

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS SEPTEMBER 26, 2012**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, September 26, 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.

Mr. Marshfield offered the invocation.

Mr. Spaccaforo 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 Public Works Wayne Reynolds who presented Michael Pagillo as Employee of the Month.

Mr. Pagillo was hired as an Automotive Mechanic in August 2001. In this capacity Mr. Pagillo repairs and maintains the department's heavy equipment.

Mr. Pagillo's performance and knowledge have steadily increased throughout the ten years he has worked with the department as Automotive Mechanic. His extensive knowledge and understanding of how computer systems operate in heavy equipment makes him the person to go to when a piece of equipment is not operating properly. He has taken the initiative of rebuilding the dump bodies on the department's trucks which will result in a cost savings to the county. Mr. Pagillo is always willing to do what it takes to keep the county's fleet in good working condition. He has a positive attitude, is always willing to lend a hand when needed and works well with his co-workers.

Commissioner Reynolds presented Mr. Pagillo with a \$50.00 check and thanked him for his dedication. Chairman Eisel presented him with the Certificate of Employee of the Month and thanked him for his dedicated service.

Mr. Pagillo thanked Commissioner Reynolds and the Board for this honor.

Chairman Eisel granted privilege of the floor to Mr. Smith. Mr. Smith introduced Cornell Cooperative Extension Executive Director Jeanne Darling and Resource Educator Mariane Kiraly.

Mrs. Darling stated that Cornell Cooperative Extension week and National 4-H week will be celebrated throughout the state during the week of the October 7<sup>th</sup> through the 13<sup>th</sup>.

This year 4-H Camp Shankitunk will be celebrating 85 years of youth camping

programs. The youth camping program began when the Honorable John D. Clark of Delhi, New York had a vision 85 years ago of a camp program for kids in Delaware County. Mr. Clark contacted John Lenox, the first 4-H agent, to see if he would be interested in using part of his land to start a camp. The first year 100 trees were planted by Mr. Lenox in rent for using the land as a camp.

A slide presentation was given celebrating 85 years of camping and detailing the programs of Cornell Cooperative Extension featuring each town in Delaware County and focusing on activities of agricultural competitiveness and profitability, children and youth, economic sustainability, environmental protection and enhancement, individual, family and community well-being and nutrition, and health and safety. Next year, Cornell Cooperative Extension will be celebrating 100 years of activities in Delaware County.

Mrs. Darling thanked the Board of Supervisors, the Cornell Cooperative Extension partners and volunteers who help make these programs possible. She noted that refreshments consisting of locally grown and prepared products will be served after the meeting.

Mrs. Kiraly explained that this year the county's agriculture suffered from a mild drought and the effects of the army worms. The hay crop suffered, but rain in August and September made it favorable for farmers to continue harvesting hay or haylage since the frost held off. Cornell Cooperative Extension has started their emergency crop listing on their website and is also working with farmers that are short of forage.

The drought in the Midwest has caused an increase in feed expenses of about 35 percent over 2011 prices. Milk prices have dropped about 25 percent from last year. Farmers are paying \$419 a ton for corn in 2012 compared to an averaged price of about \$300 a ton in 2011. Mrs. Kiraly noted that approximately 34 percent of the domestic corn crop goes into making ethanol adding to the difficulty farmers face in drought years.

New York State is encouraging dairy farmers to expand in the hope of creating a yogurt empire. The reality locally is that there is neither crops nor money enough to achieve this goal. The Farm Bill has stalled in Washington, DC despite efforts by farmers and others. The national milk pricing system pays New York State farmers less than any state in the northeast. This spring there was a glut of milk nationwide. New York State farmers had to pay to balance the excess of milk production. There is currently a shortage of yogurt production and as a result milk is coming into New York State from other states. Delaware County has about 125 operating dairy farms and is ranked third in the state for beef production. Cornell Cooperative continues to update the Agriculture and Farmland Protection Plan for the county and hopes to have it completed by years end.

In conclusion Mrs. Kiraly advised that next year Cornell Cooperative will be offering programs on the basics of poultry production for chickens and turkeys.

Chairman Eisel thanked Mrs. Darling and Mrs. Kiraly for their presentation and noted that he looked forward to enjoying the refreshments.

Chairman Eisel granted privilege of the floor to Chairman of the Human Services Committee Chairman Peter Bracci. Mr. Bracci called upon Commissioner of Social Services William Moon to provide an update on the situation at the Countryside Care Center nursing home.

Commissioner Moon stated that he continues a relationship with Countryside Care Center as the department is responsible for making medicaid placement determinations to the facility and is responsible for patients at the facility in the care of the Department of Social Services.

The Delaware County Home and Infirmary built in the 19<sup>th</sup> century was replaced in 1964 and opened as the new Delaware County Home and Infirmary. In 1994 the name was changed to the Countryside Care Center. The facility was well maintained by the county and operated as efficiently as possible meeting all of the New York State Department of Health (NYSDOH) requirements. Unfortunately, the facility was not self sustaining and had to be subsidized \$2 million annually from the county budget. The problem the county faced was that the medicaid reimbursement rate was insufficient to run the facility.

In 2006 facing a projected increase in the amount of subsidy the decision was made to sell the facility. The benefit of selling the facility to a new owner was that the medicaid cap could be lifted and a new owner would be able to capture revenue that could be applied to their direct costs. This was not an option for the county.

In August Commissioner Moon learned that this past March Countryside Care Center was placed on a special watch list by the Center for Medicare and Medicaid Services. Also in August, the NYSDOH visited the facility and gave them thirty days to correct deficiencies. The deficiencies were corrected however, the owners submitted a closure plan to the NYSDOH which will result in the facility closing October 12, 2012.

