

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS OCTOBER 24, 2012

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 24, 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. Donnelly and Mr. Rowe.

Mr. Marshfield offered the invocation.

Mr. Hynes led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting were accepted as presented.

The Clerk reported all communications received have been referred to their respective committees for review.

Chairman Eisel granted privilege of the floor to Commissioner of Social Services William Moon who presented Kim Zupo as Employee of the Month.

Mrs. Zupo began her employment with the Department of Social Services in December 2004 as a Typist, in November 2005 she was promoted to Sr. Typist and in November 2006 to a Social Services Program Specialist Trainee. In 2007, she was promoted to her current position of Social Services Program Specialist.

Commissioner Moon stated that in her current position Mrs. Zupo determines eligibility for the Medicaid Program, Supplemental Nutrition Assistance Program, Public Assistance and several of the department's emergency programs. In these times when program specialists have several hundred cases, Mrs. Zupo responds in a timely manner with effective support and feedback to her clients. She takes a sincere interest in her clients and the challenges that bring them to the department. Mrs. Zupo believes a combination of a commitment to job excellence and a good sense of humor is essential in keeping a good attitude and getting the work done.

Mrs. Zupo excels at what she does because she truly enjoys assisting her clients to better meet the challenges they are experiencing. She believes she is making a difference in her clients lives and finds that very satisfying.

Commissioner Moon presented Mrs. Zupo with a \$50.00 check and thanked her for her dedication. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Mrs. Zupo thanked Commissioner Moon and the Board of Supervisors for her recognition. She stated that she is grateful for her employment, colleagues and is proud of the work that is done by the Department of Social Services.

Chairman Eisel granted privilege of the floor to Mr. Bracci. Mr. Bracci introduced Commissioner of Social Services William Moon to discuss several matters.

Commissioner Moon discussed a public hearing to be held in the Board of Supervisors Room on Thursday, October 25th at 1:30 p.m. concerning an amendment to the Annual Comprehensive Plan which includes a section for administration of the New York State Child Care Block Grant Program. The county's allocation for 2012-13 is \$1.1 million. The county is expending at an annual rate of \$1.5 million. The public hearing is necessary to adjust the program's eligibility criteria to better match the program's financial support.

An update was provided by Commissioner Moon on the closing of Countryside Care Center, stating that there is no longer any staff at the facility and all of the patients have been transferred to other facilities. He expressed concern that the patient's personal spending account may not have followed them. Supervisors receiving calls regarding this matter should forward them to the Department of Social Services for assistance.

Commissioner Moon also shared that the Department of Social Services has had two long-term employees of Countryside Care Center come in to apply for public assistance. The individuals were declined public assistance because they should be eligible for unemployment benefits. The individuals stated that they were not eligible for unemployment benefits because the Department of Labor told them that there is no record of their employment with Countryside Care Center. If this is not a misunderstanding, it could be a real concern for the department.

In answer to Mr. Hynes, Commissioner Moon stated that he was not aware that any of the residents were moved out of the state. The individuals the department is responsible for were moved to the Capstone Center for Rehabilitation and Nursing in Amsterdam, NY.

Chairman Eisel noted that Clerk of the Board Christa Schafer had the name of a group in Binghamton that is keeping track of the relocations if anyone was interested in learning where a resident was moved to.

In answer to Mr. Marshfield, Commissioner Moon stated that he was aware there is a good amount of interest in purchasing the facility, but did not feel confident there was a buyer.

Ms. Miller stated in response to Commissioner Moon that Congressman Chris Gibson's liaison Paula Brown indicated to her that there is a buyer for the facility.

Chairman Eisel added that Congressman Gibson and U.S. Senator Kirsten Gillibrand are involved and working to get the buyer cleared through the Center for Medicare and Medicaid Services. Once this happens the buyer can step forward.

Mr. Marshfield commented that a facility of this type is desperately needed in the county. It is disheartening that the residents of the facility are scattered all over the state.

