a \$600,000 Economic Development Program grant through New York State's new Consolidated Funding Application. If funding is approved for the project, three phase power will need to be supplied to the sawmill site and the facility will resume operations. This project would result in the creation of thirty new jobs within the first year of operation. New York State Electric and Gas has not been supportive to businesses of this type requiring three phase power.

In answer to Mr. Donnelly, Economic Development Grant Manager Lori Paulson explained that in order to be eligible for this money the business must be a microenterprise, five employees or less.

An application and documented proof of expenses incurred as a result of the flooding, less any insurance or other grants received is required and the application will be reviewed by a grant committee.

The resolution was unanimously adopted.

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

RESOLUTION NO. 163

TITLE: PROVIDE MATCHING GRANT FUNDS FOR THE CATSKILL REVITALIZATION CORPORATION GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF PARK RECREATION AND HISTORIC PRESERVATION

WHEREAS, Delaware County has entered into contract with the A. Lindsay and Olive B. O'Connor Foundation, Inc.; and

WHEREAS, the contract with the A. Lindsay and Olive B. O'Connor Foundation, Inc. provides Delaware County up to \$80,000 to match grant funds for purchase and restoration of the historic Roxbury Train Station; and,

WHEREAS, the Catskill Revitalization Corporation is applying to the New York State Office of Parks, Recreation and Historic Preservation for funds to facilitate restoration of the station; and

WHEREAS, once the grant funds are received by Catskill Revitalization Corporation, Delaware County can request payment of these funds from the A. Lindsay and Olive B. O'Connor Foundation, Inc. to match this grant;

NOW, THEREFORE, BE IT RESOLVED, the Delaware County Board of Supervisors authorizes the Delaware County Planning Department to request the payment of up to \$80,000 as specified in this contract from the A. Lindsay and Olive B. O'Connor Foundation, Inc. in the event the Catskill Revitalization Corporation grant is funded.

The resolution was seconded by Ms. Molé and unanimously adopted.

Mr. Triolo called up Local Law Intro. No. 3 of 2011. The Local Law was seconded by Mr. Haynes.

INTRO. NO. 3 OF 2011

A LOCAL LAW PROVIDING FOR ADJUSTED WEIGHTED VOTING BY MEMBERS OF THE BOARD OF SUPERVISORS

WHEREAS, the 2010 United States of America population census figures for the towns in Delaware County have changed and requires an amendment to the weighted voting of the members of the Board of supervisors; and

WHEREAS, it is the intent of the Delaware County Board of Supervisors to establish a plan of weighted voting pursuant to Municipal Home Rule Law Section 10 (1) (a) (13), which permits a County legislative body to prescribe the voting powers of individual members; and

WHEREAS, the Board of Supervisors has previously adopted Local Law No. 4 of 1991 and Local Law No. 1 of 2001 which established the current weighted voting and are hereby repealed with the enactment of local law No. 3 of 2011;

THEREFORE, BE IT ENACTED that the Delaware County Board of Supervisors adopt the following Table A (weighted votes for simple majority), Table B (weighted votes for two-thirds (2/3) majority), and Table C (weighted votes for three-fifths (3/5) majority); and

BE IT FURTHER ENACTED that the weighted votes derived from the 2010 population census and specified in Tables A, B, and C, become effective for Delaware County Board of Supervisors on January 1, 2012.

<u>Town</u>	<u>2010 Population</u>	<u>Simple</u>	<u>2/3's</u>	<u>3/5's</u>
Andes	1,301	130	130	130
Bovina	633	63	63	63
Colchester	2,077	208	208	208
Davenport	2,965	297	297	297

Delhi	5,117	512	512	512
Deposit	1,712	171	171	171
Franklin	2,411	241	241	241
Hamden	1,323	132	132	132
Hancock	3,224	322	322	322
Harpersfield	1,577	158	158	158
Kortright	1,675	168	168	168
Masonville	1,320	132	132	132
Meredith	1,529	153	153	153
Middletown	3,750	375	375	375
Roxbury	2,502	250	250	250
Sidney	5,774	577	577	577
Stamford	2,267	227	227	227
Tompkins	1,247	125	125	125
Walton	5,576	558	558	558
Total	47,980	4,799	4,799	4,799
Majority		2,400	3,200	2,880

