

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS DECEMBER 12, 2012

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, December 12, 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.

Mr. Marshfield offered the invocation.

Mr. Layton 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 Mr. Axtell. Mr. Axtell introduced Delaware County Sheriff Tom Mills and Deputy Commissioner of Social Services Susan Aikens to speak to the efforts provided by the United Way of Delaware/Otsego Counties. Sheriff Mills introduced Regional Executive Director United Way of Delaware/Otsego Counties Theresa Capuano for a presentation and distribution of the final funds collected for Hurricane Irene and Tropical Storm Lee.

Sheriff Mills stated that both he and Mrs. Aikens are on the United Way of Delaware/Otsego Counties Board of Directors. He is very proud of this organization and the amount of work they do to help support the needs of both counties.

Mrs. Aikens explained that in the event of an emergency and the activation of the Delaware County Emergency Operation Center Sheriff Mills and herself through their positions in the county become involved with developing and assisting with the human needs of those affected. The generosity and outpouring of support was evident from the beginning. When she was approached with requests as to where to send donations to aid in the recovery she knew that the best choice would be the United Way of Delaware/Otsego Counties. The dollars received by them are used locally. Mrs. Aikens noted that because the need was greater in Delaware County 51 percent of the donations raised were received by Delaware County.

Ms. Capuano proudly stated that the United Way of Delaware/Otsego Counties was able to meet the immediate and long-term needs of both counties through donations received and additional funding from the United Way immediately after Hurricane Irene and Tropical Storm Lee. Donations to the United Way totaled \$112,486. The money was distributed to Delaware and Otsego Counties and used as follows for recovery efforts: direct services to individuals \$75,000, clean-up supplies and equipment \$3,500, reimbursement to churches that provided immediate assistance to residents \$4,000, food pantries \$14,000, recovery assistance for damaged buildings \$6,000 and fire department future preparedness needs \$16,000.

Up to eight weeks ago donations designated to be used toward flood recovery were still coming in. Ms. Capuano stated that the United Way is pleased to present area organizations with a portion of the final donations received. Sheriff Mills, Mrs. Aikens and Ms. Capuano presented checks in varying amounts to area fire departments and churches, Catholic Charities, the Department of Social Services, Margaretville Central School, Margaretville Food Pantry, Middletown American Legion, the Town of Middletown, Peabody's Kennels, and the Watershed Agricultural Council to help offset the expense of their assistance. In addition to financial contributions, the United Way has been assisting the county with information and referral services, collaborating with the county's Human Needs Committee and the Town of Middletown.

Ms. Capuano thanked the Board of Supervisors for providing an opportunity to increase public awareness of the role United Ways plays in Delaware County. She thanked the recipients present for the time, supplies and finances their organizations provided.

Chairman Eisel thanked Ms. Capuano on behalf of Delaware County for the dedicated work of the United Way. The generosity of the donors and the commitment of the United Way certainly aided the county's recovery efforts.

On behalf of the residents of Delaware County, Chairman Eisel thanked the Delaware County Sheriff's Office and its Drug Enforcement Unit for their ongoing efforts to safeguard the residents of the county. The Drug Enforcement Unit is to be commended for its recent arrests of individuals attempting to distribute narcotics.

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

RESOLUTION NO. 184

**TITLE: 2012 BUDGET AMENDMENT
RECEIPT OF GRANT FUNDING
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County applied for and has been awarded grant funding under the State Homeland Security Program from the New York State Division of Homeland Security and Emergency Services (WM2012 SHSP); and

WHEREAS, this grant was awarded in the amount of \$91,500.00 to Delaware County for the purposes of purchasing equipment for a special needs registry software program (and other related equipment) and the purchase of a communications shelter for the ongoing emergency communications radio project.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services be authorized to accept this grant funding as described above and that the 2012 budget be amended as follows:

INCREASE REVENUE:

10-13640-44498900/3640043/911	Fed Otr Home & Community Srvs	\$20,500.00
38-13640-44498900/3640385/911	Fed Otr Home & Community Srvs	\$71,000.00

INCREASE APPROPRIATION:

10-13640-54327580/3640043/911	Grants - Software	\$20,500.00
38-13640-52200001/3640385/911	Equipment Grant	\$71,000.00

The resolution was seconded by Mr. Bower and Mr. Spaccaferno and adopted by the following vote: Ayes 4294 Noes 0, Absent 505 (Donnelly, Miller).