Mr. Bracci noted that the closing of the facility has a human cost in the staff that has been let go and the knowledge of learning that three veterans moved from the facility have since passed away. In addition, the Town of Delhi has a building that stands empty unless someone steps in to purchase it. Mr. Bracci stated that he had previously tried to connect the owners of Countryside with interested parties to no avail, adding an extremely interested group after

reviewing Countryside's financials stated that the debt incurred on the property made it impossible for them to move forward.

Chairman Eisel granted privilege of the floor to Mr. Bracci. Mr. Bracci introduced Business Manager Elizabeth Bowie from the Department of Public Health to provide an overview of the Public Health Nursing Service Compliance Program.

Ms. Bowie explained that Medicaid providers operating under Articles 28 or 36 of the Public Health Law or under Article 16 or 31 of the Mental Hygiene Law or provide care, services and supplies and order, bill or claim \$500,000 or more from Medicaid over a twelve month period are mandated to become corporate compliant. As the governing body, the Board of Supervisors must also receive the compliance program training. The Supervisors were given a copy of a booklet entitled: *Delaware County Public Health Nursing Service Compliance Program Training Booklet 18 NYCRR 521 Regulation* to follow along with the presentation.

Ms. Bowie discussed each of the eight core elements required in an effective compliance program. The core elements are as follows:

1. Policies and procedures to define the compliance program including a code of conduct which promotes commitments to compliance standards.

2. The designation of a Compliance Officer. Delaware County designated Supervising Public Health Nurse Donna Jones as the county's Compliance Officer. Ms. Jones can be reached at 607-832-5200.

3. Development of an in-service training program so that all of the workforce is educated on the compliance program. The training will also include executives and the governing body of the agency.

4. Open lines of communication for reporting by all of the workforce. This includes an established anonymous and confidential hotline. The hotline number for Delaware County is 607-656-9356 and is available 24/7.

5. Written expectations for reporting and resolving issues including sanctions for non-compliance.

6. A system of self-evaluation to catch potential problems before they can become real issues.

7. Correction processes are in place for taking steps for improvement when issues are found.

8. A written policy for non-intimidation and non-retaliation for good faith participation in compliance program.

Ms. Bowie noted that the Department of Public Health Nursing has an established system of checks and balances designed to detect and prevent inaccurate billing and inappropriate practices. She stressed that teamwork and open lines of communication are vital to an effective compliance plan. If there is an actual or potential problem, workforce members are encouraged

to follow the proper channels for good faith reporting. If after the proper channels have been exhausted with no satisfaction, the Office of Medicaid Inspector General has an online report site: <http://www.omig.state.ny.us/data/contnet/view/50/224/> and a toll-free hotline number 1-877-873-7283 that should be used to report a concern.

In conclusion, the Supervisors were asked to sign an Attestation Form upon completion of the presentation. The forms will be retained as proof of their completion of the Medicaid Compliance Program training.

Chairman Eisel provided an update on the county's ProAct Prescription Discount Card Program. Local pharmacies in the county have filled more than 39,000 prescriptions at an average savings of 49 percent per prescription helping to save residents more than \$1.5 million in just over three years. The program is saving residents an average of 10 to 20 percent on brand name medications and 20 to 70 percent on generic medications. He has heard from residents that they feel this card is a real blessings to them.

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

RESOLUTION NO. 152

**TITLE: 2012 BUDGET AMENDMENT
ACCEPTANCE OF 2012 BULLETPROOF VEST PARTNERSHIP GRANT
SHERIFF'S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the US Department of Justice and administered by the Bulletproof Vest Partnership (BVP) in an amount not to exceed \$7,650.00; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of reimbursing Delaware County 50% of the cost of purchasing Bullet Proof Vests at a price not to exceed \$7,650.00 during the period commencing on April 1, 2012, and ending on August 31, 2014, unless extended

NOW, THEREFORE, BE IT RESOLVED that the 2012 budget be amended as follows:

INCREASE REVENUES:

10-13110-44432000/3110038/907	Federal Crime Control	\$7,650.00
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INCREASE APPROPRIATIONS:

10-13110-52200001/3110038/907	Equipment, Bulletproof Vests	\$7,650.00
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The resolution was seconded by Mr. Dolph.