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

RESOLUTION NO. 164

TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 3 OF 2011

BE IT RESOLVED, that a public hearing be held on Local Law Intro. No. 3 of 2011 entitled, A Local Law Providing for Adjusted Weighted Voting by Members of the Board of Supervisors, on Wednesday, November 9, 2011 at 12:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

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

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

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

RESOLUTION NO. 165

**TITLE: 2011 BUDGET AMENDMENT
TRANSFER OF FUNDS
CLERK OF THE BOARD**

WHEREAS, the fax machine in the Clerk of the Board’s office is no longer operational;
and

WHEREAS, the following transfer is necessary in order to purchase a fax machine

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

FROM:

10-11327-54530060	Printing Services	\$456.62
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TO:

10-11040-52200000	Equipment	\$456.62
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

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

RESOLUTION NO. 166

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.

SID09TX.052

ASSESSED TO:

**JONATHAN J WATSON SR, MARTHA A
WATSON & GABRIEL BONACCI**

TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.12-5-29
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	66.00'F x 116.00'D: 0.25A ACRES
CONVEYED TO:	SERHAN MUSTAFA CAMBUDAK 19 AVERY STREET SIDNEY NY 13838
CASH CONSIDERATION:	\$19,500.00 COUNTY SHARE \$7,605.00 VILLAGE SHARE \$11,895.00
TAX DEFICIT:	\$5,621.26

ASSESSED TO:**LEYNA ALBERTINA AND CLAUDIA FERRI**

TOWN OF: 125601:WALTON
 TAX MAP NO: 273.8-3-15
 SCHOOL DISTRICT: 125601:WALTON
 ACREAGE: 41.00'F x 88.00'D: 0.13A ACRES
 CONVEYED TO: ROY E LUSTIG
 31 LOCUST ROAD
 NORTHPORT NY 11768
 CASH CONSIDERATION: \$12,001.00
 COUNTY SHARE \$5,520.46
 VILLAGE SHARE \$6,480.54
 TAX DEFICIT: \$2,902.80

WAL09TX.011

ASSESSED TO:**LISA DEVENS**

TOWN OF: 125601:WALTON
 TAX MAP NO: 273.8-3-17
 SCHOOL DISTRICT: 125601:WALTON
 ACREAGE: 68.00'F x 164.00'D: 0.25A ACRES
 CONVEYED TO: DONALD L AND LYNN M TWEEDIE
 90 CRYSTAL CREEK RD
 WALTON NY 13856
 CASH CONSIDERATION: \$36,500.00
 TAX DEFICIT: \$2,998.93

WAL09TX.089

ASSESSED TO:**JOSHUA PROTTAS**

TOWN OF: 125601:WALTON
 TAX MAP NO: 273.7-4-9
 SCHOOL DISTRICT: 125601:WALTON
 ACREAGE: 74.00'F x 37.00'D: 0.13A ACRES
 CONVEYED TO: ELIZABETH DEHAVEN
 PO Box 33
 WALTON NY 13856
 CASH CONSIDERATION: \$1,000.00
 COUNTY SHARE \$760.00
 VILLAGE SHARE \$240.00
 TAX DEFICIT: \$1,719.38

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

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

RESOLUTION NO. 167

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
PERSONNEL OFFICE**

WHEREAS, Resolution No. 269 of 1990 prohibited full time county employees from holding more than one county position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

WHEREAS, the Personnel Office is experiencing difficulties in recruiting clerks to serve as exam monitors for exams scheduled on Saturdays; and

WHEREAS, from time to time employees in other county departments may be willing to work on a per hour, as needed basis.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2012 for county employees who are willing to work on a per hour, as needed basis in the Personnel Office.

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

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

RESOLUTION NO. 168

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,318,699.66 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	\$855,087.32
Countryside	\$420.00
OET	\$57,266.90
Public Safety Comm System	\$26,028.75
Highway Audits, as Follows:	
Landfill	\$61,621.92
Road	\$4,548.29
Machinery	\$83,279.26
Capital Road & Bridge	\$67,483.25
Capital Solid Waste	\$162,963.97

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4695, Noes 0, Absent 111 (Layton).