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

RESOLUTION NO. 185

**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 to be utilized to reimburse the County at 100% of its expenditures.

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

INCREASE REVENUE:

10-16141-44464100	Federal Aid- HEAP	\$7,456.00
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INCREASE APPROPRIATIONS:

10-16141-54342040	HEAP-Emergencies	\$7,456.00
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4294 Noes 0, Absent 505 (Donnelly, Miller).

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

RESOLUTION NO. 186

**TITLE: 2012 BUDGET
TRANSFER OF FUNDS
TREASURER'S OFFICE**

WHEREAS, the following 2012 Appropriation account is in need of funds.

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

FROM:

10-11364-54407000	Lien Search Expense	\$7,981.06
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TO:

10-11326-54565000

Rent/Lease

\$7,981.06

The resolution was seconded by Ms. Molé.

Mr. Marshfield explained that this transfer is to cover the insurance cost of seven properties that the county took possession of prior to the foreclosure process.

The resolution was adopted by the following vote: Ayes 4294 Noes 0, Absent 505 (Donnelly, Miller).

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

RESOLUTION NO. 187

**TITLE: AUTHORIZATION FOR AWARD
DELAWARE COUNTY EMERGENCY SERVICES**

LETTING OF OCTOBER 24, 2012

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

NOW, THEREFORE, BE IT RESOLVED that Department of Emergency Services is authorized to make award to the bidder meeting the specifications for emergency power generators for the new radio communications system project.

PROPOSAL: Emergency power generators: Cummins Northeast, LLC.
101 Railroad Avenue
Albany, New York 12205

PRICING:		<u>Indoor</u>	<u>Outdoor</u>
	35KW generator:	\$24,039.00	\$24,750.00
	40KW generator	\$24,468.00	\$25,091.00
	50KW generator	\$24,921.00	\$25,632.00

The resolution was seconded by Mr. Bower.

In response to Mr. Triolo, Director of Emergency Services Richard Bell said the generators will run on LP gas; further stating that this was a two-bid process. The original bid received no replies. The second attempt received only one, Cummins Northeast.

Replying to Mr. McCarthy, Mr. Bell explained that the loss of commercial power is the biggest hazzard the department faces with the tower sites. These generators will be used any time commercial power is not available. The 10KW generators currently in use are not large enough to supply the new system.

In reply to Mr. Marshfield, Mr. Bell stated that the bid is for two units purchased from the

Statewide Interoperable Communication Grant (SICG). The units will be placed at Pine Hill and Mt. Utsayantha.

Mr. Bell stated in answer to Mr. Hynes, that the bid was very generic and multiple vendors could have responded. The department was trying to obtain better than state contract pricing. The bid from Cummins Northeast is comparable to the state pricing.

In answer to Chairman Eisel, Mr. Bell said that the pricing can be used for purchases when needed for the future sites.

Mr. McCarthy noted that the lack of response may have been due to the increased need for generators as a result of Hurricane Sandy followed by the winter storm in the downstate area.

The resolution was adopted by the following vote: Ayes 4669, Noes 0, Absent 130 (Donnelly).

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

RESOLUTION NO. 188

**TITLE: 2012 BUDGET AMENDMENT
APPROPRIATION OF MACHINERY FUNDS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the County has gone out for bids for a new sign truck; and

WHEREAS, the bids are due back on December 19, 2012; and

WHEREAS, this is a budgeted item and the department would like to make an award as soon as possible after the bid opening.

NOW, THEREFORE, BE IT RESOLVED that \$140,000 be appropriated from account 26-15130-52200000 to cover the cost of the truck.

The resolution was seconded by Mr. Smith.

Mr. Rowe advised that the bid is expected to come in less than the appropriated amount. The department has put out to bid for a 19,500 pound sign truck complete with crane, welder and utility body. The purchase replaces the department's thirteen year old truck.

The resolution was adopted by the following vote: Ayes 4669, Noes 0, Absent 130 (Donnelly).