Commissioner Moon and Town of Delhi Supervisor Peter Bracci have been working closely with NYSDOH. Their attempts to meet with the owners of Countryside Care Center have been unsuccessful. Commissioner Moon expressed concern that the owners are not interested in the prospect of a buyer and do not seem inclined to accept any help from outside parties.

Mr. Bracci stated that he believes the county acted prudently with its decision to sell Countryside Care Center. For several years he has been concerned for the residents of the facility as he was aware the owners were struggling financially. Many times he offered to work with them to achieve a viable solution. At one point, he brought a concerned party to the owners to see if they would be interested in talking with them or in selling the facility. The concern for Delaware County residents was primary to the sale. The new owners were asked if they would consider creating an advisory board that would include Supervisors in an effort to keep connected. Mr. Bracci remains involved with the NYSDOH and is very interested in maintaining the facility in Delaware County. His attempts to connect with the owners of the facility have been unsuccessful. In his opinion, the facility has been poorly run and is deeply in debt and as a result our residents are being disbursed throughout the state. He understands that the NYSDOH is ultimately responsible for the outcome of the facility and he has been given their assurance that each of the residents will be properly cared for until the last person is reassigned.

Mr. Marshfield advised that Roxbury Town Supervisor Tom Hynes and Hamden Town Supervisor Wayne Marshfield were the Supervisors assigned to the Countryside Community Advisory Board.

The Board which also included Commissioner Moon, Office for the Aging Director, and

Christa Shafer was formed and met early on but then it fell apart.

Mr. Hynes stated that he was not comfortable with the decision to sell Countryside Care Center. The county was 100 percent dedicated to the staff and the residents of the facility. To see the facility go downhill in six years is discouraging.

Mr. McCarthy stated that this is not a welfare state, the county is not able to continue to subsidize public programs. He felt that there is opportunity for private owners to operate the facility at a profit.

Mr. Hynes remarked that the day this county cannot afford to take care of its residents it is in bad shape. The anticipated rebasing and increased revenue apparently did not work out for the private enterprise. He opined if there were money to be made in this type of operation private owners would be fighting to get it.

Mr. Bracci stated that he was told by the NYSDOH that if the facility was run efficiently the owners should make a profit. He felt that the failing facility was solely the responsibility of the owners.

Mr. Marshfield noted that he was part of the committee that made the tough decision to sell Countryside Care Center. He felt due diligence was done by the committee and on his own he visited many nursing homes on the east coast. He made an unannounced visit to the then prospective buyers facility in Herikmer. The facility looked good and the residents appeared to be well cared for. It is unfortunate that it did not work out for them. He hoped there would be a new owner and the facility would continue in the county.

Chairman Eisel said he is being told there is a buyer for the facility. He noted that this is a privately run facility with the care of the residents being overseen by the NYSDOH. It is an unfortunate situation for the staff and residents but there is hope a buyer will step in and the facility will continue to operate in Delaware County.

Chairman Eisel granted privilege of the floor to Mr. Marshfield.

Mr. Marshfield took this opportunity to express his family's sincere thanks to the Delaware County Sheriff's Office.

He shared that in May 2012 his home was burglarized while his family was out of town. His stepdaughter had been caring for the home in their absence and immediately contacted them when she arrived at the house and found it ransacked and burglarized. Mr. Marshfield asked her to contact the Sheriff's Office to make a report and advised they would return home within a few hours. Investigators from the Sheriff's Office responded to his home within twenty minutes of the call. Their efficient handling of the situation resulted in the return of much of their belongings and the arrest of a suspect within 48 hours of the incident.

Mr. Marshfield asked the Sheriff if this good service to his family was because he held the position of Supervisor. The Sheriff's reply assured him that the way in which his incident was handled is common practice for the Sheriff's Office. The investigators and deputies acted professionally and they understood what they were up against if they did not act quickly. The Sheriff's Office is very aware of the darkside of Delaware County and uses all of its resources to keep ahead of potential offenders.

Mr. Marshfield was very impressed with the investigators and deputies and thanked them for helping the family recover most of their personal property. The incident has left the family feeling very violated and it will take some time to work through however, it is very comforting to know that the county has such professional people working on behalf of the residents.

Sheriff Mill's pointed out that the first 48 hours after a crime is critical and that Mr. Marshfield's case was a prime example. Working in cooperation with family, neighbors and witnesses willing to get involved helped the case come together. He acknowledged the willingness of a cleaning woman to come forward to the Sheriff's Office after finding a bag of jewelry. The jewelry was identified as belonging to Mr. Marshfield's family.

Undersheriff Craig DuMond thanked Mr. Marshfield for his appreciation of the Sheriff's Office. He pointed out that along with good police work Mr. Marshfield and his family did an outstanding job of documenting their possessions.

Mr. McCarthy offered his appreciation as well to the Sheriff's Office who graciously helped him this summer when he realized he locked his keys in his car.

Chairman Eisel acknowledged the efficient operation of the Sheriff's Office.

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

**RESOLUTION NO. 123**

**TITLE: 2012 CORNELL COOPERATIVE EXTENSION WEEK  
& NATIONAL 4-H WEEK**

**WHEREAS**, Cornell Cooperative Extension of Delaware County is dedicated to growing healthy families, confident youth, successful farms and stronger communities; and

**WHEREAS**, Cornell Cooperative Extension represents a statewide system of partnerships working with federal, state and county governments; and

**WHEREAS**, the heart of Cooperative Extension is found in the strength of its 3,000 volunteers who give their time, expertise and enthusiasm as members of boards, as 4-H club leaders, and in Extension's educational outreach; and

**WHEREAS**, Cornell Cooperative Extension's 4-H program works to connect youth to the resources of Cornell University, strengthening the next generation of leaders; and

**WHEREAS**, Cornell Cooperative Extension is proud of the 85 years of youth camping programs at 4-H Camp Shankitunk; and

**WHEREAS**, Cornell Cooperative Extension of Delaware County offers programs that link university-based research with the talents, enthusiasm and goals of our community; and

**WHEREAS**, Cornell Cooperative Extension of Delaware County has reached families, farmers, youth, consumers, gardeners, agencies with excellent programs on agriculture and food systems sustainability, positive youth development, community and economic development, environment and natural resources education, nutrition, health, and safety; and

**WHEREAS**, Cornell Cooperative Extension of Delaware County will continue to work closely with its many local partners to offer educational programs that promote healthful eating, access to local foods, quality health care, safe housing, active living, confident youth, sustainable farming, productive businesses, healthy families and communities

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware County Board of Supervisors hereby designates the week of October 7-13, 2012 as Cornell Cooperative Extension Week and National 4-H Week in Delaware County.

