

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS NOVEMBER 22, 2011

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 22, 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. DuMond.

Mr. Marshfield offered the invocation.

Mr. Triolo 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 Department of Public Works Commissioner Wayne Reynolds who presented Gerald Furgerson as Employee of the Month.

Mr. Furgerson was hired as an automotive mechanic at the Solid Waste Management Center in January 2002. In December 2005 he transferred to the highway garage and in 2006 was promoted to senior automotive mechanic. In this capacity, he is in charge of the mechanics who handle the fleet maintenance on the county's heavy equipment.

Mr. Furgerson has an exceptional work ethic and is willing to do what is necessary to keep the department operating productively. His ability to prioritize the work load is key to maintaining an efficient shop. He works well with others and enjoys the challenges of the position. The department leans heavily on Mr. Furgerson's knowledge and ability. He willingly takes on additional responsibility and is currently performing tasks previously done by the department's motor equipment supervisor.

Commissioner Reynolds presented Mr. Furgerson with a \$100.00 savings bond. Chairman Eisel presented him with the Certificate of Employee of the Month and thanked him for his dedicated service.

Mr. Furgerson thanked everyone for the award.

Chairman Eisel granted privilege of the floor to Mr. Valente. Mr. Valente introduced Office of Employment and Training Assistant Director Maggie Gilbert and New York State Department of Labor Representative Tim Grippen to provide information on the Neighborhood Rebuilding Corps National Emergency Grant.

Mrs. Gilbert stated that the United States Department of Labor awarded the New York State Department of Labor (NYSDOL) a disaster National Emergency Grant (NEG) for up to \$16.1 million to hire temporary workers to assist in the recovery of damages caused by Hurricane Irene and Tropical Storm Lee. These funds are available to counties, towns, villages, government agencies, public education entities and non-profit organizations assisting in recovery efforts.

Employment priority will be given to individuals who have temporarily or permanently lost their employment as a result of Hurricane Irene or Tropical Storm Lee, followed by unemployed dislocated workers as defined under the Workforce Investment Act and individuals jobless for 27 weeks or more. The NEG worker will be employed for six months and will be paid at comparable rates of pay for individuals employed in similar occupations. The grant funds can be used to offset wages of existing employees who directly supervise NEG workers and to purchase work-related and personal safety equipment needed to perform the work.

Originally the only option to the entity was to hire the NEG workers directly. New York State is now offering the option of using staffing agencies as the employer of record so unemployment insurance and workers' compensation costs will not be a burden to local governments.

Entities interested in applying for these funds need to provide the NYSDOL with the specific details of the work project. The state will prioritize the worksites with highest priority going to public facilities which have been severely damaged. Generally, worksites will be limited to public and private non-profit facilities.

In answer to Chairman Eisel, Mr. Grippen explained that the Office of General Services contracts with temporary employment service firms to be used for emergencies when needed. All of the costs associated with employment of the NEG workers will be paid through the Office of General Services. The entity's role is to provide supervision in the flood related project.

Mrs. Gilbert advised that entities may submit the names of individuals they believe may be eligible to the Office of Employment and Training for screening.

Mr. Grippen stated in reply to Mr. Valente, that the entity needs to tell the NYSDOL what their needs are. He suggested the entities begin the application process as soon as possible in order to secure funding.

In answer to Mr. Utter, Mr. Grippen explained that the rate of pay for the NEG worker needs to be consistent with the amount the town would pay other employees for similar work.

Mr. Grippen advised in answer to Mr. Donnelly, that funding from the grant would pay for the removal of trees and other debris from streams as long as they are a result of the hurricane or tropical storm.

In reply to Mr. Marshfield and Mr. Rowe, Mr. Grippen explained that work performed on private property is covered by the grant funding if it is the type of work the municipality would be authorized to perform, for example, garbage or limb removal as a direct result of the disaster. However, the property owner is required to complete a release form which will authorize both the local government and the NEG worker to perform disaster related work.

Chairman Eisel stated that this is a good opportunity for the towns that have need for assistance. He thanked Mrs. Gilbert and Mr. Grippen for their presentation and announced that they will be available to any Supervisor interested in discussing this grant further after the Board meeting.