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

RESOLUTION NO. 189

**TITLE: LEVY OF TAXES FOR SPECIAL DISTRICTS,
HIGHWAYS AND GENERAL OUTSIDE OF VILLAGE**

WHEREAS there has been presented to the Board of Supervisors a duly certified copy of the annual budget of each of the several towns of Delaware County for the fiscal year beginning January 1, 2013;

RESOLVED that there shall be and hereby is assessed and levied upon and collected from the taxable property situated wholly or partially therein the amounts indicated below for the Highway Outside Village and General Outside Village purposes as specified in the budgets of the respective towns:

TOWN	HIGHWAY OUTSIDE VILLAGE	GENERAL OUTSIDE VILLAGE
Delhi	\$473,837.64	\$64,702.52
Deposit	\$253,014.00	\$25,885.00
Franklin	\$297,505.00	\$35,855.00
Hancock	\$748,000.00	\$42,790.00
Harpersfield	\$299,576.00	\$36,024.00
Middletown	\$755,494.00	\$91,689.00
Sidney	\$249,500.00	\$11,700.00
Stamford	\$213,303.00	\$28,463.00
Walton	\$558,300.00	\$46,225.00

FURTHER RESOLVED that there shall be and hereby is assessed and levied upon and collected from the real property liable therefore within the respective budgets:

ANDES

Andes Joint Fire District	\$191,770.00
Arena Fire District	\$13,643.20
Andes Light	\$8,000.00

BOVINA

Bovina Center Light District	\$1,825.00
Bovina Rural Fire District	\$101,675.00
Bovina Water District	\$31,464.00
Bovina Sewer District	\$10,161.13

COLCHESTER

Downsville Light District	\$10,000.00
Downsville Fire District	\$226,283.47
Beaverkill Valley Fire District	\$760.12
Colchester Fire Protection District	\$10,500.00

DAVENPORT

East Meredith Fire District	\$103,121.01
Davenport Fire District	\$48,797.33
Davenport Light District	\$1,000.00
Davenport Center Light District	\$1,450.00
West Davenport Light District	\$800.00
Water District	\$5,575.00

DELHI

Delhi Rural Fire District	\$223,297.59
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DEPOSIT

Deposit Fire and Ambulance	\$74,753.00
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FRANKLIN

Treadwell Light District	\$3,782.00
Treadwell Water District	\$7,500.00
Franklin-Treadwell Fire District	\$194,764.71

HAMDEN

Hamden Light District	\$3,000.00
DeLancey Light District	\$2,100.00
Delhi Fire District	\$628.15
Walton Fire and Protection	\$21,050.00
Downsville Fire Protection	\$3,500.00
Delhi Rural Fire Protection	\$59,862.00
Downsville Fire District	\$4,005.53
Hamden Sewer District	\$8,939.00

HANCOCK

Upper Delaware Valley Ambulance District	\$1,616.21
Cadosia Light District	\$1,800.00
East Branch Light District	\$3,800.00
East Branch Fire District	\$95,807.00
Fish's Eddy Light District	\$2,800.00
Hancock Rural Fire District	\$160,846.07
Long Eddy Fire District	\$22,136.33

HARPERSFIELD

Stamford Fire District	\$38,807.32
Hobart Fire District	\$5,582.62
Davenport Fire District	\$12,630.23
North Harpersfield Fire Protection	\$43,500.00
North Harpersfield Light District	\$2,000.00

KORTRIGHT

Kortright Fire District	\$83,158.73
Bloomville Light District	\$4,500.00
Bloomville Sewer District	\$14,793.50
Stamford Fire District	\$6,885.51
Hobart Rural Fire District	\$10,228.31
East Meredith Fire District	\$3,416.95
Davenport Fire District	\$8,372.44

MASONVILLE

Masonville Fire District	\$102,500.00
Masonville Light District	\$2,500.00

MEREDITH

East Meredith Light District	\$140.00
Delhi Fire District	\$35,167.57
Meredith Square Light District	\$60.00
Franklin-Treadwell Fire District	\$24,344.11
Meridale Rural Fire District	\$51,000.00
East Meredith Fire District	\$17,263.04
Meridale Light District	\$120.00

MIDDLETOWN

Halcottsville Light District	\$1,491.00
Arena Fire District	\$14,497.35
Arkville Light District	\$7,460.00
Arkville Water District	\$9,719.00
New Kingston Light District	\$716.00
Arkville Fire District	\$32,400.00
Fire District No. 1	\$63,310.00
Middletown-Hardenburgh Fire District	\$232,108.14

ROXBURY

Roxbury Fire District	\$173,025.00
Roxbury Light District	\$13,488.00
Roxbury Water District	\$30,959.00
Grand Gorge Fire District	\$150,875.00
Grand Gorge Light District	\$11,490.00
Grand Gorge Water District	\$60,383.00
Middletown/Hardenburgh Fire District	\$4,910.97
Roxbury Run Light District	\$2,797.00
Roxbury Sewer District (unit charge)	\$39,796.66