In answer to Mr. McCarthy, Delaware County Sheriff Tom Mills said all of the patrol officers and the transport correction officers have a vest.

Mr. Valente shared that a 29-year-old Nassau County police officer was killed walking up

to a vehicle. He was not wearing a bulletproof vest and was shot in the chest.

Sheriff Mills answered in response to Chairman Eisel that the deputies and transport correction officers are mandated by Sheriff's Office policy to wear a bulletproof vest.

The resolution was adopted by the following vote: Ayes: 4347, Noes 0, Absent 452 (Donnelly, Rowe).

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

RESOLUTION NO. 153

**TITLE: 2012 BUDGET AMENDMENT
BUCKLE UP NEW YORK ENFORCEMENT GRANT (BUNY 2013)
SHERIFF'S OFFICE**

WHEREAS, the Sheriff's Office has been successful in securing grant funds with which to sponsor a highway safety program geared at encouraging motorists to use their seat belts; and

WHEREAS, the Sheriff's Office agrees to participate in "Buckle Up New York", the high-visibility enforcement campaign targeting occupant restraint non-compliance; and

WHEREAS, involvement will include using dedicated overtime enforcement hours to participate in joint checkpoints with the State Police or other agencies where practical, or independently, in the waves of high-visibility enforcement planned throughout the year; and

WHEREAS, participation in this program will result in the award of a grant in the amount of \$600.00 to be used to pay the salaries of the road patrol deputies participating in this program which runs from October 1, 2012 through September 30, 2013.

THEREFORE, BE IT RESOLVED that the 2012 budget be amended as follows:

INCREASE REVENUE:

10-1331043338900/3310100/907	State OTR Public Safety	\$600.00
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INCREASE APPROPRIATION:

10-1331051327000/3310100/907	Personal Services	\$600.00
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The resolution was seconded by Mr. Bower and Mr. Spaccaformo.

Mr. Hynes stated that his concern with this program is the use of overtime hours.

The resolution was adopted by the following vote: Ayes 3770, Nos 577 (McCarthy), Absent 452 (Donnelly, Rowe).

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

RESOLUTION NO. 154

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
DEPARTMENTS OF OFFICE FOR THE AGING, SOCIAL SERVICES
AND VETERANS' SERVICE AGENCY**

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

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

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

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2013 for county employees who are willing to work on a per hour, as needed basis for the Department of Social Services, Office for the Aging and the Veterans' Service Agency.

The resolution was seconded by Ms. Molé.

Mr. McCarthy commented that he felt the resolution was not clearly written and asked for an explanation.

Chairman Eisel advised that the resolution allows county employees working full-time in one department to work part-time for another county department as needed.

The resolution was unanimously adopted.

Mr. Dolph introduced Local Law Intro. No. 2 which was seconded by Mr. Marshfield.

LOCAL LAW INTRO. NO. 2 OF 2012

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

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

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Delaware pursuant to General Municipal Law §3-c, and to allow the County of Delaware to adopt a budget for the fiscal year beginning January 1, 2013 and ending December 31, 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General

Municipal Law §3-c, which expressly authorizes the Board of Supervisors to override the tax levy limit by the adoption of a local law approved by vote of at least sixty (60%) of the Board.

Section 3. Tax Levy Limit Override: The Board of Supervisors of the County of Delaware is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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

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

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

RESOLUTION NO. 155

**TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 2 OF 2012
RESOLUTION OF THE BOARD OF SUPERVISORS ACCEPTING PROPOSED
LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL
MUNICIPAL LAW §3-c AND SCHEDULING PUBLIC HEARING FOR SAME**

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

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

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

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

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

BE IT FURTHER RESOLVED, that the Board of Supervisors shall hold a public hearing for consideration of the Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c on November 14 , 2012 at 12:45 p.m. in the Supervisors’ Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York; and

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

The resolution was seconded by Mr. Dolph.

Chairman Eisel noted that the public hearing will be held November 14th at 12:45 p.m. in the Board of Supervisors' room prior to the Board of Supervisors meeting.