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

RESOLUTION NO. 180

**TITLE: 2011 BUDGET AMENDMENT
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (“STEP”)
2012 GRANT (00127-(013))
SHERIFF’S OFFICE**

WHEREAS, Governor Andrew M. Cuomo has authorized the Commissioner of Motor Vehicles to make a grant available to Delaware County to fund our participation in the statewide Selective Traffic Enforcement Program which is devoted to reducing aggressive driving and speeding; and

WHEREAS, participation in the program will result in the award of \$12,078.00 to be used to pay the salaries of the participating officers during the program year October 1, 2011 through September 30, 2012.

NOW THEREFORE, BE IT RESOLVED that the 2011 budget be amended as follows:

INCREASE REVENUE:

10-13310-43338900/3310127/907	State Otr. Public Safety	\$12,078.00
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INCREASE APPROPRIATIONS:

10-13310-51327000/3310127/907	Personal Services Expense	\$12,078.00
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The resolution was seconded by Mr. Axtell and Mr. Rowe and adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 181

**TITLE: 2011 BUDGET AMENDMENT
PRE-DISASTER MITIGATION COMPETITIVE GRANT
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County applied for and was awarded grant funding under the Pre-Disaster Mitigation Competitive Fiscal Year 2011 grant program; and

WHEREAS, said grant is established to update the Delaware County All Hazard Mitigation Plan; and

WHEREAS, the total project cost of the grant is \$189,970.00 with a federal share of \$142,477.50 and a required 25 percent match which can be in-kind services of \$47,492.50.

THEREFORE, BE IT RESOLVED that the office of Emergency Services be authorized to accept said funding and the 2011 budget be amended as follows:

REVENUE ACCOUNT:

10-13640-43398900/3640041/911 State Otr Home and Community Services \$142,477.50

APPROPRIATION ACCOUNT:

10-13640-54327200/3640041/911 Grant Contractual Services \$142,477.50

The resolution was seconded by Mr. Triolo.

In reply to Chairman Eisel, Director of Emergency Services Richard Bell stated this resolution authorizes the department to accept the funding offered by the Pre-Disaster Mitigation Competitive Grant to be used to update the Delaware County All Hazard Mitigation Plan. He noted that later in the meeting Resolution No.184 entitled: Authorization for Professional Services All Hazard Mitigation Plan Update outlines how the funds will be expended.

The resolution was adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 182

TITLE: APPORTIONMENT OF COUNTY SELF INSURANCE BUDGET

RESOLVED that the budget for the County Self Insurance Fund for Workers' Compensation and Volunteer Firemen's Benefits in the total amount of \$1,766,588, as set forth below be accepted as part of the records of this Board.

<u>Participant</u>	<u>Full Value Assessment</u>	<u>Apportioned Amount to Raise</u>
County of Delaware	5,554,649,706	\$817,999.85
<u>Towns</u>		
Andes	433,778,541	\$63,879.96
Bovina	144,055,140	\$21,214.13
Colchester	717,218,386	\$105,620.44
Davenport	208,015,313	\$30,633.16
Delhi	344,093,060	\$50,672.52
Deposit	270,237,587	\$39,796.26
Franklin	197,424,331	\$29,073.50

Hamden	157,069,156	\$23,130.63
Hancock	387,795,103	\$57,108.25
Harpersfield	133,645,074	\$19,681.11
Kortright	162,264,621	\$23,895.73
Masonville	106,219,301	\$15,642.28
Meredith	146,880,865	\$21,630.26
Middletown	707,826,986	\$104,237.42
Roxbury	409,897,360	\$60,363.12
Sidney	325,734,998	\$47,969.03
Stamford	179,113,340	\$26,376.94
Tompkins	162,597,220	\$23,944.71
Walton	360,783,324	\$53,130.40

Villages

Delhi	105,323,392	\$15,510.34
Deposit	34,889,652	\$5,137.99
Franklin	17,622,081	\$2,595.10
Hancock	71,337,261	\$10,505.41
Stamford (Harpersfield)	29,095,412	\$4,284.71
Stamford (Stamford)	30,634,164	\$4,511.31
Fleischmanns	40,743,429	\$6,000.04
Sidney	193,318,073	\$28,468.79
Hobart	58,284,791	\$8,583.25
Walton	132,701,844	\$19,542.20