Denver Sewer District (debt charge)	\$15,916.00
Denver Sewer District (unit charge)	\$75,755.00
Denver Water District	\$19,973.00
SIDNEY	
Consolidated Health District	\$3,400.00
Sidney Center Light District	\$5,500.00
Sidney Center Fire District	\$74,163.00
Sidney Fire Protection District	\$57,455.00
STAMFORD	
Stamford Fire District	\$7,567.75
South Kortright Fire District	\$4,000.00
Hobart Fire District	\$29,189.07
Kortright Fire District	\$8,213.27
South Kortright Light District	\$800.00
TOMPKINS	
Tompkins Fire District	\$98,570.00
Hancock Rural Fire District	\$18,593.93
WALTON	
Walton Fire District	\$327,600.00

FURTHER RESOLVED that the amounts to be raised by tax for all other purposes, as specified in the annual budgets as presented to the Board and which are on file in the office of the Clerk of the Board, are hereby assessed and levied upon and collected from all of the taxable property in the towns as enumerated below, except as otherwise provided by law; namely:

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Andes	\$595,487.00	\$769,124.00
Bovina	\$229,117.00	\$375,800.00
Colchester	\$808,700.00	\$1,288,500.00
Davenport	\$211,729.00	\$642,800.00
Delhi	\$362,771.42	\$463,938.00
Deposit	\$202,964.00	\$405,335.00
Franklin	\$167,431.00	\$561,800.00
Hamden	\$151,584.00	\$486,700.00
Hancock	\$377,030.00	\$671,000.00
Harpersfield	\$279,765.00	\$236,892.00
Kortright	\$222,000.00	\$621,000.00

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Masonville	\$159,840.00	\$364,692.50
Meredith	\$185,519.00	\$656,096.00
Middletown	\$690,631.00	\$1,000,553.00
Roxbury	\$909,017.00	\$1,527,684.00
Sidney	\$593,000.00	\$320,000.00
Stamford	\$241,236.00	\$247,936.00
Tompkins	\$207,546.00	\$661,206.00
Walton	\$237,039.00	\$490,623.00

The resolution was seconded by Mr. Triolo.

Mr. Marshfield stated that the resolution should be reviewed carefully for accuracy as it represents the amount to be raised by taxes for each town.

The resolution was unanimously adopted.

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

RESOLUTION NO. 190

**TITLE: LEVY OF COUNTY TAX, EXTENSION OF ROLL,
WARRANTS FOR SAME**

RESOLVED, that the sum of \$27,969,521.41 be levied against the taxable property of the County of Delaware and the same be credited by the County Treasurer to the objects specified in the Appropriation Resolution; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors be and hereby is directed to extend the tax according to this resolution on the tax rolls of the several towns and that, when the same have been extended, the various rolls of the several towns shall become the tax rolls thereof.

BE IT FURTHER RESOLVED that the several tax rolls, when completed in accordance with the direction of the Board and the several warrants are signed for the collection of taxes by the Chairman and the Clerk of the Board to bear the date of December 27, 2012, the taxes be returnable the first day of April 2013 and that the County Treasurer of the County of Delaware be and hereby is authorized to extend the time of collection in any town not beyond the first day of June 2013, upon the collector's complying with the statute thereto.

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

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

RESOLUTION NO. 191

TITLE: AUTHORIZING THE CLERK OF THE BOARD OF SUPERVISORS TO CAUSE TO BE PRINTED A SUMMARY OF ABSTRACT OF THE TOWN BUDGETS

WHEREAS, Section 115 of the Town Law requires that the budgets of the respective towns for each year be printed in the Proceedings of the Board of Supervisors; and

WHEREAS, said section authorizes the Clerk of the Board of Supervisors to cause to be printed a summary or abstract of each budget.

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Board be and hereby is authorized and directed to cause to be printed in the Proceedings of this Board a summary or abstract of the budgets of the respective towns in this County in such form as the State Comptroller shall prescribe.

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

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

RESOLUTION NO. 192

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
REAL PROPERTY TAX SERVICES**

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

WHEREAS, the Real Property Tax Services is in need of assistance during the tax bill processing period; 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 in the Real Property Tax Services.

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

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

RESOLUTION NO. 193

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

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

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

WHEREAS, from time to time employees in other 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 in the Personnel Office.

