

**ORGANIZATIONAL MEETING**  
**DELAWARE COUNTY BOARD OF SUPERVISORS**

**JANUARY 6, 2016**

The Organizational Meeting of the Delaware County Board of Supervisors was held Wednesday, January 6, 2016 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

The Clerk of the Board, Christa M. Schafer, called the meeting to order and read the Notice of Meeting:

**TO ALL SUPERVISORS:**

Pursuant to County Law, §151 and Board Rule 1, the Organizational Meeting of the Delaware County Board of Supervisors will be held in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York on Wednesday, January 6, 2016 at 1:00 p.m.

The meeting is called for the purpose of organizing for the year 2016, including election of a Chairman, Vice Chairman, Clerk of the Board, County Attorney and Budget Officer.

Any other business that may properly be brought before the Board will be conducted.

Christa M. Schafer, Clerk  
Delaware County Board of Supervisors

The Clerk called the roll by towns and the following Supervisors were present:

Wayland Gladstone	P.O. Box 188	Andes
Tina Molé	P.O. Box 6, Bovina Center	Bovina
Arthur Merrill	P.O. Box 321, Downsville	Colchester
Dennis J. Valente	P.O. Box 88, Davenport Center	Davenport
Mark Tuthill	5 Elm Street	Delhi
Thomas Axtell	3 Elm Street	Deposit
Jeffrey Taggart	511 Heathen Hill Road	Franklin
Wayne E. Marshfield	6754 Basin Clove Road	Hamden
Samuel Rowe, Jr.	661 West Main Street	Hancock
James E. Eisel, Sr.	22 Wilcox Road	Harpersfield
George Haynes, Jr.	51971 State Highway 10, Bloomville	Kortright
Michael Spaccaforo	P.O. Box 313	Masonville
James G. Ellis	4187 Turnpike Road, Delhi	Meredith
Carl P. Davis	P.O. Box 577, 42339 State Highway 28	Middletown
Thomas S. Hynes	P.O. Box 277	Roxbury
R. Eugene Pigford	2464 Road 13 Unadilla	Sidney
Michael Triolo	P.O. Box M, Hobart	Stamford
William Layton	P.O. Box 139, Trout Creek	Tompkins
Charles Gregory	82 Stockton Avenue	Walton

Mr. Marshfield offered the invocation.

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

The Clerk requested nominations for Chairman: Mr. Spaccaforo nominated James E. Eisel, Sr. The nomination was seconded by Ms. Molé and unanimously approved.

County Clerk Sharon O'Dell administered the Oath of Office to Mr. Eisel.

Upon a nomination by Mr. Spaccaforo seconded by Mr. Axtell, Tina B. Molé was unanimously re-elected as Vice Chairman.

Upon a nomination by Mr. Valente, seconded by Mr. Hynes, Christa M. Schafer was unanimously re-elected as Clerk of the Board.

Upon a nomination by Mr. Rowe, seconded by Mr. Taggart, Porter Kirkwood was re-appointed as County Attorney.

Upon a nomination by Ms. Molé, seconded by Mr. Spaccaforo, Arthur Merrill was unanimously elected as Budget Officer.

Chairman Eisel thanked the Supervisors for their support. He noted that 2016 would be another challenging year. As in the past, department requests for overtime, travel and authorizations to fill vacancies will be scrutinized in order to do all that can be done to reduce spending and stay within the budget.

Chairman Eisel noted that all oversight committees would remain the same until the January 27 Board meeting and made the following committee appointments:

### **2016 COMMITTEE APPOINTMENTS**

#### **AGRICULTURAL AND FARMLAND PROTECTION BOARD**

4-year term ending December 31, 2019

Reappoint:

Supervisor Dennis Valente

Ken Balcom

#### **DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY - IDA**

3-year term ending December 31, 2018

Reappoint:

George Bergleitner

Michael O'Brien

#### **HEALTH SERVICES ADVISORY BOARD**

2-year term ending December 31, 2017

Reappoint:

Amanda Walsh

Wayne Shepard

#### **SOIL & WATER CONSERVATION DISTRICT BOARD**

1-year term ending December 31, 2016

Appoint

Supervisor James Ellis

Reappoint:

Supervisor Jeffrey Taggart

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.

For standing committee reports, Chairman of the Legislative Committee Mike Spaccaforo introduced Acting District Attorney John Hubbard. Mr. Hubbard explained that by law as Chief Assistant he becomes Acting District Attorney for one year to fill the position vacated by Richard Northrup's election to the position of County Court Judge. He noted that he looks forward to working with the Board and his oversight committee.

For standing committee reports, Chairman of the Public Works Committee Sam Rowe advised that Commissioner of Public Works Wayne Reynolds provided the annual fringe benefit survey forms for the towns to each Supervisor. Supervisors were asked to return their completed forms as soon as possible to allow for the Department to disseminate the information in a timely manner.

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

**RESOLUTION NO. 1**

**TITLE: DESIGNATION OF PUBLICATION  
OF LOCAL LAWS AND NOTICES: DEMOCRAT**

**WHEREAS**, the Democratic Party having designated the Deposit Courier for the purpose of publishing notices pursuant to County Law 214 (2);

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to County Law 214 (2) that the Deposit Courier is designated for the calendar year 2016 to publish local laws and notices.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 2**

**TITLE: DESIGNATION OF PUBLICATION  
OF LOCAL LAWS AND NOTICES: REPUBLICAN**

**WHEREAS**, the Republican Party having designated The Walton Reporter, published by Decker Advertising, Inc. for the purpose of publishing notices pursuant to County Law 214 (2);

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to County Law 214 (2) that The Walton Reporter is designated for the calendar year 2016 to publish local laws and notices.

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

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

**RESOLUTION NO. 3**

**TITLE: DESIGNATION OF DEPOSITORY FOR DELAWARE COUNTY FUNDS**

**BE IT RESOLVED**, pursuant to Section 212 of the County Law, as amended and now in force, the bank hereinafter specified is hereby designated as a depository for County Funds, together with the maximum amount that may be kept on deposit therein at any one time, and the County Treasurer is hereby authorized and directed to deposit County monies in the banks herein designated.

**BE IT RESOLVED**, the County Treasurer is authorized to wire funds and use electronic transfer of funds (ACH) from or to each facility.

**BE IT FURTHER RESOLVED**, that one certified copy of the resolution shall be filed in the office of the County Clerk, one in the office of the State Comptroller and two in the office of the County Treasurer by the Clerk of the Board of Supervisors.

NBDC Bank	\$35,000,000.00
The Delaware National Bank of Delhi	\$10,000,000.00
The Delaware National Bank of Delhi (Court and Trust Fund Designated by NYS Comptroller)	\$5,000,000.00
The National Bank and Trust Company	\$50,000,000.00
Community Bank, N.A.	\$30,000,000.00
Key Bank	\$250,000.00

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 4**

**TITLE: RE-APPOINTMENT COMMISSIONER  
BOARD OF ELECTIONS - REPUBLICAN**

**BE IT RESOLVED** that William Campbell is hereby re-appointed as the Republican Commissioner of Elections for a term of two years effective January 1, 2016 and ending December 31, 2017 at the salary contained in the budget.

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

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

**RESOLUTION NO. 5**

**TITLE: RE-APPOINTMENT OF DIRECTOR OF ECONOMIC DEVELOPMENT**

**BE IT RESOLVED** that Glenn Nealis is hereby re-appointed as Director of Economic Development for a term of two years effective January 1, 2016 and ending December 31, 2017 at the salary contained in the budget.

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

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

**RESOLUTION NO. 6**

**TITLE: RE-APPOINTMENT COMMISSIONER OF WATERSHED AFFAIRS**

**BE IT RESOLVED** that Dean Frazier is hereby re-appointed as Commissioner of Watershed Affairs for a term of two years effective January 1, 2016 and ending December 31, 2017 at the salary contained in the budget.

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

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

**RESOLUTION NO. 7**

**TITLE: APPOINTMENT OF DELAWARE COUNTY  
FIRE ADVISORY BOARD**

**BE IT RESOLVED**, that the following appointments be made to the Delaware County Fire Advisory Board in accordance with 225-a of the County Law for year 2016:

Chairman: Dale Downin, Franklin  
Vice Chairman: Mike Odell, Masonville  
Secretary: David Briggs, East Meredith

**Voting Departments:**

Andes - Chief Dale Tait  
Arena - Chief Mike Sarrubi  
Arkville - Chief Robert Sweeney  
Bloomville - Chief Mike Pietrantonio  
Bovina - Chief Robert Burgin  
Delhi - Chief Daren Evans  
East Meredith – Chief David Briggs  
Fleischmanns – Chief Todd Wickham

Hancock – Chief Thomas Rosengrant  
Hobart - Chief Ken Muthig  
Margaretville – Chief Gene Rosa  
Masonville – Chief Gary Mott  
Meridale – Chief Richard Briscoe  
Pindars Corners – Chief Matt Rittlinger  
Sidney - Chief Shawn Sands  
Sidney Center – Chief Dave Gill

Franklin – Chief Tom Worden  
Grand Gorge – Chief DJ Speenburgh

Stamford – Chief AJ Vamosy  
Trout Creek – Chief Larry Phoenix  
Walton – Chief Bob Brown

**Alternate Departments (in order):**

Downsville – Chief Mark Mattson  
Treadwell – Chief Tyler Huyck  
Davenport – Chief Fred Utter  
Halcottsville – Chief Jeff Slauston  
Roxbury – Chief Ken Davie

South Kortright – Chief William Benkert  
East Branch – Chief Rod Keesler  
Cooks Falls – Chief Matt Murphy  
Deposit – Chief Shaun Rynearson

Voting departments were selected based on meeting attendance for the previous year. Alternates are listed in order of their meeting attendance.

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

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

**RESOLUTION NO. 8**

**TITLE: 2015 BUDGET AMENDMENT  
HOME ENERGY ASSISTANCE PROGRAM (HEAP)  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Home Energy Assistance Program (HEAP); and

**WHEREAS**, mandated local payments are being made; and

**WHEREAS**, these expenditures will be 100% reimbursed with federal funds.

**NOW, THEREFORE, BE IT RESOLVED** that the 2015 Budget be amended as follows:

**INCREASE REVENUE:**

10-16141-44464100	FEDERAL AID-HEAP	\$22,329.00
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**INCREASE APPROPRIATION:**

10-16141-54342030	HEAP-PA	\$22,329.00
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The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 9**

**TITLE: 2016 BUDGET AMENDMENT  
REIMBURSEMENT OF EXPENDITURES UNDER  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL  
RURAL AREA REVITALIZATION PROGRAM  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Village of Walton was awarded a Rural Area Revitalization Program (RARP) in the amount of \$150,000 from the New York State Office of Community Renewal for the purpose of providing building owners with grant funds to aid in the effort to increase flooding resiliency along Delaware and Bridge Streets in the Village of Walton; and

**WHEREAS**, the Village of Walton entered into a subrecipient agreement with the Delaware County Local Development Corporation (DCLDC), whereby the DCLDC, on behalf of the Village, has assumed responsibility for the delivery and administration of the RARP funds; and

**WHEREAS**, the DCLDC is supported by the Delaware County Department of Economic Development staff; and

**WHEREAS**, the DCLDC will donate funds to the Department of Economic Development to offset the expenditures relating to the administration and delivery of the grant; and

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**INCREASE REVENUE:**

10-16326-42238906	Misc Rev Fr DCLDC	\$1,846.00
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**INCREASE APPROPRIATION:**

10-16326-52200000	Equipment	\$1,092.00
10-16326-54421000	Marketing	\$377.00
10-16326-54625010	Travel Department	\$377.00

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

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

**RESOLUTION NO. 10**

**TITLE: 2015 BUDGET AMENDMENT  
REIMBURSEMENT OF EXPENDITURES UNDER  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL  
RURAL AREA REVITALIZATION PROGRAM  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Village of Walton was awarded a Rural Area Revitalization Program (RARP) in the amount of \$150,000 from the New York State Office of Community Renewal for the purpose of providing building owners with grant funds to aid in the effort to increase flooding resiliency along Delaware and Bridge Streets in the Village of Walton; and

**WHEREAS**, the Village of Walton entered into a subrecipient agreement with the Delaware County Local Development Corporation (DCLDC), whereby the DCLDC, on behalf of the Village, has assumed responsibility for the delivery and administration of the RARP funds; and

**WHEREAS**, the DCLDC is supported by the Delaware County Department of Economic Development staff; and

**WHEREAS**, the DCLDC will donate funds to the Department of Economic Development to offset the expenditures relating to the administration and delivery of the grant; and

**NOW, THEREFORE, BE IT RESOLVED** that the 2015 budget be amended as follows:

**INCREASE REVENUE:**

10-16326-42238906	Misc Rev Fr DCLDC	\$3,360.00
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**INCREASE APPROPRIATION:**

10-16326-54625010	Travel Department	\$3,360.00
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The resolution was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 11**

**TITLE: ACCEPTANCE OF THE FUNDING AWARD FROM THE NEW YORK STATE  
OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2016  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the County of Delaware has been awarded a Microenterprise Community Development Block Grant in the amount of \$200,000; and

**WHEREAS**, these funds are designed to assist local microenterprise agricultural entrepreneurs and businesses throughout Delaware County which is essential to the County's future economic vitality; and

**WHEREAS**, this program will result in the creation and retention of local jobs; and

**WHEREAS**, a grant agreement has been received by the County and must be executed and returned within 45 days to formalize the acceptance of the funds; and

**WHEREAS**, the County will enter into a sub-recipient agreement with the Delaware County Local Development Corporation (DCLDC), whereby the DCLDC will assume responsibility for the delivery and administration of the CDBG funds on behalf of the County.

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware hereby authorizes and directs the County of Delaware Board of Supervisors' Chairman to formalize acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing the NYS Community Development Block Grant Agreement and a sub-recipient agreement with the Delaware County Local Development Corporation, and establishing a non-interest bearing account for the specific use of this grant.

**BE IT FURTHER RESOLVED** that the following budget modifications be made:

**INCREASE REVENUE:**

10-16326-44498900/6326017/972	Other Federal Grant Funds	\$200,000.00
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**INCREASE APPROPRIATION:**

10-16326-54327000/6326017/972	General Grant Related Expense	\$200,000.00
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The resolution was seconded by Mr. Spaccaforo and adopted by the following vote:  
Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 12**

**TITLE: AMENDMENT TO THE ACCEPTANCE OF GRANT MONEY FROM THE  
NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT (NYS OEM) AND  
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE HAZARD  
MITIGATION GRANT PROGRAM FOR A VOLUNTARY FLOOD BUYOUT  
PLANNING DEPARTMENT**

**WHEREAS**, the Delaware County Board of Supervisors had previously established with the Delaware County Treasurer's Office an account to receive and dispense monies received from NYS OEM and FEMA; and

**WHEREAS**, the Delaware County Board of Supervisors approved Resolution Number 164 on October 9, 2013 to accept grant monies in the amount of \$4,465,549; and

**WHEREAS**, FEMA and NYS OEM have awarded Delaware County with additional funds for the flood buyout.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the 2015 budget be

amended as follows:

**ESTIMATED REVENUES:**

10-18020-44496000/8020023/908	FEMA	\$4,734,149.00
10-18020-43396000/8020023/908	SEMO/NYC	\$1,578,049.00

**ESTIMATED APPROPRIATIONS:**

10-18020-54327000/8020023/908	Flood Buyout-2013-14	\$6,312,198.00
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The resolution was seconded by Mr. Spaccaforo.

Mr. Rowe commented that this is a significant monetary award and thanked everyone involved in acquiring this for the County.

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

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

**RESOLUTION NO. 13**

**TITLE: IN MEMORY OF JOSEPH A. MADDALONE**

**WHEREAS**, former Town of Sidney Supervisor Joseph A. Maddalone passed away on December 18, 2015; and

**WHEREAS**, he served as Town of Sidney Supervisor from 1998 until 2009; and

**WHEREAS**, he will be remembered with distinction for his hard work and dedication to the County and the Town of Sidney and for his great sense of humor.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors extends its sympathy to the family of Joseph A. Maddalone and recognizes with gratitude his contributions to this County, his Town and neighbors.

Chairman Eisel remembered the time he and Mr. Maddalone visited the New York State Commissioner of Corrections to discuss Public Safety matters regarding the new jail. The meeting was quite contentious. As they were leaving the building, Mr. Maddalone turned to him and said, “don’t be surprised if we are the first two in the new cells.” Mr. Maddalone had quite a sense of humor and was very committed to all he undertook.

Mr. Rowe noted that he served on the Public Safety Committee with Joe Maddalone and former Supervisors Dan Axtell, Frank Bachler and Leonard Utter. There was never a dull moment among these men. He remembered Mr. Maddalone as a wonderful storyteller and a dedicated public servant.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 14**

**TITLE: 2016 BUDGET AMENDMENT DESIGNATION OF DELAWARE COUNTY AS  
LOCAL SPONSOR FOR SNOWMOBILE GRANT  
PLANNING DEPARTMENT**

**WHEREAS**, the New York State Office of Parks, Recreation and Historic Preservation has made funds available to develop and/or maintain snowmobile trails in New York State; and

**WHEREAS**, applications for grants for such development and/or maintenance of



snowmobile trails require a local government sponsor; and

**WHEREAS**, the Hamden Hill Ridge Riders, the Otego Snow-Goers, The Delaware Valley Ridge Riders, the Central Catskill Trail Association, Big Valley Trail Breakers, Maywood Snowriders, Delaware Otsego Chenango Snowriders and the D & D Snowdiggers have applied for said funds for the development and/or maintenance of snowmobile trails in Delaware County;

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County is hereby declared as the Local Sponsor for this application under the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Grant Program;

**FURTHER, BE IT RESOLVED** that the Planning Department budget be amended to receive and dispense these moneys in compliance with the requirements of the Preservation Snowmobile Trails Grant Program as follows:

<b><u>INCREASE REVENUES:</u></b>		
10-17989-43388900/7989001/908	State Otr Culture & Recreation	\$105,350.00
<b><u>INCREASE APPROPRIATIONS:</u></b>		
10-17989-54555000/7989001/908	Recreation Snowmobile Grant	\$105,350.00

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

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

**RESOLUTION NO. 15**

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 33-15  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution 131 of 2015 authorized the award of Proposal No. 33-15, Harrison and Burrowes Bridge Constructors Inc., 22 Hamilton Lane, Glenmont, NY 12077 for the bid amount of \$997,799.77; and

**WHEREAS**, the project is completed and the final quantities have been measured and computed; and

**WHEREAS**, there were several line items that came in under the estimated quantities and five items that came in over the estimated quantities resulting in an overall decrease in the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 (Final) in the amount of (\$127,221.60) lowering the total project cost to \$870,578.17

The resolution was seconded by Mr. Haynes and Mr. Spaccaforo.

Commissioner Reynolds stated in answer to Mr. Marshfield, that Proposal No. 33-15 is Bridge 26-3 on County Route 26, over Telford Hollow Road in Downsville.

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. 16**

**TITLE: PAYMENT OF MACHINERY RENTALS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, various authorized expenditures from the Machinery Fund are being made,

especially for the purchase of new equipment; and

**WHEREAS**, anticipated rentals earned from the County Road Fund appear insufficient to meet those expenditures during the next several months.

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer is hereby authorized to pay in advance such highway equipment rentals as are necessary to cover the cash needs of the Machinery Fund; and to credit subsequent rental warrants against the amount so advanced, provided that the total advanced and credited shall not exceed the amounts authorized in the budget for 2016.

The resolution was seconded by Mr. Haynes.

Mr. Rowe explained that the Department charges itself for equipment rental throughout the year. This is annual resolution done at the beginning of the year in order to have the funds available for the construction season.

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

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

**RESOLUTION NO. 17**

**TITLE: SALE OF TAX ACQUIRED PROPERTY**

**RESOLVED** that the following described parcels of tax acquired property be sold to the party 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.

	ROX11TX.014
<b><u>ASSESSED TO:</u></b>	<b><u>PETER FARMER AND PRISCILLA FARMER</u></b>
TOWN OF:	124800:ROXBURY
TAX MAP NO:	158.-2-15
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	5.46A ACRES
CONVEYED TO:	PRISCILLA FARMER 489 WASHINGTON AVE PATCHOGUE NY 11772
CASH CONSIDERATION:	\$3,917.56
TAX DEFICIT:	\$2,763.06

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

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

**RESOLUTION NO. 18**

**TITLE: REQUESTING A MEETING WITH THE 1954 SUPREME COURT DECREE PARTY PRINCIPALS AND OTHER STAKEHOLDERS OF THE UPPER DELAWARE RIVER BASIN  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the 1954 U.S. Supreme Court Decree Party (Decree Party) controls the releases from the Cannonsville and Pepacton Reservoirs and management of the stream flows of the Delaware River Basin; and

**WHEREAS**, the Decree Party is responsible for the management of the Delaware River flows through the Flexible Flow Management Plan (FFMP). The current FFMP poses ramifications for local flooding and the habitat of a nationally recognized wild trout fishery and exceptional recreational region; and

**WHEREAS**, Decree Party decisions currently have a direct and frequent negative impact on the social and economic well-being of Delaware County’s Tailwater communities by failing to consider the amount and timing of water released from the dams and how those insufficient or

excessive amounts of water released and dramatic increases or decreases in flows over short periods of time have dramatic impacts on the outstanding fishery, the process of sediment flow at the confluence of tributaries with the East and West Branches of the Delaware River, and many other economic and social impacts; and

**WHEREAS**, the economic benefits derived from the fishery and boating activities are well documented in the 2014 Upper Delaware River Cold Water Fishing and Boating Economic Impact Study; and

**WHEREAS**, the Decree Party is not required to hold open meetings, nor to discuss internal negotiations outside their closed door meetings, offering only inadequate listening sessions to the very people they impact, inadvertently or purposely ignoring upper basin concerns and using upper basin concerns as pawns in their internal disagreements; and

**WHEREAS**, Delaware County appreciates the effort of the Delaware River Basin Commission to hold a Regulated Flow Advisory Committee (RFAC) meeting in the upper regions of the basin on December 3, 2015 so that the concerns of the Tailwaters communities could be heard; and

**WHEREAS**, there was a local understanding that the Decree Party Principals would be in attendance to hear our concerns. The absence of the Principals at the December 3, 2015 RFAC meeting only served to continue the negative perception of the Decree Parties and their absence provides more evidence that the interests of the upper Delaware Basin residents are not worthy of the presence of the Decree Party Principals, as the upper Delaware Basin residents do not represent a significantly large enough population to be a cause for concern; and

**WHEREAS**, Decree Party decisions impact not only the Delaware County Tailwaters communities including the Towns of: Colchester, Deposit, Hancock, Tompkins, Hamden, Masonville, Andes, Walton, and Villages of Deposit and Hancock but, the entirety of Delaware County as these communities represent 25% of the County land mass; and

**WHEREAS**, Delaware County supports the Tailwater communities of Delaware County politically and in the form of substantial county staff time to assist the Upper Delaware River Tailwaters Coalition in the pursuit of their goals; and

**WHEREAS**, for the last three years, the RFAC has not met their obligations, as stated in the 1954 Decree, to meet two times per year; and

**WHEREAS**, the Decree Party Principals have essentially been at an impasse for nearly five years; and

**WHEREAS**, while Delaware County acknowledges that changes to the FFMP are complicated and respects the dynamics it must address, it also holds the belief that it is time for the Decree Party Principals to come together collaboratively and openly for the benefit of everyone; and

**WHEREAS**, Delaware County supports the mission of the Upper Delaware River Tailwaters Coalition – “The mission of the UDRTC is to protect the unique cold water ecosystem below the reservoirs to promote economic growth, mitigate flooding impacts, protect aquatic habitat, and maximize recreational opportunities in the Upper Delaware River watershed.”

**THEREFORE BE IT RESOLVED** that the Delaware County Board of Supervisors urgently requests that the Decree Party Principals hold a public meeting with upper Delaware River Basin stakeholders including the Congressional leaders of the Delaware River Basin Task Force, to discuss our concerns in a collaborative and meaningful way, leading upon information and belief, to reasonable solutions that will have a neutral impact on other concerned stakeholders.

**BE IT FURTHER RESOLVED** that this resolution be forwarded to the Decree Party Principals – Governor’s: Andrew Cuomo of New York, Chris Christie of New Jersey, Tom Wolf of Pennsylvania, Jack Markell of Delaware and New York City Mayor Bill De Blasio and be copied to NYC DEP Commissioner Emily Lloyd, Paul Rush of NYC DEP, Kelly Heffner of

PADEP, Mark Klotz of NYSDEC, David Kennedy of NJDEP, David Wunsch of DNREC and Congressional leaders of the Delaware River Basin Task Force, U.S. Congressman Chris Gibson (NY), U.S. Congressman Charlie Dent (PA), U.S. Congresswoman Bonnie Watson Coleman (NJ), U.S. Congressman John Carney (DE).

The resolution was seconded by Mr. Spaccaforo.

In response to Mr. Triolo, Commissioner Dean Frazier explained that since this is an open court case the Decree Party Principals are not required to hold open meetings, nor to discuss internal negotiations with others. It was thought that the Decree Party Principals would attend the December 3, 2015 Regulated Flow Advisory Committee meeting arranged by the Delaware River Basin Commission to discuss the concerns of the Tailwaters communities. Their absence from the meeting and decision to send proxies in their place is further evidence that they are not interested in the concerns of the residents of the Upper Delaware Basin. The intent of this resolution is to get the Decree Party Principals to hold a public meeting to discuss these concerns in a collaborative and meaningful way.

In answer to Mr. Rowe, Commissioner Frazier said that the relationship among the Decree Party Principals is not cohesive. They have been arguing among themselves over larger issues essentially holding us hostage and using us as pawns. There has been no change to the Flexible Flow Management Plan (FFMP) in four years.

Mr. Rowe remarked that the Decree Party Principals will not share their science with us nor will they agree with anyone else's science. The need for a better water release program has been documented. The tourists that come here spend a great deal of money in the local area and they will not come if the conditions are not good for their choice of recreational activity. He opined that the aqueduct is in need of repair and leaks more water than is being asked for.

Chairman Eisel stated that he understands that changing the FFMP is complicated. However, the bottom line is their unwillingness to address our concerns greatly affects Delaware County. Timely releases in larger amounts are needed for the Tailwaters. He opined that it is time the Decree Party Principals recognize and move forward on our concerns.

Commissioner Frazier added that talking sessions with the Decree Party Principals is what is needed.

Mr. Merrill expressed concern that the attitude of the Decree Party Principals seems to be that they are better than we are. The Principals were expected to attend the December 3 meeting and people were very irate that proxies were sent in their place.

In answer to Chairman Eisel, Commissioner Frazier noted that any decision of the Decree Party Principals has to be unanimous. A special request requires the signature of each of the Principals and that could take up to three days. If one of the Principals is out of town, the request may go unanswered or be too late to address the issue, even if they agree.

In reply to Mr. Davis, Commissioner Frazier said the FFMP is the tool used by the Decree Party to manage flows. The current FFMP requires updates to address issues relating to local flooding and economic benefits derived from boating and fishing. The findings of the 2014 Upper Delaware River Cold Water Fishing and Boating Economic Impact Study clearly document the economic benefit to the area, yet the Decree Party Principals have done nothing to address these concerns.

Commissioner Frazier stated in reply to Mr. Spaccaforo, that many people of high standing attended the meeting in hopes of communicating their concerns directly to the Decree Party Principals. It was clear by the tone of the discussion that the people were very angry that the Decree Party Principals were not in attendance.