The resolution was unanimously adopted.

Mr. Dolph introduced Local Law Intro Nos. 3 through 18 which were seconded by Ms. Molé.

LOCAL LAW INTRO. NO. 3

TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES

Section 1. The salary of Richard Bell, Director of Emergency of Services shall be Fifty-Two Thousand, Fifty-Nine Dollars [\$52,059] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 4

TITLE: SALARY INCREASE DIRECTOR OF VETERANS' SERVICES AGENCY

Section 1. The salary of John Boecke, Director of Veterans' Services Agency shall be Forty Thousand, Eight Hundred Dollars [\$40,800] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 5

TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY

Section 1. The salary of Joe deMauro, Director of Information Technology shall be Seventy-Five Thousand, One Hundred Thirty-Nine Dollars [\$75,139] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 6

TITLE: SALARY INCREASE COUNTY PLANNING DIRECTOR

Section 1. The salary of Nicole Franzese, County Planning Director shall be Seventy-Four Thousand, Nine Hundred Fifty-Nine Dollars [\$74,959] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 7

TITLE: SALARY INCREASE COMMISSIONER OF WATERSHED AFFAIRS

Section 1. The salary of Dean Frazier, Commissioner of Watershed Affairs shall be Seventy Thousand, Six Dollars [\$70,006] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 8

**TITLE: SALARY INCREASE COMMISSIONER, BOARD OF ELECTIONS
(REPUBLICAN)**

Section 1. The salary of William Campbell, Commissioner, Board of Elections shall be Twenty Thousand, Seven Hundred Sixty-One Dollars [\$20,761] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 9

TITLE: SALARY INCREASE DIRECTOR OF PUBLIC HEALTH

Section 1. The salary of Bonnie Hamilton, Director of Public Health shall be Eighty-Two Thousand, Seven Hundred Twenty-Seven Dollars [\$82,727] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions

of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 10

TITLE: SALARY INCREASE

DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES

Section 1. The salary of Cynthia Heaney, Director of Community Mental Health Services shall be Eighty-Four Thousand, Four Hundred Twenty-Two Dollars [\$84,422] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 11

TITLE: SALARY INCREASE COMMISSIONER OF SOCIAL SERVICES

Section 1. The salary of William Moon, Commissioner of Social Services shall be Ninety-Five Thousand, Three Hundred Thirty-One Dollars [\$95,331] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 12

TITLE: SALARY INCREASE DIRECTOR ECONOMIC DEVELOPMENT

Section 1. The salary of Glenn Nealis, Director Economic Development shall be Seventy-Three Thousand, Nine Hundred Fifty-Nine Dollars [\$73,959] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted

LOCAL LAW INTRO. NO. 13

TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS

Section 1. The salary of Wayne Reynolds, Commissioner of Public Works shall be Eighty-Nine Thousand, Three Hundred Thirteen Dollars [\$89,313] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 14

TITLE: SALARY INCREASE DIRECTOR REAL PROPERTY TAX SERVICES II

Section 1. The salary of Michael Sabansky, Director of Real Property Tax Services II shall be Fifty-Eight Thousand, Two Hundred Thirty-Six Dollars [\$58,236] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 15

TITLE: SALARY INCREASE PERSONNEL OFFICER

Section 1. The salary of Leonarda Storey, Personnel Officer shall be Sixty-Four Thousand, Seven Hundred Thirty-Five Dollars [\$64,735] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 16

TITLE: SALARY INCREASE TREASURER

Section 1. The salary of Beverly Shields, Treasurer shall be Sixty-One Thousand, Two Hundred Sixty-Seven Dollars [\$61,267] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 17

**TITLE: SALARY INCREASE
COUNTY CLERK**

Section 1. The salary of Sharon O'Dell, County Clerk shall be Sixty-One Thousand, Two Hundred Sixty-Seven Dollars [\$61,267] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO. NO. 18