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

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

RESOLUTION NO. 194

TITLE: ADOPTION OF DELAWARE COUNTY ENERGY PLAN WATERSHED AFFAIRS/ECONOMIC DEVELOPMENT

WHEREAS, Delaware County was awarded an Appalachian Regional Commission Grant to develop an energy plan that identified and proposed ways to develop local natural resources leading to opportunities for local job creation and energy independence; and

WHEREAS, the Delaware County median household income is but 65% of that of the state median household income, indicating that the costs of energy for all county residents, particularly those dependent on LP Gas or fuel oil, is a more significant portion of household income, relative to other state residents, especially for elder residents on fixed income, thereby showing that there is a need to reduce local energy costs to the extent practicable and economically viable; and

WHEREAS, the outcome of the Delaware County Energy Plan identified several renewable natural resources with potential to meet the objectives of the plan including alternatives such as biomass, wind, solar, geothermal, natural gas and hydroelectric; and

WHEREAS, the development of the energy plan included input from both private and public sector partners with a desire to implement the plan.

NOW, THEREFORE, BE IT RESOLVED that it is in the interest of the Delaware County Board of Supervisors to demonstrate and implement, where economically viable, the adoption of new technologies and conservation measures through education and demonstrations and thereby adopts the Delaware County Energy Plan as the County's plan to facilitate the development of public and private sector initiatives that utilize local energy resources for the benefit of county residents, institutions and businesses.

The resolution was seconded by Mr. Dolph.

Commissioner of Watershed Affairs Dean Frazier stated that the mission statement of the Delaware County Energy Plan (Energy Plan) focuses on reducing the county's dependence on external sources of energy, reducing dependence on fossil fuel, and expanding the utilization of renewable and sustainable resources, including locally accessible supplies of natural gas.

The Energy Plan was developed with grant money awarded by the Appalachian Regional Commission (ARC) and included input from private and public sector partners. The funding was intended to be used to develop an energy plan that identified and proposed ways in which to develop local natural resources leading to local job creation and energy independence. The Energy Plan enables us to receive grant funding from the ARC and also paves the way for other grant sources as well.

The Economic Development/Watershed Affairs Committee will first address conservation measures such as turning off lights and computers when not in use. He noted that the results of a study done in the Oneonta School District showed substantial reduction in expense with simple conservation methods. Following this, the committee will address low-cost, quick return items, such as replacing lighting fixtures and then larger items that could be replaced through attrition.

Commissioner Frazier noted that there will be education and demonstration outreach opportunities for the general public, business and municipalities. There is a symposium planned for April 2013 that will include a tour of the Sidney Federal Credit Union in Delhi, NY and the alternative energy programs and projects on the Delhi Campus. Students in this program have nearly 100% placement at graduation.

Mr. Bracci stated that New York City, who is opposed to natural gas, has a natural gas pipeline running under the Cannonsville Reservoir and at the same time they are converting their fleets and buildings to natural gas from oil for inexpensive energy and cleaner air. They do not appear committed to installing hydro power on the reservoir dams, adding that you cannot get cleaner energy than that. It is a shame that we have a partner that will not work with us to develop hydro power for use in our communities.

Commissioner Frazier answered in reply to Mr. Spaccaferno, that once the plan is approved by the ARC, there is funding from them up to \$80,000 that can be used for energy projects. The plan is to move slowly in a stepped process. The committee is still exploring what has been suggested in the Energy Plan to determine its feasibility for the county.

Chairman Eisel suggested that solar energy might be a source to consider as we know there is money available.

Mrs. Capouya noted that the Delaware County Energy Plan is a detailed and complex document that she felt required more time to read through, ask questions and thoroughly understand.

Mrs. Capouya made a motion to table Resolution No. 194 entitled: Adoption of Delaware County Energy Plan until the next Board of Supervisors meeting. The motion to table was defeated by the following vote: Ayes:1278 (Molé, Bracci, Bower, Spaccaferno, Capouya,

Hynes), Noes 3391, Absent 130 (Donnelly).

In answer to Mr. McCarthy, Mr. Valente stated that the committee is not developing or committing to any specific energy sources as a result of the Energy Plan. However, the committee would like to meet with a representative of the Oneonta High School to discuss their program. They hired a private consultant to perform an energy audit. The consultant was to be paid from the savings produced as a result of the energy audit. At this point, the committee is looking to find smarter ways to use our energy and would like to begin by interviewing private companies to perform an energy audit for the county.

Chairman Eisel noted that the county offices follow the New York State guidelines. It is interesting to him that we are now trying to work around those guidelines to operate more economically.