In answer to Mr. Gladstone, Commissioner Frazier said it is hard to know fully what the NYC Commissioner of DEP Emily Lloyd knows given the amount of responsibilities she has. He noted that Deputy Commissioner of NYC DEP Paul Rush and Commissioner Lloyd recently met with the newly formed Upper Delaware River Business Coalition in the Tailwaters in an effort to improve communication and find ways to work together.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 19**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,231,990.24 were hereby presented to the Finance Committee for approval for payment on December 31, 2015 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	\$626,467.32
OET	\$6,823.51
Public Safety Comm System	\$47,551.91
Highway Audits, as Follows:	
Weights & Measures	\$1,035.25
Road	\$47,037.58
Machinery	\$192,141.22
Capital Road & Bridge	\$184,040.76
Capital Solid Waste	\$34,336.12
Solid Waste/Landfill	\$92,556.57

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$741,392.32 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	\$703,493.13
OET	\$6,881.94
Public Safety Comm System	\$11,004.99
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Road	\$0.00
Machinery	\$16,598.44
Capital Road & Bridge	\$863.82
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$2,550.00

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

Upon a motion, the meeting was adjourned at 1:58 p.m.

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**FEBRUARY 24, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 24, 2016 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. Hynes and

Mr. Layton.

Mr. Marshfield offered the invocation.

Mr. Pigford 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. Additionally, in accordance with the Ethics Policy all disclosures have been submitted and are filed in the Office of the Clerk of the Board.

Chairman Eisel extended appreciation on behalf of his family and himself for the many expressions of sympathy received after the passing of his mother.

Chairman Eisel granted privilege of the floor to Ms. Molé. Ms. Molé introduced Director of Public Health Amanda Walsh who provided the annual training overview of the Medicaid Compliance Program.

Ms. Walsh explained that Medicaid providers are required to operate under established Medicaid Compliance regulations. 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.

The topics contained within the Corporate Compliance booklet were discussed. It was noted that the Department of Public Health has an established system of checks and balances designed to detect and prevent inaccurate billing and inappropriate practices as required by regulations.

The Supervisors were asked to sign and return the Attestation Form upon completion of their review of the booklet. The forms are retained as proof of completion of the Medicaid Compliance Program training.

Chairman Eisel granted privilege of the floor to Mr. Axtell who introduced Director of Emergency Services Steve Hood to talk about forming a Delaware County Community Emergency Response Team known as CERT.

Mr. Hood advised that presentations have already been given to the Public Safety Committee, the Fire Advisory Board and the EMS Advisory Board all of whom have endorsed the program. Forming a Delaware County Community Emergency Response Team (CERT) would require no funding but would require injury-only coverage under the Self Insurance Fund. The Team would be activated at the direction of the Director of Emergency Services.

Mr. Hood introduced Gary Ramsey who provided a PowerPoint presentation outlining the CERT program.

Mr. Ramsey noted that CERT volunteers are trained to respond, assist and support emergency professionals during times of emergency. The program was initiated nationally by President Bush after September 11, 2001 and is supported by federal and state grant funding. The Delaware County CERT would be synchronized with FEMA and the New York State Division Homeland Security & Emergency Services CERT training guidelines and protocols. Membership is open to Delaware County residents from 18 years of age and is subject to adherence to the Delaware County CERT policies, protocols and code of conduct.

The Team would work with all local emergency response and community assistance agencies and would interact with neighboring CERTs in adjoining counties.

Mr. Hood added that currently the County has no avenue to utilize, direct or monitor the many individuals seeking to help during an emergency incident. He noted that CERT volunteers are trained to respond and provides the County with the avenue it needs to use volunteers effectively.

In answer to Mr. Gladstone, Mr. Ramsey explained that the CERT program is asking for injury-only coverage under the County's Self Insurance fund. He noted that in Broome County, the CERT volunteers are covered under their Workers' Compensation and it has worked well. The Broome County CERT program has been in operation for several years and has offered their assistance in developing a Delaware County CERT program. Mr. Hood advised that the requested coverage for the CERT volunteers would require injury-only coverage under the Self Insurance fund when the CERT volunteers are activated.

Mr. Ramsey explained in answer to Mr. Marshfield, that the Director of Emergency Services activates CERT, appropriately designates where the CERT member would be placed and the non-CERT individual the member would report to. Mr. Hood added that utilizing CERT provides the means to coordinate, communicate and keep track of the many volunteers who want to help but are currently being turned away.

Chairman Eisel thanked Mr. Ramsey for an informative presentation.

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

**RESOLUTION NO. 20**

**TITLE: 2016 BUDGET AMENDMENT  
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 (WM2015 SHSP); and

**WHEREAS**, this grant was awarded in the amount of \$100,000 for the purpose of constructing an equipment storage building to house equipment obtained through grant funding.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Emergency Services be authorized to accept this grant funding as described above and that the 2016 Budget be amended as follows:

**INCREASE REVENUE:**

10-13640-43398900/3640053/911	State Homeland Security	\$100,000.00
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**INCREASE APPROPRIATION:**

10-13640-52200001/3640053/911	Equipment Grant	\$100,000.00
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The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Mr. Hood stated that the storage building would be located behind the Public Safety Building. The unit will be a four bay completely enclosed structure used to house equipment.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 21**

**TITLE: 2016 BUDGET AMENDMENT  
REIMBURSEMENT OF EXPENDITURES UNDER NEW YORK  
RURAL AREA REVITALIZATION PROJECTS (RARP) GRANT  
WATERSHED AFFAIRS**

**WHEREAS**, the Delaware County Local Development Corporation (DCLDC) has been awarded funding in the amount of \$150,000 under the New York State Division of Housing and Community Renewal; and

**WHEREAS**, the DCLDC on behalf of the Village of Walton will assume responsibility for the delivery and administration of the RARP funds; and

**WHEREAS**, the Delaware County Department of Watershed Affairs have been assisting the DCLDC in the administering of the New York RARP grant; and

**WHEREAS**, the Delaware County Local Development Corporation will reimburse the Department of Watershed Affairs for administrative tasks.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**INCREASE REVENUE:**

10-18740-41128904	Other General Dept. Income Village	\$5,000.00
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**INCREASE APPROPRIATIONS:**

10-18740-52200000	Equipment	\$1,375.00
10-18740-54180100	Cell Phone	\$2,833.00
10-18740-54580000	Computer Software	\$392.00
10-18740-54595320	Office Supplies	\$400.00

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 22**

**TITLE: UNEMPLOYMENT BENEFITS BUDGET MODIFICATION  
PERSONNEL OFFICE**

**WHEREAS**, the 2016 Budget has appropriations for unemployment distributed among different departments for reimbursement purposes; and

**WHEREAS**, the General Fund has an account for undistributed unemployment benefits that is used to pay for any unemployment claims during the year and this modification has been part of the past practice of the county; and

**WHEREAS**, the remaining balance in the appropriation will be rolled into the Employee Benefit Reserve at the end of the year.

**NOW, THEREFORE, BE IT RESOLVED** that the following budget modification be made:

**FROM:**

10-11040-58500000	Clerk of the Board	\$441.00
10-11165-58500000	District Attorney	1,334.00
10-11325-58500000	Treasurer	738.00
10-11327-58500000	Fiscal Affairs	610.00
10-11340-58500000	Budget Officer	46.00
10-11355-58500000	Real Property Tax	756.00
10-11364-58500000	Tax Acquired Prop	132.00
10-11410-58500000	County Clerk	2,033.00
10-11412-58500000	Records Management	103.00
10-11420-58500000	County Attorney	1,734.00
10-11430-58500000	Personnel	752.00
10-11450-58500000	Elections	550.00
10-11620-58500000	Buildings	2,137.00
10-11680-58500000	Information Technology	2,083.00
10-13020-58500000	Public Safety - 911	1,179.00
10-13110-58500000	Sheriff - Law Enforcement	3,303.00



10-13140-58500000	Probation	1,733.00
10-13150-58500000	Sheriff Jail	8,017.00
10-13315-58500000	Stop DWI	12.00
10-13620-58500000	Safety Inspections	158.00
10-13640-58500000	Emergency Services	445.00
10-14012-58500000	Public Health	1,710.00
10-14059-58500000	Early Intervention	678.00
10-14060-58500000	Edu Physically Handicapped	353.00
10-14310-58500000	Mental Health Clinic	3,437.00
10-14311-58500000	Community Support	220.00
10-14312-58500000	MH Crisis Serv Prog	173.00
10-14315-58500000	Enh Childrens Serv	172.00
10-14317-58500000	Alcoholism Clinic	1,372.00
10-14321-58500000	Exp Mental Health	356.00
10-16010-58500000	Social Services	11,564.00
10-16326-58500000	Economic Development	628.00
10-16510-58500000	Veterans' Service Agency	446.00
10-16610-58500000	Sealer of Weights and Measures	137.00
10-16772-58500000	Office for the Aging	1,248.00
10-17310-58500000	Youth Bureau	1,810.00
10-18020-58500000	Planning	1,443.00
10-18740-58500000	Watershed Affairs	567.00
22-18160-58500000	Landfill Solid Waste	3,935.00
24-19050-58500000	Public Works	13,711.00
62-11710-58500000	Workers Compensation	209.00
		Total: \$72,465.00
<b><u>TO:</u></b>		
10-19050-58500000	Unemployment Insurance	\$72,465.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

### **RESOLUTION NO. 23**

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

#### **LETTING OF JANUARY 28, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

**PROPOSAL NO. 5-16**      Liquid Bituminous Concrete & Related Equipment Bid to: Gorman Asphalt DBA American Asphalt, 200 Church Street, Albany, NY 12202; Central Asphalt Division of Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Peckham Materials Corp., 2 Union Street Ext., Athens, N.Y. 12015; Vestal Asphalt Inc., 201 Stage Road, Vestal, N.Y. 13850.

Bid Price:      See Summary Sheet

Towns may participate in these bids.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes

4424, Noes 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 24**

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

**LETTING OF FEBRUARY 3, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 6-15      Stone & Gravel Products to: Carver Sand & Gravel LLC, 494 Western Turnpike, Altamont, NY 12009; Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., PO Box 220, Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; E&R Popes Excavating, LLC, 1073 Co. Hwy 1, Mt. Upton, NY 13809; Hanson Aggregates NY LLC, PO Box 513, Jamesville, NY 13078; J&A Sand & Gravel Inc., 8765 St. Hwy 30, Downsville, NY 13755; LaFaver Sand & Gravel, LLC., 3135 County Highway 6, Bovina Center, NY 13740; Masonville Stone Inc., 12999 State Route 8, Masonville, NY 13804; Platterkill Sand & Gravel Inc., 111 Back Road Spur, Gilboa, NY 12076; Schaefer Enterprises of Deposit, Inc., 315 Old Route 10, Deposit, NY 13865; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820; Stevens Excavating, 15 Stevens Lane, Otego, NY 13825; Tri City Highway Products Inc., PO Box 338, Binghamton, NY 13902.

Bid Price:      See Summary Sheet

PROPOSAL NO. 7-14      Gravel Processing to: Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820

Bid Price:      See Summary Sheet

Towns may participate in these bids.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

In answer to Ms. Molé, Department of Public Works Commissioner Reynolds explained that it could be beneficial for the towns to bid out their specific requirements and locations since the requirements are much more specific than the County's broader locations and quantities, the towns might receive better pricing than the County award.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 25**

**TITLE: AUTHORIZATION FOR AWARDS**

**DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS**

**LETTING OF JANUARY 21, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 1-16      Rental of Construction Equipment to: A. Montano Co., Inc., 571 Route 212, Saugerties, NY 12477; Abele Tractor & Equipment Co., Inc., 72 Everett Road, Albany, NY 12205; Admar Supply Co., Inc., 449 Commerce Road, Vestal, NY 13850; Beck Equipment, Inc., 2090 Preble Rd., Preble, NY 13141; Bothar Construction, LLC, 170 East Service Road, Binghamton, NY 13901; Boyle Excavating, Inc., 233 Boyle Road, Harpersfield, NY 13786; Clark Companies, Inc., P.O. Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700 Co. Hwy. 18, Bloomville, NY 13739; Delhi Rock Drilling, Inc., 20306 State Highway 28, Delhi, N.Y. 13753; Donegal Construction Corporation, 1235 Marguerite Lake Rd., Greensburg, PA 15601; Robert H. Finke & Sons Inc., PO Box 127 Selkirk, NY 12158; LaFever Excavating Inc., 3135 County Highway 6, Bovina Center, NY 13740; Oneonta Equipment Rental and Sales, 532 Co. Hwy. 58, Oneonta, NY 13820; Monroe Tractor, PO Box 370 Henrietta, NY 14467; Pawlikowski's Excavating, 1215 Hamden Hill Rd., Delhi, NY 13753; Reclamation LLC, P.O. Box 292, West Hurley, N.Y. 12491; Schulz's Trucking, 1838 Swantak Road, Bloomville, NY 13739; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Sullivan County Paving & Construction, Inc., 420 Bernas Road, Cohecton, NY 12726; Tracey Road Equipment, 6803 Manlius Center Rd., East Syracuse, NY 13057; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Vantage Equipment, LLC, 5985 Court Street Road, Syracuse, NY 13206; Vestal Asphalt, Inc., 201 Stage Road, Vestal, NY 13850; Waste Recovery Ent., LLC, PO Box 2189, Sidney, NY 13838.

Bid Price:      See Summary Sheet

PROPOSAL NO. 4-16      Cutting and Trimming Trees to: ASPLUNDH Tree Expert Co., 5154 NY Rt. 26, Whitney Point, NY 13862.

Bid Price:      See Summary Sheet

Towns may participate in these bids.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Commissioner Reynolds advised that the Town Highway Supervisors receive copies of the awards.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

## **RESOLUTION NO. 26**

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

#### **LETTING OF FEBRUARY 4, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 8-16	Transit Mixed Concrete to: Masters RMC, Inc., PO Box 25, Kingsley, PA 18826; Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820; Saunders Concrete Co., Inc., 5126 S. Onondaga Rd., Nedrow, NY 13120; Wadler Bros Inc., 47293 St Hwy 28, Fleischmanns, NY 12430.  Bid Price:      See Summary Sheet
PROPOSAL NO. 10-16	Steel Structural Shapes, Misc. to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Steel Sales Inc., PO Box 539, Sherburne, NY 13460; Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827  Bid Price:      See Summary Sheet
PROPOSAL NO. 11-16	Used Steel Pipe & New Steel Pipe End Sections to: Allegany Pipe & Tubular, 2954 Co Rt 22, Andover, NY 14806-9616; Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Steel Sales Inc., PO Box 539, Sherburne, NY 13460.  Bid Price:      See Summary Sheet
PROPOSAL NO. 12-16	Interlocking Steel Sheet Piling to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902  Bid Price:      See Summary Sheet
PROPOSAL NO. 13-	16 Steel Reinforcing Bars to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Steel Sales Inc., PO Box 539, Sherburne, NY 13460.  Bid Price:      See Summary Sheet
PROPOSAL NO. 14-16	Epoxy Coated Steel Reinforcing Bars to: Steel Sales Inc., PO Box 539, Sherburne, NY 13460; Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827.  Bid Price:      See Summary Sheet
PROPOSAL NO. 16-16	Gabions to: Expanded Supply Products, Inc., 3330 Route 9, Cold Spring, NY 10516.  Bid Price:      See Summary Sheet
PROPOSAL NO. 17-16	Pressure Treated Timbers to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820  Bid Price:      See Summary Sheet

- |                    |   |
|--------------------|---|
| PROPOSAL NO. 18-16 | Plain Elastomeric Bridge Bearing Material to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204. |
|                    | Bid Price:      See Summary Sheet   |
| PROPOSAL NO. 19-16 | Bridge Deck Membrane to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.                      |
|                    | Bid Price:      See Summary Sheet   |
| PROPOSAL NO. 20-16 | Steel Sign Posts to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902                                       |
|                    | Bid Price:      See Summary Sheet   |
| PROPOSAL NO. 21-16 | Lubricating Oils to: Superior Lubricants, 32 Ward Rd., North Tonawanda, NY 14120                              |
|                    | Bid Price:      See Summary Sheet   |
| PROPOSAL NO. 22-16 | Light Weight Grout Components to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820        |

Towns may participate in these bids.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

#### **RESOLUTION NO. 27**

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

#### **LETTING OF FEBRUARY 3, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

- |                    |   |
|--------------------|---|
| PROPOSAL NO. 24-16 | Hot Mix Asphalt, Vendor Delivered, Municipally Placed to: Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, N.Y. 12043  |
|                    | Bid Price:      See Summary Sheet   |
| PROPOSAL NO. 26-16 | Hot Mix Asphalt, FOB Supplier's Plant to: Broome Bituminous Products Inc., 416 Prentice Road, Vestal, NY 13850; Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, N.Y. 12043; Tri City Highway Products Inc., PO Box 338, Binghamton, NY 13902. |
|                    | Bid Price:      See Summary Sheet   |

Towns may participate in these bids.

All original bids and a summary sheet of the bids received are on file for inspection at the

office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 28**

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

**LETTING OF FEBRUARY 17, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 30-16      Purchase of Used Excavator to: Anderson Equipment Company,  
720 East Franklin Street, Endicott, NY 13760.

Bid Price:      \$30,592.17

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

In answer to Chairman Eisel, Mr. Rowe said it was not necessary to purchase a new excavator as this unit is low mileage and in very good condition.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 29**

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

**LETTING OF FEBRUARY 17, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 31-16      Purchase of Concrete/Grout Pump to: Schwing America Inc.,  
5900 Centerville Rd, White Bear, MN 55127

Bid Price:      \$49,420.00

Other municipalities in Delaware County may participate in this award.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe noted that this is a budgeted item that will be used for the construction of bridges.

In answer to Chairman Eisel, Commissioner Reynolds noted that concrete pumps are very specialized equipment and there are not many competitors for their supply.

In answer to Mr. Gladstone, Commissioner Reynolds said that the bid price includes delivery.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4424, Noes, 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 30**

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

**LETTING OF FEBRUARY 17, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 32-16      Slope Stabilization/Soil Nails to: GeoStabilization International, LLC., 543 31 Rd, Grand Junction, CO 81504

Bid Price:      \$392,050.00

Other municipalities may participate in this award.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe noted that the use of soil nails has worked very well for the County.

In answer to Chairman Eisel, Commissioner Reynolds said that GeoStabilization International, LLC has cornered the market on this procedure and has figured out how to perform the work cost effectively. No other firm has figured out how to do it so cost efficiently.

In answer to Mr. Taggart, Commissioner Reynolds explained that the company would come and look at the failure to determine if they are comfortable in preparing a design. If they are, they provide the design, an estimate and a five-year guarantee. The company commits to their unit pricing for one year. The award goes from April 1 to March 31. The unit pricing went up this year but not very much over last year.

Mr. Davis stated that the Town of Middletown used GeoStabilization International, LLC to repair a failure on Hog Mountain Road after a flooding incident. The town intended to close the road due to the failure but was enticed to call GeoStabilization based on Commissioner Reynold's recommendation and the company's five-year guarantee on their design. The road remains open as a result of the successful design.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

## **RESOLUTION NO. 31**

### **TITLE: AUTHORIZATION TO ENTER A ROAD USE AGREEMENT WITH CONSTITUTION PIPELINE COMPANY, LLC DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Constitution Pipeline Company, LLC (Constitution) has received authorization from the Federal Energy Regulatory Commission to install, use and maintain a 30” natural gas pipeline through Delaware County; and

**WHEREAS**, the Constitution acknowledges it will need to traverse County highways with heavy trucks and construction equipment to support the construction of the pipeline; and

**WHEREAS**, the Constitution recognizes that it is responsible to repair any damage to roads that it may cause by the construction traffic during the construction; and

**WHEREAS**, the County DPW has negotiated with the Constitution to develop a Road Use Agreement (RUA) which outlines the terms and conditions of the Constitution’s use of County Roads; and

**WHEREAS**, the County Attorney has reviewed the proposed RUA.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors is herewith authorized to enter into the RUA with the Constitution on behalf of the County of Delaware; and

**BE IT FURTHER RESOLVED** that the Chairman is authorized to execute any other documents necessary for the implementation of the RUA.

The resolution was seconded by Mr. Haynes.

In answer to Chairman Eisel, Commissioner Reynolds said that he believes the County has done the best it can to protect its roads and bridges.

Commissioner Reynolds stated in response to Mr. Marshfield that the County does not have a road use law.

Mr. Marshfield said that the Town of Hamden has a road use law and it was helpful in the determination of an incident. In his case, he was personally happy the Town of Hamden had a road use law.

The resolution was unanimously adopted.

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

## **RESOLUTION NO. 32**

### **TITLE: RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AGREEMENTS WITH DELAWARE COUNTY VILLAGES FOR THE USE OF COUNTY VOTING MACHINES DEPARTMENT OF BOARD OF ELECTIONS**

**WHEREAS**, Delaware County Villages have for many years used the mechanical lever voting machines formerly used throughout New York State and has now been rendered unusable by New York State; and

**WHEREAS**, the Village of Stamford now requests the use of the modern electronic voting machines maintained by the Delaware County Board of Elections; and

**WHEREAS**, the Legislative Committee has reviewed the request of the Stamford Village and is in favor of entering into an agreement with the Village in accordance with the



fee schedule developed by the Delaware County Board of Elections; and

**WHEREAS**, other Delaware County Villages may request to enter into similar agreements and should be offered a similar opportunity; and

**WHEREAS**, the Delaware County Board of Elections has been tasked with developing a fee schedule so that any Delaware County Village may enter into a similar agreement with the County for the use of the modern electronic voting machines maintained by the Delaware County Board of Elections.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors is hereby authorized to enter into agreements with Delaware County Villages for the purpose of allowing the Village to use the modern electronic voting machines maintained by the Delaware County Board of Elections, provided the agreement is in compliance with the fee schedule developed by the Delaware County Board of Elections.

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

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

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

**RESOLUTION NO. 33**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,681,238.29 are hereby presented to the Board of Supervisors for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$1,327,995.94
OET	\$28,109.70
Public Safety Comm System	\$10,971.16
Highway Audits, as Follows:	
Weights and Measures	\$190.45
Landfill	\$123,953.02
Road	\$99,046.48
Machinery	\$65,917.84
Capital Road & Bridge	\$13,515.01
Capital Solid Waste	\$11,538.68

The resolution was seconded by Mr. Rowe and Mr. Triolo and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

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

**RESOLUTION NO. 34**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$3,163,169.25 were hereby presented to the Finance Committee for approval for payment on February 19, 2016 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	\$3,129,606.88
OET	\$1,388.24
Public Safety Comm System	\$5,685.49
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$0.00
Machinery	\$19,571.21
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$6,917.43

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$958,808.47 are hereby presented to the Board of Supervisors for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$490,307.88
OET	\$17,065.65
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$743.34
Road	\$170,516.95
Machinery	\$63,544.05
Capital Road & Bridge	\$36,427.25
Capital Solid Waste	\$20,711.25
Solid Waste/Landfill	\$159,492.10

The resolution was seconded by Mr. Marshfield and Mr. Spaccaforno and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Hynes, Layton).

Chairman Eisel made the following appointments:

#### **COMMUNITY SERVICES BOARD**

4-year term ending December 31, 2019

Reappoint:

Joanne Sampson

#### **COOPERATIVE EXTENSION SERVICE**

1-year term ending December 31, 2016

Reappoint:

Supervisor Arthur Merrill

Supervisor Dennis Valente

#### **DELAWARE COUNTY DEFERRED COMPENSATION COMMITTEE**

2-year term ending December 31, 2017

Appoint:

Supervisor Arthur Merrill

Supervisor Gene Pigford

Reappoint:

Supervisor Tom Axtell

Supervisor James Ellis

Supervisor William Layton

#### **DELAWARE COUNTY PLANNING BOARD**

3-year term ending December 31, 2018

Reappoint:

Art Edel

Patricia Miele

## **SOIL & WATER CONSERVATION DISTRICT BOARD**

3-year term ending December 31, 2018

Appoint:

Bruce Dolph

Jerry Fraine

## **TOURISM ADVISORY BOARD**

3-year term ending December 31, 2018

Appoint:

Glenn Nealis, Director Economic Development

Chairman Eisel thanked Delaware County Chamber of Commerce President Ray Pucci who hosted a reception in the lobby providing an informative display of the Chamber's tourism promotion program and refreshments.

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

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**MARCH 9, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 9, 2016 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. Pigford 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. Hynes who introduced Planning Director Nicole Franzese to comment on the County's Agriculture & Farmland Protection Plan.

Ms. Franzese announced that the County's Agriculture & Farmland Protection Plan was recently updated and a draft has been provided to each Supervisor. Ms. Franzese asked that the Supervisors review the draft plan with specific attention to Section 3.2 entitled Background Studies. There is a segment on each town and she asked that any comments or edits be given in the coming two weeks so that a public hearing date could be set at the April Board meeting.

In answer to Mr. Pigford, Ms. Franzese noted that the Planning Department could provide an electronic copy of the Plan.

Chairman Eisel granted privilege of the floor to Mr. Merrill who introduced Real Property Tax Services Director Mike Sabansky.

Mr. Sabansky gave a presentation on taxation of solar energy panels installed on private property. Under the Real Property Tax Law, solar energy systems are exempt from taxation in New York State.

Solar energy systems are considered real property once they become affixed to land or a structure and increase the assessed value of the property on which they are located. However, unless taxing jurisdictions vote to opt out, real property owners receive a 15-year exemption from taxation on the increase in value that comes from the installation of a solar system.

If landowners get the solar systems installed on their properties before the enactment of legislation opting out of the exemption, no taxes will be generated.

Mr. Sabansky stated that he has been made aware of solar companies soliciting property owners in Delaware County offering contracts to lease land and make annual payments based on the land used. The County Assessors’ Association has been working on the issue for the past several months. A uniform way to deal with the installations and taxes is being worked on. Mr. Sabansky stated that he hoped to present a plan to deal with solar taxation in the next few months.

Mr. Sabansky addressed concerns raised by the Supervisors regarding assessments, the role of the local assessor, restrictions, penalties and lease agreements.

Chairman Eisel thanked Mr. Sabansky for an informative presentation.

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

**RESOLUTION NO. 35**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**BE IT RESOLVED**, that the Department of Public Works is authorized to sell by trade-in or on-line auction the following items:

<u>Dept/Vehicle No.</u>	<u>Description</u>	<u>Serial No. /VIN No.</u>
DPW 420	2002 Ford Service Truck	1FDXW46F62EC19367
DPW 424	2005 International Utility Truck	1HTMLAFM45H111459
SWMC (yellow)	1,000 gallon double contained button tank	416436
SWMC (white)	1,000 gallon double contained button tank	416433

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Commissioner of Public Works Wayne Reynolds stated these tanks were out of service when the Sidney Center garage was closed and explained that a double contained button tank is a double-walled fuel tank designed for the safe storage of petroleum and other chemicals in above or below ground locations.

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. 36**

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

**WHEREAS**, Resolution No. 314 of 2004 authorized the DPW to enter into a Federal Aid Agreement for the design of County Route 26 over Telford Hollow Brook (BIN 3351950) in the Town of Colchester, PIN 9753.00 for Preliminary Engineering and Right of Way Incidentals in the amount of \$304,000; and

**WHEREAS**, Resolution No. 51 of 2009 authorized the DPW to enter into a supplemental agreement No. 1 with the state for the Right of Way acquisition in the amount of \$87,123 which increased the contract amount to \$391,123; and

**WHEREAS**, Resolution No. 132 of 2009 authorized the DPW to enter into supplemental agreement No. 2 with the state for an increase in the design cost of \$65,000 which increased the contract amount to \$456,123; and

**WHEREAS**, due to the fact that there has not been any federal construction money available the project has remained dormant since 2009; and

**WHEREAS**, there is a possibility of obtaining some construction money available for 2016 to advance this project, the plans have to be brought up to current standards; and

**WHEREAS**, the DPW has followed the federal procedures for selecting an engineer to bring the plans up to current standards.

**NOW, THEREFORE BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to Modjeski and Masters, P.C., 301 Manchester Road, Suite 102, Poughkeepsie, NY 12603 for professional services of updating the plans and environmental documentation to current standards and preparing bid documents.

Proposal Fee: Maximum Amount Payable \$74,860

The resolution was seconded by Mr. Haynes.

Mr. Rowe referenced Commissioner Reynolds' memo to the Supervisors adding this could be the first Marcheselli Bridge since 2008.

In answer to Chairman Eisel, Commissioner Reynolds explained that the Telford Hollow Brook Bridge project has been around since 2004. Since there has not been any federal construction money available, the project has remained dormant since 2009. The Department is requesting authorization to obtain professional services to update the plans and environmental documentation to current standards because there is the possibility of obtaining construction money for 2016.