**TITLE: SALARY INCREASE
COUNTY SHERIFF**

Section 1. The salary of Thomas Mills, County Sheriff shall be Sixty-Eight Thousand, Nine Hundred Thirty Dollars [\$68,930] per annum effective January 1, 2013.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

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

RESOLUTION NO. 156

TITLE: PUBLIC HEARING ON LOCAL LAWS NOS. 3 THROUGH 18 OF 2012

WHEREAS, Local Laws Intro. Nos. 3 through 18 have been introduced to increase the salaries of: Non-Elected: Richard Bell, Director of Emergency Services; John Boecke, Director of Veterans Services Agency; Joe deMauro, Director of Information Technology; Nicole Franzese, County Planning Director; Dean Frazier, Commissioner of Watershed Affairs; William Campbell, Commissioner Board of Elections; Bonnie Hamilton, Director of Public Health; Cynthia Heaney, Director of Community Mental Health Services; William Moon, Commissioner of Social Services; Glenn Nealis, Director of Economic Development; Wayne Reynolds, Commissioner of Public Works; Michael Sabansky, Real Property Tax Services II; Leonarda Storey, Personnel Officer.

Elected: Beverly Shields, Treasurer; Sharon O'Dell, County Clerk; Thomas Mills, Sheriff.

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held on Local Laws Intro Nos. 3 through 18 on the 14th day of November, 2012 at 12:50 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

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

Mr. McCarthy noted that the county's elected officers were the least paid. He pointed out that elected officials have the expense of an election and that the county is not responsible for unemployment.

Mr. Marshfield stated that the reason for the introduction of these local laws is that the

county is giving the department heads and elected officers an increase of \$1,000 in the middle of their term.

County Attorney Richard Spinney added that a local law is not required for those whose terms expire at the end of the year.

Chairman Eisel noted that this public hearing will follow the public hearing on Local Law Intro. No. 2 of 2012 at 12:50 p.m. in the Board of Supervisors' Room.

The resolution was adopted by the following vote: Ayes 3770, Nos 577 (McCarthy), Absent 452 (Donnelly, Rowe).

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

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

RESOLUTION NO. 157

TITLE: APPORTIONMENT OF MORTGAGE TAX

WHEREAS, §261 of the Tax Law makes it mandatory to apportion the mortgage tax semi-annually and a report has been received from the recording officer and the County Treasurer for the period ending September 30, 2012.

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be directed to pay to the several towns and villages of Delaware County the amounts stated below; the same having been apportioned according to the aforementioned §261; and

BE IT FURTHER RESOLVED that the foregoing statement shall be to the County Treasurer a sufficient warrant for the payment of said monies.

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Andes	\$13,763.27	\$13,763.27	
Bovina	\$6,726.93	\$6,726.93	
Colchester	\$12,806.39	\$12,806.39	
Davenport	\$15,680.39	\$15,680.39	
Delhi	\$20,363.92	\$17,261.70	\$3,102.22
Deposit	\$6,461.64	\$6,046.23	\$415.41
Franklin	\$21,223.59	\$20,294.18	\$929.41
Hamden	\$3,389.85	\$3,389.85	
Hancock	\$13,353.31	\$12,132.78	\$1,220.53

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Harpersfield	\$11,191.77	\$9,976.84	\$1,214.93
Kortright	\$11,808.97	\$11,808.97	
Masonville	\$5,422.38	\$5,422.38	
Meredith	\$9,542.32	\$9,542.32	
Middletown	\$26,528.85	\$24,132.21	FL \$720.73
			MV \$1,675.91
Roxbury	\$14,754.66	\$14,754.66	
Sidney	\$77,201.48	\$54,528.00	\$22,673.48
Stamford	\$15,209.27	\$11,425.42	ST \$1,295.22
			HO \$2,488.63
Tompkins	\$8,716.62	\$8,716.62	
Walton	\$19,532.15	\$15,967.63	\$3,564.52
Totals ...	\$313,677.76	\$274,376.77	\$39,300.99

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

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

RESOLUTION NO. 158

**TITLE: AMENDMENT OF RESOLUTION NO. 106-12
SALE OF COUNTY OWNED PROPERTY
TREASURER'S OFFICE**

WHEREAS, Resolution No. 106 adopted on July 25, 2012 provided for the sale of tax acquired properties; and