Fire Districts

Stamford, Jefferson	31,601,896	\$4,653.82
Stamford, Gilboa	48,117,684	\$7,086.00
Arena, Hardenburgh	15,555,134	\$2,290.71
Midd.-Hard., Hardenburgh	43,662,160	\$6,429.86
Deposit	33,876,360	\$4,988.77

TOTAL 11,996,062,745 \$1,766,588.00

The resolution was seconded by Mr. Marshfield and Mrs. Capouya.

In answer to Mr. Marshfield, Clerk of the Board Christa Schafer stated that the increase is \$56,588 more than last year.

Mrs. Schafer explained in answer to Mr. McCarthy, that the apportionments are based on the full value assessment of all participants. Currently, the Self Insurance budget is under funded and is working out of the reserve. If the required amount were to be levied it would have a devastating financial impact on the towns, by increasing the levy a minimal amount each year the impact is less severe.

In reply to Mr. Marshfield, Mrs. Schafer noted that the participating fire districts are included under the town with the exception of fire districts located outside of the county.

Mr. Utter further explained that the Town of Middletown includes three fire districts, one of which is in the Town of Hardenburgh located in Ulster County. The levied amount for the Town of Hardenburgh is added onto the budget that goes to the Ulster County.

The resolution was unanimously adopted.

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

RESOLUTION NO. 183

TITLE: DIRECT TOWN TAX

BE IT RESOLVED that pursuant to §233a of the County Law, the nineteen towns of the County be and hereby are charged \$123,095.97 for the assessment rolls, field books, tax bills, etc.; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors be authorized and directed to apportion said sum against the taxable property of the nineteen towns of the County of Delaware and that said sum be incorporated into the County Treasurer's Preliminary Report of charges and credits to the said towns in accordance with the apportionment.

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

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

RESOLUTION NO. 184

**TITLE: AUTHORIZATION FOR PROFESSIONAL SERVICES
ALL HAZARD MITIGATION PLAN UPDATE
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Resolution No.181 of 2011 authorized the Department of Emergency

Services to accept an awarded grant under the fiscal year 2011 from the Pre-Disaster Mitigation Competitive Fiscal Year 2011 grant program to establish and update the Delaware County All Hazard Mitigation Plan; and

WHEREAS, the aforementioned grant will subsidize 75 percent of the cost for completing Phase II of the All Hazard Mitigation Plan update with a 25 percent local match which can be in-kind services; and

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

WHEREAS, Tetra Tech EM Inc., provided a project work plan for the All Hazard Mitigation Plan which was broken out into two phases. Phase I has been completed with included the planning elements necessary to get the planning process started in time to meet regulatory guidelines (44 CFR 201.6 Five Year Update); and

WHEREAS, Phase II shall include all remaining tasks, planning elements, submission and adoption of the plan. Tetra Tech shall perform all Phase II activities at a cost not to exceed \$80,000.00; and

THEREFORE, BE IT RESOLVED, that the Department of Emergency Services is herewith authorized to enter into an agreement with Tetra Tech EM Inc. with its offices at 1000 The American Road, Morris Plains New Jersey 07950.

The resolution was seconded by Mr. Rowe and Mrs. Capouya and adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 185

**TITLE: CHANGE ORDER NO. 1 TO RESOLUTION NO. 188-2009
DEVELOPMENT OF MASS FATALITY PLAN
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Resolution No. 188 of 2009 authorized the Department of Emergency Services to accept an award 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, Health Care Compliance Enterprise, LLC 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; and

WHEREAS, a large portion of the plan is completed, however additional extensive research and preparation over the original request had to be performed in order to complete the document for an additional cost of \$7,100; and

WHEREAS, the additional expense will be 100 percent subsidized by the New York State Office of Homeland Security grant.

THEREFORE, BE IT RESOLVED, that the Department of Emergency Services is authorized to execute Change Order No. 1 with Health Care Compliance Enterprises LLC in the amount of \$7,100 increasing the contract amount to \$24,100.