Mr. Rowe attested to the amount of savings that can be achieved when a consistent effort is made to change habits and replace older technology. Hiring an independent company is a good start, adding that the county would not have to go out to bid but could use the services of the New York State Office of General Services (OGS).

Mr. Dolph stated that as County Budget Director he is committed to looking at any possibilities that could reduce the county's energy costs. The Energy Plan is the tool that needs to be in place to seek available funding for alternative energy programs. The first step in the process is to look at the habits we currently have and determine what changes would be feasible. If the Energy Plan is adopted it allows the county to begin seeking grant opportunities.

The resolution was adopted by the following vote: Ayes 4516, Noes 153 (Capouya), Absent 130 (Donnelly).

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

RESOLUTION NO. 195

TITLE: 2013 BOARD OF SUPERVISORS MEETING SCHEDULE

WHEREAS, in accordance to Rule 2 of the Rules of the Delaware County Board of Supervisors, Board Meeting dates are annually designated in December each year for the following year;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors meetings will be held on the dates and times as stated below.

Wednesday, January 2, 2013	- 1:00 p.m.	Wednesday, January 23, 2013 - 1:00 p.m.
Wednesday, February 27, 2013	- 1:00 p.m.	
Wednesday, March 13, 2013	- 1:00 p.m.	Wednesday, March 27, 2013 - 1:00 p.m.
Wednesday, April 24, 2013	- 1:00 p.m.	

Wednesday, May 22, 2013 - 5:30 p.m.
 Wednesday, June 26, 2013 - 5:30 p.m.
 Wednesday, July 24, 2013 - 5:30 p.m.
 Wednesday, August 28, 2013 - 5:30 p.m.
 Wednesday, September 25, 2013 - 1:00 p.m.
 Wednesday, October 9, 2013 - 1:00 p.m. Wednesday, October 23, 2013 - 1:00 p.m.
 Wednesday, November 13, 2013 - 1:00 p.m. Tuesday, November 26, 2013 - 1:00 p.m.
 Wednesday, December 11, 2013 - 1:00 p.m.

The resolution was seconded by Ms. Miller.

Mr. Rowe stated that he would like to see more evening meetings and therefore would be voting against the resolution.

The resolution was adopted by the following vote: Ayes 4347, Noes 322 (Rowe), Absent 130 Donnelly).

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

RESOLUTION NO. 196

TITLE: CALLING ORGANIZATIONAL MEETING

RESOLVED that pursuant to Section 151 [1] of the County Law and Rule 1 of the Delaware County Board of Supervisors, the organizational meeting of the Board of Supervisors shall be held on January 2, 2013 at 1:00 p.m. in the Supervisors' Room of the County Office Building, Delhi, New York.

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

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. 197

TITLE: LEVYING OF RETURNED SCHOOL TAXES

WHEREAS, the Board of Trustees of the Board of Education of the several school districts of Delaware County have transmitted to the County Treasurer the several amounts of

unpaid school taxes, duly verified and certified as provided by the Real Property Tax Law, §1330;

RESOLVED, that pursuant to §1330 of the Real Property Tax Law, there shall be and hereby is assessed and levied upon and collected from the lands of the several towns as listed herewith, upon which the same were imposed, the amounts of said returned school taxes as certified, with seven percentum thereon in addition as follows:

<u>Town</u>	<u>Tax</u>	<u>7% Penalty</u>	<u>Total Tax Relevied</u>
Andes	\$221,021.96	\$15,471.62	\$236,493.58
Bovina	142,360.31	9,965.23	152,325.54
Colchester	282,960.55	19,807.40	302,767.95
Davenport	241,888.18	16,932.13	258,820.31
Delhi	263,110.61	18,417.77	281,528.38
Deposit	192,938.25	13,505.78	206,444.03
Franklin	332,464.28	23,272.60	355,736.88
Hamden	165,979.59	11,618.62	177,598.21
Hancock	660,735.00	46,251.81	706,986.81
Harpersfield	287,427.37	20,119.93	307,547.30
Kortright	275,110.18	19,257.76	294,367.94
Masonville	163,239.68	11,426.81	174,666.49
Meredith	207,383.27	14,516.82	221,900.09
Middletown	655,508.73	45,885.79	701,394.52
Roxbury	418,764.40	29,313.69	448,078.09
Sidney	448,359.32	31,385.18	479,744.50
Stamford	249,930.42	17,495.17	267,425.59
Tompkins	106,844.22	7,479.03	114,323.25
Walton	359,868.92	25,190.89	385,059.81
Totals	\$5,675,895.24	\$397,314.03	\$6,073,209.27

The resolution was seconded by Mr. Dolph.