Chairman Eisel appointed Dr. Frank Hall to the Health Services Advisory Board and the Professional Advisory Board.

Mr. DuMond recalled Local Law Intro. No. 1 of 2011 entitled: A Local Law Requiring Prisoners of the County Jail who Require Medical or Dental Services to Pay for Such Services if Insured under a Health Insurance Policy and moved its adoption. The Local Law was seconded by Mr. Homovich and unanimously adopted.

Budget Director Robert Homovich introduced the 2012 Tentative Budget for review and comments. He noted that copies of the tentative budget were placed in each department's mailbox and additional copies are available at the office of the Clerk of the Board. He asked that Supervisors and department heads review the budget carefully for accuracy and if there are any corrections or amendments to get back to him as soon as possible.

The 2012 Tentative Budget has an increase of 4.2059 percent over the 2011 tax levy. The increase was not what the committee wanted but is lower than where the committee started. A few of the difficulties the budget committee dealt with were increases in retirement and other fringe benefits, Medicaid cost, unfunded mandates and the decrease in the county's sales tax revenue.

If the Board feels upon reviewing the tentative budget that further cuts are needed the budget committee will respond with additional reductions. The committee has put a great deal of time into the preparation of the tentative budget and believes it to be fair and realistic. He thanked everyone involved with the preparation of the budget.

Mr. McCarthy stated that the towns are facing similar issues. He recommended that towns as well as county budget committees look two or three years down the road to avoid winding up in a trap. He opined that the state's uncertainties are an attempt to have smaller governments lay off its people to save retirement money. He questioned if the county budget committee was holding departments to a 2 percent yearly increase.

In reply to Mr. McCarthy, Mr. Homovich stated that holding the departments to a 2 percent increase would not be realistic in some departments. The committee has cut departments as much as possible. Laying off people will only increase the spiral of unemployment and demand for assistance. The county needs economic growth and mandate relief. The best the budget committee can do is plan around mandates and the indecisions of the state.

Mr. Marshfield stated the 2012 budget cut out all vacancies reducing the budget by \$311,000. Even with that fringes increased by \$750,000. At one point the committee was at a 6 percent increase. To reduce that tax levy the committee reluctantly agreed to take \$500,000 out of reserve. He stated that to reduce the budget by 1 percent would require a cut of \$270,000. This year removing the vacancies bailed the county out. He expressed concern for the 2013 budget preparations.

Mr. Bracci commented that he shares the concern for the 2013 budget. Mr. DuMond has a good point, ultimately the Board is going to have to take a different course of action against unfunded mandates.

Mr. Dolph added that the cost of Hurricane Irene and Tropical Storm Lee have not been considered. In 2006 the state picked up the entire share. The county is looking at a cost of 12.5 percent. It gets harder and harder each year to prepare a budget with a minimal increase.

Mr. Donnelly stated that the county is fortunate that previous budget committees had the foresight to build up a fund balance reserve. Think carefully as you look at the budget for further cuts. The finance committee feels the budget is realistic, but will consider any input.

Chairman Eisel stated that this is a bare bones budget, there is no cost of living raise in the budget for county employees and only minimal increases to the cost of doing business even at the 4.2 percent. If there are any cuts a department can do, bring them to budget oversight as soon as possible.

Mr. McCarthy suggested this might be the time to increase the tax levy further rather than attempt to decrease it more. Chairman Eisel noted that the committee discussed raising the tax levy and decided against it because historically the county has not used the entire fund balance allotted in the budget.

Mr. DuMond requested the Board reach out to other counties seeking their support to band together to stand against unfunded mandates. Mr. Homovich noted that the Association of Counties continues to lobby against unfunded mandates and other concerns of the counties. Mr. DuMond requested that the action be taken by the Board. Mr. Bracci supported Mr. DuMond's request to be proactive as a county.

Upon a motion, the meeting adjourned at 2:20 p.m.