The resolution was seconded by Mr. Axtell.

Mr. Bell explained that the scope of the research for the Mass Fatality Plan was more extensive than originally thought. An example of the depth of research required was the need to identify a temporary interment site in the event of casualties which required a great deal of time and effort. The grant is sufficient to cover the work that needs to be completed.

The resolution was adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 186

TITLE: RESOLUTION CALLING FOR THE ALLOCATION OF REVENUES FROM THE NEW YORK STATE PUBLIC SAFETY SURCHARGE TO COUNTIES TO SUPPORT 911 AND PUBLIC SAFETY COMMUNICATIONS DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, the State of New York imposes a \$1.20 surcharge on all wireless telephones, which in 2010 raised over \$200 million and for which these funds were intended to be spent on 911 operation to help first responders to communicate and respond to emergencies; and

WHEREAS, the \$1.20 surcharge should be imposed on any communications device capable of connecting to 911; and

WHEREAS, the State of New York has historically allocated only 6 percent of these funds to counties who are responsible for the operations of 911; and

WHEREAS, the 2010-2011 New York State Budget designated an additional \$20 million in the 2011-2012 budget, however this amount is still a meager percentage of the total amount collected in this fund; and

WHEREAS, counties are in dire need of this funding and urge the Office of Interoperable and Emergency Communications to award these fund as soon as possible; and

WHEREAS, counties and other municipalities are the actual providers of 911 services to the people of New York State and incur substantial costs to upgrade and maintain communications systems as well as keep up to date with technological changes such as Next Generation 911 (NG911), which is estimated to take ten years to implement at a cost of approximately \$22 billion in New York State; and

WHEREAS, counties have demonstrated their ability to work together to form regional partnerships and collaborate in the development and expansion of their public safety systems; and

WHEREAS, New York State's practice of raiding these funds makes counties ineligible for federal funding, including \$42 million in wireless Next Generation 911 funding and \$58 million from the Department of Transportation

NOW, THEREFORE, BE IT RESOLVED, that Delaware County urges the State of New York to allocate the fullest amount of these funds permissible under law to counties so that 911 centers and emergency service personnel can make the necessary investments in their systems to support the emergency communications needs in their communities; and

BE IT FURTHER RESOLVED that Delaware County commends the Office of Interoperable and Emergency Communications for their attentiveness to the new grant program and further urges the swift and thoughtful dispersal of funds allocated to the counties; and

BE IT FURTHER RESOLVED that this resolution be sent to Governor Andrew Cuomo, Senator John Bonacic, Senator Dean Skelos, Assemblyman Kevin Cahill, Assemblyman Clifford Crouch, Assemblyman Peter Lopez, Assemblyman Sheldon Silver, and the Commissioner of the Division of Homeland Security and Emergency Services.

The resolution was seconded by Mr. Axtell.

Mr. Bell stated that New York State has been allocating only 6 percent of the surcharge funds collected to the counties responsible for 911 operations. The New York State Budget for 2010-11 designated \$20 million but, that amount is a small portion of what is collected. The purpose of this resolution is to ask the state to relinquish a greater portion of the funds collected to the actual providers of 911 services.

In answer to Chairman Eisel, Mr. Bell noted that the original intent of the money was to fund the Statewide Wireless Network program. Unfortunately, the money has been used to fund a variety of unrelated projects.

The resolution was unanimously adopted.

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

RESOLUTION NO. 187

TITLE: PUBLIC HEARING FOR THE INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED AGRICULTURAL DISTRICTS DURING THE DESIGNATED THIRTY-DAY PERIOD FOR ANNUAL DISTRICT REVIEW

WHEREAS, the Delaware County Board of Supervisors, in accordance with Chapter 523 of the Laws of 2003 amended New York State Agricultural and Markets Law, designated a thirty-day review period starting on April 1, 2011 and closing April 30, 2011 in which a landowners may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Delaware County Agricultural and Farmland Protection Board has identified each parcel proposed as “viable agricultural land” eligible for inclusion into a Certified Agricultural District; and

WHEREAS, the Delaware County Board of Supervisors must hold a Public Hearing to consider the requests and recommendations of the County Agricultural Farmland Protection Board concerning the inclusion of land(s) into Agricultural Districts No. 12.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Wednesday, December 7, 2011 at 12:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi N.Y.