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

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

#### **RESOLUTION NO. 37**

##### **TITLE: EXCEPTION TO RESOLUTION NOS. 37 of 1989 AND 115 of 1992 COUNTY AUCTION FOR TAX ACQUIRED PROPERTIES FOR 2016 TREASURER'S OFFICE**

**WHEREAS**, Delaware County Board of Supervisors Resolution No. 37 of 1989 and Resolution No. 115 of 1992 state that all properties not redeemed by June 30 will be sold by auction on the second Saturday in July of that year; and

**WHEREAS**, due to circumstances beyond the Department's control the auction date needs to be changed.

**NOW, THEREFORE, BE IT RESOLVED** that for this year only the annual county-owned auction be changed from the second Saturday of July to Saturday, September 10, 2016.

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

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

#### **RESOLUTION NO. 38**

##### **TITLE: RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DEPARTMENT OF MOTOR VEHICLES (DMV) SERVICES COUNTY CLERK**

**WHEREAS**, 52 of the 62 New York Counties are mandated by the State to operate a local DMV Office; and

**WHEREAS**, this local DMV operation is one of many examples of shared services that counties provided for the state; and

**WHEREAS**, under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the county operated DMV's; and

**WHEREAS**, the remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

**WHEREAS**, the Governor and the State Legislature has repeatedly stated that lowering the property tax burden on local residents is a key priority; and

**WHEREAS**, increasing the County DMV revenue sharing rate will provide counties with needed revenue to continue to provide necessary local government services and reduce pressure on property taxes without increasing costs or fees to local residents; and

**WHEREAS**, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs, to fulfill these DMV services needed for state residents, yet the State takes 87.3 percent of the revenue generated from providing these services; and

**WHEREAS**, the state Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Patty Richie's bill S.4964, which would raise the 12.7 percent county share up to a 25 percent share; and

**WHEREAS**, counties recognize the important function of the state DMV in providing both support to counties and residents services; accordingly, any loss in the state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund; and

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the state Legislature to require a substantial increase of the county DMV revenue share with the State; and

**BE IT FURTHER RESOLVED** that copies of this resolution be sent to the sixty-one counties of New York State encouraging member counties to enact similar resolutions; and

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Senate Majority and Minority Leaders and the New York State Assembly Majority and Minority Leaders, and the New York State Association of counties (NYSAC).

The resolution was seconded by Mr. Tuthill.

In answer to Chairman Eisel, County Clerk Sharon O'Dell stated it has been seventeen years since the county's share has been increased.

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 39**

#### **TITLE: RESOLUTION CALLING ON THE STATE TO INCREASE INDIGENT LEGAL DEFENSE SYSTEM FUNDING**

**WHEREAS**, the United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the state's

responsibility to supply lawyers for those unable to afford them; and

**WHEREAS**, in 1965 the State of New York delegated this state responsibility to counties; and

**WHEREAS**, the decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of costs for this state responsibility; and

**WHEREAS**, the shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover over 80% of the cost; and

**WHEREAS**, the implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

**WHEREAS**, Assemblymember Patricia Fahy and Senator John DeFrancisco recently sponsored a same-as bill (A.6202B/S.6341) recognizing that indigent defense is a State fiscal responsibility and requiring the State, not the county, to pay for such service; and

**WHEREAS**, we commend Assemblymember Fahy and Senator DeFrancisco for championing a state fiscal takeover of indigent defense services, which will directly lead to improvements to this vital service for residents in need, and provide meaningful fiscal mandate relief for counties and real property taxpayers; and

**WHEREAS**, the State and multiple counties were sued, and ultimately settled, Hurrell-Harring, et. al v. State of New York, which sought to transform the indigent defense system and called for more government funding to be invested in the system; and

**WHEREAS**, the Hurrell-Harring settlement requires the parties involved in the suit to provide additional indigent defense services and costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

**WHEREAS**, the proposed 2015-16 Budget only allocates increased funding to the five counties involved in the Hurrell-Harring lawsuit for expanding indigent defense; and

**WHEREAS**, the remaining 52 counties need increased funding so that expanded indigent defense services are uniform throughout the State; and

**WHEREAS**, the Governor has stated recently that the entire New York State justice system needs to be examined to insure it provides the most equitable and fair treatment possible; and

**WHEREAS**, the state can improve the public defense system by incrementally increasing state funding, designing a cost-effective way to finance the system over time, and relieving counties of a responsibility delegated to them since 1965.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors supports increased state funding to the indigent legal defense system and for the state to ensure counties will not be forced to pay for the additional requirements resulting from the Hurrell-Harring settlement; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar, II, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney, other New York Counties, and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Tuthill.

Mr. Spaccaforo noted that indigent defense funding is another unfunded state mandate that has become the responsibility of the counties.

Chairman Eisel added that Assemblymember Patricia Fahy and Senator John DeFrancisco have sponsored a bill calling for a three-year state fiscal takeover of the indigent defense services.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 40**

##### **TITLE: RESOLUTION OPPOSING THE NEW YORK STATE LABOR COMMISSIONER'S ORDER TO RAISE THE MINIMUM WAGE TO \$15 AN HOUR FOR EMPLOYEES OF FAST-FOOD CHAIN RESTAURANTS IN NEW YORK**

**WHEREAS**, New York State's minimum wage currently stands at \$8.75 an hour and is scheduled to reach \$9 an hour on December 31, 2015; and

**WHEREAS**, at the request of Governor Andrew Cuomo, a Wage Board was empaneled to study the issue of an increase in the minimum wage and as a result of the Board's recommendations and with the Governor's backing, the State Labor Commissioner issued an order raising the minimum wage to \$15 an hour for employees of fast-food chain restaurants in all of New York State; and

**WHEREAS**, Governor Cuomo then announced he would propose legislation raising New York's statewide minimum wage to \$15 an hour for all workers, to commence by 2018 in New York City and by 2021 for the rest of the State, as it is the Governor's view that a minimum wage increase is needed to "lift workers out of poverty, improve the standard of living for workers, encourage fair and more efficient business practices, and ensure that the most vulnerable members of the workforce can contribute to the economy; and

**WHEREAS**, lawmakers across the nation continue to debate the merits of raising the minimum wage to \$15 an hour and although we seek to have our citizens improve their standard of living and for those in poverty to be lifted out, there is credible research to suggest that the potential benefits of raising the minimum wage are greatly offset by the negative consequences of same, especially in the North Country; and

**WHEREAS**, a recent paper published by the Empire Center and the American Action Forum entitled "*Higher Pay, Few Jobs*," authored by Douglas Holtz-Eakin and Ben Gitis, finds that a \$15 minimum wage ultimately would cost the state at least 200,000 jobs, with proportionately larger employment decreases in the upstate regions; and

**WHEREAS**, an "across the board" increase in the minimum wage proposed by the Governor fails to consider the differing economic realities between wages and the cost of living between New York City and upstate, rural agriculturally driven counties such as Delaware County. What may be a good, viable policy for the city and greater New York metropolitan workforce may well be detrimental to small, family businesses and small, rural, agriculturally driven counties such as Delaware County; and

**WHEREAS**, the minimum wage increase to \$15 for fast-food workers in Delaware County may result in the inequitable and negative effect of causing employers to hire part-time instead of full-time because of the additional payroll and other benefit costs to employers with these increased costs; it may cause more reliance upon more automation to operate resulting in fewer new hires, increased work load for remaining staff, and a more selective hiring process. All of these effects may lead to price increases, loss of entry-level jobs for many unskilled workers thereby harming low-income workers for whom the increase is designed to benefit; and

**WHEREAS**, the wage increase to \$15 per hour in the fast-food industry will have the effect in our rural, agriculturally driven labor force of having skilled employees earning less than unskilled, entry level workers in the fast food industry. According to the Bureau of Labor statistics from May 2014, the median hourly wage for "all occupations" in Delaware County is \$15.59. This statistic holds true for many employees of the County as well. The inevitable result will be a heightened pressure on small businesses (and public employers in the county) to



increase wages to their skilled employees in order to retain a qualified workforce. This may then lead to higher prices, closed businesses, job losses to the existing labor pool, and/or an increase in property taxes to meet the financial cost to municipalities because of an increase in wages in the public workforce; and

**WHEREAS**, the Delaware County Board of Supervisors is cognizant of the nature of the workforce in Delaware County, the desire to lower the unemployment rate and provide a community in which all residents can prosper and enjoy a decent standard of living. The Delaware County Board of Supervisors believes, however that instead of this proposed increase in wages, the State should be working together with county and other local municipalities to lower unfunded mandates, support job creators, lessen the payroll burdens on employers and businesses in New York State, and create a regional economic environment where businesses can establish themselves and offer good paying, competitive wages to skilled and unskilled workers reflective of the local economy.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

Section 1. The Delaware County Board of Supervisors calls for the immediate withdrawal of the Order to increase the minimum wage to \$15 for fast-food chain businesses in New York State.

Section 2. The Delaware County Board of Supervisors calls on the Governor, his Wage Board, the State Labor Commissioner and the State Legislature to reconsider this misguided recommendation.

Section 3. The Delaware County Board of Supervisors calls upon the Governor, his Wage Board, the State Labor Commissioner and the State Legislature to have further analysis and input with and from local governments and private, small business proprietors, including those in rural counties, as to the actual effects and impacts that a large raise in the minimum wage may have on local businesses, the local economy and those in low-income families in the North Country.

Section 4. The Delaware County Board of Supervisors hereby records its opposition to an increase in the minimum wage of \$15 proposed, and directs that a copy of this resolution be forwarded to Governor Andrew Cuomo, State Senate and Assembly Majority Leaders, State Senator Joseph A. Griffo, State Assemblyperson Kenneth Blankenbush, and all Legislative bodies in the sixty-one counties in the State of New York.

The resolution was seconded by Mr. Tuthill.

Mr. Marshfield stated he would be supporting this resolution. The resolution notes the negative points of an increase to the minimum wage very well but there are some good points worth noting. His research found that an increase in the minimum wage would pull about 100,000 people statewide out of the poverty level. Since the recession minimum wage employment has become permanent employment, sixty percent of fast food workers have at least one family member on public assistance, and about fifty percent of these workers are woman with one child.

Mr. Valente opined that \$15 an hour is not commensurate with the cost of living in upstate New York.

Mr. Gregory shared his concern for future long-term impacts already seeing self-service terminals pushing people out of jobs, reducing positions from full-time to part-time and skilled workers earning less than entry-level workers do.

Chairman Eisel remarked that minimum wage positions were meant to be a stepping-stone for young adults entering the job market not permanent positions.

Mr. Pigford felt that the resolution did not define what a fast-food restaurant is noting that it makes it difficult to determine how an increase in minimum wage would affect the smaller independent restaurant.

Mr. Taggart stated that minimum wage began as a way for young entry-level workers to gain experience and opined that \$15 an hour is too high of a starting salary.

Mr. Gladstone commented on the unfairness of raising the minimum wage for only one industry. He noted that entry-level positions with tremendous responsibility such as medical positions are not beginning at that wage.

Mr. Spaccaforo opined that entry-level police officers are not earning that wage.

Mr. Rowe said it can cost up to \$10,000 to obtain a CDL license and the individual pays the fee for the license. The minimum wage for an entry-level worker in this field is less than \$15 an hour.

Mr. Hynes noted that employees of fast-food chain restaurants typically do not receive benefits or tips.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 41**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,139,159.29 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	\$897,607.52
OET	\$2,197.49
Public Safety Comm System	\$1,460.00
Highway Audits, as Follows:	
Weights and Measures	\$73.71
Landfill	\$14,062.45
Road	\$104,761.49
Machinery	\$76,244.63
Capital Road & Bridge	\$3,290.00
Capital Solid Waste	\$39,462.00

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

Upon a motion, the meeting was adjourned at 2:25 p.m.

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**MARCH 23, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 23, 2016 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. 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 Real Property Tax Services Director Mike Sabansky.

Mr. Sabansky presented a draft resolution explaining a proposed unified policy to deal with the taxable status of any commercial solar installations that would be constructed in the County.

He explained that the Real Property Tax Law (RPTL) states that once a county receives a letter of intent, it only has 60 days to enter into an agreement on taxation. New York State presently provides for a 15-year exemption from taxation of commercial solar projects, the proposed resolution is mandating participation in a PILOT agreement for any projects built in the County. The PILOT would call for a distribution of tax monies of 50 percent for towns and 25 percent each, for the schools and county.

The assessments on an increase in value generated by the construction of any solar farms, would be based on a dollar value per unit of electricity produced and would be uniform across the County. Having a uniform agreement in all the towns in the County would provide for a more consistent valuation on the projects.

Supervisors were encouraged to take the proposed resolution to their town boards to review. Each taxing jurisdiction, town, county, village and schools must decide whether all projects are to be taxed or agree to a PILOT, otherwise, in accordance with the RPTL, if nothing is done the project would be tax exempt for 15 years.

Director of Economic Development Glenn Nealis explained the benefits of establishing a countywide PILOT agreement. First, due to the complexities of solar array valuations, it could be very difficult for assessors to establish a true fair market value on their own. This could result in an increased liability concerning assessment challenges and associated costs, or conversely, it could potentially result in a substantial underassessment of such properties. Second, due to a realization that many municipalities are struggling to maintain and grow their tax base, a countywide assessment value would eliminate the potential for companies to pit one town against another in seeking the lowest possible assessment. Due to the nature of solar array projects, the primary burden of hosting the project falls upon the town. An additional advantage of the proposed countywide PILOT is that the most impacted taxing jurisdiction would receive the primary benefit of the PILOT, as a built in community benefit package that would be received annually through the life of the agreement. Lastly, a countywide PILOT would provide some level of budgetary surety and consistency for all of the taxing jurisdictions by establishing a fixed payment schedule throughout the term of the PILOT.

Director of Planning Nicole Franzese noted that whether a solar array could be built in a particular town depends on the town's land use/zoning law. Supervisors wanting more information are welcome to contact the Planning Department.

Ms. Molé offered the following resolution and moved its adoption:

#### **RESOLUTION NO. 42**

#### **TITLE: DELAWARE COUNTY PUBLIC HEALTH SERVICES CELEBRATES NATIONAL PUBLIC HEALTH WEEK APRIL 4 –10, 2016**

**WHEREAS**, the week of April 4-10, 2016 is National Public Health Week with a theme

of “Healthiest Nation 2030”; and

**WHEREAS**, since 1995 the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public’s health; and

**WHEREAS**, health must be a priority in designing our communities, from healthy housing to parks and playgrounds so everyone can live, work, learn and play; and

**WHEREAS**, education is the leading indicator of good health, giving people access to better jobs, incomes and neighborhoods; and

**WHEREAS**, poverty and poor health go hand-in-hand, everyone has the right to good health. We must remove barriers so everyone has the same opportunity to improve their lives and their health; and

**WHEREAS**, our food system should provide affordable food with nutritious ingredients, free from harmful contaminants; and

**WHEREAS**, our health is connected to our environments. What happens upstream to our environments at work, school and home affects our health downstream. We must protect the air we breathe indoors and outdoors and the clean water we drink as well as protect our health from natural and manmade weather events and disasters; and

**WHEREAS**, in the work to become the healthiest nation, we cannot do it all on our own. We must expand our partnerships to collaborate with planners, education officials, public, private and for-profit organizations—everyone who has an impact on our health; and

**WHEREAS**, during National Public Health Week the public health community comes together to celebrate accomplishments and bring a renewed focus to the work ahead and what it will take to become the Healthiest Nation; and.

**WHEREAS**, strong public health systems are critical for sustaining and improving community health.

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County recognizes April 4-10, 2016 as Public Health Week.

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

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

**RESOLUTION NO. 43**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
COUNTY INSURANCE**

**WHEREAS**, it is necessary to fund the County Insurance account to cover premiums on purchased policies for 2016 incidental liability claims, administrative costs and continued funding of the insurance reserve account

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

**FROM:**

10-11010-54350200	Board of Supervisors	\$6,050.00
10-11040-54350200	Clerk of the Board	2,150.00
10-11165-54350200	District Attorney	7,400.00
10-11325-54350200	County Treasurer	3,600.00
10-11327-54350200	Fiscal Affairs	1,800.00
10-11355-54350200	Real Property Tax Services	2,450.00

10-11410-54350200	County Clerk	15,250.00
10-11420-54350200	County Attorney	3,100.00
10-11430-54350200	Personnel	2,400.00
10-11450-54350200	Board of Elections	2,300.00
10-11620-54350200	Buildings	18,050.00
10-11670-54350200	Printing	75.00
10-11680-54350200	Information Technology	4,600.00
10-13110-54350200	Sheriff	32,950.00
10-13140-54350200	Probation	12,600.00
10-13150-54350200	Jail	83,500.00
10-13620-54350200	Code Enforcement	550.00
10-13640-54350200	Emergency Services	8,900.00
10-14012-54350200	Public Health Services	12,400.00
10-14310-54350200	Mental Health Clinic	26,050.00
10-14317-54350200	Alcoholism	11,900.00
10-14321-54350200	Expanded Mental Health Programs	1,150.00
10-16010-54350200	Social Services	57,900.00
10-16326-54350200	Economic Development	2,350.00
10-16510-54350200	Veteran's Service Agency	2,150.00
10-16610-54350200	Sealer of Weights & Measures	608.00
10-16772-54350200	Office for the Aging	5,350.00
10-17510-54350200	County Historian	155.00
10-18020-54350200	Planning Department	3,650.00
10-18740-54350200	Watershed Affairs	1,850.00
22-18160-54350200	Solid Waste	75,500.00
26-15130-54350200	Highway Department	<u>136,500.00</u>
		Total: \$545,238.00

**INCREASE REVENUE:**

10-19000-42280100	Interfund Revenue Insurance	\$545,238.00
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**INCREASE APPROPRIATION:**

10-11910-54350200	Unallocated County Insurance	\$545,238.00
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**BE IT FURTHER RESOLVED** that any unexpended year-end balance in account 10-11910-54350200 Unallocated County Insurance be transferred to 10-19901-59990200 Operating Transfer (out) for transfer to the Insurance Reserve Fund.

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

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

**RESOLUTION NO. 44**

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

**LETTING OF MARCH 10, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 27-16: Purchase of 2 Tandem Axle Dumps w/Snow Equipment to:  
Ben Funk Inc.  
3609 Route 9  
Hudson, NY 12534

Bid Price: \$210,733.50 each

Other municipalities in Delaware County may participate in this award.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe referenced the Summary of Bids noting that one bid was received late and returned unopened. Additionally, Mack Trucks generally bids but they appear to be reluctant due to a contractual clause allowing the County to impose a fine upon the company for missing its scheduled delivery date. Department of Public Works Commissioner Wayne Reynolds is attempting to clear this up.

There will be a resolution presented at the next Board of Supervisors meeting for \$922 reflecting the purchase of two steering columns and battery disconnect systems for these trucks. The cost of each steering column is \$300 and each battery disconnect system is \$161.

In reply to Mr. Marshfield, Commissioner Reynolds said that the existing trucks would be sold at auction.

Mr. Merrill, speaking as the Budget Director addressed the cost of the truck noting that he was comfortable with the pricing based on the specifications of the truck.

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. 45**

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

#### **LETTING OF MARCH 10, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 29-16:	Purchase of Tracked Excavator to: Anderson Equipment Co. 720 East Franklin Street Endicott, NY 13760.
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Bid Price:      \$114,512.00

Other municipalities in Delaware County may participate in this award.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe referenced the Summary of Bids and advised that the two lowest bidders did not meet the minimum specifications.

In answer to Mr. Taggart, Commissioner Reynolds stated that the excavator has a two-year warranty.

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

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

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

**RESOLUTION NO. 46**

**TITLE: PUBLIC HEARING UPDATED DRAFT COUNTY  
AGRICULTURE & FARMLAND PROTECTION PLAN  
PLANNING DEPARTMENT**

**WHEREAS**, Delaware County originally adopted an Agriculture and Farmland Protection Plan in 2000; and

**WHEREAS**, Delaware County received funding from the O'Connor Foundation to update said plan; and

**WHEREAS**, the Delaware County Farmland Protection Board, in conjunction with the County Planning Department, Cornell Cooperative Extension and additional hired consultants, conducted a thorough update process; and

**WHEREAS**, the purpose of the plan is to increase the viability of the agricultural industry, ensure that agricultural lands persist, and improve the profitability of farms in Delaware County; and

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board held a Public Hearing on June 11, 2014 as required by the New York State Department of Agriculture and Markets.

**NOW, THEREFORE, BE IT RESOLVED** that a Public Hearing on this matter shall be held by the County Board of Supervisors on the 13<sup>th</sup> day of April, 2016, at 12:45 p.m.

The resolution was seconded by Mr. Ellis.

In answer to Mr. Valente, Senior Planner Kent Manuel said that he received comments from two Supervisors. Supervisors were asked to contact Mr. Manuel if updates or comments to their towns are required.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 47**

**TITLE: SUPPORT FOR THE MODIFICATIONS TO THE OPERATION SYSTEM  
TOOL/FLEXIBLE FLOW MANAGEMENT PLAN (OST/FFMP) THE UPPER  
DELAWARE RIVER TAILWATERS COALITION (UDRTC) HAS ENDORSED  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the OST/FFMP, the current 1954 Decree Party Plan, that dictates the release of water from the Pepacton, Cannonsville and Neversink reservoirs for various purposes, may be extended as is or revised by June 1, 2016; and

**WHEREAS**, the UDRTC is currently a coalition of the Towns of Hancock, Colchester, Deposit, Tompkins, Hamden, Walton and Masonville; the Villages of Deposit and Hancock; and the Friends of the Upper Delaware River, Trout Unlimited, the Upper Delaware River Tailwaters Business Coalition and Broome County, that has a vested interest in modifications to the OST/FFMP because of direct impacts of decisions driven by the OST/FFMP on them; and

**WHEREAS**, Delaware County recognizes and appreciates the complexities involved in the management of the Delaware basin reservoirs and the need to address the interests of multiple stakeholders and in consideration of said complexities believes the UDRTC positions will help improve river based economic and ecological conditions in their communities and the County in total; and

**WHEREAS**, the OST/FFMP includes consideration for impacts fisheries and recreational activities the Upper Delaware River Cold Water Fishing and Boating Economic Impact Study (April 2014), clearly demonstrated that the economic net present value of the local fishery and recreational activities is \$414 million over 20 years. The study also showed that with more consistent releases associated with the OST/FFMP that the \$414 million net present value could increase by an additional \$274 million over the same timeframe which is an important economic consideration for communities located in the immediate tailwaters.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors supports the position of the UDRTC requesting the Decree Parties to consider their requests as summarized in Attachment; and

**BE IT FURTHER RESOLVED** this resolution also be forwarded to the Decree Party Members (Governors of PA, NY, NJ and DE, NYC Mayor), Decree Party Principals, Delaware River Congressional Task Force, the Delaware River Basin Commission and Executive Director, NYS Assemblymembers Clifford Crouch and Claudia Tenney; NYS Senators John Bonacic and Fred Akshar.

### **Attachment A**

o With the Decree Parties having been unable to reach an accord over the last 4-years, we request that the Decree Parties adopt (3) interim procedures to help limit unnecessary and avoidable damage to the ecology and economy of the upper Delaware River region, while they continue their negotiations:

- A Procedure for the Re-implementation of a Thermal Relief Program to provide thermal protection to the upper Delaware River system during periods of high air temperatures.
- Procedure for the Moderation of the Rate of Reduction in Directed Releases”; to better mimic natural reductions in river flows, and maximize protection of the coldwater habitat, and the species that rely upon it.
- Procedure for the Distribution of Directed Releases”, to ensure that a limited portion of directed releases will be made from Pepacton and Neversink reservoirs, in combination with directed releases from Cannonsville; to protect all three recognized coldwater ecosystems.

o Recalculation of the allocated water set aside for release for downstream needs in the reservoirs based on the past five years of substantially reduced consumption of water by New York City, due to their successful conservation measures.

o Watershed stakeholders must have an opportunity to voice their concerns and opinions about the content and impact of any intended changes to the OST/FFMP that affect the Delaware River Basin, prior to their adoption. Accordingly, we request a public hearing and 45 day public comment period on all draft plans/changes before finalization and adoption by the Decree Parties.

o Include in the OST/FFMP, language that assures that during any special projects or conditions that develop, requiring diversions from one or more of NYC’s systems to be temporarily limited or shut down, that the New York City Delaware River Basin Reservoirs not be disproportionately utilized relative to the other New York City reservoirs.

o Where appropriate, findings from the soon to be released USGS study on the Wedge Dwarf Mussel be incorporated into the OST/FFMP.

The resolution was seconded by Mr. Merrill.

Mr. Merrill shared that this resolution is similar to another passed last year asking for the same considerations. The Flexible Flow Management Plan is up for renewal. The concern is that the Decree Party members are not cooperating with each other and because they do not agree they continue to renew the same plan. The language in the attachment of the resolution outlines what is appropriate for the Decree Parties to consider.



Mr. Rowe noted that the outlined comments would help improve river based economic and ecological conditions in the communities and the County. He pointed out that tourism suffers when recreational conditions are not acceptable.

In answer to Chairman Eisel, Commissioner of Watershed Affairs Dean Frazier stated that no response to the previous resolution was received from the Decree Parties.

Mr. Merrill added that four of the five Decree Party members have agreed to attend an upcoming meeting to discuss these concerns face to face.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 48**

#### **TITLE: URGING THE GOVERNOR AND LEGISLATURE TO GRADUALLY RESTORE THE 50/50 STATE/COUNTY COST SHARING FOR THE SAFETY NET PROGRAM AND TO INCREASE SHELTER GRANT REIMBURSEMENTS TO COUNTIES DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the 2011-12 State Budget dramatically lowered the state's fiscal responsibility in the Safety Net Program by shifting the cost to 71% county/ 29% State, severing the historic 50% state / 50% county partnership; and

**WHEREAS**, this continues a long line of state legislative actions that has transferred the state's constitutional and fiscal responsibility to care for the need to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

**WHEREAS**, the Safety Net funding shift also builds upon recent trends where the state has leveraged significant savings from maximizing available federal resources largely for state financial plan purposes only, at the expense of local property taxpayers; and

**WHEREAS**, the net effect of this state practice forces local property taxes to be higher than they should because available savings are being spent by the state rather than to lower the cost of state mandates which can provide direct relief to local property taxpayers; and

**WHEREAS**, nearly half of the states do not have Safety Net programs and New York is one of only 11 states that provide benefits to childless adults that do not have some disability; and

**WHEREAS**, most other states do not require counties to fund such a large share of public assistance costs; and

**WHEREAS**, counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

**WHEREAS**, for the first half of 2015, state data indicates that county Safety Net costs have increased by nearly 9% over the prior year; and

**WHEREAS**, counties believe that the rising cost of providing shelter assistance to recipients is a major contributor to this increase; and

**WHEREAS**, the reduction of state funding support for Safety Net Assistance is part of a larger trend where the state has reduced its fiscal commitment for nearly every Public Assistance program including Child Welfare, Adoption Subsidies, Food Stamp Administration, Safety Net, Child Support Enforcement, Juvenile Justice and programs designed to help recently released state incarcerated offenders return to the community.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for

the Safety Net program over a five-year period, starting with an increase in county reimbursement for shelter assistance, which has not been raised in over a decade, in order to help lower the local property tax burden for homeowners and small businesses; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Hynes.