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

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

**RESOLUTION NO. 124**

**TITLE: 2012 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
CONTRACT PSYCHIATRIC NURSE PRACTITIONER SERVICES  
DEPARTMENT OF MENTAL HEALTH**

**WHEREAS**, the increasing mental health needs of our county residents is outstripping the current prescriber capabilities of the Mental Health Department, and

**WHEREAS**, the Human Services Committee has authorized the Mental Health Department to contract with a Psychiatric Nurse Practitioner (PNP) to assist in medication management. The PNP will work approximately 28 hours per week at a rate of \$70 per hour, and will be under the direct supervision of the Medical Director; and

**WHEREAS**, the 2012 budget will need \$25,480 to cover this cost for the remainder of the year

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

**FROM:**

10-11990-54900000	Contingency	\$25,480.00
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**TO:**

10-14310-54195115	Contracted PNP Services	\$25,480.00
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The resolution was seconded by Mr. Marshfield.

In answer to Mr. McCarthy, Mr. Bracci stated that this is a necessary position which will be included in the 2013 budget.

Director of Mental Health Cindy Heaney explained that the department has one psychiatrist and one part time nurse practitioner to oversee the medication management for approximately 1,200 clients. A nurse practitioner is able to prescribe medication under the auspices of the psychiatrist. She noted that the revenue earned will offset the expense of contracting a psychiatric nurse practitioner and will alleviate some of the pressure on the psychiatrist.

Mr. Bower noted that contracting with a psychiatric nurse practitioner is a saving to the county over contracting with an additional psychiatrist.

The resolution was adopted by the following vote: Ayes 4799, Noes 0. Absent 0.

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

**RESOLUTION NO. 125**

**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 used to fund the Early Outreach Process 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 budget amendment be made:

**INCREASE REVENUE:**

10-16141-44464100	Federal Aid-HEAP	\$20,175.00
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**INCREASE APPROPRIATION:**

10-16141-54200012	Contracted Services-DELOPP	\$20,175.00
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The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 126**

**TITLE: 2012 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 activities; and

**WHEREAS**, Delaware County will be awarded grant monies in the amount of \$53,500 to support these activities; and

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

**THEREFORE, BE IT RESOLVED**, that the following budget amendment be made.

**INCREASE REVENUE:**

10-14012-44440101/4012009/906	Federal Public Health	\$53,500.00
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**INCREASE APPROPRIATION:**

10-14012-51327000/4012009/906	Personal Services	\$42,795.00
10-14012-52200001/4012009/906	Equipment	\$3,000.00
10-14012-58327000/4012009/906	Fringes	\$7,705.00

The resolution was seconded by Mr. Triolo.

In answer to Mr. Marshfield, Business Manager Liz Bowie stated that this funding will offset the cost of employment to support public health programs locally.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 127**

**TITLE: 2012 BUDGET AMENDMENT  
RECEIPT OF GRANT  
STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM  
SHERIFF'S OFFICE**

**WHEREAS**, the New York State Office of Homeland Security and Emergency Services has announced the availability of a grant that will subsidize 100% of the costs associated with the fiscal year 2012 State Law Enforcement Terrorism Prevention Program for the Delaware County Sheriff's Office; and

**WHEREAS**, this grant is established to purchase three video surveillance cameras for Sheriff's patrol vehicles, intended to develop/enhance interoperability, train appropriate personnel in the proper use of the equipment and place the equipment into service

**THEREFORE BE IT RESOLVED** that the Sheriff's Office is given permission to accept grant funding under the grant program identified above and the following budget amendment be authorized:

**INCREASE REVENUE:**

10-13110-43330500/3110037/907	State Homeland Security	\$30,500.00
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**INCREASE APPROPRIATION:**

10-13110-52200001/3110037/907	Equipment	\$30,500.00
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The resolution was seconded by Mr. Bower.

In answer to Mr. Marshfield, Undersheriff DuMond stated the resolution is for the purchase of three in-car camera systems. The cameras will replace the current ones which are close to ten years old.



The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 128**

**TITLE: 2012 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the following 2012 appropriation accounts are in need of funds

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

**FROM:**

10-16102-54200000	Contracted Services MMIS	\$163,000.00
10-16101-54425000	Medical Assistance	\$300,000.00
10-16010-51000000	Personal Services Exp-DSS	\$137,000.00
10-16141-51000000	Personal Services Expense - HEAP	\$33,000.00

**TO:**

10-16119-54313150	Foster Care	\$633,000.00
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The resolution was seconded by Mr. Marshfield and Mr. Hynes.

Commissioner Moon explained that there are two different systems linked to the foster care appropriation. One system is for the care of the children and their costs, the second is for the children that have been adopted. Spending for foster care and adoption subsidies will exceed \$1 million this year. Based on discussion with the Human Services Committee the 2013 budget will breakout foster care and the adoption subsidies.