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

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

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

RESOLUTION NO. 188

**TITLE: 2011 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County Law Communications Transmitter located on Mt. Utsayantha in the Town of Stamford suffered a fire on November 17, 2011; and

WHEREAS, the damage from the fire left the transmitter unusable and non-repairable; and

WHEREAS, a short term temporary solution has been implemented using a borrowed transmitter; and

WHEREAS, a new transmitter needs to be installed at a cost not to exceed \$9,000 in an expedient matter to ensure that communications on the law frequency continue

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

FROM:

10-13020-54615000	Training	\$9,000.00
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TO:

10-13020-52200000	Equipment	\$9,000.00
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The resolution was seconded by Mrs. Capouya and adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 189

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

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 at this time to purchase a plotter/scanner and three replacement computers

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

FROM:

10-18020-54535000	Professional Fees	\$8,950.00
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TO:

10-18020-52200000	Equipment	\$8,950.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 190

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

WHEREAS, the NYS Office of Community Renewal is accepting applications from counties of eligible flood impacted communities for funds available through the NYS Agricultural and Community Recovery Fund; and

WHEREAS, Delaware County recognizes the devastating impact and hardship being experienced by local businesses resulting from the flooding events of 2011 and the need to provide grant assistance

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. Triolo.

Director of Economic Development Glenn Nealis explained that Main Street businesses are now eligible for funding from the NYS Office of Community Renewal. The Department of Economic Development is preparing a list of businesses in Delaware County that have been directly impacted by Hurricane Irene and Tropical Storm Lee. Once the needs are determined an application will be submitted and the state will advise the county how much funding it will receive.

The resolution was unanimously adopted.

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

RESOLUTION NO. 191

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2011 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>	<u>CREDIT</u>
Andes		\$649.58
Bovina	\$3,410.46	
Colchester	\$6,813.74	
Davenport	\$6,810.13	
Delhi	\$11,005.18	
Deposit	\$2,383.41	
Franklin	\$5,757.69	
Hamden	\$1,616.58	
Hancock		\$357.00
Harpersfield		\$1,418.45
Kortright	\$14,192.62	
Masonville	\$401.65	
Meredith	\$6,042.17	
Middletown	\$7,779.30	
Roxbury	\$5,959.32	
Sidney	\$4,086.45	
Stamford	\$5,814.02	
Tompkins		\$7,104.66
Walton		\$10,567.57

The resolution was seconded by Mr. Marshfield.

In answer to Mr. McCarthy, Mrs. Schafer noted that the amounts include tax adjustments and other various credits or expenses towns have incurred throughout the year.

In reply to Chairman Eisel, Mrs. Schafer explained that property owners who receive a forest tax exemption must follow a plan approved by the Department of Environmental Conservation. Once the timber is cut the town and county receive a percentage of the proceeds which is called stumpage tax. The town's portion is credited against the tax levy.

In answer to Mr. Utter, County Attorney Richard Spinney stated that the Department of Environmental Conservation polices the forest tax exemption. They advise the county of the credits as well as any violations that would be charged.

The resolution was adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

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

RESOLUTION NO. 192

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,069,947.47 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	\$456,509.53
OET	\$29,390.51
Public Safety Communication System	\$4,441.25
Highway Audits, as Follows:	
Landfill	\$76,771.03
Road	\$13,074.77
Machinery	\$95,881.48
Capital Road & Bridge	\$259,018.49
Capital Solid Waste	\$134,275.74
Sealer of Weights and Measurers	\$584.67

The resolution was seconded by Mrs. Capouya and Mr. Marshfield and adopted by the following vote: Ayes 4665, Noes 0, Absent 141 (DuMond).

Mr. Donnelly recalled Local Law Intro. No. 2 entitled: A Local Law to override the Tax Levy Limit Established in General Municipal Law §3-c. The local law was seconded by Mrs. Capouya and unanimously adopted.