Mr. Marshfield stated that a similar resolution addressing these concerns passed last year. Through legislative actions, the state has transferred a portion of its fiscal responsibility for this mandated program to the county taxpayers. The resolution is urging the Governor and legislature to restore the 50/50 state/county cost sharing for the Safety Net Program and to increase shelter grant reimbursements to counties. The County has about 90 participants in the program and is responsible for 71 percent of the cost. The resolution is time sensitive to the state budget and supported by the New York State Association of Counties.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 49**

**TITLE: URGING THE STATE TO PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE TO COUNTIES TO HOLD LOCALITIES HARMLESS FROM NEW COSTS ASSOCIATED WITH FEDERAL CHILD CARE LAW CHANGES TO ENSURE LOCAL CHILD CARE SLOTS ARE NOT LOST DUE TO INCREASED COSTS OF MEETING THE NEW FEDERAL MANDATES  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the federal government is implementing new child care safety and quality standards that are intended to improve child care services nationwide; and

**WHEREAS**, the Delaware County Board of Supervisors supports vital health and safety measures for child programs and strong training and support services for providers, and

**WHEREAS**, the Delaware County Board of Supervisors recognizes that child care is critical to support working families and enhance child development and school readiness for children, and

**WHEREAS**, the new federal standards will require all child care providers to be checked against a variety of databases including FBI fingerprinting, National Crime Information Center, National Sex Offender Registry, state criminal and sex offender registry, and child abuse and neglect registry in each state an applicant has resided over the past five years; and

**WHEREAS**, the state estimates there are over 220,000 regulated and legally-exempt providers as well as household members over the age of 18 that would be required to have a background check at a cost of nearly \$102 per person; and

**WHEREAS**, these federal standards will require annual, unannounced full inspections of all facilities, including legally-exempt providers, which will require New York to conduct 25,000 additional inspections each year; and

**WHEREAS**, new federal rules will require a mandatory pre-service/orientation and ongoing health and safety training for all child care staff in a variety of topical areas including first aid/CPR; and

**WHEREAS**, in New York the cost of First Aid/CPR classroom training is estimated at \$125 per person and would apply to as many as 220,000 individuals; and

**WHEREAS**, the state has estimated that meeting these new standards could increase costs for the state, counties and child care providers by up to \$90 million; and

**WHEREAS**, while the federal regulation focuses on child development, it is essential that we recognize that child care is critical as a work support, and that the added costs of implementation will reduce subsidies to low income families who need child care in order to go to work; and

**WHEREAS**, due to significantly constrained property tax cap limits, counties do not have the ability to absorb new costs of this magnitude while also meeting new federal subsidy requirements including 12-month eligibility redetermination and the phase-out of families leaving the subsidy program; and

**WHEREAS**, without additional federal or state funding support to cover these increased costs counties may be forced to close intake (including closing active cases) or lower income thresholds, which will reduce the number of low income working families receiving subsidized child care services.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors calls on the Governor and State Legislature to hold counties harmless from a fiscal perspective to ensure that existing child care slots and subsidies provided by counties are not jeopardized over the coming years as these new federal standards are implemented; and

**FURTHER RESOLVED**, the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Hynes.

Mr. Marshfield noted that this is another mandated program. The resolution makes it clear that the County is in favor of a healthy and safe environment for the children but is calling on the state and federal government to cover the cost associated with the implementation of the new childcare safety and quality standards. This resolution is also time sensitive to the state budget and supported by the New York State Association of Counties.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 50**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,551,899.93 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	\$968,239.87
OET	\$11,038.18
Public Safety Comm System	\$96,905.41
Highway Audits, as Follows:	
Weights and Measures	\$61.43
Landfill	\$86,352.41
Road	\$136,665.98
Machinery	\$78,756.79
Capital Road & Bridge	\$166,846.94
Capital Solid Waste	\$7,032.92

The resolution was seconded by Mr. Marshfield and Mr. Spaccaforo and adopted by the following vote: Ayes 4700, Noes 0, Absent 0.

Chairman Eisel made the following appointments:

**YOUTH BUREAU**

Jasper Koota  
Hannah Baxter

**TOURISM ADVISORY BOARD**

Glenn Nealis, Director of Economic Development  
Teresa Allen, Co-Chair, Upper Delaware Business Coalition  
Mike Triolo, Supervisor for the Town of Stamford  
Robert Nash, the Colonial Motel  
Art Merrill, Supervisor for the Town of Colchester  
Leland Ploutz, Octagon Farm Motor Lodge  
Liz Callahan, Executive Director of Hanford Mills Museum

Mr. Rowe stated that he read in the Press and Sun Bulletin recently that one of the casinos in the North Country paid a \$50 million licensing fee to the State of New York. Ten percent of the fee will go to the host county and 10 percent will be divided among the surrounding counties. If the same formula is used when the anticipated casino for Sullivan County is licensed Delaware County will receive a significant financial opportunity.

Upon a motion, the meeting was adjourned at 1:50 p.m.

**PUBLIC HEARING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**APRIL 13, 2016**

The Delaware County Board of Supervisors held a Public Hearing concerning the proposed Delaware County Agricultural and Farmland Protection Plan in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:45 p.m. on Wednesday, April 13, 2016 Chairman James E. Eisel, Sr. presiding.

Chairman Eisel called the hearing to order.

The Clerk read the Notice of Hearing:

**NOTICE OF PUBLIC HEARING  
FOR AGRICULTURE AND FARMLAND PROTECTION PLAN**

**PLEASE TAKE NOTICE** that the Delaware County Board of Supervisors shall hold a Public Hearing on Wednesday, April 13, 2016, at 12:45 p.m. in the Supervisor's Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, NY 13753 for proposed updated "Agricultural and Farmland Protection Plan".

Copies of the draft document are available for viewing at the Clerk of the Board's Office at the address listed above. In addition, an electronic version of the proposed "Agricultural and Farmland Protection Plan" can be viewed on the County Planning Department Website: <http://delawarecountypanningdept.com/>.

Disabled citizens who require assistance in attending said Public Hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: April 6, 2016

Christa M. Schafer  
Clerk of the Board

Delaware County Board of Supervisors

Chairman Eisel stated that a sign-in sheet is being passed around and asked that anyone wishing to speak to please stand and state their name and town they reside in.

Town of Davenport Supervisor Dennis Valente noted that a brief overview of the New York State Agricultural District Law has been placed on each Supervisor's desk. The overview also explains the benefits of being in an agricultural district.

Since no one wished to speak, Chairman Eisel declared the hearing adjourned at 12:49 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**APRIL 13, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 13, 2016 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. Rowe and Mr. Pigford.

Mr. Marshfield offered the invocation.

Mr. Gregory 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. Merrill who introduced Real Property Tax Services Director Mike Sabansky.

Mr. Sabansky gave a PowerPoint presentation on the types of commercial solar projects that could be constructed in Delaware County. The presentation included slides of the largest solar installation project on the east coast located at the Brookhaven National Laboratory on Long Island and a project in Ithaca, NY. He cited a New York State Public Service Commission white paper renewable energy initiative that calls for 3,929 gigawatts of electric generation in the state by 2020 and ten times that amount by 2030. To reach the 2020 goal, 17,000 acres of solar panels would be needed and 170,000 acres of solar panels to reach the 2030 goal of 39,290 gigawatts.

Currently there is one commercial solar project in the county and another one proposed. One solar company has recently sent out 6,500 solicitations to property owners seeking to rent land to construct solar farms within one mile of three phase electrical lines or electric substations and there is a strong possibility there would be projects constructed in Delaware County. At the present time unless the county, towns, villages and each school district take some action, any project built in the county would be exempt from taxes for a period of 15 years based on Real Property Tax Law.

Mr. Sabansky stated that he has been working with the assessors in Delaware County on a plan to have a uniform procedure to set assessments and valuations for commercial solar farms. The assessors agree there should be a uniform approach to collect some form of tax in exchange for doing business in Delaware County and were asked to consider taxing commercial solar projects based on income per unit of electricity produced.

Mr. Sabansky noted that Resolution No. 60 will be presented later in the meeting and urged Supervisors to vote in favor of taxing commercial solar farm installations by approving a community host benefit agreement for all new projects constructed in the county. Residential and agricultural solar installations would remain tax exempt.

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

**RESOLUTION NO. 51**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DISTRICT ATTORNEY**

**WHEREAS**, in Resolution No. 23-11 the sum of \$14,438.00 was received and made available to the District Attorney's Office to assist in the prosecution of offenses committed under New York State Penal Law Article 265 which deals with the possession of certain illegal weapons; and

**WHEREAS**, there is currently still available the sum of \$6,475.03; and

**WHEREAS**, there is a need for the District Attorney's Office to purchase two filing cabinets.

**NOW, THEREFORE, BE IT RESOLVED** that the following 2016 budget transfer be made:

**FROM:**

10-11165-54465000/1165002/964	Miscellaneous	\$675.00
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**TO:**

10-11165-52200000/1165002/964	Equipment	\$450.00
10-11165-54595320/1165002/964	Supplies Office	\$225.00

The resolution was seconded by Mr. Ellis.

In answer to Mr. Taggart, Mr. Spaccaforo stated that the department verified that horizontal filing cabinets were not available from County surplus prior to requesting authorization to purchase the cabinets new.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

**RESOLUTION NO. 52**

**TITLE: AUTHORIZATION FOR AWARD  
DEPARTMENT OF EMERGENCY SERVICES**

**LETTING OF FEBRUARY 26, 2016**

**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 the Department of Emergency Services is authorized to make award to the bidder meeting the specifications for the Alarm Equipment.

PROPOSAL: Alarm Equipment to: DPS Telecom  
4955 E. Yale Avenue  
Fresno, CA 93727-1523

The resolution was seconded by Mr. Haynes.

Director of Emergency Services Steve Hood stated in reply to Chairman Eisel that only DPS Telecom responded to the bid request.

In answer to Mr. Spaccaforo, Mr. Hood noted that all of the requested items are available through DPS Telecom.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

**RESOLUTION NO. 53**

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

**LETTING OF APRIL 5, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 34-16	Controlled House Demolition/Asbestos Abatement to: Tweedie Construction Services Inc. 90 Crystal Creek Road Walton, NY 13856
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Bid Price: \$44,030.00

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Commissioner of Public Works Wayne Reynolds advised that the demolition is located at 717 Wagner Avenue in the Village of Fleischmanns. Mr. Tweedie is comfortable with the bid pricing. The County will be reimbursed for this project.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

**RESOLUTION NO. 54**

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

**LETTING OF MARCH 31, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 35-16	Purchase Medium Duty Service Truck with Lift Gate to: Robert Green Truck Division Route 17 E, Exit 107 Monticello, NY 12701
--------------------	--

Bid Price: \$85,717.00

Other municipalities in Delaware County may participate in this award.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Taggart, Commissioner Reynolds said that the purchase of lesser quality utility boxes have resulted in the boxes rusting out before the truck has reached its useful life. This utility box is very rugged and prevents having to purchase a new box to put on an old truck.

Commissioner Reynolds advised in answer to Chairman Eisel that the utility boxes are made with a heavy gauge galvanized steel.

In reply to Mr. Gladstone, Commissioner Reynolds said that dealing with Robert Green Truck Division has worked well for the department so far. The company has addressed and resolved all complaints satisfactorily. The department has been very pleased with the performance of the Dodge and decided to purchase a second one. The cost of the Dodge is less than the amount appropriated for the purchase of a new truck.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

#### **RESOLUTION NO. 55**

#### **TITLE: AUTHORIZATION FOR AWARDS DEPARTMENT OF PUBLIC WORKS**

#### **LETTING OF MARCH 30, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW2-16	Purchase of Orange Peel Motorized Grab to: Mack Manufacturing 7205 Bellingrath Road Theodore, AL 36582
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Bid Price with Option 1:	\$62,184.00
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All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes and Mr. Spaccaforo.

In response to Mr. Taggart, Commissioner Reynolds explained that the Orange Peel Motorized Grab is a 2 cubic yard mechanical hand attached to a crane that reaches into the pit to grab garbage at the Compositing Facility.

Mr. Valente stated that because this is an essential piece of equipment to the Compost Facility a central piece of the bid was that parts had to be readily available.

In answer to Chairman Eisel Commissioner Reynolds said that the original grab served the county well for fifteen years.

Commissioner Reynolds explained in answer to Mr. Marshfield, that the current grab is a well-made piece of equipment manufactured in Germany. Unfortunately, when there is a need for replacement parts, they ship from Germany. The parts are very costly and it takes a significant amount of time for them to arrive. When the equipment goes down, the facility shuts



down so it is essential the parts are on the shelf and available immediately. The new grab is American made. The parts are readily available thus more cost effective.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

**RESOLUTION NO. 56**

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

**LETTING OF APRIL 6, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW3-16	Purchase of Extreme Duty Industrial Vacuum to: Northwind Air Systems 2961 Lyall Street, Montreal QC H1N3G8, Canada
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Bid Price:      \$34,734.23

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Chairman Eisel stated that this is a worthwhile purchase as it meets the needs of the department and improves the working environment for the employees.

In answer to Mr. Taggart, Commissioner Reynolds explained that this filtered vacuum system would replace the use of brooms. The vacuum will do a much better job in cleaning the equipment and the filter will further reduce the amount of dust particles in the air.

Mr. Valente commented that purchasing this vacuum is a proactive move by the department whose primary interest is the health and safety of their employees.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

**RESOLUTION NO. 57**

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

**LETTING OF APRIL 6, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW4-16	Purchase of Remanufactured Detroit Diesel $\frac{3}{4}$ Engine MBE 4000 to:
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WW Williams  
7125 Hubbard Masury Road  
Hubbard, OH 44425-9706

Bid Price with Option 1:       \$20,650.00

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Solid Waste Director Susan McIntyre said this is a remanufactured Mercedes engine that will be put into one of the roll-off trucks at the Compost Facility.

The resolution was adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

#### **RESOLUTION NO. 58**

##### **TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 27-16 DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 44-16 authorized the award of Proposal No. 27-16, Purchase of Two Tandem Axle Dumps with Plow, Wing and Spreader to Ben Funk Inc., 3609 Route 9, Hudson, NY 12534 for the bid amount of \$210,733.50; and

**WHEREAS**, the trucks have been ordered and the dealer has made a recommendation that we add a tilt/telescopic steering wheel and a battery disconnect switch; and

**WHEREAS**, this change will require an additional \$461.00 per truck.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 (Final) in the amount of \$461.00 increasing the purchase price to \$211,194.50 per truck.

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

#### **RESOLUTION NO. 59**

##### **TITLE: APPROVAL TENTATIVE AGREEMENT BETWEEN THE NEW YORK STATE NURSES ASSOCIATION AND DELAWARE COUNTY PERSONNEL OFFICE**

**WHEREAS**, the Human Resources Committee has reached a tentative agreement with the New York State Nurses Association for the terms and conditions of employment for the years 2015, 2016, 2017 and 2018.

**NOW, THEREFORE, BE IT RESOLVED** that said tentative agreement is hereby approved as presented to the Board, and 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. Merrill and adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

## **RESOLUTION NO. 60**

### **TITLE: RESOLUTION AUTHORIZING ENTRY INTO HOST COMMUNITY BENEFIT AGREEMENTS AS PAYMENTS IN LIEU OF TAXES FOR COMMERCIAL SOLAR INSTALLATIONS IN DELAWARE COUNTY REAL PROPERTY TAX SERVICES**

**WHEREAS**, the County of Delaware wishes to cooperate and partner with the towns, villages and school districts in creating a unified policy to deal with the taxable status of commercial solar installations; and

**WHEREAS**, the real estate parcels that contain those solar installations will fall into overlapping taxing districts; and

**WHEREAS**, New York State Real Property Tax Law Section 487 (9) states that solar, wind and farm waste energy projects are exempt from property taxes for a period of 15 years, but are eligible to contribute to their host community through PILOT agreements; and

**WHEREAS**, the County of Delaware and many of the towns, villages and school districts agree that residential and agricultural solar projects should be tax-exempt, but commercial solar projects should pay their fair share of the costs of municipal expenses; and

**WHEREAS**, residential solar projects are defined as projects located at inhabited dwellings, connected to a single phase grid and no larger than 20 kw in size; and

**WHEREAS**, agricultural solar projects are defined as projects located on lands which qualifies for exemption under Real Property Tax Law § 483; and

**WHEREAS**, commercial solar projects are defined as any projects other than those defined above as residential or agricultural; and

**THEREFORE**, upon approval of this Resolution, it is understood that the Delaware County Board of Supervisors authorizes Host Community Benefit Agreements being put into place for all new commercial solar installations in the County. It is further understood that taxing districts will need to adopt similar legislation to authorize Host Community Benefit Agreements. In addition, it is expected that the Town will be the lead agency in negotiating and ensuring that Host Community Benefit Agreements are in place; and

**FURTHERMORE**, all commercial solar panel arrays will be subject to Host Community Benefit Agreements (PILOT) to be put into place by the Town and the proceeds of which will be shared by each taxing district on a pro-rated amount (50%, town, 25%, county, 25% school); and

**WHEREAS**, all residential and agricultural solar installations would remain as tax exempt for the 15-year period unless the law changes regarding tax-exempt status. This Resolution only applies to commercial installations; and

**WHEREAS**, under Section 487 (9) of the Real Property Tax Law, the Host Community Benefit Agreement must not exceed the amount of taxes that the entity would have paid on the new array if there were not tax exemption (For example, if a \$100,000 solar farm is built on a \$5,000 plot of land, the agreement cannot exceed what the property taxes would have been on a \$105,000 assessed value); and

**WHEREAS**, it is understood agreements made pursuant to this resolution shall be for 15 years and that the revenue will be divided among the taxing districts as described above.

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware, Board of Supervisors is in agreement with this multi-jurisdictional cooperation agreement.

The resolution was seconded by Mr. Gladstone.

Mr. Marshfield stated that Delaware County Electric Co-op has been receiving calls from residents around the County that they service regarding the possibility of placing a solar array on

their property. There may be areas that the Co-op will be unable to accommodate.

The resolution was adopted by the following vote: Ayes 3659, Noes 241 (Taggart), Absent 899 (Rowe, Pigford).

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

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

**RESOLUTION NO. 61**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,572,070.06 are hereby presented to the Board of Supervisors for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$1,245,147.66
OET	\$18,089.20
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$237.98
Landfill	\$36,477.55
Road	\$130,936.02
Machinery	\$79,246.33
Capital Road & Bridge	\$46,184.82
Capital Solid Waste	\$15,750.50

The resolution was seconded by Mr. Spaccaforo and adopted by the following vote: Ayes 3900, Noes 0, Absent 899 (Rowe, Pigford).

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

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**APRIL 27, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 27, 2016 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. Haynes.

Mr. Marshfield offered the invocation.

Mr. Gladstone 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. Spaccaforo who introduced Bob Schulz founder and Chairman of We the People of New York, Inc. (WTP-NY).

A PowerPoint presentation entitled *Make New York Great Again. The New York State Constitution Convention Question* was given by Mr. Schulz.

Mr. Schulz noted that WTP-NY is working to hold government accountable to the Constitution. The work of the organization is in defense of the State and Federal Constitutions and is dedicated to the rights of the people and the obligations of the government under the First Amendment. Specifically, he referred to the accountability clause, the right to petition government for the redress of grievances. This clause guarantees the right of the people to peacefully hold the government accountable to the Constitution.

He stated that the over-reaching arm of government needs to be addressed and feels the best way to do this is to become a strong voice for a People’s Constitutional Convention. The purpose of the Constitutional Convention is to recommend changes to the rules that regulate the behavior of government employees, political parties and lobbyists. It is important to educate the public on the electoral process, the courts and their right to alter the government of New York by revising its Constitution. In order to ensure the public has an opportunity to know the candidates prior to the vote the WTP-NY is developing a website.

In November 2017, the people of New York will have a choice to vote for a Constitutional Convention. If the vote passes, in November 2018, the people will elect the delegates and in April 2019, the delegates will address issues relating to ethics, transparency and accountability in government.

In conclusion, Mr. Schulz shared that he envisions a future that includes enhanced government ethics, transparency and accountability through the people’s enforcement of amendments designed to limit government and restore the rights, freedoms and liberties of the people.

Chairman Eisel thanked Mr. Schulz for a very informative presentation.

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 62**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING  
VITAL ACCESS PROVIDER (VAP) SAFETY NET PROGRAM  
MENTAL HEALTH CLINIC**

**WHEREAS**, New York State Office of Mental Health has awarded a three-year VAP grant of \$382,750 to Delaware County Community Services; and

**WHEREAS**, the funding is awarded to mental health providers willing to participate in service consolidation efforts for financial sustainability; and

**WHEREAS**, the funding is designated to enhance technology capabilities and consolidate mental health and addiction treatment services.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-14310-43349015/4310001/976	State Mental Health	\$191,375.00
10-14310-44449001/4310001/976	Federal Mental Health	\$191,375.00

**INCREASE APPROPRIATIONS:**

10-14310-52200001/4310001/976	Equipment	\$131,000.00
10-14310-54327465/4310001/976	General Expense	\$251,750.00

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:  
Ayes 4631, Noes 0, Absent 168 (Haynes).

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

**RESOLUTION NO. 63**

**TITLE: 2016 BUDGET AMENDMENT  
ENTERING INTO CONTRACT WITH  
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS)  
YOUTH BUREAU**

**WHEREAS**, the Delaware County Youth Bureau is the designated local agency to provide programming for youth; and

**WHEREAS**, the Delaware County Youth Bureau has entered into a contract with OCFS to provide programming for youth that the Court System has sent to the Youth Leadership Academy (YLA); and

**WHEREAS**, the amount of the contract has been increased by \$20,000 to provide programming.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

<b><u>INCREASE REVENUE:</u></b>		
10-17310-43382000	YLA	\$20,000.00
<b><u>INCREASE APPROPRIATION:</u></b>		
10-17310-54200000	YLA Program Expenditures	\$20,000.00

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4631, Noes 0, Absent 168 (Haynes).

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

**RESOLUTION NO. 64**

**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 March 31, 2016.

**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	\$20,983.42	\$20,983.42	
Bovina	\$6,778.87	\$6,778.87	
Colchester	\$5,766.33	\$5,766.33	
Davenport	\$15,870.88	\$15,870.88	
Delhi	\$154,591.99	\$131,046.11	\$23,545.88
Deposit	\$5,531.90	\$5,161.41	\$370.49
Franklin	\$8,977.87	\$8,587.07	\$390.80

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Hamden	\$9,390.45	\$9,390.45	
Hancock	\$11,057.29	\$10,065.31	\$991.98
Harpersfield	\$5,573.88	\$4,982.55	\$591.33
Kortright	\$11,094.30	\$11,094.30	
Masonville	\$5,419.28	\$5,419.28	
Meredith	\$10,075.58	\$10,075.58	
Middletown	\$41,311.02	\$37,605.17 FL	\$1,141.47
		MV	\$2,564.38
Roxbury	\$15,663.46	\$15,663.46	
Sidney	\$11,180.76	\$7,981.61	\$3,199.15
Stamford	\$10,254.82	\$7,911.50 ST	\$927.81
		HO	\$1,415.51
Tompkins	\$3,328.53	\$3,328.53	
Walton	\$15,100.13	\$12,365.71	\$2,734.42
Totals ...	\$367,950.76	\$330,077.54	\$37,873.22

The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 4631, Noes 0, Absent 168 (Haynes).

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

#### **RESOLUTION NO. 65**

#### **TITLE: AUTHORIZATION TO ENTER INTO AGREEMENTS FOR ACCEPTANCE OF SELECT OUT-OF-COUNTY WASTES GENERATED FROM THE VILLAGE OF WALTON WASTEWATER TREATMENT FACILITY DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 112 of 2014 authorized the County to accept Out-of-County waste from the Village of Walton Wastewater Treatment plant for a period of one year; and

**WHEREAS**, Resolution No. 205 of 2015 extended that contract for one year; and

**WHEREAS**, the Village has requested an extension for a three year period; and

**WHEREAS**, it is in the best interest of the County to extend for a one year period.

**NOW THEREFORE BE IT RESOLVED**, that per the terms of Resolution No. 112 of 2014, the Department of Public Works is authorized to accept from the Village of Walton at the Solid Waste Management Center and Compost Facility, the resulting quantity of biosolids generated from the receipt of “Out-of-County” milk-based liquid production waste water, subject to the applicable and prevailing tipping fee and capacity availability as established by the Department of Public Works.

**BE IT FURTHER RESOLVED**, that this extension shall be valid until May 31, 2017.

The resolution was seconded by Mr. Spaccaforo.

Mr. Rowe noted that the Village requested a three-year period but the Department of Public Works Committee felt that consideration on a yearly basis was in the best interest of the County.

In answer to Mr. Taggart, Mr. Gregory said that the Village is not bringing waste at this time but expects to in the near future.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 66**

**TITLE: MODIFICATION OF HOST COMMUNITY BENEFIT PROGRAM  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 106 of 1994 established a Host Community Benefit Package to compensate the Host Community of the Delaware County Solid Waste Management Center in accordance with Resolution No. 224 of 1992, and

**WHEREAS**, Resolution No. 99 of 2006 modified the Host Community Benefit Package to include contractual provisions for the acceptance of landfill leachate at the Village of Walton Waste Water Treatment Plant, and

**WHEREAS**, the Village of Walton, as a named party within the Host Community Benefit Program, seeks to renew the contractual terms to provide disposal services at their Village Waste Water Treatment Plant for nonhazardous leachate generated at the Solid Waste Management Center, and

**WHEREAS**, the Delaware County Department of Public Works – Solid Waste Division seeks to secure disposal capacity for said leachate.

**NOW, THEREFORE, BE IT RESOLVED** that the Host Community Benefit Program be modified to include provisions for a negotiated agreement for leachate disposal services between the Village of Walton and Delaware County; terms of which include a \$0.035 per gallon disposal fee payable by the County to the Village, commitment to deliver 75% of leachate disposal volume to the Village, and a three year contract term to expire May 31, 2019.

The resolution was seconded by Mr. Spaccaforo.

Mr. Rowe noted that the Host Community Benefit Agreement has been working very well. It is the shortest haul for the County and is a win-win.

The resolution was adopted by the following vote: Ayes 4631, Noes 0, Absent 168 (Haynes).

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

**RESOLUTION NO. 67**

**TITLE: RESOLUTION TO APPOINT THE COMMISSIONER OF SOCIAL SERVICES  
TO THE POSITION OF PART-TIME EXECUTIVE DIRECTOR OF THE  
DELAWARE COUNTY YOUTH BUREAU**

**BE IT RESOLVED**, that Dana A. Scuderi-Hunter is hereby appointed as part-time Executive Director of the Delaware County Youth Bureau for a term of office effective January 1, 2016 to December 31, 2016

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

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



## RESOLUTION NO. 68

### TITLE: RESOLUTION TO SOLIDIFY VETERANS RIGHTS WHEN SEEKING NON-VA CARE DEPARTMENT OF VETERANS SERVICES

**WHEREAS**, the Veterans Affairs Administration has given veterans emergency care guidance which states that veterans should seek emergency care “if you believe your life or health is in danger;” and

**WHEREAS**, this guidance is contained in the Non-VA Emergency Care Fact Sheet and states that the veteran, family, friends, or hospital staff should contact the VA as soon as possible, preferably within 72 hours of your emergency, so you are better aware of what services VA may or may not cover; and

**WHEREAS**, when following the guidance, VA has further pointed out that a VA providers telephonic medical advice to a veteran to seek immediate emergency treatment at the nearest emergency department is not considered an authorization to seek non-VA care at VA expense; and

**WHEREAS**, the example put forth by the VA states that, “When a veteran calls VA and communicates a symptom, such as chest pain, that may indicate a potential medical emergency.

**WHEREAS**, in these cases, when a VA provider, Telephone Advice Nurse, or any other clinician speaks to a veteran on the phone, *they are **not** authorizing VA emergency care in the community, but rather advising the Veteran that the information provided **suggests** that seeking emergency treatment (regardless of where it is sought) is in that Veteran’s best medical interest;”* and

**WHEREAS**, the VA further states that the veterans eligibility status for emergency care will be determined **after** necessary medical documentation has been received; and

**WHEREAS**, determination for seeking emergency medical treatment that may or may not be covered falls under the responsibility of the veteran since the VA will not accept responsibility for authorizing care, even when the veteran seeks guidance for what may constitute a medical emergency; and

**WHEREAS**, the veteran, as the payee, is held responsible for all payments if the VA determines that emergency treatment did not constitute a medical emergency, even when the veteran had consulted the VA telephonic advice line; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware County Board of Supervisors hereby respectfully urge the Veterans Affairs Administration to streamline requirements in determining conditions for Non-VA Care when veterans are seeking emergency care based on the following guidelines:

1. That the VA provide a no-nonsense, clearly understood, non-VA care authorization system that ensures the veteran will not be billed for emergency services by non-VA care facilities.
2. That VA should provide payment authorization between the non-VA care provider servicing the veteran and the VA approval authority.
3. Ensure VA continues to improve its non-VA care coordination through the Non-VA Care Coordination (NVCC) program office to improve and standardize their process for referrals to non-VA care.
4. Provide all non-VA providers with full access to VA’s Computer Patient Record System (CPRS) to ensure the contracted community provider can review the patient’s full history, allow the provider to meet all the quality of care screening and measures tracked in CPRS, and speed up receipt and documentation from the non-VA provider encounter to ensure it’s added to the veteran’s medical record.