Providing an explanation of what the department faces he said that prior to Adoption Day in August there were 100 children in foster care, at this time there are 80. Delaware County is experiencing a very high rate of alcohol and drug use with heroin at an all-time high. The county is seeing an increase in child protection cases based on parental use of drugs and alcohol. In the past, youth ages 11 through the teen years were the most vulnerable, today the system is seeing infants removed at birth from mothers screened for illegal substances. He expressed concern that this trend will not change anytime soon and that a poor economy plays a large role.

In reply to Mr. Spaccaferno, Commissioner Moon stated that he did not anticipate additional funding would be needed to meet this year's obligations in any of the other appropriations listed in the resolution. Foster care spending at this time of year is typically at 50 percent. The department is at 63 percent which is 13 percent higher than usual for this time period. This a scary position to be in and is a sign of the times.

Commissioner Moon answered in response to Mr. Bracci, that the department has 100 employees handling an increasing volume of people in need of assistance. The foster care system is an extremely regulated system designed to protect the children in its care. Federal and state funding continues to be reduced placing a greater burden on local government.

Commissioner Moon referenced the difficulties Countryside Care Center is experiencing and the burden it places on the department as they begin to move residents in its care. The youth and aging are the vulnerable people of our society and require the most assistance from the county.

Mr. Marshfield concurred and shared that a case worker working on-call told him that every case documented for that weekend was due to either drugs or alcohol.

Undersheriff DuMond also agreed noting that these are very difficult times which unfortunately he did not see going away any time soon. The Sheriff's Office is seeing an increased amount of crime due to the use of alcohol and drugs. He felt heroin use in the county has reached epidemic proportions.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 129**

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

**WHEREAS**, additional funding is needed in Records Management for the payment of health insurance

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

**FROM:**

10-11410-58600000                      County Clerk - Hospital & Medical Insurance                      \$12,300.00

**TO:**

10-11412-58600000                      Records Management - Hospital & Medical Insurance                      \$12,300.00

The resolution was seconded by Mr. Rowe and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 130**

**TITLE: 2012 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PERSONNEL OFFICE**

**WHEREAS**, the Personnel Office is in need of a new copier; and

**WHEREAS**, there is no funding in the equipment account to cover the purchase



vacating licenses that interfere with T-Mobile on the 2110 to 2155 MHz frequencies; and

**WHEREAS**, Delaware County agreed to the sum of \$175,000.00 to cease operations that interfere with T-Mobile on or before November 15, 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that the Public Safety Communications System Capital Project accounts be amended as follows so that the county obligation of moving and ceasing operations on the microwave radio system can be commenced.

**ESTABLISH REVENUE ACCOUNT:**

38-13640-42277004/3640384/911	Tower Revenue	\$175,000.00
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**ESTABLISH APPROPRIATION ACCOUNT:**

38-13640-52200001/3640384/911	Equipment	\$175,000.00
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The resolution was seconded by Mr. Bower.

In answer to Mr. Marshfield, Director of Emergency Services Richard Bell stated that the \$175,000 is the reimbursement the county will receive for vacating. Equipment is being installed at this time which is operable with the new system.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 133**

**TITLE: AUTHORIZATION FOR AWARD  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 103 of 2012 authorized the award of Proposal Number 28-12 for the Cleaning and Painting of Bridge 28-1, BIN 3352620; and

**WHEREAS**, the DPW does not have the training, certificates or expertise to perform the construction inspection of a painting project of this magnitude; and

**WHEREAS**, the Department of Public Works has negotiated with a consulting engineering firm qualified to perform the inspection

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to Delta Engineers, Architects, and Land Surveyors, 860 Hooper Road, Endwell, NY 13760 for the Construction Inspection phase services.

Proposal Fee: Not to Exceed Amount \$121,945.00

The resolution was seconded by Mr. Smith.

Mr. Rowe explained that this resolution is for the services of the construction inspector from Delta Engineers and the amount reflects the worst case scenario. He pointed out that Delta Engineers will also do the air quality testing for the area around the bridge.

In response to Mr. Marshfield, Mr. Rowe stated that the project is all county dollars.

Commissioner Reynolds stated in answer to Mr. Spaccaforno, that the construction inspector is required to be on the job every hour that the contractor is working.

In answer to Chairman Eisel, Commissioner Reynolds replied that the cleaning and painting is anticipated to last a minimum of 20 years.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 134**

**TITLE: BRIDGE TAKEOVER  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 234 of 1994 created the 21<sup>st</sup> Century Bridge Program; and

**WHEREAS**, the program included taking steps to acquire all publically owned bridges in the County having a span of more than 20 feet; and

**WHEREAS**, a number of Towns have reconstructed crossings after flooding events increasing the waterway opening to mitigate future flooding which resulted in the structure becoming a bridge; and

**WHEREAS**, the Towns have worked with the County to make sure that the structures that were to become bridges were sized and constructed in accordance with County procedures prior to Board Resolution number 173 of 2008; and

**WHEREAS**, all structures sized and constructed after Board Resolution number 173 of 2008 have been done in accordance with the standards set in that resolution; and

**WHEREAS**, those bridges have not been officially added to the County inventory

**NOW, THEREFORE, BE IT RESOLVED**, that the following structures be added to the County inventory.

<u>County No.</u>	<u>BIN</u>	<u>Description</u>
184	1072700	Old Route 10 over Butler Brook, Town of Deposit
189	2269060	Emerson Road over Honest Brook, Town of Delhi
190	2269070	E. Handsome Rd. over Handsome Brook, Town of Franklin
191	3369330	Beers Brook Road over Beers Brook, Town of Walton
192	3369340	Beers Brook Road over Beers Brook, Town of Walton
193	3369350	Beers Brook Road over Beers Brook, Town of Walton
194	3369460	Bigger Hollow Road over Bigger Hollow Creek, Town of Bovina
195	3369470	Seedorf Road over Coulter Brook, Town of Bovina
197	3369630	Bull Run Road over Bull Run, Town of Middletown
198	2269670	Bullet Hole Road over Bullet Hole, Town of Andes
199	3369840	Peas Eddy Road over Peas Eddy Brook, Town of Hancock