Mr. Marshfield noted that the unpaid school taxes for 2012 was up by \$40,000 from last year.

The resolution was unanimously adopted.

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

RESOLUTION NO. 198

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.

FRA10TX.043

ASSESSED TO:

GLORIA WALKER ESTATE

TOWN OF:	123289:FRANKLIN
TAX MAP NO:	100.1-1-8.2
SCHOOL DISTRICT:	122801:DELAWARE ACADEMY
ACREAGE:	23.00'F x 164.00'D ACRES
CONVEYED TO:	JAMES GAVIN SMALL WILLIAM J SHAW 1518 HUSKA RD DELANCEY NY 13752
CASH CONSIDERATION:	\$7,500.00
TAX DEFICIT:	\$6,034.88

The resolution was seconded by Mr. Dolph.

Mr. Marshfield stated that this property was pulled from the tax auction earlier this year. Upon inspection the dwelling was found to need a significant amount of repair and therefore the decision was made to sell the property for the cash consideration.

The resolution was unanimously adopted.

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

RESOLUTION NO. 199

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,072,081.15 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	\$699,235.79
OET	\$10,845.62
Public Safety Comm System	\$61,689.49

Highway Audits, as Follows:

Weights and Measures	\$291.89
Landfill	\$55,477.58
Road	\$4,620.63
Machinery	\$116,055.26
Capital Road & Bridge	\$94,120.39
Capital Solid Waste	\$29,744.50

The resolution was seconded by Mr. Dolph and adopted by the following vote: Ayes 4669, Noes 0, Absent 130 (Donnelly).

Chairman of the Planning, Recreation and Culture Committee Thomas Hynes stated that placed on each Supervisor's desk is their town map prepared by County Planning highlighting New York State owned land and New York City Land Acquisitions through July 2012.

Chairman Eisel continued the meeting to include the farewell ceremony of Town of Colchester Supervisor Arthur Merrill and retiring County Attorney Richard Spinney.

Chairman Eisel recognized Town of Colchester Supervisor Arthur Merrill who will finish his term at the end of the year. Mr. Merrill stepped in to complete the term of his predecessor Theodore Fonda who resigned his position due to health problems.

Mr. Merrill served on the Economic Development/Watershed Affairs, Legislative, and Public Safety Committees. In his six months he made a seamless transition into the duties of Supervisor for the Town of Colchester and contributed significantly to the oversight committees he served on.

Mr. Merrill thoughtfully considered all of the matters discussed in the oversight committees demonstrating his ability to make important decisions in a very caring, capable and professional manner. Mr. Merrill's commitment to the undertaking of Town Supervisor was done so from a genuine concern for his town.

Chairman Eisel thanked Mr. Merrill for his commitment and dedication to doing an outstanding job of serving both the county and the Town of Colchester and presented him with a plaque recognizing his service to the citizens of Delaware County.

Mr. Merrill stated that it has been a pleasure to work at the county level with such a dedicated and committed Board. He appreciated everything that was done to help him transition into the county level and for the Town of Colchester.

Mr. Merrill expressed his appreciation of the positive attitude he has experienced from the majority of people employed at the county level for solving problems. These people have the ability to put the negative things aside allowing them to do the best job they can do everyday.

He thanked Chairman Eisel and the Board for their recognition of his contributions to the county and to the Town of Colchester.

Chairman Eisel stated that County Attorney Richard Spinney will be retiring at the end of the year after twenty-three years of dedicated service from 1989 to 2012.

The “Spin doctor,” as he is referred to around the county office has done a terrific job at the county level and at the town level when called upon. He has shared the many challenges and frustrations that come to the desk of the Chairman of the Board and has faithfully provided appropriate legal counsel through it all. His favorite reply when the two did not agree was “too bad, so sad” followed by “that is just the way it is.” He knew his profession and there is no question that he will be missed.

Chairman Eisel said that he will miss Mr. Spinney’s humor, his challenging trivia questions and the chocolate chip cookies baked just for him by Ms. Molé that he would sometimes share. He noted that Mr. Spinney’s wealth of experience will be missed and wished Mr. Spinney all the best in his retirement.