5. Clarify community care for VA staff, and make it easier for community providers to partner with VA.

**BE IT FURTHER RESOLVED**, that the Clerk of the Board of Delaware County forward official copies of the resolution to the members of the New York delegation to Congress, the United States Congress, the United States House of Representatives, and the Under Secretary for Health in the Department of Veteran Affairs with the request that this resolution be reviewed and acted upon for the betterment of Delaware County veterans.

The resolution was seconded by Mr. Taggart and Mr. Spaccaforo.

Mr. Marshfield noted that Director of Veterans Service Agency Charles Piper brought this matter to the attention of the Social Services Committee. He explained that current non-VA care authorization system lacks a clear “Yes” or “No” authorization system. This resolution is urging the Veterans Affairs Administration to streamline requirements in determining conditions for non-VA medical care and make it easier for community providers to collaborate with the VA.

Mr. Taggart explained that if the veteran contacts a VA medical facility, no one will state that the veteran is authorized to receive non-VA medical care. Instead, it is left up to the veteran to make the determination if they feel it is an emergency, and then later after the care has been received, the VA makes the determination if they will pay for the services rendered. If they determine that the veteran’s situation did not constitute an emergency, the veteran is responsible for the payment of the medical bills.

Mr. Gregory explained that an individual on active duty would call the military medical insurance number to receive permission to be treated and be fully covered. The system does not work the same for the veterans and often these veterans are billed for their medical services.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 69**

#### **TITLE: A RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR THE DISTRICT ATTORNEY SALARY INCREASES SET BY THE STATE**

**WHEREAS**, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

**WHEREAS**, this salary increase recommendation occurred well after all counties set their 2016 budgets in law; and

**WHEREAS**, the recommended increase placed Supreme Court Judges’ salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice’s salary; and

**WHEREAS**, on April 1st the state approved the Commission’s recommendation; and

**WHEREAS**, State Judicial Law 183-a links judicial salaries with County District Attorneys’ (DA’s) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on full time or part time status; and

**WHEREAS**, for over 50 years, the state has funded all salary increases that they imposed on the counties, and

**WHEREAS**, DA’s are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

**WHEREAS**, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; and

**WHEREAS**, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

**WHEREAS**, this salary increase is just another unfunded mandate that the state promised to avoid shifting to the counties which will increase the county's property taxes; and

**WHEREAS**, for many counties this salary increase represents approximately 1/3 of their total allowable property tax growth for all government operation in 2016.

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers.

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar, II, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney, other New York Counties, and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Tuthill.

Mr. Spaccaforo stated that the State's decision to increase the District Attorney's salary by \$30,500 is an unfunded mandate for the County.

Chairman Eisel noted that the New York State Association of Counties suggested that a similar resolution be passed by other counties in the hopes of getting the state budget amended.

The resolution was unanimously adopted.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 70**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING  
MATTER OF BALANCE PROJECT AND TAI CHI FOR ARTHRITIS PROJECT  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging has been granted \$5,854 from the Rural Healthcare Alliance of Delaware County to train staff for administering the Matter of Balance and Tai Chi for Arthritis programs for the county's older population; and,

**WHEREAS**, this funding will be used to engage in activities to support health promotion and wellness programming such as fall prevention and stay healthy programs;

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-16772-42270602/6772045/977	Grant from Non-Profit	\$5,854.00
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**INCREASE APPROPRIATIONS:**

10-16772-54327000/6772045/977	Grant Contracted Services	\$3,754.00
10-16772-54327595/6772045/977	Grant Supplies	\$600.00
10-16772-54327625/6772045/977	Grant Travel	\$1,500.00

The resolution was seconded by Mr. Marshfield.

Chairman Eisel stated that this exercise program is effective and very worthwhile.

Mr. Marshfield noted this is a very popular exercise program and currently has a waiting list.

The resolution was adopted by the following vote: Ayes 4631, Noes 0, Absent 168 (Haynes).

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

## **RESOLUTION NO. 71**

### **TITLE: RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO APPROVE THE PROPOSED ACTION BY COUNTY OF DELAWARE INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH A CERTAIN COMMERCIAL PROJECT FOR DRNC REALTY, LLC.**

**BE IT ENACTED** by the Board of Supervisors of Delaware County, as follows:

**WHEREAS**, pursuant to Article 18-A of the General Municipal Law of the State of New York and Chapter 531 of the Laws of 1971 of the State of New York (herein collectively called the “Act”), the Board of Supervisors of Delaware County, New York (the “Board of Supervisors”) has heretofore appointed the Chairman and members of the County of Delaware Industrial Development Agency (the “Agency”) and has duly caused to be filed in the office of the Secretary of the State of New York the certificates required by Section 908 of the General Municipal Law of the State of New York; and

**WHEREAS**, pursuant to the Act, the Agency is authorized and empowered to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

**WHEREAS**, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

**WHEREAS**, in February, 2016, DRNC Realty, LLC, a New York limited liability company (the “Company”), submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a parcel of land containing approximately 58.73 acres of land and located at 41861 State Highway 10 in the Town of Delhi, Delaware County, New York (the “Land”), together with one existing building located thereon containing approximately 76,900 square feet of space (the “Existing Facility”), (2) the demolition of approximately 30,300 square feet and the reconstruction of the remaining approximately 46,600 square feet of the Existing Facility, (3) the construction of an addition to the Existing Facility to contain an approximately 71,000 square feet of space (the “New Facility” collectively with the Existing Facility referred to as the “Facility”) and (4) the acquisition and installation thereon and therein of certain machinery and equipment located therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute an approximately 176 bed nursing facility to be owned and operated by the Company and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain

sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

**WHEREAS**, pursuant to Section 862(2)(a) of the Act, no financial assistance of the Agency shall be provided in respect of any project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total project cost, unless certain exceptions apply, one of which is that the predominant purpose of the Project would be to make available services which would not, but for the Project, be reasonably accessible to the residents of Delaware County because of a lack of reasonably accessible retail trade facilities offering such services; and

**WHEREAS**, pursuant to Section 862(2)(c) of the Act, the Agency may not provide financial assistance to the Project unless the Agency shall, after satisfaction of the public hearing requirements of Section 859 of the Act, make a finding that undertaking the Project will serve the public purposes of the Act by preserving permanent, private sector jobs in the State or increasing the overall number of permanent, private sector jobs in the State; and

**WHEREAS**, by resolution adopted by the members of the Agency on February 26, 2016 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

**WHEREAS**, pursuant to the authorization contained in the Public Hearing Resolution, the Executive Director of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on March 22, 2016 to the chief executive officers of the county and of each city, town, village and school district in which the Project Facility is to be located, (B) caused notice of the Public Hearing to be posted on March 22, 2016 at the Town Hall in the Town of Delhi, Delaware County, New York and on the Agency’s website, (C) caused notice of the Public Hearing to be published on March 30, 2016 in The Reporter, a newspaper of general circulation available to the residents of Delaware County, New York, (D) conducted the Public Hearing on April 13, 2016 at 5:30 o’clock p.m., local time at 111 Main Street in the Town of Delhi, Delaware County, New York, and (E) prepared a report of the Public Hearing (the “Public Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), by resolution adopted by the members of the Agency on April 22, 2016 (the “SEQR Resolution”), the Agency (A) concurred in the determination that the Town of Delhi Planning Board (the “Planning Board”) is the “lead agency” with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Planning Board issued on October 26, 2015 (the “Negative Declaration”), in which the Planning Board determined that the Project would not have a significant adverse environmental effect on the environment, and therefore, that an environmental statement need not be prepared with respect to the Project; and

**WHEREAS**, by resolution adopted by the members of the Agency on April 22, 2016 (the “Resolution Making Retail Findings”), the Agency (A) found that although the Project Facility appears to constitute a project where facilities or properties that are primarily used in making retail sales of goods or services to customers who personally visit such facilities may constitute more than one-third of the costs of the Project, the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act because the predominant purpose of the Project would be to make available goods or services which would not, but for the Project, be reasonably accessible to residents of Delaware County, New York, because of a lack of reasonably accessible retail trade facilities offering such goods or services, (B) determined, following a review of the Public Hearing Report, that the Project would serve the public purposes of the Act by increasing the overall number of permanent, private sector jobs in the State of New York, and (C) determined that the Agency would proceed with the Project and

the granting of the Financial Assistance; provided however, that no Financial Assistance would be provided to the Project by the Agency unless and until the Chairman of the Board of Supervisors of Delaware County, as chief executive officer of Delaware County, New York, pursuant to Section 862(2)(c) of the Act, confirmed the proposed action of the Agency with respect to the Project; and

**WHEREAS**, for the sole purpose of allowing the Agency to proceed with the Project, this Board of Supervisors desires to empower the Chairman of this Board of Supervisors, as the chief executive officer of Delaware County, to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act; and

**WHEREAS**, Section 870 of the General Municipal Law of the State of New York specifically provides that no obligation of the Agency shall be a debt of Delaware County, New York, nor shall Delaware County, New York be liable thereon; and

**NOW, THEREFORE, BE IT RESOLVED** that, for the sole purpose of allowing the Agency to proceed with the Project and the granting of the financial assistance described in the notice of the Public Hearing, the County Board of Supervisors hereby authorizes the Chairman of this Board of Supervisors, as the chief executive officer of Delaware County, New York, to either confirm or refuse to confirm the proposed action of the Agency with respect to the Project, pursuant to Section 862(2)(c) of the Act.

**RESOLVED**, that, this resolution shall take effect immediately.

The resolution was seconded by Mr. Spaccaforo.

Mr. Triolo stated that the resolution pertains to the new nursing home being constructed in Delhi, the Delhi Rehabilitation and Nursing Center (DRNC). He noted that the matter was brought to the County as soon as the IDA became aware of it and apologized for the resolution being not-prefiled. Mr. Triolo introduced Chairman of the Delaware County IDA Jim Thomson to provide further information.

Mr. Thomson explained that the IDA Board was preparing for the PILOT (payment in lieu of taxes) closing when they learned the State of New York reclassified nursing homes as a retail operation. The retail classification prohibits the IDA Board from entering into a PILOT without the expressed agreement of the County. In order to move forward, the IDA Board along with the County Board of Supervisors must pass a resolution stating they feel this retail service is needed and would be a benefit to the people of the area. The IDA Board has passed a resolution and is asking the Board of Supervisors to pass a similar resolution.

Mr. Thompson said that the Delhi Town Board supports the PILOT that provides the nursing home with a tax break of \$1.9 million over a ten-year period. It is expected that the facility will generate \$4.2 million in new taxes to the taxing entities.

Chairman Eisel added that the facility will create 175 new jobs and will not adversely affect any other retail establishment.

The resolution was unanimously adopted.

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

## **RESOLUTION NO. 72**

### **TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,284,541.45 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	\$946,926.01
OET	\$9,668.53
Public Safety Comm System	\$30,577.78
Highway Audits, as Follows:	
Weights and Measures	\$259.27
Landfill	\$97,873.20
Road	\$83,029.83
Machinery	\$74,102.12
Capital Road & Bridge	\$31,614.71
Capital Solid Waste	\$10,490.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4631, Noes 0, Absent 168 (Haynes).

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

**RESOLUTION NO. 73**

**TITLE: IN MEMORY OF PERRY W. SHELTON**

**WHEREAS**, former Town of Tompkins Supervisor Perry Shelton passed away on April 22, 2016; and

**WHEREAS**, he served as Town of Tompkins Supervisor from 1958 until 1993 and again from 2004 until 2007; and

**WHEREAS**, he also served as Delaware County Budget Officer from September 9, 1970 until December 31, 1993; and

**WHEREAS**, he will be remembered with distinction for his hard work, dedication and community service to the County and the Town of Tompkins.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors extends its sympathy to the family of Perry W. Shelton and recognizes with gratitude his contributions to this County, his Town and neighbors.

The resolution was seconded by Mr. Marshfield.

Chairman Eisel pointed out that Mr. Shelton served as Supervisor for the Town of Tompkins for 39 years and as the County’s Budget Officer for 23 years. His dedication to his Town, the County, the Coalition of Towns and the Catskill Watershed Corporation (CWC) was commendable. Mr. Shelton fought hard for what was right in all he endeavored and will be remembered as a truly dedicated public servant.

Mr. Layton commented that you always knew where you stood with Mr. Shelton. His thoughts were direct and honest. Mr. Layton shared that when he was a Council Member for the Town of Tompkins it was decided that the old schoolhouse the town owned would be painted. Thinking he could make some extra money, he offered to paint the schoolhouse. Mr. Shelton told him he was welcome to paint the schoolhouse but as a Councilman, he would not be paid for his work. Mr. Shelton always had the best interest of the Town of Tompkins in mind. He would not spend money unless there was no other way. Mr. Shelton was very dedicated to all he did and was an honorable man.

Mr. Marshfield shared that he and his wife often visited Mr. Shelton at the nursing home. He always enjoyed talking about what was going on around the County. Mr. Shelton was not one to talk about his accomplishments, noting that he only learned that Mr. Shelton was co-founder of the Sidney Federal Credit Union after his passing. Mr. Shelton was committed to all he undertook and it was a privilege to know and serve with him.

Mr. Triolo said that he was the President of the CWC while Mr. Shelton was serving on the CWC Loan Committee. Mr. Shelton attended every meeting prepared and ready for

business. He was very committed to his work. Mr. Shelton accomplished many commendable things in his lifetime and will be remembered as a dedicated public servant.

Mr. Rowe shared that Mr. Shelton told him after his town received emergency funding of \$8 million to address 2006 flooding issues that as a Supervisor Mr. Rowe spends a million dollars like Mr. Shelton would spend 10 cents. Mr. Rowe talked about his summers as a youth working on the farm in Meredith with Mr. Shelton. He noted that while traveling last summer he noticed that many stretches of highways, roads or buildings were named after someone. Mr. Shelton has his fingerprints all over Delaware County. Mr. Rowe suggested the Board of Supervisors consider remembering Mr. Shelton by dedicating his name to the County in some way. Mr. Shelton was a war veteran and a dedicated public servant. It was truly a privilege to know and serve with him.

Mr. Hynes remembered the many long hours spent serving on the Regional CWC Board with Mr. Shelton. Mr. Shelton was a dedicated Supervisor and as Budget Officer was fiscally responsible while always considerate of the employees. Mr. Shelton was a gentleman of gentleman and it was a privilege to serve with him.

The resolution was unanimously adopted.

Upon a motion, the meeting was adjourned at 2:16 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 11, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 11, 2016 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Vice Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Axtell and Mr. Eisel.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

The Clerk read a note from the family of the late Town of Tompkins Supervisor Perry Shelton thanking the Board of Supervisors for their condolences at this difficult time.

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

Vice Chairman Molé granted privilege of the floor to Mr. Triolo. Mr. Triolo introduced Assistant to the Commissioner of Watershed Affairs Molly Oliver to provide an update on the Delaware County Action Plan (DCAP).

Ms. Oliver provided the Supervisors with a copy of the first edition of the DCAP Quarterly Newsletter. This edition focuses on an introduction to DCAP, its partners and its services. Future newsletters will provide information about ongoing projects, programs and the expertise available within Delaware County. The idea for the newsletter developed out of an outreach plan that suggested ways for the Core Group to get their message out to the Board of Supervisors, regulators, funders and others.

Mr. Rowe expressed concern that the New York City Department of Environmental Protection (NYCDEP) takes a lot of credit for what is happening in Delaware County. He agreed the newsletter is a way to spotlight what the Core Group and other agencies are doing to make a difference in water quality.



Mr. Triolo introduced Commissioner of Watershed Affairs Dean Frazier to give an update on the ongoing water supply permit (WSR) negotiations.

Commissioner Frazier said he is happy to report that all agencies are ready to sign off on the second supplemental agreement to the WSR.

All parties are now in agreement with a process to address concerns relating to expanded funding for gaps in partnership programs, language on community owned parcels, design and permitting processes and modifications to the Watershed Rule and Regulations.

A resolution seeking support of the second supplemental agreement will be presented at the next Board of Supervisors meeting. All West of Hudson County Boards must sign the agreement for the WSR permit to be valid.

Mr. Frazier thanked Middletown Supervisor Carl P. Davis and Director of Planning Nicole Franzese for their contribution to the meeting held with the NYCDEP.

In answer to Mr. Marshfield, Commissioner Frazier said he would send all Supervisors an electronic copy of the second supplemental agreement prior to the next Board of Supervisors meeting.

Commissioner Frazier stated in reply to Mr. Marshfield, that the environmental groups had concerns and expressed their differences but in the end came to agreement.

Mr. Triolo thanked Mr. Davis and Ms. Franzese for the history and expertise in flood plan management buyouts and easements they brought to the meeting with the NYCDEP. They were able to address issues of concern with great depth conveying an understanding that was necessary to bring agreement. We are all partners, he said, the watershed towns will provide the best possible water quality but it will not be done on the backs of the constituents. He pointed out that Delaware County is really the lead with 50 percent of the watershed.

Mr. Davis said that since the signing of the MOA, the towns have been enforcing the watershed rules and regulations. Without that participation, the city and state would find it difficult to keep up with what is happening in the watershed.

For standing committee reports Vice Chairman Molé, speaking as Chairman of the Community Health Committee, thanked Director of Public Health Amanda Walsh and County Epidemiologist Nicole Blanchard for coordinating the New York State Department of Health harm reduction program given by Catholic Charities. Ms. Molé said the program was very informative and thanked the Supervisors who attended the program.

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

#### **RESOLUTION NO. 74**

##### **TITLE: 2016 BUDGET AMENDMENT HEAP COOLING ASSISTANCE COMPONENT 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 2015-2016; and

**WHEREAS**, New York State has informed Delaware County that additional funding is available for administrative expenses related to the Home Energy Assistance Program Cooling Assistance Component; and

**WHEREAS**, these additional expenditures will be 100% reimbursed with federal funds.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUE:**

10-16141-44464100	Federal Aid-HEAP	\$1,473.00
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**INCREASE APPROPRIATION:**

10-16141-54200012	Contracted Services-DELOPP Contract	\$1,473.00
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The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

**RESOLUTION NO. 75**

**TITLE: AUTHORIZATION TO ENTER INTO SUPPLEMENTAL AGREEMENTS  
NO. 1 AND NO. 2 FOR PROCESS AIR HANDLING SYSTEM UPGRADES  
AT THE COMPOST FACILITY  
DEPARTMENT OF PUBLIC WORKS SOLID WASTE DIVISION**

**WHEREAS**, the Public Works Committee authorized the Department of Public Works to retain GHD Consulting Services Inc., One Remington Park Drive, Cazenovia, NY 13035 to develop a conceptual plan and initial design services for phase one modifications to the Compost Plant air handling system to address worker safety and health issues for a design fee of \$24,600; and

**WHEREAS**, GHD Consulting Services was selected because they are the firm that acquired Stearns and Wheler Engineering which was a member of the Joint Venture that designed the Compost Facility and they still employ many of the engineers that were involved in the initial design; and

**WHEREAS**, GHD has completed the first phase design and plans were advertised for construction bids; and

**WHEREAS**, it is in the best interest of the County to retain GHD to perform construction phase construction services to ensure adherence to the plans and quality in the completed project; and

**WHEREAS**, the original design services for phase one modifications did not include the redesign and replacement of the three back draft dampers at the bio-filter or the capture and direct treatment of process air emanating from the discharge end of the bioreactor which during the design phase were identified as required additions, it is in the best interest of the County to authorize a supplement to include those elements in the design.

**NOW, THEREFORE, BE IT RESOLVED** that the Public Works Department is authorized to execute supplemental agreement number 1 for phase one construction phase services for a not to exceed value of \$40,000 bringing the contract total not to exceed value to \$64,600; and

**BE IT FURTHER RESOLVED**, that the Public Works Department is authorized to execute supplemental agreement number 2 which covers design effort associated with the back draft dampers and ductwork at the bioreactor discharge hood that was not included in the original scope of work for a not to exceed value of \$3,490 bringing the contract total not to exceed value to \$68,090.

The resolution was seconded by Mr. Haynes.

Mr. Rowe said the resolution outlines the recommend design modifications to address issues related to air quality. The Department will continue to work on this until the environment is top notch as it takes the well-being of its employees very seriously.

In answer to Mr. Taggart, Commissioner of Public Works Wayne Reynolds explained that the original air handing system is ten years old and has operational and maintenance issues. Phase 1 is the health related phase and phase 2 is the maintenance phase. The Department is

asking for authorization to execute supplemental agreement number 2 with GHD Consulting Services Inc. covering the design services associated with the back draft dampers and ductwork at the bioreactor discharge hood. In addition, the Department feels it is in the best interest of the County to retain GHD Consulting Services for phase 1 construction which is covered by supplemental agreement number 1.

In answer to Mr. Marshfield, Commissioner Reynolds noted that funding for the process air handling system is coming from the Solid Waste Sales Tax.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

#### **RESOLUTION NO. 76**

#### **TITLE: AUTHORIZATION FOR DISPOSITION OF REAL PROPERTY NO LONGER NECESSARY FOR COUNTY USE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Town of Hancock has approached NYSDOT and Delaware County DPW for permission to develop an eagle watch at East Branch; and

**WHEREAS**, NYSDOT has agreed to grant the Town permission to access a very small parcel of property north of the Beaver Kill, east of the East Branch of the Delaware River and south of Exit 90 of NYS Route 17; and

**WHEREAS**, the County has owned a small section of this small parcel since 1913 when it was purchased for the construction of an early version of State Route 17; and

**WHEREAS**, the ownership of the remainder of the parcel is not clear but was at one time a public road and therefore it is in the best interest of the County to quit claim any interest that it has in said parcel; and

**WHEREAS**, the parcel is of no value to the County anymore; and

**WHEREAS**, the Town of Hancock has retained a licensed land surveyor to prepare a map and property description of this parcel, said map being prepared by JHA Companies of Montrose PA., is entitled "Boundary Survey Plan prepared for the Town of Hancock", East Branch Eagle Site and dated April 24, 2016; and

**WHEREAS**, the size of the parcel to be quit claimed to the Town of Hancock is identified as 10,895 square feet or 0.25 acres.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board is herewith authorized to take any action and execute any documents that may be necessary to convey the County's interest in said parcel of land to the Town of Hancock; and

**BE IT FURTHER RESOLVED** that the Delaware County Department of Public Works is herewith authorized to pay any closing costs that may be required to dispose of this property.

The resolution was seconded by Mr. Haynes.

Vice Chairman Molé granted Mr. Rowe's request to abstain from voting on this resolution.

Mr. Rowe explained that a small piece of land with an eagles nest nearby was noticed during a bridge replacement project in the Town of Hancock near the intersection of the Beaver Kill and East Branch rivers. The Town approached the New York State Department of Transportation (NYSDOT) and the Department of Public Works (DPW) with the thought of developing an eagle watch on the site. The DPW determined the piece of land was no longer of value to the County and was willing to consider it surplus and the NYSDOT agreed to grant the

Town access from an adjacent parcel making an eagles watch at the East Branch possible. Additionally, local businesses and residents have offered to donate materials and services needed to develop the site into an attraction where people can stop, rest and watch the eagles.

The resolution was adopted by the following vote: Ayes 4148, Noes 0, Absent 329 (Axtell, Eisel), Abstain 322 (Rowe).

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

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

#### **RESOLUTION NO. 77**

#### **TITLE: AUTHORIZING THE SUBMISSION OF AN APPLICATION TO NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Office of Community Renewal is accepting applications from eligible communities to compete for funds available through the 2016 Community Development Block Grant Program; and

**WHEREAS**, a request for assistance, in the form of a grant, has been received from a local business to aid in their business expansion project; and

**WHEREAS**, K-Tooling LLC is proposing to undertake an expansion project that will result in the creation of eleven new manufacturing jobs within 24 months; and

**WHEREAS**, Delaware County will hold a public hearing to obtain citizen's views in relation to the application for funds; and

**WHEREAS**, the NYS Office of Community Renewal application process requires that the governing body of the applicant authorize the submission of the application and related actions.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors and the Director of Economic Development to submit an application to the NYS Office of Community Renewal and to act in connection with the submission of the application, including the execution of all required certifications and forms and to provide such addition information as may be required.

The resolution was seconded by Mr. Spaccaforo.

Mr. Triolo apologized for presenting a not-prefiled resolution and asked the Director of Economic Development Glenn Nealis to explain why doing so is necessary.

Director of Economic Development Glenn Nealis explained the State Office of Community Renewal is able to make a determination on the proposed expansion for K-Tooling LLC by July if the final application is submitted by June 10. If the application is not received by that date it would be September or early October before a determination would be made. As a public hearing is required prior to submitting the application, a not-prefiled resolution had to be presented for approval.

In reply to Ms. Molé, Mr. Nealis said that K-Tooling LLC is a components manufacturer located in the Town of Hancock. The company is looking to open a second location in the Town of Sidney.

In answer to Mr. Marshfield, Mr. Nealis said that some of the ninety production workers temporarily laid off from Amphenol earlier this year are back to work. Support from Senator Schumer and Congressman Gibson was helpful.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

## **RESOLUTION NO. 78**

### **TITLE: RESOLUTION DECLARING "MAYDAY FOR MANDATE RELIEF" AND URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO COMMIT TO THEIR PROMISE AND ADDRESS UNFUNDED MANDATES THAT USE LOCAL TAX DOLLARS TO FUND STATE AND FEDERAL PROGRAMS AND SERVICES**

**WHEREAS**, many municipalities in New York State are still facing significant fiscal challenges that are amplified by a slow economic recovery and a state imposed mandates on local revenues; and

**WHEREAS**, in most instances the county fiscal challenges are directly tied to state imposed unfunded mandates and reduced state reimbursement; and

**WHEREAS**, counties play a central role in delivering state services, due to the state mandated role in the administration and financing of a wide variety of state programs; and

**WHEREAS**, in 2013, the state enacted Medicaid reforms to assume all of the growth in spending from the local taxpayers by 2015; and

**WHEREAS**, local taxpayers still continue to fund \$8.4 billion of Medicaid costs; and

**WHEREAS**, the New York State Association of Counties has identified ten (10) state mandates that consume 90 percent of the county property tax levy statewide. These mandates include: Medicaid, Public Assistance/Safety Net, Child Welfare, Preschool Special Education, Early Intervention, District Attorney's Salary Increase, Increases in Indigent Defense Cost, Probation, Youth Detention, and Pensions.

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County Board of Supervisors hereby declares the month of May to be "Mayday for Unfunded Mandate Relief" to raise awareness that decisions made in Albany have a direct impact on the property tax levy and local community services here in Delaware County; and

**BE IT FURTHER RESOLVED** that Delaware County strongly encourages the Governor and State Legislature to work together to address the underlying causes of fiscal stress facing so many localities; and

**BE IT FURTHER RESOLVED** that it is fiscally impossible to maintain an allowable tax cap increase of less than ½ of 1% without decreasing the county and town reserve funds which creates additional fiscal stress at those levels; and

**BE IT FURTHER RESOLVED** that Delaware County believes the State must make a commitment to abide to their promises to work diligently to enact "A No New Unfunded Mandates" law and constitutional protections against future unfunded mandates; and

**BE IT FURTHER RESOLVED** that the Governor and State Legislature adhere to their promise to reduce the existing Unfunded Mandates to all counties in New York State; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Association of Counties (NYSAC) and all others deemed necessary.