200	3370640	Little Spring Brook Rd over Little Spring Brook, Town of Colchester
201	3370400	Franklin Depot Road over Carr's Creek, Town of Sidney
202	3370650	Butts Road over Bundy Hollow, Town of Masonville
203	3370660	Pomeroy Road over Tributary to Treadwell Creek, Town of Franklin
204	3370670	Peas Eddy Road over Peas Eddy Brook, Town of Hancock
205	3370680	Bouchouxville Road over Bouchoux Brook, Town of Hancock
206	3370690	Morrison Brook Road over Morrison Brook, Town of Hancock
207	3370700	Trout Brook Road over West Trout Brook, Town of Colchester
208	3370710	Trout Brook Road over Trout Brook, Town of Colchester
209	3370720	Holiday & Berry Brook Rd over Berry Brook, Town of Colchester
210	3370730	West Platner Brook Rd over West Platner Brook, Town of Delhi
211	3370740	West Platner Brook Road over West Platner Brook, Town of Delhi
212	3370750	Carcass Brook Spur Road over Carcass Brook, Town of Hancock
213	2270370	Walnut Street over Bull Run, Town of Middletown

The resolution was seconded by Mr. Smith.

Mr. Rowe stated in reply to Mr. Marshfield that the majority of these bridges were built after the 2006 flood and are anticipated to have a life expectancy of at least 50 years with routine maintenance.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 135**

**TITLE: RESOLUTION SUPPORTING THE ESTABLISHMENT OF THE CATSKILL RECREATION CENTER IN MIDDLETOWN DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Catskill Recreation Center, Inc., a 501(c)(3) not-for-profit corporation, has long desired to create a state-of-the-art recreation center in the Town of Middletown, Delaware County; and

**WHEREAS**, the Town Board of the Town of Middletown and the Delaware County Board of Supervisors is interested in being able to offer new recreational amenities to residents and visitors that will positively impact our communities and the region, and potentially provide for the creation of new jobs and increased property values; and,

**WHEREAS**, the Delaware County Board of Supervisors and the Department of Economic Development wish to encourage a community-wide effort to support and fund the facility once it has been built.

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware County Board of Supervisors expresses its full support and appreciation to the Catskill Recreation Center, Inc. in its efforts to construct a new community recreation facility in the Town of Middletown.

The resolution was seconded by Ms. Miller.

Ms. Miller shared that a benefactor has committed to building a community recreational center in the Town of Middletown with an indoor pool and hopes to add an outdoor ice skating rink in the future. The Community Recreation Center is proposed to be built on County Route 38 in the Hamlet of Arkville. The project has been on the table for many years and she has dedicated her efforts to see that the recreational center is built in the benefactor's life time.

In answer to Mr. Valente, Ms. Miller advised that the benefactor has established an endowment fund to help offset the annual operation and maintenance costs of the facility. The project has received good support from the surrounding towns.

In answer to Chairman Eisel, Ms. Miller stated that she believed the facility and pool would be completed in 2013. It is anticipated that the benefactor and or members of the family will have continuing involvement in the operation of the facility.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 136**

#### **TITLE: IN THE MATTER OF THE REHABILITATION, REPLACEMENT MODIFICATION AND EXPANSION OF THE DELAWARE COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM - SEQRA DETERMINATION FOR THE OVERALL PROJECT DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, the existing County Emergency Radio System consists of tower sites and a primary and backup public safety answering point ("PSAP") which serve users that include law enforcement, fire, EMS and other County and municipal entities (the "Existing System"); and

**WHEREAS**, the 12 tower sites and two PSAP locations in the Existing System are located and known as follows:

#### **Tower Sites:**

- Belleayre Ski Area (Town of Shandaken, Ulster County);
- Coon Hill (Town of Hancock);
- Craig Hill (Town of Andes);
- Delhi (Town of Delhi).
- East Hill (Town of Delhi);
- Houck (Town of Walton);
- Johnson Hill (Town of Franklin);
- Meredith (Town of Meredith);
- Sidney Mountain (Cole Road) (Town of Masonville);
- SP Sidney (Town of Unadilla, Otsego County);
- Utsayantha (in the Town of Stamford on Village of Stamford property);
- White Birch Airport (Town of Hancock);

#### **PSAP Sites:**

- SP Sidney - Primary PSAP (Town of Unadilla, Otsego County); and
- Delhi - Backup PSAP (Town of Delhi).

**WHEREAS**, at present the Existing System is at the end of its useful lifespan and suffers from numerous technical and component deficiencies, including: lack of system interoperability; frequent equipment failures; limited coverage to many areas of the County; outdated equipment and failing towers and communications shelters.

**WHEREAS**, these technical and component deficiencies are documented and detailed in two reports entitled "Wireless Communications Infrastructure Needs Assessment Report for Delaware County, New York" dated August 2005 by L. Robert Kimball & Associates (the "Kimball Report") and "Existing Systems Report, Delaware County, New York dated November 23, 2010 by Blue Wing Services, Inc. (the "Blue Wing Report"); and

**WHEREAS**, due to the requirements of the Federal Communications Commission, the County is required to relinquish existing and upgrade to new microwave tower interconnect frequencies and modify other radio frequencies it utilizes which also results in the need to rehabilitate, replace and modify the Existing System; and

**WHEREAS**, because of the technical and component deficiencies associated with the Existing System, and due to the frequency of severe flood events, there is a need for emergency actions that are immediately necessary for the protection of life, health, and property to (at a minimum) rehabilitate and replace the Existing System to keep the County's emergency radio communications system operational (this portion of the project being referred to herein as the "Replacement System"); and

