

REGULAR MEETING

**DELAWARE COUNTY BOARD OF SUPERVISORS
MARCH 14, 2012**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 14, 2012 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. McCarthy.

Mr. Marshfield offered the invocation.

Mr. Fonda 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 introduced Town of Masonville Supervisor Michael Spaccaforno replacing Craig DuMond who accepted the position of Delaware County Undersheriff.

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

RESOLUTION NO. 44

**TITLE: 2012 BUDGET AMENDMENT
HOME ENERGY ASSISTANCE PROGRAM
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local Agency to administer the County's Home Energy assistance Program (HEAP) for 2012-2013; and

WHEREAS, said monies are to be utilized to reimburse the county at 100% of its expenditures

NOW, THEREFORE BE IT RESOLVED that the following 2012 budget amendment be authorized:

INCREASE REVENUE:

10-16141-44464100	Federal Aid- HEAP	\$53,504.00
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INCREASE APPROPRIATION:

10-16141-54200012	Heap-Emergencies	\$53,504.00
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The resolution was seconded by Mr. Hynes.

In answer to Mr. Marshfield, Deputy Commissioner of Social Services Sue Aikens stated the additional funding being brought forth in this resolution will further assist the county in meeting the needs of HEAP recipients. Due to the mild winter the need was reduced significantly.

The resolution was adopted by the following vote: Ayes 4222, Noes 0, Absent 577 (McCarthy).

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

RESOLUTION NO. 45

**TITLE: 2012 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY INSURANCE**

WHEREAS, it is necessary to fund the County Insurance account to cover premiums on purchased policies for 2012 incidental liability claims, administrative costs and continued funding of the insurance reserve account

NOW, THEREFORE, BE IT RESOLVED that the following expenditures are authorized:

FROM:

10-11325-54630000	County Treasurer	\$800.00
10-11410-54350200	County Clerk	5,800.00
10-11450-54350200	Board of Elections	400.00
10-11620-54350200	Buildings	7,200.00
10-13110-54350200	Sheriff	34,810.00
10-13140-54350200	Probation	22,000.00
10-13144-54350200	Probation CSS	900.00
10-13150-54350200	Jail	40,000.00
10-13315-54350100	Stop DWI	400.00
10-13640-54350200	Emergency Service	1,700.00
10-14010-54350200	Public Health Nurses	24,330.00
10-14012-54350200	Public Health	2,670.00
10-14310-54350200	Mental Health Clinic	10,000.00
10-14317-54350200	Alcoholism	4,500.00
10-14321-54350200	Expanded Mental Health Prog	500.00
10-16010-54350200	Social Services	40,000.00
10-16326-54350200	Economic Dev	550.00
10-16510-54350200	Veteran's Service Agency	1,180.00
10-16610-54350200	Sealer of Weights & Measures	390.00
10-16772-54350200	Office for Aging	2,600.00
10-18020-54350200	Planning Department	1,700.00
10-18740-54350200	Watershed Affairs	400.00
26-15130-54350200	Highway Department	98,800.00
22-18160-54350200	Solid Waste	<u>26,000.00</u>
	Total:	\$327,630.00

INCREASE REVENUE:

10-19000-42280100	Interfund Revenue Insurance	\$327,630.00
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INCREASE APPROPRIATION:

10-11910-54350200	Unallocated County Insurance	\$327,630.00
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BE IT FURTHER RESOLVED, that any unexpended year end balance in account 10-11910-54350200 Unallocated County Insurance be transferred to 10-19901-59990200 Operating Transfer (out) for transfer to the Insurance Reserve Fund.

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

Clerk of the Board Christa Schafer explained in answer to Mr. Marshfield that these are historical figures determined years ago and based on department use.

The resolution was unanimously adopted.

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

RESOLUTION NO. 46

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

LETTING OF FEBRUARY 7, 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. 6-12: Stone & Gravel Products to:

- Barrett Paving Materials Inc., 4530 Wetzell Road, Liverpool, NY 13090
- 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
- Hanson Aggregates NY LLC, PO Box 513, Jamesville, NY 13078
- J&A Sand & Gravel, 8675 State Hwy 30, Shinhopple, NY 13755
- Johnston & Rhodes Bluestone Co., PO Box 130, East Branch, NY 13756
- LaFaver Sand & Gravel, LLC., 3135 County Highway 6, Bovina Center, NY 13740
- Peckham Materials, 2 Union Street Ext., Athens, NY 12015
- 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. 7-12: Gravel Processing to:
Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 8-12: Transit Mixed Concrete to:
Masters, RMC, Inc., PO Box 25, Kingsley, PA 18826
Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820
Saunders Concrete Co., Inc., 5126 S. Onondaga Road, Nedrow, NY 13120

Bid Price: See Summary Sheet

PROPOSAL NO. 10-12: Steel Structural Shapes, Misc. to:
Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827

Bid Price: See Summary Sheet

PROPOSAL NO. 11-12: 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
Expanded Supply Products, Inc., 3330 Route 9, Cold Spring, NY 10516

Bid Price: See Summary Sheet

PROPOSAL NO. 13-12: Steel Reinforcing Bars to:
Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827