Chairman Eisel presented Mr. Spinney with a plaque stating “In grateful recognition of your 23 years of distinguished service and your legal contribution to the citizens of Delaware County.”

First Assistant County Attorney Porter Kirkwood speaking on behalf of himself and the Department of County Attorney thanked Mr. Spinney for his guidance. He wished Mr. Spinney all the best in his retirement.

Commissioner of Public Works Wayne Reynolds thanked Mr. Spinney for keeping him straight on the department’s legal issues. He appreciated Mr. Spinney’s fair thinking and the lessons he taught him as they worked through the issues. Commissioner Reynolds stated that he always felt satisfied that the legal decisions the department made were equally fair to the county and the residents. He wished Mr. Spinney well in his retirement.

Mr. Triolo thanked Mr. Spinney for his good counsel and his willingness to be available when needed. He wished him good luck in his new endeavor.

Commissioner of Watershed Affairs Dean Frazier thanked Mr. Spinney for his help in navigating through all of the contracts the Department of Watershed Affairs has had to deal with. He wished Mr. Spinney all the best in his retirement.

Commissioner of Social Services William Moon referenced a legal matter he used Mr. Spinney’s services for prior to him becoming the county attorney. That experience showed Mr. Spinney’s knowledge and his ability to handle a controversial issue while balancing the scales of justice. He thanked Mr. Spinney for all he has done for the Department of Social Services and wished him the best in his retirement.

Sheriff Mills stated that it has been a pleasure to work with Mr. Spinney and thanked him on behalf of himself and the Sheriff’s Office for the support he provided. The Sheriff stated that Mr. Spinney was always willing to answer his questions and would not hesitate to hold back his very candid remarks. Sheriff Mills wished Mr. Spinney the best of luck.

Ms. Molé thanked Mr. Spinney for all he gave to Delaware County during his tenure. With great sincerity she thanked him for eleven years of a very gratifying professional relationship. She thanked him for his willingness to discuss legal matters whenever the need arose and for his patience as she continued to question the reply. She will miss hearing “is the mole in” as Mr. Spinney walked through the office, his trivia questions and sharing of political

discussions. With emotion she stated that she will miss him very much and wished him the best in his retirement.

Clerk of the Board Christa Schafer spoke of the many heated arguments the two of them shared over the years, adding that those differences helped to build a confidence that would ensure the best direction for the county. She will miss Mr. Spinney's grumpiness and his endearing nick names. Mrs. Schafer said that although Mr. Spinney tried to hide it, she eventually got to see the generous, kind and even gentle side of him. She thanked him for his commitment to the county and all of his hard work through the years. Mrs. Schafer wished Mr. Spinney many years filled with good health and much happiness.

Mr. Bracci thanked Mr. Spinney for his professionalism and willingness to deal with any legal issue brought to him for advice. He wished him all the best.

Mr. Marshfield thanked Mr. Spinney for his clear and explicit advice both in the county and when he needed another opinion for the town. Mr. Spinney's knowledge is extensive and will be missed. He wished him all the best in his retirement.

Mr. Rowe said the county departments deal with many complex issues and are fortunate to have a county attorney that can handle it all. The Public Works Committee always knew when there was going to be a complex issue when Commissioner Reynolds would state "this matter has to be brought to the county attorney."

Former Town of Middletown Supervisor Len Utter thanked Mr. Spinney for his service to the county. He wished Mr. Spinney the best of luck in his retirement and assured him that there is life after this Board room.

Mr. Hynes stated that he appreciated Mr. Spinney's ability to be fair and remain neutral on any matter brought to him. He thanked him for all his dedication to the county and wished him the best in his retirement.

Mrs. Capouya shared that the highlights of her year was touring the Town of Stamford with Mr. Spinney on the day of his picnic. She wished him the best in his retirement.

Mr. Spinney thanked Chairman Eisel and the Board for his recognition. He smiled as he remembered that he had to meet and talk to each Supervisor personally when he was seeking the position of county attorney. He thanked all the department heads for their dedicated service to the county and stated that the county is very fortunate to employ such a high caliber of people.

He thanked Chairman Eisel and the Board for showing their confidence in him with a reappointment each year. He has enjoyed serving the county over the past twenty three years and is very appreciative of having the opportunity to do so.

Chairman Eisel invited everyone in attendance to enjoy refreshments in honor of Mr. Merrill and Mr. Spinney.

Chairman Eisel wished everyone a Merry Christmas and Happy New Year.

Upon a motion, the meeting adjourned at 2:35 p.m.