The resolution was seconded by Mr. Tuthill.

Mr. Spaccaforo said that the Board of Supervisors passed a similar resolution a few years ago. He noted that the New York State Senate overwhelmingly passed legislation, S.3411, requiring the state to fully fund the cost of new mandates placed on local governments. The senate bill passed the Senate by a vote of 52 to 6.

Mr. Pigford referenced the fourth Be It Further Resolved and suggested that identifying the promises made by the State would make the resolution more effective.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 79**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$990,699.73 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	\$784,162.85
OET	\$18,938.27
Public Safety Comm System	\$11,053.87
Highway Audits, as Follows:	
Weights and Measures	\$93.58
Landfill	\$53,705.38
Road	\$36,738.52
Machinery	\$71,123.72
Capital Road & Bridge	\$13,766.79
Capital Solid Waste	\$1,116.75

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

In reply to Vice Chairman Molé, Commissioner of Social Services Dana Scuderi-Hunter called the Supervisors attention to their Summer Youth Employment (SYE) Program packet. The program this year is focusing on community programming and the enhanced SYE program is referred to as “Youth Giving Back” Summer Youth Employment. Eligible youths will have the opportunity to participate in community programming that might include working at a food bank, nursing facility or soup kitchen, however, any community program that serves youth, veterans, the elderly or the physically challenged would fit very nicely into the new SYE program. The completed participation sheet is to be returned to the Department of Social Services Youth Program Director Lara Yambor by May 13.

Mr. Rowe referenced Senate Bill S6478A and Assembly Bill A9211 calling for insurance companies to provide at least ninety days of inpatient rehabilitation services to an insured upon a doctor’s prescription. He asked that the proper committee consider bringing a resolution forward in support of this.

Upon a motion, the meeting was adjourned at 1:50 p.m.

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 25, 2016**

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

May 25, 2016 at 5:30 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. Valente 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. Triolo. Mr. Triolo introduced Chairman of the Delaware County Industrial Development Agency Jim Thomson to discuss upcoming legislation S.7861 pertaining to the requirement for payment of prevailing wage.

Mr. Thomson shared that the New York State Economic Development Council (NYSEDC) advised that legislation S.7861 is scheduled to be brought before this session of legislators. If S.7861 is enacted it would require every project financed in whole or part with funds, subsidies, or tax exemptions provided by a state or local public authority, to pay prevailing rates of wages. According to the Center for Governmental Research such a mandate would add an average of 28 to 35 percent to the cost of building projects in upstate New York.

In answer to Mr. Taggart, Mr. Thomson stated that because the current legislative session is scheduled to end June 14 and the next regularly scheduled meeting of the Board of Supervisors is June 22 a resolution from the Board would not be timely. However, he encouraged Supervisors to contact their legislatures to urge the defeat of S.7961.

In response to the information presented, the Board agreed that a resolution in opposition to S.7861 would be prepared and presented later in the meeting.

For standing committee reports, Chairman of the Public Works Committee Sam Rowe advised that the County Code Enforcer and the New York City Department of Environmental Conservation Floodplain Administrator determined the Page Avenue location for the proposed shop would have a negative impact on the back flow in the floodplain. The department is working on a redesign and a suitable location. A meeting with the design firm is scheduled for June 8. An update will be given at the next meeting.

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

#### **RESOLUTION NO. 80**

##### **TITLE: 2016 BUDGET AMENDMENT RECEIPT OF DONATIONS K-9 PROGRAM SHERIFF'S OFFICE**

**WHEREAS**, Resolution No. 91 of 2013 authorized the Delaware County Sheriff's Office to establish a K-9 Program and Resolution No. 123 of 2013 amended the K-9 Program budget; and

**WHEREAS**, the Sheriff's Office has dedicated an officer to the division, purchased a dog and a patrol vehicle. The continued training, providing of basic necessities, such as food and veterinary, heated housing and other care-based upon need; and

**WHEREAS**, a successful fund raiser was held at Danny's Restaurant in Walton for the purpose of supporting the Delaware County Sheriff's Office K-9 Program; and

**WHEREAS**, the K-9 Program will incur additional needs relating to its profession and the Sheriff's Office desires the K-9 Program to be supported by donations and would like to continue the acceptance of additional contributions.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-13110-42270550/3110111/907	Gifts and Donations-Canine	\$30,000.00
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**INCREASE APPROPRIATIONS:**

10-13110-54143050/3110111/907	Canine - Contractual	\$30,000.00
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The resolution was seconded by Mr. Tuthill and Mr. Spaccaforo and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 81**

**TITLE: 2016 BUDGET AMENDMENT  
CONTRACTED REGISTERED NURSE POSITION  
DEPARTMENT OF ALCOHOL AND DRUG ABUSE SERVICES**

**WHEREAS**, Delaware County Alcohol Abuse Services is in need of additional medical coverage; and

**WHEREAS**, these needs can be addressed through a contracted Registered Nurse Position and will be covered by revenue generated from the position.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-14317-41163101	Alcoholism Clinic Medicaid	\$10,383.00
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**INCREASE APPROPRIATIONS:**

10-14317-54195100	Consultant Physician	\$10,383.00
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The resolution was seconded by Mr. Marshfield.

In answer to Mr. Hynes, Ms. Molé said the position is for a registered nurse to be used on a contractual basis.

In reply to Mr. Marshfield, Director of Alcohol and Drug Abuse Services Chris Kemp said the nurse would help with a variety of fee-for-service, face-to-face visits and screenings.

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

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

**RESOLUTION NO. 82**

**TITLE: 2016 BUDGET AMENDMENT  
SUMMER YOUTH EMPLOYMENT PROGRAM  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Summer Youth Employment Program; and

**WHEREAS**, funding is to be used for summer youth employment and education training for economically disadvantaged youth and is 100% reimbursed.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:



**INCREASE REVENUES:**

10-16010-44482002	Summer Youth Employment	\$97,830.00
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**INCREASE APPROPRIATIONS:**

10-16010-54665002	Summer Youth Employment	\$97,830.00
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The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 83**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
CLERK OF THE BOARD**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors is authorized to sell by auction or sealed bid the following items:

<u>DEPARTMENT</u>	<u>DESCRIPTION</u>
Board of Supervisors	DWCS 2.4 Digital Wireless Microphone System

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

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

**RESOLUTION NO. 84**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY  
NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF BUILDINGS AND GROUNDS**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

**NOW, THEREFORE, BE IT RESOLVED**, that the Department of Public Works is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Department</u>	<u>Description</u>	<u>Vehicle Identification No.:</u>
Building and Grounds	2002 Chevy Silverado	2GCEK19T521344224

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

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

**RESOLUTION NO. 85**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
SHERIFF’S OFFICE**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize the disposition of personal property no longer necessary for public use;

**NOW, THEREFORE, BE IT RESOLVED** that the Sheriff’s Office is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Dept/Vehicle No.</u>	<u>Description</u>	<u>Vehicle Identification No.:</u>
DCSO 68	2005 Ford Taurus	1FAFP53255A228857
DCSO 81	2005 Chevrolet Classic	G1ND52F25M227689
DCSO 47	2006 Jeep Liberty	J4GL48K26W217326
DCSO 3	2002 Chevrolet Astro Van	1GCDL19X62B127700
DCSO 60	2009 Chevrolet Impala	2G1WS57MX91280241
DCSO	1991 Polaris ATV 4x6	1881126
DCSO	1991 Polaris ATV4x6	1881124

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

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

#### **RESOLUTION NO. 86**

#### **TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY NO LONGER NECESSARY FOR PUBLIC USE PROBATION DEPARTMENT**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for the public use.

**NOW, THEREFORE, BE IT RESOLVED**, that the Probation Department is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Department</u>	<u>Description</u>	<u>Vehicle Identification No.</u>
Probation	2007 Chevrolet Malibu	1G1ZS57F37F270591
Probation	2007 Chevrolet Malibu	1G1ZS57F67F297574

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

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

#### **RESOLUTION NO. 87**

#### **TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY NO LONGER NECESSARY FOR PUBLIC USE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Dept/Vehicle</u>	<u>Description</u>	<u>Serial No./Vehicle ID NO.</u>
DPW 4	2002 Dodge Ram Pickup	3B7KC26602M262575
DPW 302	1999 International Single Axle Dump w/o box	1HTGEAHR5XH643970
DPW 346	1994 International Pumpkin Truck	1HTSAZRM6RH551972
DPW 375	1997 International Tandem Axle Dump	1HTGGAET9VH444511
DPW 650	2007 New Holland Tractor	HJEO84600
DPW 662	1992 John Deere Tractor w/Over the rail mower	L02555G764039
DPW 989	2002 Rosco Sweeper	38280

The resolution was seconded by Mr. Haynes and Mr. Ellis and unanimously adopted.

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

## **RESOLUTION NO. 88**

### **TITLE: STIPULATION WITH VILLAGES IN TAX FORECLOSURE PROCEEDING TREASURER'S OFFICE**

**WHEREAS**, the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said proceeding is returnable before the New York State Supreme Court Delaware County on August 12, 2016; and

**WHEREAS**, said proceeding effects tax liens of both the County and several villages of Delaware County.

**NOW, THEREFORE, BE IT RESOLVED** the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the County will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "Notice of Stipulation"

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

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

## **RESOLUTION NO. 89**

### **TITLE: ACCEPTANCE OF SECOND SUPPLEMENTAL AGREEMENT AMONG WEST OF HUDSON WATERSHED STAKEHOLDERS CONCERNING THE NEW YORK CITY-FUNDED FLOOD BUYOUT PROGRAM DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, in August/September, 2011, Delaware County experienced widespread catastrophic flooding from Hurricane Irene and Tropical Storm Lee, adversely affecting many of its towns and villages, warranting the declaration of a countywide "State of Emergency"; and

**WHEREAS**, pursuant to the Hazard Mitigation Grant Program, the Delaware County Planning Department applied for funding from the Federal Emergency Management Agency (FEMA) for a voluntary flood-damaged property acquisition ("FEMA flood buyout") program; and

**WHEREAS**, the Delaware County All-Hazards Mitigation Plan was accepted by the Delaware County Board of Supervisors to ensure Delaware County eligibility for State and Federal hazard mitigation monies; and

**WHEREAS**, the New York City Department of Environmental Protection (NYCDEP) agreed to participate in the FEMA flood buyout program by providing funds to cover certain costs incurred in connection with property acquisition and demolition and taking title to properties that met certain criteria (except where the County or another local government opted to take title); and

**WHEREAS**, Delaware County and the NYCDEP executed a contract with FEMA and the New York State Office of Emergency Management (NYSOEM) to formalize the NYCDEP's participation in the FEMA flood buyout; and

**WHEREAS**, the 2013 Supplemental Land Acquisition Program Agreement memorialized the agreement to modify Special Condition 7(b) of the 2010 Water Supply Permit to facilitate the Hurricane Irene Buyout Program. In particular, the modifications allowed for the use of the FEMA procedures for determining the fair market value of properties participating in the FEMA flood buyout program. The modifications also allowed for local communities to take and retain title to properties acquired through that program, establishing a requirement that in such situations, those communities would grant conservation easements to the New York State Department of Environmental Conservation with certain restrictions, including both the restrictions FEMA requires for all buyout properties ("FEMA Deed Restrictions") and additional

restrictions memorialized in the 2013 Supplemental LAP Agreement; and

**WHEREAS**, the May 2014 Midterm Revisions to New York City’s 2007 Filtration Avoidance Determination (“FAD”) require the NYCDEP to commit \$15 million to a New York City-funded flood buyout program (“NYCFFBO Program”) to be implemented in accordance with the conditions of the 2010 Water Supply Permit, as amended. In accordance with the FAD, after extensive negotiations and outreach, Watershed Stakeholders have agreed upon a process for property evaluation and selection, as documented in “NYC-Funded Flood Buyout Program Property Evaluation and Selection Process,” (“Process Document”), which relies on a further amendment of the 2010 Water Supply Permit, as described below, to allow the NYCDEP to implement the NYCFFBO Program in communities that elect to participate in the Program (“Communities”); and

**WHEREAS**, MOA Paragraph 67 prohibits the NYCDEP from acquiring property in the West of Hudson watershed with structures other than uninhabitable dwellings or accessory structures unless the property is acquired through an acquisition and relocation program administered pursuant to the Hazard Mitigation Grant Program of the Federal Disaster Assistance Act; and

**WHEREAS**, on December 23, 2015, the Communities submitted to NYCDEP and the regulatory agencies the following list of proposed modifications and enhancements to the Watershed Protection and Partnership Programs (“Supplemental Partnership Programs”), which CWT asserts are critical to the long-term sustainability of the Communities:

1. Future Stormwater Fund
  - (a) Replenishment
  - (b) Eligible costs/allocation
2. MOA Paragraph 145 Stormwater Costs Paid by the City
  - (a) CWC to administer program
  - (b) Payments as project proceeds within 90 days of invoice submission
  - (c) Eligible costs to be consistent with MOA Attachments II and WW and to be determined by CWC
3. Small Business Septic Fund
  - (a) Expansion to public entities and institutions
  - (b) Engineering evaluations and funding of upgrades to noncomplying regulated activities
  - (c) Expansion to include all incremental costs of equipment and methods required by the Watershed Regulations that are not required by State or federal law
4. CWC to administer program concerning the City’s obligations to pay certain wastewater treatment plant costs under Public Health Law Section 1104.

**WHEREAS**, in order for New York City to participate in the Flood Buyout Program, the NYCDEP has requested a modification to Special Condition 7(b) of the 2010 Water Supply Permit to allow the NYCDEP to acquire, as part of a NYCFFBO Program, property with structures (other than uninhabitable dwellings or accessory structures). Based on extensive negotiations, the Parties have reached agreement on a Second Supplemental Agreement among the West of Hudson Watershed Stakeholders concerning NYCFFBO Program. As part of that agreement, the Communities have requested, and the City has agreed to: (i) negotiations concerning the Supplemental Partnership Programs and the incorporation of those supplemental programs into the NYC Long Term Watershed Protection Program, (ii) to work together with the Communities, in consultation with NYSDOH and DEC, to identify and promulgate amendments to the Watershed Regulations that will reduce the regulatory burden on the West of Hudson Communities without compromising water quality; and (iii) to work together with the Communities, to identify efficiency improvements to the City’s contracting, procurement, and contract administration processes.

**NOW, THEREFORE, BE IT RESOLVED**, that the Delaware County Board of Supervisors authorizes the Chairman of the Board to execute Second Supplemental Agreement among the West of Hudson Watershed Stakeholders concerning New York City Funded Flood Buyout Program.

The resolution was seconded by Mr. Tuthill.

Mr. Triolo said that he was pleased with how quickly the second supplemental agreement came together. Negotiations began in November 2015 and within six months an agreement was reached.

Commissioner Frazier provided the background and history behind the need to identify gaps in the partnership program and the problems with the existing regulations that led to the development of the second supplemental agreement.

Watershed Attorney Kevin Young addressed specific aspects of the agreement critical to the long-term sustainability of the communities.

In answer to Mr. Marshfield's concern regarding land reuse plans, where a municipality may take title to a property that has been sold during the buyout process, Mr. Young explained that that municipality is required to have a reuse plan at the time the property is taken by eminent domain or purchased from the City. The portion of the property located in the flood plain would comply with FEMA's regulations; the remainder of the property could be used by the municipality.

Director of Planning Nicole Franzese noted that during the negotiation it was made clear that the municipality has the right to use the portion of property outside of the floodplain. A list of acceptable land reuses has been developed and the Planning Department is available to assist municipalities with the process.

Mr. Davis said he felt this agreement is good and the best the County could hope for. He noted that a local flood analysis (LFA) is required under this agreement and the LFA has to state that relocation is part of the plan or the municipality would not be eligible for funding under the relocation program.

In response to Mr. Marshfield, Chairman Eisel said this is a county-wide agreement so voting would be open to towns inside and outside of the watershed.

Mr. Axtell pointed out that the towns outside of the watershed will receive none of the benefits outlined in the second supplemental agreement.

In answer to Mr. Valente, Mr. Young said if a county does not sign onto the second supplemental agreement it would not be entitled to use the \$15 million committed to the New York City funded flood buyout program.

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. 90**

**TITLE: REQUEST FOR COMMENT EXTENSION AND MODIFICATION TO  
PROPOSED CHANGES TO TITLE 6 NYCRR PART 360  
(NEW YORK STATE'S SOLID WASTE MANAGEMENT FACILITIES REGULATIONS)  
DEPARTMENTS OF ECONOMIC DEVELOPMENT, EMERGENCY SERVICES,  
PLANNING, PUBLIC WORKS AND WATERSHED AFFAIRS**

**WHEREAS**, Delaware County has preliminarily reviewed proposed changes to Title 6 NYCRR Part 360 to evaluate potential impacts on County facilities and programs; and

**WHEREAS**, Delaware County has demonstrated leadership in its commitment to the safe, prudent and efficient management of solid waste with its model solid waste management facility and the protection of natural resources with emphasis on water quality; and

**WHEREAS**, the Delaware County Solid Waste Management Facility anticipates the potential for significant and costly impacts to facility management under the proposed changes; and

**WHEREAS**, in response to 14 federally-declared and several severe, localized flood events since 1996, Delaware County is now recognized as a leader in flood mitigation efforts through the Delaware County Action Plan for Watershed Protection; and

**WHEREAS**, aspects of the proposed regulatory changes may render flood mitigation projects cost-prohibitive by increasing the cost of removing historic fill or the potential harvesting and use of navigational dredge material (under a NYS DEC permit); and

**WHEREAS**, the purpose of the proposed changes appears to be designed to address the management of solid waste in more urban areas where the sources of risk from solid waste are higher, as well as, on a much larger scale and not appropriate or affordable for very rural and low income areas such as Delaware County; and

**WHEREAS**, Delaware County departments and agencies intend to continue to evaluate the potential impacts of the proposed changes and develop detailed, comprehensive comments for submission to the New York State Department of Environmental Conservation.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors strongly requests of the New York State Department of Environmental Conservation a 60 day time extension on the comment deadline for the proposed changes to 6 NYCRR Part 360 regulations and the associated Generic Environmental Impact Statement (GEIS), additionally requesting that the State conduct a socio-economic impact analysis of proposed regulations on Delaware County and other rural counties in the State.

**BE IT FURTHER RESOLVED** that the Board of Supervisors directs involved County departments and agencies to submit comprehensive comments regarding the proposed changes that will directly impact the costs of management of solid waste for the County and those changes that will undermine flood mitigation and stream corridor management programs across the County.

**BE IT RESOLVED** a copy of this resolution be sent to Governor Cuomo, New York State Senators Bonacic, Seward and Akshar, New York State Assemblymembers Crouch, Lopez and Tenney, New York State Acting DEC Commissioner Basil Seggos, Deputy DEC Commissioner James Tierney, DEC Division of Materials Management Division Director David Vitale, P.E., DEC Division of Materials Management Melissa Treers P.E., DEC Division of Water Director Mark Klotz, New York City Watershed Program Coordinator Thomas Snow, Director of the New York State Office of Emergency Management Kevin Wisely, New York State Associations of Counties, New York State Farm Bureau, Delaware County Farm Bureau, Delaware County Chamber of Commerce and Delaware County Industrial Development Agency.

The resolution was seconded by Mr. Spaccaforno.

Director of Solid Waste Management Sue McIntyre explained that the Title 6 NYCRR Part 360 regulations that govern the solid waste operations are undergoing a substantial revision. Comments are due in June on the environmental impact statements and July on the proposed regulations. The proposed changes expand the reach of coverage to areas that affect more than solid waste. In particular, navigational dredge material and historic fill. The proposed revisions could potentially have negative impacts on flood mitigation and streambank stabilization activities. Since more time is required to evaluate the impacts of the proposed changes, the resolution is seeking a sixty-day extension from the state. Other counties have requested an extension however, the state has not said either way if it will grant the extension.

In answer to Mr. Marshfield, Ms. McIntyre said that some of the regulations are advantageous to solid waste so opposition to the entire legislation would not be beneficial to the County. What is new, and could have potential negative impact, are the non-solid waste activities.

Assistant to the Commissioner of Watershed Affairs Molly Oliver noted that an evaluation of the rules and regulations is time consuming based on the volume and extensive detail. It is important that County departments and agencies take the time to do a thorough review and evaluation of current and pending projects for any potential negative impact. The proposed regulations could have a significant financial impact.

Attorney Kevin Young explained that the proposed regulatory changes will directly affect the cost of management of solid waste for the County and these changes will undermine flood mitigation and stream corridor management programs across the County.

Chairman Eisel suggested that if the state wants these changes they should pay for the regulations they want.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 91**

**TITLE: IN MEMORY OF LUCILLE R. FREYER**

**WHEREAS**, former Town of Colchester Supervisor Lucille R. Freyer passed away on May 6, 2016; and

**WHEREAS**, she served as Town of Colchester Supervisor from 2004 until 2005; and

**WHEREAS**, she will be remembered with distinction for her hard work, dedication and community service to the County and the Town of Colchester.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors extends its sympathy to the family of Lucille R. Freyer and recognizes with gratitude her contributions to this County, her Town and neighbors.

The resolution was seconded by Mr. Marshfield.

Mr. Merrill noted that Mrs. Freyer was his cousin and would be greatly missed.

Chairman Eisel stated that Mrs. Freyer was a member of the Governmental Affairs Committee, Health Committee and Public Safety Committee. Mrs. Freyer was a pleasure to work with; she was a go-getter who served the County and Town of Colchester very well during her tenure.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 92**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$735,036.42 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	\$532,863.15
OET	\$3,674.86
Public Safety Comm System	\$1,444.56
Highway Audits, as Follows:	
Weights and Measures	\$83.34
Landfill	\$73,809.08
Road	\$47,724.64

Machinery	\$50,781.11
Capital Road & Bridge	\$17,151.19
Capital Solid Waste	\$7,504.49

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

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

### **RESOLUTION NO. 93**

#### **TITLE: DELAWARE COUNTY BOARD OF SUPERVISORS OPPOSITION TO S.7861 REQUIRING THE PAYMENT OF PREVAILING WAGE DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the New York State Economic Development Council (EDC), which has represented economic development professionals, colleges and universities, and private sector enterprises for more than 40 years, opposes the above referenced legislation, which, if enacted, would require every project financed in whole or part with funds, subsidies, or tax exemptions provided by a state or local public authority, to pay prevailing rates of wages and supplements; and

**WHEREAS**, prevailing wage mandates would drive-up the cost of building projects in New York State by 28% to 35%; and

**WHEREAS**, New York is the most expensive state in the country in which to build and operate a business and this proposed additional burden could significantly affect Upstate development; and

**WHEREAS**, the Delaware County Industrial Development Agency acts as the local public authority to encourage and assist in economic development projects in Delaware county; and

**WHEREAS**, this legislation would make it significantly more difficult to attract new projects and help existing businesses expand in Delaware County communities.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors opposes this proposed legislation (S.7861); and

**BE IT FURTHER RESOLVED** that the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Association of Counties (NYSAC) and all others deemed necessary.

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

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

### **RESOLUTION NO. 94**

#### **TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss proposed, pending or current litigation. Specifically, the matter of New York City Department of Environmental Protection request to modify its water supply permit.

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

The meeting reconvened in regular session with all Supervisors present.

Upon a motion, the meeting was adjourned at 7:12 p.m.



**REGULAR MEETING**  
**DELAWARE COUNTY BOARD OF SUPERVISORS**

**JUNE 22, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 22, 2016 at 5:30 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. Gladstone, Mr. Ellis and Mr. Gregory.

Mr. Marshfield offered the invocation.

Mr. Tuthill 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. Taggart. Mr. Taggart introduced 2016 Dairy Princess Sabra Warner and Dairy Ambassador Lauren Davis.

Miss Warner learned firsthand about dairy farming and the dairy industry from her grandparents. Although she was not raised on a dairy farm she is a strong advocate for the goodness of dairy and during her tenure she hopes to educate and promote the dairy industry to people who are not as informed. Promoting the goodness of dairy is something she will continue to do even after her reign as Dairy Princess.

Many consumers research online before they buy products and reaching the public through social media is a crucial marketing tool. The use of social media in the dairy industry is referred to as "agvocacy." The sharing of positive messages online about the dairy industry is serving to educate the public and promote consumption. Many farmers have their own blog and/or Facebook page to share photos and inform consumers of what is happening on farms and in the dairy industry.

Miss Warner invited everyone in attendance to enjoy refreshments offered in the lobby during recess. She thanked the Board of Supervisors for the opportunity to address them and for their support of the dairy industry.

Chairman Eisel thanked Miss Warner for her presentation.

Chairman Eisel granted privilege of the floor to Mr. Taggart. Mr. Taggart introduced Delaware County Cornell Cooperative Extension Agricultural Team Leader, Mariane Kiraly to give an update on the current dairy situation.

Mrs. Kiraly provided Supervisors with a copy of her presentation entitled: *Program on Dairy Markets and Policy*. She stated farmers buy many of their items from local businesses, employ themselves and others, maintain the landscape and provide products that support good health. Dairy farms in this region are mostly smaller, family farms. There are fewer than 100 commercial dairy farms in the County helping to support three milk-processing plants. Milk prices have fallen below the cost of production. Overhead costs are a larger part of doing business on smaller farms making it harder for the smaller farms to compete with commercial farms in other parts of the state and country.

Smaller, family operated farms are finding it necessary to diversify to sustain their farm. Some areas of diversification include bottling their milk to sell off the farm and/or adding value to their milk by processing the product into cheese, yogurt or kefir, converting to organic dairy farming, selling hay and/or firewood, or working off the farm. Many local farmers have converted to organic farming to ensure a stable milk price. She noted that the County lost three dairy farms just after the first of the year.

Delaware County Cooperative Extension and its partners offer a variety of programs designed to assist dairy farmers as they struggle to thrive in an ever-changing economic climate.

Mrs. Kiraly thanked the Board of Supervisors for their generous support of Cornell Cooperative Extension and the dairy industry.

In answer to Chairman Eisel, Mrs. Kiraly said that production methods have advanced so significantly that milk production has not dropped despite the fact that there are fewer farms.

In reply to Mr. Marshfield, Mrs. Kiraly said there about 10,000 cows in Delaware County.

Mrs. Kiraly shared that the three farms lost were located in the Town of Franklin. Mr. Taggart added that he felt at least one farm would return.

Chairman Eisel thanked Mrs. Kiraly for an informative presentation.

Chairman Eisel granted privilege of the floor to Ms. Molé. Ms. Molé introduced Director of Planning Nicole Franzese to give an update on the consolidation of the Department of Mental Health, the Mental Health Clinic and the Department of Alcohol and Drug Abuse Services, collectively referred to as the County's mental health agencies.

Supervisors were given a copy of the presentation entitled *Mental Health Clinic Siting Process and Analysis*. Ms. Franzese explained the timeline of activities relating to the relocation and consolidation of the County's mental health agencies.

Ms. Franzese explained that the Community Services Board (CSB) has the statutory responsibility of overseeing the operations of the mental health agencies. In 2014, the CSB recommended that the Community Health Committee consider options to consolidate the County's mental health services. In response to that recommendation, Chairman of the Board of Supervisors James Eisel created the Mental Health Sub-Committee, consisting of the County Code Enforcement Officer, the County's mental health agencies, the Planning Department and the Department of Public Works to explore all options for a long-term solution.

The Mental Health Sub-Committee has selected three sites, one in the Town of Delhi and two in the Town of Walton for consideration. A consultant selection process is underway to aid in site selection. In addition, Chairman Eisel established a Capital Planning Committee for direct oversight and authorization of expenditures related to site evaluation.

In answer to Mr. Davis, Ms. Franzese said that the properties are not located in a flood zone and are vacant with access to water and sewer.

In response to Mr. Hynes, Ms. Franzese said impacts to a community are considered during the SEQR evaluation.

Mr. Marshfield shared that he has been in support of consolidating the County's mental health agencies right from the beginning. The relocation of the Alcohol and Drug Abuse Services will move thirteen people from the Town of Hamden but the consolidation is in the best interest of the clients who use the facility and the County overall.