Bid Price: See Summary Sheet

PROPOSAL NO. 14-12: Epoxy Coated Steel Reinforcing Bars to:
Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827

Bid Price: See Summary Sheet

PROPOSAL NO. 15-12: Guiderail Components to:
Chemung Supply Corp., PO Box 527, Elmira, NY 14902

PROPOSAL NO. 16-12: Gabions to:
A.H. Harris & Sons Inc., 17 Commercial Avenue, Albany, NY 12205

Bid Price: See Summary Sheet

PROPOSAL NO. 17-12: Pressure Treated Timbers to:
Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 18-12: Plain Elastomeric Bridge Bearing Material to:
A.H. Harris & Sons Inc., 367 Alumni Rd., Newington, CT 06111

Bid Price: See Summary

Sheet

PROPOSAL NO. 19-12: Bridge Deck Membrane to:
A.H. Harris & Sons Inc., 367 Alumni Rd., Newington, CT 06111

Bid Price: See Summary Sheet

PROPOSAL NO. 20-12: 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. Smith.

Mr. Rowe stated that this resolution wraps up the annual bid process for the Department of Public Works.

Department of Public Works Commissioner Wayne Reynolds stated that copies of the bid will be distributed to the highway superintendents at the Highway Superintendents' meeting. Copies will be mailed to highway superintendents unable to attend the meeting.

The resolution was unanimously adopted.

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

RESOLUTION NO. 47

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

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

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

WHEREAS, these funds will be used to offset a portion of the architectural, engineering and or construction management expenses related to the partial relocation of the impacted manufacturer within the Village of Sidney; and

WHEREAS, Delaware County has scheduled public hearings to obtain citizen's views in order to develop a comprehensive application for the economic development 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. Axtell.

Director of Economic Development Glenn Nealis stated that this grant is part of New York State's incentive package designed to encourage Amphenol to rebuild in Sidney. The grant requires the funds be received through a municipality, once received the funds will be administered through the county's Industrial Development Agency. The funding will offset a portion of the architectural, engineering and or construction management expenses related to the cost of building the new facility.

The resolution was unanimously adopted.

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

RESOLUTION NO. 48

**TITLE: RESOLUTION REQUESTING THE STATE FULFILLS ITS
COMMITMENT TO UPSTATE ECONOMIC REVITALIZATION AND
THE COMPLETION OF INTERSTATE HIGHWAY I-86
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, access to an interstate transportation system is essential to attract and retain businesses vital to the economic well-being of our state; and

WHEREAS, Governor Pataki, in an effort to revitalize and encourage new investment in the economy of Upstate New York, committed to a ten to twelve year construction program to complete the Route 17 conversion to I-86 beginning with the first designation on December 3, 1999; and

WHEREAS, the I-86 Economic Development Benefits Study, issued in January 2000, which was widely accepted and quoted at all levels of government, called for an aggressive eight-year construction period and projected that the conversion of New York State Route 17 (Route 17) to I-86 will result in a \$3.2 billion direct economic benefit to communities along the I-86 Corridor; and

WHEREAS, expedited funding and resources for the remaining improvements in Broome, Delaware, Sullivan and Orange Counties would enable the conversion of Route 17 to I-86 to be completed many years sooner than the present schedule providing vast economic benefits and an immediate boost to the Upstate economy.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby request that Governor Cuomo and the New York State Legislature fulfill their commitment to revitalizing the Upstate economy by providing the necessary funding to implement the remaining I-86 projects in an expedited manner; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is hereby authorized and directed to forward a certified copy of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Speaker of the Assembly Sheldon Silver, Senator John J. Bonacic, Assemblyman Clifford Crouch, Assemblyman Peter Lope, the New York State Association of Counties and the I-86 Corridor Counties.

The resolution was seconded by Ms. Molé.

Chairman Eisel stated that he supports this resolution and believes the upstate economy will benefit greatly from the completed project. He advised that Chemung County Legislator Theodore Bennett, a very dedicated public servant, met with him after meeting with the Governor in Albany. Mr. Bennett has followed the I-86 project from the beginning and feels strongly that the commitments of past governors should be upheld. The conversion of Route 17 to I-86 should be completed prior to any new projects.

The resolution was adopted by the following vote: Ayes 4222, Noes 0, Absent 577 (McCarthy).

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. 49

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,531,077.80 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	\$1,026,740.98
Countryside	\$840.00
OET	\$39,491.85
Highway Audits, as Follows:	
Weights & Measures	\$24,715.71
Landfill	\$79,642.11
Road	\$141,851.83
Machinery	\$129,554.29
Capital Road & Bridge	\$56,868.90
Capital Solid Waste	\$31,372.13

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4222, Noes 0, Absent 577 (McCarthy).

Chairman Eisel stated at the conclusion of the Board meeting Sheriff Mills and Undersheriff DuMond will be conducting a tour of the Public Safety & Correctional Facility for newly elected Board Supervisors.

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

RESOLUTION NO. 50

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present except Mr. McCarthy.

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

RESOLUTION NO. 51

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present except Mr. McCarthy.

Upon a motion, the meeting adjourned at 2:15 p.m.