**WHEREAS**, Delaware County has applied for and received various grant funds including grants from the State Homeland Security Program ("SHSP"), Law Enforcement Terrorism Prevention Program ("LETPP"), the Statewide Interoperable Communications Grant ("SICG") Program and the Interoperable Emergency Communications Grant Program ("IECGP") in an amount totaling approximately \$2,200,000.00 (collectively, the "Grants") to assist in the rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System; and

**WHEREAS**, reflecting the emergency nature of the need for a fully operational emergency communication system, one or more of the Grants have strict time schedules requiring the full expenditure of funds with this calendar year;

**WHEREAS**, based upon recommendations from Blue Wing, the Replacement System will include evaluation of potential alternative sites that will improve emergency services coverage and/or replace existing sites in the Existing System to improve emergency services in the southern portion of the County, for a total of nine (9) sites and two (2) Public Safety Answering Points (PSAPs) (primary and secondary) in the Replacement System. To effectuate the rehabilitation and replacement of the Existing System, rehabilitation or total replacement or decommissioning of all but two existing communications towers is proposed. These sites are referred to the Phase I sites and generally consist of sites that currently have communications infrastructure on or in the same immediate area. The Replacement System sites are:

**Tower Sites:**

- Rose Mountain (Town of Shandaken, Ulster County - to be developed and built



- by Ulster County (Delaware County will remove its equipment from the Belleayre Ski Area tower));
- Coon Hill (Town of Hancock - site to remain in vicinity of existing tower, which will be replaced. This site also consolidates the site at White Birch Airport and the County will remove its equipment from the White Birch Airport tower);
- Delhi (Village of Delhi - Public Safety Building which already has a new tower. The County will no longer be transmitting from the nearby East Hill site and that tower will be removed);
- Houck (Town of Walton - site to remain in vicinity of existing tower, which will be replaced along with an additional FAA tower which has been removed);
- Johnson Hill (Town of Franklin - site to remain in vicinity of existing tower, which will be replaced);
- Mt Pisgah (Bobcat Ski Area - Town of Andes (a new site which will be adjacent to an existing State Police tower)) (the County will remove its equipment from the Craig Hill tower);
- Pine Hill (Town of Sidney - The County will remove its equipment from the Sidney Mountain (Cole Road) tower and will erect a new tower in the Town of Sidney on Pine Hill adjacent to two existing towers);
- SP Sidney - (Town of Unadilla, Otsego County)(existing tower site); and
- Utsayantha (Town of Stamford on Village of Stamford property - site to remain in vicinity of existing tower, which will be replaced).

**PSAP Sites:**

- SP Sidney - Primary PSAP (Town of Unadilla, Otsego County) and
- Delhi - Backup PSAP (Town of Delhi - Public Safety Building).

**WHEREAS**, to keep the Existing System operational, the County must undertake such Phase I work regardless of any desire or plan to modify or expand the Existing System; and

**WHEREAS**, Blue Wing has also identified existing substandard or lack of coverage to a significant portion of the County. As a secondary objective, Blue Wing recommends that the County modify and expand the system to provide increased and improved coverage to an area of land estimated at 99% of the land mass of the County. The basis for the need to modify and expand the existing system is documented in the Kimball Report and Blue Wing Report; and

**WHEREAS**, to modify and expand coverage within the County, supplemental coverage will be provided by up to twelve (12) new communications facilities to be built in select areas of the County (the "Modified System").

**WHEREAS**, of the twelve (12) new sites, seven (7) are required to implement the proposed modification to the overall system. Referred to as Replacement System Expansion Sites, these are locations that have been identified as required for the proposed communication system solution. However, they currently have no communications structure on or in the area. These sites are located and known as follows:

- Davenport (Parker School House Road Ext. - Town of Davenport);
- Downsville (Town of Colchester or vicinity (possibly Boy Scout Road/Crystal Meadows area);
- Fish's Eddy (Town of Hancock or vicinity (possible location at the site of former television tower);

- Grand Gorge (Town of Roxbury or vicinity (at Margaretville Telephone Company proposed site. The former BOCES tower will be replaced);
- Lookout (Town of Tompkins or vicinity (on Crown Castle or possible raw land near Tower Lane);
- Margaretville (Cole Hill in the Town of Middletown); and
- Oneonta (TBD but possibly in the Town of Davenport, Delaware County, to be built by Otsego County).

**WHEREAS**, up to five (5) additional sites may be required if field testing identifies continued deficiencies after the Replacement System and Replacement System Expansion Sites are completed. These sites are referred to as "Other Coverage Expansion Sites" or "Optional Sites" sites and are located and known as follows:

- Colchester (Town of Colchester or vicinity (possibly top of County Highway 7);
- Tennenah Lake (Town of Rockland, Sullivan County - new site to be developed and constructed by Sullivan County)
- Hamden (Town of Hamden or vicinity);
- Meridale (Town of Merideth or vicinity (the County is currently on the JNS Tower and may relocate to a new tower on the KJBL site in the Turnpike Road area); and
- Red Hill (Town of Deposit or vicinity).