In reply to Mr. Marshfield, Director of Mental Health Cynthia Heaney said that the state is moving towards integration of behavioral health services. This allows the County's mental health agencies to report to only one regulatory agency instead of two.

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

#### **RESOLUTION NO. 95**

#### **TITLE: 2016 BUDGET AMENDMENT ACCEPTANCE OF 2016 LIVESCAN EQUIPMENT GRANT SHERIFF'S OFFICE**

**WHEREAS**, Delaware County is the recipient of a grant awarded by the New York State Division of Criminal Justice Services utilizing Federal Fiscal Year 2015 Byrne/JAG funding

from the 2016-2017 State Budget; and

**WHEREAS**, the grant, to be administered by the Sheriff's Office, was awarded for the specific purpose of reimbursing the County \$10,000 toward the cost of replacing the outdated Livescan Fingerprint System during the period commencing on July 1, 2016 through June 30, 2017.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-13110-44432000/3110050/907	Federal Crime Control	\$10,000.00
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**INCREASE APPROPRIATIONS:**

10-13110-52200001/3110050/907	Equipment	\$10,000.00
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The resolution was seconded by Mr. Tuthill.

Sheriff Mills stated in answer to Mr. Marshfield, that the County is responsible for the remaining 50 percent of the cost.

In answer to Mr. Taggart, Sheriff Mills said that in 2003 the State paid for the current Livescan Fingerprint system. The current system is now outdated. The department did not budget for replacing the system this year but replacing the outdated system is essential to operational procedure.

Sheriff Mills stated in reply to Chairman Eisel that finger printing is no longer used, only the scan.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 96**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF STATE HOMELAND SECURITY  
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 (WM2016 SHSP); and

**WHEREAS**, this grant was awarded in the amount of \$100,000 for the purpose of security enhancements for the public safety facility, upgrades to the photo identification system, replacement of personal protective equipment and purchase of a simulation manikin for training first responders.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Emergency Services be authorized to accept this grant funding as described above and that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-13640-43398900/3640054/911	State Homeland Security	\$100,000.00
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**INCREASE APPROPRIATIONS:**

10-13640-52200001/3640054/911	Equipment Grant	\$100,000.00
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The resolution was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 97**

**TITLE: 2016 BUDGET AMENDMENT  
RESOURCE ALLOCATION PROGRAM  
YOUTH BUREAU**

**WHEREAS**, the Delaware County Youth Bureau is the designated agency to administer the Resource Allocation Program; and

**WHEREAS**, the state has increased Delaware County’s allocation for the Resource Allocation Program.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-17310-43382100	State Youth Admin	\$511.00
10-17310-43382000	State Youth Programs	\$538.00

**INCREASE APPROPRIATIONS:**

10-17310-54200000	Contracted Services	\$1,049.00
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The resolution was seconded by Mr. Hynes.

Mr. Marshfield noted that the state has increased its funding to the Resource Allocation Program. These funds are used to support summer recreation programs and other programs offered throughout the year in the towns and village.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 98**

**TITLE: 2016 BUDGET AMENDMENT  
WATERSHED ENVIRONMENTAL ASSISTANCE PROGRAM  
O’DELL LAKE ROAD CULVERT REPLACEMENT  
AND STREAMBANK SLOPE MITIGATION  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the County has been awarded a \$134,465 Watershed Environmental Assistance Program grant from the U.S. Army Corp. of Engineers, to implement the O’Dell Lake Road Culvert Replacement and Streambank Slope Mitigation Project to continue the implementation of the Delaware County Action Plan over a two-year period; and

**WHEREAS**, the required match is identified and committed through in-kind sources from the Town of Harpersfield, Delaware County Soil and Water Conservation District, Delaware County Department of Watershed Affairs and the New York City Department of Environmental Protection.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby authorizes the Chairman of the Board to enter into a contract, identified as the Project Partnership Agreement (PPA), with the U.S. Army Corp. of Engineers to conduct this work and enter into a subcontract between Delaware County and Delaware County Soil and Water Conservation District; and

**BE IT FURTHER RESOLVED**, that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-18741-44498900/8740038/900	Army Corp. of Engineers	\$134,465.00
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**INCREASE APPROPRIATIONS:**

10-18741-54327200/8740038/900	Contractual	\$134,465.00
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 99**

**TITLE: 2016 BUDGET AMENDMENT  
WATERSHED ENVIRONMENTAL ASSISTANCE PROGRAM  
WATER STREET FLOODPLAIN RECLAMATION PROJECT  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the County has been awarded a \$469,320 Watershed Environmental Assistance Program grant from the U.S. Army Corp. of Engineers, to implement the Water Street Floodplain Reclamation Project to continue the implementation of the Delaware County Action Plan over a two-year period; and

**WHEREAS**, the required match is identified and committed through in-kind sources from the Village of Walton, Town of Walton, Delaware County Soil and Water Conservation District, Delaware County Department of Watershed Affairs and the New York City Department of Environmental Protection.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby authorizes the Chairman of the Board to enter into a contract, identified as the project partnership agreement (PPA), with the U.S. Army Corp. of Engineers to conduct this work and; enter into a subcontract between Delaware County and Delaware County Soil and Water Conservation District; and

**BE IT FURTHER RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-18741-44498900/8740037/900	Army Corp. of Engineers	\$469,320.00
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**INCREASE APPROPRIATIONS:**

10-18741-54327200/8740037/900	Contractual	\$469,320.00
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 100**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SHERIFF’S OFFICE**

**WHEREAS**, the Constitution Pipeline awarded the Sheriff’s Office a grant in the amount of \$2,500 with which to restore order to Delaware County’s Potter’s Field Cemetery; and

**WHEREAS**, the purchase of a Masport 21" steel deck self-propelled zone start lawn mower is needed to perform routine grounds maintenance and was not considered when preparing the 2016 Budget.

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

<b><u>FROM:</u></b>		
10-13110-54327465/3110112/907	General Misc.	\$429.95
<b><u>TO:</u></b>		
10-13110-52200001/3110112/907	Grant – Equipment	\$429.95

The resolution was seconded by Mr. Tuthill and Mr. Spaccaforo.

In answer to Mr. Taggart, Sheriff Mills referenced the generosity of the O’Connor Foundation, County residents, local businesses and organizations in support of restoring the Potter’s Field Cemetery. Referencing the resolution, he noted that the mower is being purchased with grant funding.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 101**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PLANNING DEPARTMENT**

**WHEREAS**, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer, have agreed that additional funding of appropriations is needed at this time to purchase a printer.

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

<b><u>FROM:</u></b>		
10-18020-51000000	Personal Services	\$2,482.00
<b><u>TO:</u></b>		
10-18020-52200000	Equipment	\$2,482.00

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Ms. Franzese said the printer would replace an existing printer.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 102**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY  
NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Health is authorized to sell by trade-in, on-line auction or for scrap the following items:

<b><u>Vehicle No.</u></b>	<b><u>Description</u></b>	<b><u>Vehicle Identification No.</u></b>
70	2004 Ford Taurus	1FAFP52UX4G183350
74	2005 Ford Taurus	1FAFP53275A228858

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

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

**RESOLUTION NO. 103**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Social Services is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u><b>Vehicle No.</b></u>	<u><b>Description</b></u>	<u><b>Serial No./Vehicle ID NO.</b></u>
370	2005 Ford Taurus	1FAFP53285A228870
377	2005 Chevy Malibu	1G1ND52F85M247378

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

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

**RESOLUTION NO. 104**

**TITLE: PURCHASE OF HIGHWAY RIGHT OF WAY  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Delaware County Department of Public Works has entered into an Agreement with the New York State Department of Transportation to receive Federal Aid under PIN 9753.00 for the reconstruction of County Bridge 26-1, BIN 3351950, and its approaches, Town of Colchester; and

**WHEREAS**, the new structure and highway realignment will require additional right of way; and

**WHEREAS**, the Department of Public Works has followed all the Federal Requirements for acquiring highway right of way including certified appraisals and appraisal reviews; and

**WHEREAS**, the Board of Supervisors is authorized to provide such right of way pursuant to the provisions of Section 118 of the Highway Law; and

**WHEREAS**, the project has been deferred from the Federal Aid Program by NYS DOT since 2008; and

**WHEREAS**, as a result of that delay being longer than the two years, the temporary easement purchase authorized by Resolution No. 55 of 2010 has to be purchased again.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to purchase the following parcels in the Town of Colchester for the respective amounts including damages.

Map No. 6 Parcel No. 8	0.041Acres	Temporary Easement
Arthur C. Edel & Marcia A. Edel	\$100.00	

The resolution was seconded by Mr. Valente.

Chairman Eisel granted Mr. Rowe’s request to abstain from voting on this resolution as he is employed by the New York State Department of Transportation.

The resolution was adopted by the following vote: Ayes 3636, Noes 0, Absent 841

(Gladstone, Ellis, Gregory), Abstain 322 (Rowe).

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

**RESOLUTION NO. 105**

**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  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, a Project for the Storm of May 13-22, 2014, County Route 21 (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

**NOW, THEREFORE**, the Delaware County Board of Supervisors, 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 of Supervisors 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 \$7,995 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 of Supervisors 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. Valente.

Chairman Eisel granted Mr. Rowe’s request to abstain from voting on this resolution as the New York State Department of Transportation employs him.

The resolution was adopted by the following vote: Ayes 3636, Noes 0, Absent 841



(Gladstone, Ellis, Gregory), Abstain 322 (Rowe).

Chairman Eisel granted Mr. Rowe's request to rescind Resolution No. 106 entitled: Authorization to Enter into an Agreement with the City of New York for Road Repair and Reconstruction on all NYC Roads Located in the County of Delaware.

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

**RESOLUTION NO. 107**

**TITLE: AUTHORIZATION TO SIGN CONTRACT  
TREASURER'S OFFICE**

**WHEREAS**, the Delaware County Board of Supervisors passed Local Law No. 13 of 2015, namely "Local Law Imposing a Hotel/Motel Occupancy Tax in the County of Delaware;" and

**WHEREAS**, Airbnb, Inc. has approached the County offering to collect the 2% Occupancy Tax on all rentals booked through their business.

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be authorized to sign a Voluntary Collection Agreement for Delaware County Hotel Occupancy Tax with Airbnb, Inc.

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

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

**RESOLUTION NO. 108**

**TITLE: RESOLUTION PROVIDING SECTIONS 89-p AND 603 (I)  
(A 25 YEAR RETIREMENT PLAN FOR SHERIFFS, UNDERSHERIFFS,  
CORRECTIONS OFFICERS AND DEPUTY SHERIFFS WHOSE DUTIES INVOLVE  
AT LEAST 50% CRIMINAL LAW ENFORCEMENT)  
PERSONNEL OFFICE**

**BE IT RESOLVED** that the Board of Supervisors of the County of Delaware does hereby elect to provide the Delaware County Corrections Officers titles the benefits of Sections 89-p and 603 (I) of the Retirement and Social Security Law, as presently or hereinafter amended.

The resolution was seconded by Mr. Spaccaforno.

In answer to Mr. Marshfield, Personnel Director Teddie Storey explained that the Correctional Facility is part of the Sheriff's Office and is a law enforcement agency. Their responsibilities include processing and managing inmates and ensuring a safe environment in the jail for inmates and employees alike. Corrections Officers are considered law enforcement in the New York State Retirement System because their work involves 50 percent criminal law enforcement.

In response to Mr. Taggart, Mrs. Storey noted that the retirement plan changed from a 30-year plan to a 25-year plan in 2015. The Board ratified the plan change through the Collective Bargaining Agreement with the Corrections Officers.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 109**

**TITLE: STANDARD WORK DAY AND REPORTING RESOLUTION  
NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

**BE IT RESOLVED**, that the County of Delaware hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day (hrs/day)</u>	<u>Term Begin-End</u>	<u>Days Per Month Based on Record of Activities</u>
Supervisor – Andes	Wayland Gladstone	6	1/01/16 - 12/31/17	1.36
Supervisor – Bovina	Tina Molé	6	1/01/16 - 12/31/17	4.83
Supervisor – Davenport	Dennis Valente	6	1/01/16 - 12/31/17	11.56
Supervisor – Delhi	Mark Tuthill	6	1/01/16 - 12/31/17	3.81
Supervisor – Franklin	Jeffrey Taggart	6	1/01/16 - 12/31/17	2.22
Supervisor – Hancock	Samuel Rowe	6	1/01/16 - 12/31/17	2.93
Supervisor – Kortright	George Haynes	6	1/01/16 - 12/31/17	1.69
Supervisor – Meredith	James Ellis	6	1/01/16 - 12/31/17	1.60
Supervisor –Middletown	Carl P. Davis	6	1/01/16 - 12/31/17	2.75
Supervisor – Stamford	Michael L. Triolo	6	1/01/16 - 12/31/17	3.61
Supervisor – Tompkins	Bill Layton	6	1/01/16 - 12/31/17	6.56

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

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

**RESOLUTION NO. 110**

**TITLE: APPOINTMENT OF OUTREACH AND ASSESSMENT LEADS  
FOR THE NYC VOLUNTARY COMMUNITY FLOOD-BUYOUT PROGRAM  
FOR FLOOD MITIGATION  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the Revised 2007 Filtration Avoidance Determination of 2012 required New York City to fund a Flood Mitigation Program; and

**WHEREAS**, one component of that program includes a voluntary Flood Buyout Program for communities to consider; and

**WHEREAS**, the terms and conditions of the voluntary Flood Buyout Program for village and hamlet designated areas to consider in the New York City watershed have been completed. Unlike the existing Land Acquisition Program, these acquisitions are solely for the purpose of flood mitigation efforts with the agreement of the involved municipality; and

**WHEREAS**, the Catskill Watershed Corporation (CWC) is charged with funding the expenses for the Outreach Lead and Assessment Lead; and

**WHEREAS**, CWC has requested Delaware County to provide a resolution designating the Outreach Lead(s) and Assessment Lead(s) to represent communities in these processes in Delaware County; and

**WHEREAS**, Delaware County recognizes that participating municipalities may choose to conduct these tasks independently of the County's Outreach and Assessment Leads by contracting with the CWC directly.

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County designates the Delaware County Planning Department as the Outreach Lead and the Delaware County Soil and Water Conservation District as the Assessment Lead; and

**BE IT FURTHER RESOLVED**, there may be unique individual community

circumstances and needs that may enable either the Outreach Lead or Assessment Lead to be the only lead needed by that community.

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

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

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

**RESOLUTION NO. 111**

**TITLE: 2016 BUDGET MODIFICATION  
TRANSFER OF FUNDS  
PLANNING DEPARTMENT**

**WHEREAS**, Delaware County entered into contract with the A. Lindsay and Olive B. O'Connor Foundation, Inc.; and

**WHEREAS**, Delaware County has received funding from the A. Lindsay and Olive B. O'Connor Foundation, Inc. for future projects to be completed as per Resolution No. 193 of 2008 and Resolution No. 120 of 2014; and

**WHEREAS**, the Planning Department has hired summer help to assist in data collection for the development of Highway Management Plans using the funds provided for GIS Implementation; and

**WHEREAS**, the Planning Department has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer, have agreed to amend the appropriations at this time to include Personal Services.

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

**FROM:**

10-18020-54327005/8020020/908	GIS Implementation (SDWA)	\$12,000.00
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**TO:**

10-18020-51327000/8020020/908	Personal Services – Grant	\$10,000.00
10-18020-58332700/8020020/908	Social Security Contributions – Grant	\$1,000.00
10-18020-58932700/8020020/908	Medicare – Grant	\$1,000.00

The resolution was seconded by Mr. Valente.

In answer to Mr. Marshfield, Ms. Franzese said the County received the grant in 2008 and 2009.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 112**

**TITLE: AUTHORIZATION FOR AWARDS  
PUBLIC HEALTH SERVICES**

**LETTING OF JUNE 15, 2016**

**WHEREAS**, Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County Public Health Services is authorized to make awards to the lowest bidders meeting specifications as follows:

Vehicle Bid #2016-001: Purchase of 2016 Nissan Pathfinder to:

Kingston Automotive LLC  
140 NY-28  
Kingston, NY 12401

Bid Price: \$ 25,630.50

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Merrill.

Ms. Molé noted that Kingston Automotive LLC was the only bidder. The bid met or exceeded specifications.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

**RESOLUTION NO. 113**

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

**LETTING OF JUNE 21, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 37-16 Steel Repairs on Bridge 106, BIN 3352660, Bridge Street over Beaverkill, Town of Hancock to:  
Harrison & Burrowes Bridge Constructors, Inc.

Bid Price: \$888,888.88

Other municipalities in Delaware County may participate in this award.

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe explained that in 2006 the O & W Road in the Town of Hancock was covered with water on the west end and suffered a slope failure on the east end leaving the bridge the only way in or out of East Branch. Structural steel in this truss bridge has suffered some localized section loss due to rust. The project will reinforce those areas and paint the structure from the salt spray line (5 feet above the deck) down for future protection. The work will be paid for through the CHIPS Program.

The resolution was adopted by the following vote: Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

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

## **RESOLUTION NO 114**

### **TITLE: DELAWARE COUNTY REQUEST OF THE NEW YORK STATE DEPARTMENT OF HEALTH TO REQUIRE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NYCDEP) TO CO-HOUSE THEIR WATERSHED STAFF WITH THE CATSKILL WATERSHED CORPORATION, INC. (CWC) STAFF IN THE TOWN OF MIDDLETOWN DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, Delaware County is a signatory to the 1997 New York City Watershed Memorandum of Agreement (Watershed MOA); and

**WHEREAS**, the Watershed MOA formed the CWC, a not for profit local development corporation whose members are the 39 towns in the West of Hudson Watershed, including 17 of the 19 towns in Delaware County; and

**WHEREAS**, as part of the 1997 Watershed MOA, the State of New York Department of Health approved Watershed Regulations to be enforced by NYCDEP; and

**WHEREAS**, the New York City Watershed Regulations as interpreted and enforced by NYCDEP greatly impact the lives and activities of residents, businesses, and municipalities throughout Delaware County; and

**WHEREAS**, the offices of NYCDEP, including its regulatory staff enforcing the Watershed Regulations, are located outside of the Watershed in the City of Kingston in Ulster County; and

**WHEREAS**, the majority of NYCDEP planning, stream and regulatory staff do not live in the Watershed; and

**WHEREAS**, the Coalition of Watershed Towns requested that as a condition of the 2017 Filtration Avoidance Determination NYCDEP regulatory, stream and planning staff be required to relocated to a building shared with CWC in the Town of Middletown, Delaware County; and

**WHEREAS**, relocating these NYCDEP staff offices to inside of the Watershed will contribute to their better understanding of the impacts of their interpretations in enforcing the New York City Watershed Regulations, enhance coordination with local agencies, and will also benefit the watershed economy if such staff persons live, shop, and raise their families inside the Watershed; and

**WHEREAS**, the Delaware County Board of Supervisors strongly supports the Coalition of Watershed Town's request that NYCDEP Regulatory Staff be relocated to an office in the Town of Middletown to be shared with CWC.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors requests that the New York State Department of Health require NYCDEP to relocate planning, stream, and regulatory staff to a building in the Town of Middletown to be shared with CWC.

The resolution was seconded by Mr. Tuthill.

Chairman Eisel remarked that this is good news and will have a positive impact.

Mr. Triolo noted that this recommendation would become part of the 2017 FAD.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 115**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$471,617.91 were hereby presented to the Finance Committee for approval for payment on June 17, 2016 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	\$417,981.77
OET	\$31,526.96
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$44.30
Machinery	\$18,177.65
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$3,887.23

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,091,910.46 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	\$326,121.75
OET	\$28,732.91
Public Safety Comm System	\$6,472.50
Highway Audits, as Follows:	
Weights and Measures	\$119.46
Road	\$214,374.10
Machinery	\$194,139.33
Capital Road & Bridge	\$219,772.57
Capital Solid Waste	\$46,150.79
Solid Waste/Landfill	\$56,027.05

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:  
Ayes 3958, Noes 0, Absent 841 (Gladstone, Ellis, Gregory).

Upon a motion, the meeting adjourned for a short recess. Chairman Eisel invited everyone in attendance to enjoy refreshments in the lobby served by the Delaware County Dairy Princess and her Ambassador.

The meeting reconvened in regular session with all Supervisors present except Mr. Gladstone, Mr. Ellis and Mr. Gregory.

Chairman Eisel appointed Michael Krusinski to the Community Services Board.

Chairman Eisel reactivated the Capital Projects Committee appointing Supervisor Mark Tuthill as Chairman and Supervisors Wayne Marshfield and Michael Spaccaforno to oversee the mental health agencies building project.

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

## **RESOLUTION NO. 116**

### **TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss the proposed acquisition of real property, as publicity would substantially affect the value of the property.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Gladstone, Mr. Ellis and Mr. Gregory.

Upon a motion, the meeting was adjourned at 7:40 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**JULY 27, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 27, 2016 at 5:30 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. Axtell 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.

For standing committee reports, Chairman of the Public Works Committee Sam Rowe announced the 2016 Clean Sweep date for households is September 24 and for farmers, businesses and towns the date is September 23. Online registration begins August 1 and telephone registration runs from September 1-15.

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

## **RESOLUTION NO. 117**

### **TITLE: RESOLUTION TO DESIGNATE DELAWARE COUNTY AS A PURPLE HEART COUNTY DEPARTMENT OF VETERANS AFFAIRS**

**WHEREAS**, the people of Delaware County have great admiration, respect, and the utmost gratitude for all the men and women who have served selflessly for this country in the Armed Forces; and

**WHEREAS**, veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the greater good; and

**WHEREAS**, the contributions and sacrifices of the men and women from Delaware County who served for our Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

**WHEREAS**, many individuals have given their lives while serving in the Armed Forces; and

**WHEREAS**, numerous citizens in our County have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

**WHEREAS**, August 24, 2016 has been officially designated as the day in Delaware County to remember and recognize veterans who are recipients of the Purple Heart Medal.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby proclaims Delaware County as a Purple Heart County, honoring the service and sacrifice of our nation's men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

The resolution was seconded by Mr. Taggart.

Mr. Marshfield shared that the Social Services Committee is wholeheartedly behind recognizing the County's Purple Heart recipients. Director of Veterans Service Agency Charlie Piper has prepared a program of recognition and celebration in honor of the Purple Heart recipients for the August 24<sup>th</sup> Board of Supervisors meeting. Delaware County is one of only nine counties to pursue the Purple Heart Designation.

Mr. Taggart added that prior to August 24 a minimum of six designation signs would be located around the county indicating that Delaware County is a Purple Heart County.

Mr. Spaccaforo noted the tremendous amount of work involved in obtaining the Purple Heart Designation and thanked the Department of Veterans Affairs for pursuing the designation.

Mr. Gregory commented that this recognition demonstrates the County's respect for its veterans and the signs serve to let residents and visitors coming through the County know how important our veterans are to us.

Chairman Eisel thanked the Committee for its support of such a significant designation to the recipients and County, adding that he looks forward to meeting the County's Purple Heart recipients and sharing in the celebration.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 118**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SHERIFF'S OFFICE**

**WHEREAS**, funds have been made available to the Sheriff's Office by way of felony drug prosecutions which funding is routinely collected; and

**WHEREAS**, a tent is needed for conducting police business at crime scenes as well as for performing public relations functions at various community-based activities throughout Delaware County.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**INCREASE REVENUES:**

10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff's Office	\$1,950.00
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**INCREASE APPROPRIATIONS:**

10-13110-522000000	Equipment	\$1,950.00
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The resolution was seconded by Mr. Spaccaforo and adopted by the following vote:  
Ayes 4799, Noes 0, Absent 0.



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

**RESOLUTION NO. 119**

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

**LETTING OF JULY 20, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 38-16      Replacement of Bridge No. 101P, Lake Street Pedestrian  
Bridge over Vly Creek, Village of Fleischmanns,  
Delaware County to: Economy Paving Co., Inc.,  
1819 NYS Rt 13  
Cortland, NY 13045

Bid Price:      \$597,819.50

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

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

Mr. Rowe indicated that Economy Paving Co., Inc. was the only bid received for this project. When the bridge is completed, ownership of the bridge will be turned over to the Village of Fleishmanns. The project is 100 percent FEMA funded.

In answer to Chairman Eisel, Commissioner Reynolds said the bridge is 5 feet wide and 90 feet long.

Mr. Davis added that the bridge is ADA compliant.

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. 120**

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 10-16  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 26 of 2016 authorized the award of Proposal No. 10-16, “Steel Structural Shapes, Misc. (Shapes & Plates >or equal to 1/4”) ” to Steel Sales Inc., PO Box 539, Sherburne, NY 13460 for the bid amount of \$0.4697; and

**WHEREAS**, the design for the replacement of Bridge 101 P, Pedestrian Bridge over Vly Creek, Village of Fleischmanns requires a higher grade of steel (A709 as opposed to A36/992) than the bid required and a special steel section (Structural Tee) not included in Proposal No. 10-16; and

**WHEREAS**, DPW has negotiated with Steel Sales for the supply of the required steel products.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 for the supply of structural steel products for Bridge 101P at the unit prices of \$0.4983 per pound for A709 steel and \$0.7800 per pound for Structural Tees.

The resolution was seconded by Mr. Haynes.

Mr. Rowe said the change order amounts to \$1,050 and is 100 percent reimbursable.

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. 121**

**TITLE: AUTHORIZATION TO ENTER INTO AN AGREEMENT  
WITH THE CITY OF NEW YORK FOR ROAD REPAIR AND RECONSTRUCTION  
ON ALL NYC ROADS LOCATED IN THE COUNTY OF DELAWARE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the New York City Department of Environmental Protection (DEP) owns, maintains and operates approximately thirty-nine miles of public roads around the Pepacton and Cannonsville Reservoirs in the County; and

**WHEREAS**, DEP is desirous of contracting with the County for the reconstruction and maintenance of those roads; and

**WHEREAS**, DEP will deposit money with the County annually for work to be performed the following year with the total contract value being \$24,000,000 over an eight-year period.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board is authorized to enter into an agreement with the City of New York for the reconstruction work.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Chairman Eisel replied that the contract contains an escalation clause to cover increases.

Mr. Merrill noted that many of the State's roads are in very poor condition. In the Town of Colchester, for example, Route 30A on the backside of the reservoir has not seen significant repair since the 1990s.

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. 122**

**TITLE: AUTHORIZING THE FILING OF AN APPLICATION FOR STATE  
ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE  
ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER  
GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the State of New York provides financial aid for household hazardous waste programs; and

**WHEREAS**, Delaware County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract be by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

**NOW, THEREFORE, BE IT RESOLVED** by the Delaware County Board of Supervisors

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Chair of the Board of Supervisors, or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

The resolution was seconded by Mr. Haynes.

Mr. Rowe explained that this resolution is for the application of the 2017 program.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 123**

**TITLE: AUTHORIZATION FOR THE SUBMISSION OF AN APPLICATION TO  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2016  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, applications for Community Development Block Grant funds administered by the Office of Community Renewal are accepted under the CFA system; and

**WHEREAS**, the State's Consolidated Funding Application (CFA) system will accept applications for funding consideration until July 29, 2016; and

**WHEREAS**, Delaware County reviewed its community development issues and needs, and has determined that a grant program designed to assist local agricultural entrepreneurs and businesses throughout Delaware County is essential to the County's future economic vitality; and

**WHEREAS**, Delaware County has held a public hearing to obtain citizen's views in relation to the design of an application for funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors and the Director of Economic Development to develop an application for funding consideration by the NYS Office of Community Renewal.

The resolution was seconded by Mr. Spaccaforno.

In answer to Mr. Marshfield, Director of Economic Development Glenn Nealis explained that the application is for \$200,000. The funding will continue the County's successful agricultural micro enterprise program and will be used for entrepreneurial education and training, as well as start-up and expansion grants for eligible agricultural microenterprise businesses.

In answer to Chairman Eisel, Mr. Nealis said that \$200,000 was received from the Office of Community Renewal in 2015 for the same purpose.