WHEREAS, several of the tax deficits provided were incorrect

NOW, THEREFORE BE IT RESOLVED that the tax deficits on the parcels listed be corrected as follows:

ASSESSED TO:

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

AND10TX.003

ALEXANDRA CHAIT

122000:ANDES

343.-1-23.22

122002:ANDES

ACREAGE: 4.64A ACRES
CONVEYED TO: ARTHUR AND ALANA SHAW
7911 CTY HWY 10
DAVENPORT NY 13750
CASH CONSIDERATION: \$2,100.00
TAX DEFICIT: \$749.54

HAN10TX.044

ASSESSED TO:

ROSE FULFARO

TOWN OF: 123689:HANCOCK
TAX MAP NO: 454.-4-40
SCHOOL DISTRICT: 484401:ROSCOE
ACREAGE: 5.00A ACRES
CONVEYED TO: ALBERT BANASKY
24 CLIFTON ST
STATEN ISLAND NY 10314
CASH CONSIDERATION: \$5,500.00
TAX DEFICIT: \$2,441.80

HAN10TX.127

ASSESSED TO:

FLOYD WHIPPLE AND MARY L WHIPPLE

TOWN OF: 123689:HANCOCK
TAX MAP NO: 419.-1-12
SCHOOL DISTRICT: 123606:HANCOCK
ACREAGE: 1.00A ACRES
CONVEYED TO: JONATHAN R ESKOW
3723 READBURN RD
WALTON NY 13856
CASH CONSIDERATION: \$5,500.00
TAX DEFICIT: \$2,018.91

ROX10TX.023

ASSESSED TO:

THOMAS GUNDERMAN AND RENEE GUNDERMANN
BRADLEY RUPPEL AND PATRICIA RUPPEL

TOWN OF: 124800:ROXBURY
TAX MAP NO: 155.3-1-42
SCHOOL DISTRICT: 124802:ROXBURY
ACREAGE: 114.00'F x 121.00'D: 0.20A ACRES
CONVEYED TO: THOMAS GUNDERMANN & RENEE GUNDERMANN
BRADLEY RUPPEL & PATRICIA RUPPEL
8 CHATTOOGA COURT
BLUFFTON SC 29910

CASH CONSIDERATION:	\$510.24
TAX DEFICIT:	\$273.65

SID10TX.008

ASSESSED TO: **RAYMOND C BALLARD AND H MARIE BALLARD**

TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.15-5-11
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	66.00'F x 124.00'D: 0.25A ACRES
CONVEYED TO:	MARK G BIRMINGHAM 18 RAMAPO AVE STATEN ISLAND NY 10309
CASH CONSIDERATION:	\$900.00 VILLAGE SHARE \$243.00 COUNTY SHARE \$657.00
TAX DEFICIT:	\$1,087.06

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

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

RESOLUTION NO. 159
TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,525,776.85 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	\$865,130.40
OET	\$66,726.71
Public Safety Comm System	\$49,970.86
Highway Audits, as Follows:	
Weights and Measures	30.36
Landfill	139,724.88
Road	\$5,672.55
Machinery	\$193,628.43
Capital Road & Bridge	\$204,892.66
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Dolph and Mr. Spaccaferno and adopted by the following vote: Ayes: 4347, Noes 0, Absent 452 (Donnelly, Rowe).

Mr. Smith recalled Local Law Intro. No. 1 authorizing an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument which was seconded by Ms. Miller and unanimously adopted.

Mr. Valente advised that this evening the Federal Energy Regulatory Commission is holding a public hearing concerning the Constitution Pipeline at the Foothills Performing Arts Center in Oneonta, N.Y. He further stated that there will be a tailgate party at 6:00 p.m. prior to the public hearing for those opposed to the pipeline.

Chairman Eisel noted that Congressman Gibson is also having a tailgate party and a debate at SUNY Delhi.

Upon a motion, the meeting adjourned at 2:00 p.m.