**WHEREAS**, although the County is seeking to minimize such an occurrence, in the event of land acquisition problems or technical or engineering difficulties, there may be a need to locate other facilities in other locations within Delaware County or within surrounding municipalities; and

**WHEREAS**, the Board of Supervisors seeks to commence the design, property rights acquisition, permitting and construction of the Replacement System and the Modified System (collectively the "Project" or the "Action") to satisfy the requirements of the Grants; and

**WHEREAS**, the Board of Supervisors seeks to comply with its obligations under the State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, other SEQRA involved or interested agencies have been identified; and

**WHEREAS**, the Board of Supervisors seeks to be the Lead Agency under SEQRA for purposes of completing the environmental review of this matter; and

**WHEREAS**, by Resolution No. 73 dated April 25, 2012, the Board of Supervisors declared its intention to be the Lead Agency under SEQRA for purposes of this Project; and

**WHEREAS**, by letter dated June 6, 2012, the Board of Supervisors commenced a coordinated review with the other potentially involved and interested agencies; and

**WHEREAS**, more than 30 days have since elapsed and no potentially involved or interested agency has communicated with the Board of Supervisors regarding an interest in serving as Lead Agency; and

**WHEREAS**, the Board of Supervisors has reviewed the Full Environmental Assessment

Form including parts 1 and 2 thereto and has considered the Action under SEQRA; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Delaware County hereby determines and declares that it will serve as Lead Agency for the Project; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of Delaware County hereby determines that certain portions of the Project may be subject to SEQRA. The Board of Supervisors hereby determines that the rehabilitation, replacement or reconstruction of the existing sites (a portion of the Replacement System) is exempt from SEQRA under 6 NYCRR 617.5(c)(1), (5), (11), (18), (21), (25), (28) and/or (33); and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of Delaware County hereby determines that the Replacement System Expansion Sites and the Other Coverage Expansion Sites (the Modified System) and any actions relating the Replacement Sites not exempt as specified above are properly considered a Type I action (or, in any event, will be treated as a Type I action); and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors hereby adopts the attached Negative Declaration as its SEQRA determination for the Overall Project. In the reasoned elaboration adopted in support of the Negative Declaration, the Board of Supervisors has identified and evaluated the potential environmental impacts associated with the overall Project and made certain presumptions regarding individual site development. For those sites determined not to be a Type II action under SEQRA, the Board of Supervisors will conduct a site specific SEQRA review to determine whether the specific site development fits within the scope/guidelines of this Negative Declaration and, if not, will conduct a site-specific SEQRA review; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors, upon notice to and in consultation with the host municipality, will also make a site-specific determination as to the exemption from any local land-use laws; and

**BE IT FURTHER RESOLVED**, that the Board of Supervisors of Delaware County having declared itself to be the Lead Agency under SEQRA, directs the Director of Emergency Services, all other County agencies and Attorney for the County along with the various consultants that have been retained to circulate a copy of this resolution and the attached Negative Declaration and such other information as required under SEQRA.

**BE IT FURTHER RESOLVED**, that the Director of Emergency Services, all other County agencies and Attorney for the County along with the various consultants that have been retained are directed to take any such other actions as are necessary and appropriate in this matter to give effect to this resolution.

The resolution was seconded by Mr. Bower and Mr. Spaccaforno.

Director of Emergency Services Richard Bell stated that this resolution follows Resolution No. 73-2012 declaring the county as lead agency. The resolution, written by attorney Dave Brennan from Young/Sommer LLC details the over-all project and lists the tower sites and public safety answering points.

In answer to Chairman Eisel, Mr. Bell stated that the fully built system could have up to

15 towers sites.

Mr. Bell stated in reply to Mr. Marshfield, that the tower site on Craig Hill is currently leased from a private owner. When the new system is built that site will be decommissioned and replaced with the tower site at Mt. Pisgah.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 137**

**TITLE: ADOPTION OF STATE ADVISORY EQUALIZATION RATES**

**BE IT RESOLVED** that the following State Equalization Rates be adopted for the apportionment of the 2013 County Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law:

ANDES	100.00
BOVINA	23.50
COLCHESTER	3.23
DAVENPORT	72.66
DELHI	53.95
DEPOSIT	4.84
FRANKLIN	90.27
HAMDEN	18.25
HANCOCK	13.75
HARPERSFIELD	26.80
KORTRIGHT	100.00
MASONVILLE	107.07
MEREDITH	100.00
MIDDLETOWN	100.00
ROXBURY	31.00
SIDNEY	77.19
STAMFORD	27.15
TOMPKINS	4.45
WALTON	28.26

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

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

**RESOLUTION NO. 138**

**TITLE: APPROVAL TENTATIVE AGREEMENT DEPUTY SHERIFFS  
PERSONNEL OFFICE**

**WHEREAS** the Human Resources Committee has reached a tentative agreement with the Delaware County Deputy Sheriffs Police Benevolent Association for the terms and conditions of employment for the years 2012 and 2013.

**NOW, THEREFORE, BE IT RESOLVED** that said tentative agreement is hereby approved as presented to the Board; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board is authorized to execute a collective bargaining agreement which incorporates the terms of said tentative agreement.

The resolution was seconded by Mr. Axtell.

Chairman Eisel thanked Director of Personnel Teddie Storey and the Deputy Sheriffs for reaching this agreement without a cost to the county for legal counsel.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 139**

**TITLE: CONVEYANCE OF COUNTY OWNED PROPERTY  
TO THE DEPARTMENT OF PUBLIC WORKS  
TREASURER'S OFFICE**

**WHEREAS**, Tax Map No. 422.-1-3.6 in the Town of Hancock, previously assessed to Vincent S Giovinco and George F Wiemann,, is an area where there is trouble with slopes sliding and retaining walls failing on County Rte 17;

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware retain the parcel for the Department of Public works and cancel taxes for 2010, 2011 and 2012 in the amount of the \$1045.96.

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

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

**RESOLUTION NO. 140**

**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.

**ASSESSED TO:**

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

ACREAGE:

WAL10TX.001

**TIMOTHY R VANBUREN**

125689:WALTON

251.19-1-18

125601:WALTON

50A ACRES

CONVEYED TO:	VILLAGE OF WALTON PO BOX 29 WALTON NY 13856
CASH CONSIDERATION:	\$1.00
TAX DEFICIT:	\$40,231.78

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

Chairman Eisel waived Board Rule10 to permit the introduction without objection of the following not-prefiled resolutions.