Mr. Rowe recalled Local Laws Intro. Nos. 4 through 7 entitled: Salary Increases. The local laws were seconded by Mr. Homovich and unanimously adopted.

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

RESOLUTION NO. 193

TITLE: ADOPTION OF 2012 DELAWARE COUNTY BUDGET

WHEREAS, the Preliminary Budget for the year 2012 has been presented to the Board by the Budget Officer and duly discussed and a public hearing having been held thereon as required by law;

NOW, THEREFORE, BE IT RESOLVED that pursuant to §360 of the County Law, the Preliminary Budget, as amended, for 2012 be adopted.

The resolution was seconded by Mr. Utter

Mr. Donnelly personally thanked Mr. Homovich and the Budget Committee for putting together a well thought out and financially sound budget.

Mr. Homovich thanked all involved with the preparation of the 2012 budget, noting that it takes the combined effort of many to put together a realistic budget. He thanked Mr. Marshfield for his input and willingness to make himself available at the call of the Budget Committee. It saddened the committee that salary increases were not included for the employees in the budget, however job retention was foremost in the minds of the committee. The county will continue to face state mandates, increasing retirement and healthcare payments, the cost of a public safety communication system and the funding of the Self Insurance Fund. He thought preparation of the 2013 budget would be a little easier as a result of good stewardship. There needs to be economic growth in order for the county to provide jobs, without jobs the reality is there will be more people requiring services from the county. These are very difficult times and many of our residents are facing hard times.

Mr. Marshfield provided an overview of the budget process. The 2012 budget exceeded the 2 percent tax cap, the count tax levy is 4.11 percent over last year. The Budget Committee did not want to override the 2 percent tax cap however, there was no choice if the county was to continue to provide essential services to its residents.

Developing a budget in these challenging times adds substantial pressures, the demand for services increase while revenues decline. It is expected that sales tax revenue will remain flat, interest income remains low and mortgage tax income is down drastically. Expenses the county faces in the coming year include a public safety communication system, decreased revenue from the boarding of prisoners with increasing costs per prisoner to operate and mandated services not fully funded by the state.

Many of the same pressures will continue into the 2013 budget preparations. The budget process will remain difficult until the economic climate improves and mandate relief is provided. The departments will need to remain vigilant in managing their budgets and the county will need to explore ways of delivering essential services more efficiently.

He thanked the Budget Oversight Committee for their time spent on the budget. He thanked the county employees for their understanding and hoped that the future would hold more promise. These are difficult times and undesirable choices had to be made to retain employees.

Chairman Eisel stated that he felt this was one of the most difficult budget years. A job is a treasure to behold these days and the committee succeeded in keeping our people employed. It is important that we maintain essential services for our residents and he felt the 2012 budget accomplished that.

Mr. Utter stated that he holds it his obligation as a public official to provide infrastructure, a safe haven for our residents and to care for the needy, aging and infirm.

As Chairman of the Public Works Committee he referenced the cut of over half a million dollars to the Department of Public Works budget. The Department of Public Works has seen a 20 percent reduction in employees over the past twenty-five years. Still, the department strives to keep county infrastructure travelable. Referencing the safety of our citizens we have a radio system that needs to be replaced in order to provide safety for our residents. With regard to the care of the county's needy, elderly and infirmed, he pointed out that the system needs to change. When there are employees of the county that qualify for welfare benefits something is seriously wrong with the system.

He remarked he is voting to pass this budget but, would not if he was going to serve another term, adding he does not want to saddle his successor with a budget that could not be lived with. He advised that the Town of Middletown budget was kept under the 2 percent tax cap in part due to the fact that there were no increases in wages, steps or longevity for anyone. He agreed it was time that every county in New York State band together and tell the state that enough is enough.

The resolution was unanimously adopted.

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

RESOLUTION NO. 194

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No.193, dated November 22, 2011 adopted a budget for the fiscal year 2012;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified, effective January 1, 2012.

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

Chairman Eisel wished everyone a very Happy Thanksgiving and invited those in attendance to enjoy refreshments provided by Judy diLorenzo and Nicole Franzese.

Upon a motion, the meeting adjourned at 2:10 p.m.