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

**RESOLUTION NO. 141**

**TITLE: 2012 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
HAZARD MITIGATION GRANT PROGRAM ELEVATION  
PLANNING DEPARTMENT**

**WHEREAS**, the Delaware County Hazard Mitigation Grant Program Elevation Application requires a structural engineer to complete and certify a form for each property to determine if the structure can be elevated; and

**WHEREAS**, the Planning Department has received a cost per structure from a structural engineer;

**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 is needed to meet this cost

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

<b><u>FROM:</u></b>		
10-18020-51000000	Personal Services	\$10,000.00
<b><u>TO:</u></b>		
10-18020-54535000	Professional Services	\$10,000.00

The resolution was seconded by Mr. Bower and adopted by the following vote: 4799, Ayes 0, Noes 0.

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

**RESOLUTION NO. 142**

**TITLE: AMENDMENT OF RES NO: 106-12  
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.

AND10TX.021

**ASSESSED TO:**

**JOSEPHINE LOUISE TIFFT & GREGG CHARLES  
SPRAGUE**

TOWN OF:	122000:ANDES
TAX MAP NO:	344.-1-11
SCHOOL DISTRICT:	122002:ANDES
ACREAGE:	100.00'F X 290.00'D: 0.89A ACRES
CONVEYED TO:	CARL J WASKIEWICZ, MICHAEL J KOZA, JOHN EUSTICE RICHARD LOMBARDO & RICHARD GOULA 304 ELM ST DUPONT PA 18641
CASH CONSIDERATION:	\$5,500.00
TAX DEFICIT:	\$2,119.29

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

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

**RESOLUTION NO. 143**

**TITLE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST  
INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI"  
PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL AID  
PROJECT AND APPROPRIATING FUNDS THEREFORE**

**WHEREAS**, a Project for the County Route 2 Bridge (BIN 3352470) over Bagley Brook in the Town of Hamden, Delaware County (PIN 9752.99(the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

**WHEREAS**, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering, Right-of-Way, Construction and Construction Supervision and Inspection Work; and

**WHEREAS**, the County of Delaware has previously executed Supplemental Agreements #1 (Resolution #14 of 2008), #2 (Resolution #65 of 2009), #3 (Resolution #101 of 2009) and Federal-Aid and Marchiselli-Aid Project Agreement (Resolution #313 of 2004) and appropriated \$380,000, \$54,282, \$210,000 and \$2,512,693 for a total appropriation of \$3,156,975.

**NOW, THEREFORE**, the Delaware County Board, duly convened does hereby

**RESOLVE**, that the Delaware County Board hereby approves the above subject project;  
and

**BE IT FURTHER RESOLVED**, that the Delaware County Board hereby authorizes the County of Delaware to pay in the first instance 100% of the Federal and non-Federal share of the Preliminary Engineering, Right-of-Way and Construction and Construction Supervision and Inspection work for the project or portions thereof; and

**BE IT FURTHER RESOLVED**, that the sum of \$153,505 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the Construction and Construction Supervision and Inspection phase of the Project; and

**BE IT FURTHER RESOLVED** that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Delaware County Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Delaware with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the project; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

The resolution was seconded by Mr. Smith.

Mr. Rowe stated that the project has been completed and this resolution is part of what must be done to receive the money.

The resolution was adopted by the following vote: Ayes 4799, Noes, 0, Absent 0.

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

**RESOLUTION NO. 144**

**TITLE: PUBLIC HEARING FOR THE ACCEPTANCE OF COMMENTS  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY (CDBG-DR)  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, in April 2012 the US Department of Housing and Urban Development (HUD) announced that New York State was proposed to receive \$71,654,116 in Community



Development Block Grant Disaster Recovery (CDBG-DR) funding to assist local municipalities in the recovery from Hurricane Irene and Tropical Storm Lee; and

**WHEREAS**, the State of New York and the Office of Community Renewal (OCR) developed and submitted an action plan to HUD and has proposed to make CDBG-DR funds available within Delaware County to the most severely impacted areas of highest need; and

**WHEREAS**, the Action Plan has been made available to the county and all towns and villages and a copy is available for review at all town and village offices and at the County Planning Office; and

**WHEREAS**, up to \$7,651,424 is proposed to be made available within Delaware County; and

**WHEREAS**, the county, and towns and villages within the county, may be eligible to receive assistance for the non-federal match requirement of FEMA assistance that may be provided for certain public water, sewer and other public infrastructure repairs (FEMA Public Assistance Projects).

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Wednesday, October 10<sup>th</sup>, 2012 at 12:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

**NOW, THEREFORE, BE IT FURTHER 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. Bower.

Chairman Eisel noted that there will be a public hearing on Wednesday, October 10<sup>th</sup> at 12:45 p.m. prior to the Board of Supervisors meeting.

The resolution was unanimously adopted.

Mr. Donnelly offered the following resolution:

**RESOLUTION NO. 145**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,904,417.29 were hereby presented to the Budget Oversight Committee for approval for payment on September 21, 2012 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	\$891,890.97
OET	\$37,814.11
Public Safety Comm System	\$ 5,817.50
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$33,523.05
Machinery	\$78,474.01
Capital Road & Bridge	\$798,415.99
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$58,481.66

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,829,902.04 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	\$646,130.07
OET	\$33,498.72
Public Safety Comm System	\$14,431.77
Highway Audits, as Follows:	
Weights and Measures	213.88
Road	\$1,881.70
Machinery	67,046.84
Capital Road & Bridge	\$ 971,265.58
Capital Solid Waste	\$9,645.00
Solid Waste/Landfill	\$85,788.48

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

Chairman Eisel made the following appointment to the Youth Bureau Board of Directors:

Drue Brenner  
Seth Reynolds.

Upon a motion, the meeting adjourned at 2:30 p.m.