Mr. Triolo noted that in addition to funding traditional farms, the money was used to fund new farming ventures representing a change in farming in the County. Adding, that the 2015 funding was used to make a total of \$185,000 in grants to 13 agricultural businesses investing over \$500,000 in their farm businesses.

The resolution was unanimously adopted.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 124**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY  
NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Health is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Description</u>	<u>Vehicle Identification No.</u>
2007 Dodge Caravan	2D4GP44L17R306715

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

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

**RESOLUTION NO. 125**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$812,414.74 were hereby presented to the Finance Committee for approval for payment on July 15, 2016 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	\$763,470.71
OET	\$6,403.67
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$92.69
Machinery	\$28,394.56
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$14,053.11

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,442,957.14 are hereby presented to the Board of Supervisors for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$1,513,295.68
OET	\$13,599.24
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$743.02
Road	\$381,362.01
Machinery	\$140,172.14
Capital Road & Bridge	\$197,431.32
Capital Solid Waste	\$17,480.17
Solid Waste/Landfill	\$178,873.56

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

Upon a motion, the meeting was adjourned at 5:54 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**AUGUST 24, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 24, 2016 at 5:30 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. Taggart 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. Marshfield who introduced Director of Veterans Affairs Charlie Piper to commemorate August 24 as Delaware County's time to remember and recognize veterans who are recipients of the Purple Heart Medal.

Mr. Piper introduced New York State Veteran Services Representative Pam Tanner, Military Order for the Purple Heart Scott Kyle, Vietnam War Purple Heart recipients, Joe Bellows of Downsville, Pete Loker of Hamden, Clarence (Buster) Ebert of Hancock, and Congressman Gibson's liaison Paula Brown.

Mr. Piper explained that the Purple Heart honor is a United States military decoration awarded in the name of the President to those wounded or killed while serving on or after April 5, 1917 with the U.S. military. He shared the courageous actions and compelling story of First Lieutenant Stephen Holden Doane of Walton while serving in Vietnam in 1969 that merited him posthumously the Medal of Honor, the Silver Star, two Bronze Stars, two Army Commendation Medals, and two Purple Hearts.

Mr. Piper acknowledged Resolution No. 117 entitled Resolution to Designate Delaware County as a Purple Heart County. He noted that twelve signs will be placed around the county in honor of being identified as the ninth county in New York State to be designated as a Purple Heart County.

Mr. Kyle explained that an Act of Congress chartered the Military Order of the Purple Heart for combat wounded veterans in 1958. The Military Order of the Purple Heart is composed of military men and women who received the Purple Heart Medal for wounds suffered

in combat. He read the Proclamation that he presented to Chairman Eisel for his signature and provided a Military Order of the Purple Heart lapel pin for each Supervisor.

Mr. Piper read a letter prepared by Congressman Gibson who was unable to attend the ceremony recognizing these recipients. Mrs. Brown presented Mr. Bellows, Mr. Loker, and Mr. Ebert with an honorary Purple Heart coin in honor of their service and sacrifice to the protection of freedoms enjoyed by all Americans.

Chairman Eisel, on behalf of the Board of Supervisors concluded the ceremony acknowledging the recipients’ heroism and bravery in combat. Further stating it is an honor to be in the company of those who through their service have helped keep America safe.

Chairman Eisel extended his hand to each recipient followed by the full Board of Supervisors.

For standing committee reports, Chairman Eisel recognized the efforts of the county departments involved in the wellbeing of our county employees and its infrastructure during the fire occurring Thursday, August 18 at 6:30 a.m. on Main Street in the Town of Delhi. These efforts combined with those of emergency personnel, mutual aid fire companies and community support helped in eventually extinguishing the fire and avoiding a total disaster.

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 126**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING  
CHILDREN’S MANAGED CARE HEALTH INFORMATION TECHNOLOGY (HIT)  
MENTAL HEALTH CLINIC**

**WHEREAS**, the New York State Office of Mental Health is providing one time funding of \$49,850 to children’s mental health clinics; and

**WHEREAS**, this funding is awarded to assist with health information technology costs related to the transition to Medicaid Managed Care.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**INCREASE REVENUES:**

10-14315-43349017	ST MHC Children's grant-HIT	\$49,850.00
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**INCREASE APPROPRIATIONS:**

10-14315-52200000	Equipment	\$10,000.00
10-14315-54615000	Training	\$39,850.00

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Director of Mental Health Cindy Heaney advised that New York State is moving towards placing all of its Medicaid enrollees into Medicaid Managed Care Plans. This is funding provided by the state to the children’s clinic to help with that transition.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 127**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING FOR MOBILITY MANAGEMENT  
OF SOUTH CENTRAL NEW YORK  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging operates a non-emergency transportation system through which individuals are assisted with transportation to and from non-emergency medical appointments, obtaining legally authorized prescription medications and obtaining essential medical supplies; and

**WHEREAS**, the Office for the Aging has received \$6,000 to enhance the agency's established non-emergency medical transportation program for 2016.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**REVENUES:**

10-16772-42270602/6772044/977	Grants from Non-Profit	\$6,000.00
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**APPROPRIATIONS:**

10-16772-54327000/6772044/977	Grant Contractual Services	\$6,000.00
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The resolution was seconded by Mr. Merrill.

In answer to Mr. Marshfield, Mr. Shepard explained that the funding would be used to pay the volunteers' mileage.

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. 128**

**TITLE: ACCEPTANCE OF THE FUNDING AWARD FROM THE NEW YORK STATE  
OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2016  
COMMUNITY DEVELOPMENT BLOCK GRANT  
ECONOMIC DEVELOPMENT PROJECT FUNDING  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the County of Delaware has been awarded an Economic Development Community Development Block Grant in the amount of \$151,970; and

**WHEREAS**, these funds are designed to assist in the growth of a local manufacturing business located in Delaware County; and

**WHEREAS**, this program will result in the creation local jobs; and

**WHEREAS**, a grant agreement has been received by the County and must be executed and returned within 45 days to formalize the acceptance of the funds; and

**WHEREAS**, the County will enter into a sub-recipient agreement with the Delaware County Industrial Development Agency (DCIDA), whereby the DCIDA will assume responsibility for the delivery and administration of the CDBG funds on behalf of the County.

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware hereby authorizes and directs the County of Delaware Board of Supervisors' Chairman to formalize acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing the NYS Community Development Block Grant Agreement and a sub-recipient agreement with the Delaware County Industrial Development Corporation, and establishing a non-interest bearing account for the specific use of this grant.

**BE IT FURTHER RESOLVED** that the following budget modifications be made:

**INCREASE REVENUE:**

10-16326-44498900/6326018/972	Other Federal Grant Funds	\$151,970.00
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**INCREASE APPROPRIATION:**

10-16326-54327000/6326018/972	General Grant Related Expense	\$151,970.00
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The resolution was seconded by Mr. Spaccaforo.

Director of Economic Development Glenn Nealis explained that K Tooling in the Town of Hancock is expanding its operation to include a second location in the Town of Sidney. This funding will assist them in the acquisition of a building and equipment. The expansion will create eleven new jobs.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 129**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DISTRICT ATTORNEY**

**WHEREAS**, the sum of \$16,547.50 has been made available to the District Attorney’s Office by way of felony drug prosecutions, which is currently in the Forfeiture of Crime Proceeds for the District Attorney; and

**WHEREAS**, the office is in need of an Adobe Acrobat Pro DC 2015 software package and Resolution No. 194 in the amount of \$333.00 was adopted on November 24, 2015 for purchase of said software; and

**WHEREAS**, invoice no. 115173 was received from IT in the amount of \$362.29 which is \$29.29 more than the initial quote for said software.

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

<b><u>FROM:</u></b>		
10-00000-34899000	Forfeiture of Crime Proceeds Reserve	\$29.29
<b><u>TO:</u></b>		
10-11165-54580000	Software	\$29.29

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 130**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging currently has no funding in their budget for the purchase of equipment; and

**WHEREAS**, the Office for the Aging has available funds in other contractual accounts; and

**WHEREAS**, the Office for the Aging’s Oversight Committee and the Finance Committee has approved the purchase of one laptop computer and two printers for the agency using these available funds.

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

<b><u>FROM:</u></b>		
10-16772-54200000	Contracted Services	\$1,497.26
10-16772-54595320	Supplies Office	\$474.80



**TO:**

10-16772-52200000	Equipment	\$1,972.06
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 131**

**TITLE: 2016 BUDGET AMENDMENT  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Solid Waste Capital budget for equipment was established at \$210,000 and the contractual expenses was set at \$1,627,299; and

**WHEREAS**, it has been determined that we are in need of a replacement compactor; and

**WHEREAS**, the funds are available but need to be moved from contractual expenses to equipment; and

**WHEREAS**, bids have been received and the amount necessary has been determined.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**DECREASE APPROPRIATION:**

32-18161-54000000	Contractual Expense	\$289,000.00
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**INCREASE APPROPRIATION:**

32-18161-52000000	Equipment & Capital Outlay	\$289,000.00
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The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 132**

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

**LETTING OF JUNE 21, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW5-16	Purchase of Used Landfill Compactor to: Marcel Marcel Equipment Limited 1000 Progress Drive, London, ON N6N 1B8
	Bid Price: \$289,000.00

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes and Mr. Spaccaforo.

Mr. Rowe stated that this landfill compactor is lightly used and in good condition. The County has been very satisfied with the purchase of used units. The cost of a new unit runs \$600,000 to \$700,000.

Director of Solid Waste Management Sue McIntyre stated in reply to Chairman Eisel, that the purchased unit is a 2012 model with about 10,000 hours on it.

In response to Mr. Taggart, Ms. McIntyre noted that the purchased unit matches the existing landfill compactor so many of the parts can be salvaged from it.

In reply to Mr. Pigford, Ms. McIntyre stated that the payment is in U.S. dollars and the seller handles all custom issues.

Ms. McIntyre noted in answer to Mr. Hynes, that the county has dealt with this company in the past.

In answer to Mr. Gladstone, Ms. McIntyre stated that the price includes delivery.

Mr. Rowe, speaking on behalf of the Public Works Committee, expressed his gratefulness for the vision of past Supervisors in the development of the landfill and compost facility and succeeding Board’s for their continued commitment and dedication to its success. He believed that commitment has led to the successful program the County has today.

Chairman Eisel stated that although the County is spending large amounts of money today to support and maintain the facility it understands it is investing in the future and will be saving money in long run.

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. 133**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
SHERIFF’S OFFICE**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**BE IT RESOLVED**, that the Sheriff’s Office is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Vehicle No.</u>	<u>Description</u>	<u>Serial No. /VIN No.</u>
44	2005 Chevrolet Suburban Van	1GNFH15T551226202

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

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

**RESOLUTION NO. 134**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**BE IT RESOLVED** that the Department of Public Works is authorized to sell by trade-in or on-line auction or for scrap the following items:

<b><u>Dept/Vehicle No.</u></b>	<b><u>Description</u></b>	<b><u>Serial No. /VIN No.</u></b>
SWMC	Cummins 6-10 Engine	DR587RX
SWMC	Cummins M-11 Metric Engine	35000244
SWMC	Eight (8) 12.00R20 Tires	
SWMC	Prodeva Inc. Glass Tumbler	
SWMC	Westward 13" Drill Press 4TM72	W023251
DPW #38	2002 Ford Pickup	1FTNF21L2EC06933
DPW #578	2005 Chevrolet	1G1ND52F45M164658
DPW #579	2005 Ford Taurus	1FAFP532X5A228854
DPW #664	1992 John Deere Backhoe	T0710CJ82681
DPW #711	1987 Cat Excavator	5CC00270

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

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

### **RESOLUTION NO. 135**

#### **TITLE: AUTHORIZATION FOR RENEWING CONTRACT FOR SALE OF FOOD PRODUCTS BETWEEN NYS-DOCS AND DELAWARE COUNTY SHERIFF'S OFFICE**

**WHEREAS**, the Delaware County Sheriff's Office wishes to renew its existing contract to procure food products from the New York State Department of Corrections and Community Supervision Office of Nutritional Services located in Rome, New York (hereinafter referred to as "DOCCS-NS".) The original Contract was approved by Resolution No. 100 on May 14, 2008 and renewed via Resolution No. 81 on May 25, 2011; and

**WHEREAS**, DOCCS-NS will provide food products as requested by Delaware County. These food products will be standard production items processed consistent with DOCCS menu items. DOCCS-NS will work closely to coordinate ordering and delivery schedules; and

**WHEREAS**, DOCCS-NS transportation staff can deliver food products to Delaware County on a weekly basis. Deliveries will be made by refrigerated trucks at a day and time convenient to DOCCS-NS. Deliveries will be scheduled in conjunction with DOCCS facility deliveries in close proximity of Delaware County; and

**WHEREAS**, food products will be packed in plastic baskets, stacked on pallets or dollies. All empty baskets or dollies are to be returned to DOCCS-NS via DOCCS-NS truck. Delaware County agrees to reimburse at replacement cost any lost or damaged baskets or dollies; and

**WHEREAS**, at time of delivery, DOCCS-NS will provide an itemized listing of products delivered. Delaware County personnel should verify that correct products and count are received and notate any discrepancies on delivery ticket. Ticket shall be signed by Delaware County personnel and DOCCS-NS driver. The DOCCS-NS driver will retain one copy as proof of delivery; and

**WHEREAS**, on a monthly basis, DOCCS-NS will provide an invoice to Delaware County for reimbursement for products received. Payment for products received should be made on a monthly basis by check or Electronic Fund Transfer, payable to NYSDOCCS Office of Nutritional Services; and

**WHEREAS**, a pricing list will be provided by DOCCS-NS quarterly, which will increase/decrease directly consistent with cost to DOCCS-NS; and

**WHEREAS**, it is understood between the parties hereto that this contract shall not become effective until approved by the Attorney General and the Comptroller of New York State and will remain in effect for five (5) years; and

**WHEREAS**, Appendix A, Standard Clauses for New York State contracts, January 2014, is attached hereto as Exhibit A and is hereby made a part of this contract as if set forth fully herein; and

**WHEREAS**, In the event that either party to this contract wishes to terminate the agreement, the requesting agency may do so by giving the other party notice in writing no less than ninety (90) calendar days prior. Such notice shall be directed to the representative of the agency that entered into such agreement with their signature.

**NOW, THEREFORE, BE IT RESOLVED** that authorization is hereby given to renew the contract with the New York State Department of Corrections and Community Supervision’s Office of Nutritional Services as outlined above.

**APPENDIX A**

**STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS**

**PLEASE RETAIN THIS DOCUMENT  
FOR FUTURE REFERENCE.**

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## **STANDARD CLAUSES FOR NYS CONTRACTS**

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, “the contract” or “this contract”) agree to be bound by the following clauses which are hereby made a part of the contract (the word “Contractor” herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

**1. EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

**2. NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State’s previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller’s approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor’s business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State’s prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

**3. COMPTROLLER’S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller’s approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

### **4. WORKERS’ COMPENSATION**

**BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers’ Compensation Law.

### **5. NON-DISCRIMINATION**

**REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination

provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

**6. WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor’s employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

### **7. NON-COLLUSIVE BIDDING**

**CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor’s behalf.

### **8. INTERNATIONAL BOYCOTT**

**PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the Contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated in

participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

**9. SET OF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

**10. RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (I) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.** (a) Identification Number(s). Every invoice of New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g. leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its

invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) the authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

**12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.**

In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (1) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs or affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.

(b) At the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will

affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) The Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

**13. CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix Z, the terms of this Appendix A shall control.

**14. GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

**15. LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

**16. NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

**17. SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

**18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification

for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by a subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

**19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.**

In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

**20. OMNIBUS PROCUREMENT ACT OF 1992.**

It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:  
NYS Department of Economic Development  
Division for Small Business

Albany, New York 12245

Telephone: 518-292-5100

FAX: 518-292-5884

email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development:  
633 Third Avenue  
New York, NY 10017  
212-803-2414

email: mwbecertification@esd.ny.gov

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity act of 1972 (P.L. 92-261), as amended;

(c) Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

## **21 RECIPROCITY AND SANCTIONS**

**PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

## **22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.**

Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

## **23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.**

If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

**24. PROCUREMENT LOBBYING.** To the extent this agreement is a “procurement contract” as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

## **25. EXECUTORY CLAUSE.**

### **CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.**

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

**26. IRAN DIVESTMENT ACT.** By entering into

this Agreement, Contractor certifies in accordance with State Finance Law §165-a that it is not on the “Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012” (“Prohibited Entities List”) posted at:

<http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.



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

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

### **RESOLUTION NO. 136**

#### **TITLE: POLICIES AND PROCEDURES REGARDING COUNTY VEHICLES**

**BE IT RESOLVED**, that this Resolution shall govern the usage of County vehicles and shall replace all Resolutions previously adopted by the Board of Supervisors all of which are hereby rescinded; and

**BE IT FURTHER RESOLVED** that the following policies and procedures outlined in this Resolution shall apply to all County owned vehicles:

#### **ASSIGNMENT**

1. Assignment of vehicles for conducting County business shall be governed by the availability of vehicles and shall be at the request of the appropriate department head to the Insurance Committee whose decision will be final.
2. Unless the use of a County vehicle to drive to and from work cannot be discontinued because it would violate the principle of past practice and could result in an unfair labor charge, no County employee or officer shall drive a County vehicle to and from work on a regular basis, unless specifically authorized by the Board of Supervisors.
3. An employee on call may be allowed to use a County vehicle to commute subject to the following:
  - a) If required to work, the employee would perform field work.
  - b) The employee's department head has approved the use of a County vehicle while on call.
  - c) An employee on call will be permitted to drive a County vehicle to the designated parking area the evening they are on call or the last scheduled work day before a holiday or a weekend they are scheduled to be on call.
  - d) Unless otherwise authorized by this resolution, department heads who report directly to the Board of Supervisors are not permitted to use County vehicles to commute while on call.
4. Where an employee is scheduled to travel out of County the following day using a County vehicle, and where less travel time and mileage would occur by the employee leaving directly from home rather than leaving from their regular place of work, the employee will be allowed to take a County vehicle home the night before the scheduled travel as approved through the County travel authorization request procedure.
5. The Director of Emergency Services and the EMS/Emergency Management Coordinator are subject to callout in emergency situations, these individuals are authorized to continue to drive a County emergency vehicle to commute to work, for as long as they remain subject to twenty-four hour callout.
6. In emergency or inclement weather conditions, employees in the Public Works Department who are required to check the condition of County roads other than regular business hours may, at the discretion of the Commissioner of Public Works, take a County vehicle home at night.
7. The Sheriff, Undersheriff, and other law enforcement officers excluding correctional staff, are subject to callout twenty-four hours per day, said individuals shall be permitted to drive a Sheriff's vehicle home at night.

#### **VEHICLE RECORDS**

All departments who own or have County vehicles assigned to them will maintain the following records:

- a) A listing of department employees authorized to drive County vehicles assigned to them.
- b) Written procedures for the assignment of vehicles.
- c) Written procedures regarding the service and repair of vehicles.
- d) Vehicles logs which identify each vehicle by year, make and number and which include the following information:
  - 1. Date driven
  - 2. The name of driver
  - 3. Purpose of trip
  - 4. Destination(s) – start and ending point, including all stops
  - 5. Start and end trip odometer reading
  - 6. Indicate if travel was a result of an on-call visit.
  - 7. Vehicle condition – need of cleaning, repair, damage, etc.

It shall be at the discretion of the Insurance Committee to determine if a department is exempt from maintaining a vehicle log as described above due to the nature of vehicle usage.

Vehicle logs will be kept on file for the lifetime of the vehicle along with the vehicle maintenance log.

- e) A file of complaints received concerning misuse of County vehicles assigned to their department, including action taken to investigate the complaint, result of the investigation and action taken relative to the employee driving the vehicle if the complaint is substantiated will be maintained by the department. Reports of complaints and action taken must be filed with the Clerk of the Board no later than one week after the complaint is received.

### **MISCELLANEOUS**

- 1. Except as prohibited by the confidential nature of the work, all County vehicles will be clearly marked Delaware County, numbered, and will show the name of the department.
- 2. Prior to authorizing an employee to drive a County vehicle, employing departments shall obtain a New York State affidavit and transcript of the driver's record from the Motor Vehicle Bureau for those potential employees who will operate a motor vehicle.
- 3. Departments may adopt such additional policies and procedures regarding the assignment and use of County vehicles as they deem necessary, provided such policies are not less stringent than the policies and procedures contained herein.
- 4. All current and new employees who operate County vehicles shall be given a copy of these policies and procedures and any additional policies and procedures established by the various departments by the department head or appointing authority.
- 5. The County shall retain the unfettered right to terminate permission of any employee for the use of a County vehicle.

### **OPERATING REGULATIONS**

- 1. Only authorized County employees, or drivers approved by the Insurance Committee who have a valid driver's license and safe driving record maintained throughout employment shall operate County vehicles.
- 2. Only County employees, clients or other authorized individuals who are approved by this Board, shall be transported in County vehicles. Board approval shall consist of a written request by a Department Head submitted on the appropriate vehicle use form followed by approval of the concerned oversight committee, Insurance Committee and Board Chairman.

3. County vehicles shall be used for official County business only, except for stops on the direct route to and from work provided such stops are of a short duration and do not require any additional travel and do not interfere with an employee's work.
4. Under no circumstances shall County vehicles be driven when the operator has been drinking alcoholic beverages or when the driver is under the influence of any drug or medication that would impair his or her ability to drive.
5. Vehicles shall at all times be operated in a safe manner and in accordance with all appropriate motor vehicle laws and regulations.
6. All accidents, damage to property or personal injuries involving a County vehicle shall be reported to the employee's department head or his or her designee immediately. In addition to a verbal report, the driver shall file with his or her department head a New York State Department of Motor Vehicle Accident Report and a copy thereof shall be forwarded to the Clerk of the Board. The Clerk of the Board shall further be notified of all accidents involving County vehicles by the respective department no later than the next business day following the accident.
7. The Clerk of the Board will keep a list of all authorized drivers of County vehicles. The departments shall notify the Clerk of the Board of any changes (additions/deletions) to the list of drivers.
8. The Clerk of the Board shall inform Department Heads of any driver notifications received from the Department of Motor Vehicles. The Department Head will advise the Clerk of the Board of what action, if necessary, was taken within a week of receipt of said notification.
9. All convictions of any moving violations shall be reported in writing to the employee's department head or his or her designee and the Clerk of the Board.
10. In the event of an accident, it shall be the responsibility of the department who was using the County vehicle at the time of the accident to have it repaired.

Where the accident is contested as to who is at fault or where another party has been determined to be at fault, the responsible department shall have the vehicle repaired in accordance with the requirements of the insurance company that will be paying for the repairs.

In case of repairs for damages which are attributable to the County employee operating the vehicle, each department shall be responsible for getting the vehicle repaired in addition to the expense. Where there is evidence which establishes that the employee has abused or misused the County vehicle, the County reserves the right to assess costs and expenses for any damage caused by that employee.

The responsible department must file an estimate of damages, prior to the commencement of repairs, with the Clerk of the Board for review and approval of the Insurance Committee. In the case where an initial estimate for damages exceeds \$5,000 each department shall secure at least a second estimate and file both estimates with the Clerk of the Board for review and approval of the Insurance Committee prior to the commencement of repairs.

### **DISCIPLINARY PROCEDURES**

1. Conviction of driving while intoxicated or while one's ability is impaired while operating a County vehicle may be basis for termination of employment.
2. Loss of a driver's license by an employee required to operate a vehicle as part of their normal duties will be justification for removal of that employee from his or her position.
3. The first conviction of a moving traffic violation other than DWI or DWAI will normally result in a counseling memorandum being issued to the employee; a second conviction will result in a written warning; a third conviction will result in the loss of the use of the

vehicle and/or other disciplinary action. This procedure may be modified based on the nature of the infraction; i.e. a more serious violation may result in an immediate warning or loss of use of vehicle or other disciplinary action, including suspension or termination of employment.

4. The first incident of unauthorized use of a County vehicle will normally result in a counseling memorandum being given to the employee, a second incident will result in a written warning, a third incident will result in the loss of the use of a County vehicle and/or other appropriate disciplinary action. This procedure may be modified based on the nature of the unauthorized use; i.e. a more serious violation may result in an immediate warning or loss of use of vehicle or other disciplinary action, including suspension or termination of employment. Failure to maintain a vehicle log as required or falsification of a log shall be considered as an unauthorized use of a vehicle.
5. Any disciplinary action taken against an employee pursuant to these policies shall be in accordance with appropriate disciplinary procedures established by law.

Any revisions or modifications to this policy shall be done by Board resolution.

The resolution was seconded by Mr. Merrill.

Mr. Ellis noted that the County has had a vehicle policy in place since 1990 with updates addressing issues in several separate resolutions. The Human Resource/Insurance Committee has worked to develop one comprehensive resolution. This resolution will replace all previously adopted vehicle policy resolutions and includes suggestions from the State Comptroller's audit as well as concerns voiced by department heads and constituents.

In answer to Mr. Marshfield, Mrs. Schafer explained that the Office of the Clerk of the Board provides the Department of Motor Vehicles with a list of drivers authorized to drive County vehicles. When there is any activity on an individual's license, the Department of Motor Vehicles notifies us. In turn, the Clerk of the Board notifies the department head. The Department of Motor Vehicles provides this as a free service to the County. There is a more comprehensive program available however; the cost is about ten thousand dollars a year. The process we are using meets the County's needs.

In reply to Mr. Gregory, Mr. Ellis explained that the vehicle travel log form would provide the additional oversight required to monitor an employee's personal use of a vehicle to and from work-related activity. The exception was included to allow an employee to tend to a personal brief stop in their route of travel, such as picking up a prescription or groceries, rather than having to go home for their personal vehicle and back.

Mr. Pigford noted that the committee discussed amending the vehicle travel log form to include a destination start time and arrival time that would lend more regulation to the policy.

Mr. Ellis noted the vehicle log was not an addendum to the resolution so it could be amended as needed, further noting that based on the Board discussion the vehicle travel log form would be revised to include the destination start and arrival times.

Chairman Eisel thanked the committee members for their work on the policy.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 137**

##### **TITLE: RESOLUTION SUPPORTING NECESSARY REFORMS TO NEW YORK LABOR LAW §240 AND §241**

**WHEREAS**, New York Labor Law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

**WHEREAS**, the law was first imposed in 1885 at a time when worker safety was largely

neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

**WHEREAS**, the New York State Legislature failed to implement any positive reform to the New York Scaffold Law in 2016; and

**WHEREAS**, the Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

**WHEREAS**, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer and the owner of the site; and

**WHEREAS**, not only does the law drive away out-of-state investment in infrastructure but the loss of investments to other states also serves to decrease the number of new construction jobs created every year making it more difficult for many of New York's skilled laborers to find appropriate employment; and

**WHEREAS**, comparative negligence standards would help maintain worker safety while decreasing the insurance costs related to implementation of the current Scaffold Law; and

**WHEREAS**, this negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's action contributed to his or her injury; and

**WHEREAS**, federal regulations have been enacted that protects workers from injury due to falls by requiring certain precautions to be in place for people working at height that allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; and

**WHEREAS**, Assembly Bill 3209 and Senate Bill 543 have been introduced to impose comparative liability standards for work place accidents involving falls from height.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors is strongly in support of Scaffold Law reform as set forth in A.3209 and S.543 as well as meaningful protection of construction workers; and

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly and Senate Majority and Minority Leaders, the local delegation to the New York State Legislature, Senate Judiciary Committee Chairman Senator John J. Bonacic, Assembly Judiciary Committee Chair Assemblywoman Helene E. Weinstein, and the New York State Association of Counties.

The resolution was seconded by Mr. Ellis.

Mr. Spaccaforo pointed out that this law is antiquated and as a result has become a hindrance to owners and contractors. The law places all liability on the owner or contractor and does not hold the worker culpable in cases where the worker's actions may have contributed to the injury.

Mr. Davis noted that in his business he holds an appropriate insurance policy for the work contracted. If a job consists of high work, defined as over six feet, he purchases the additional insurance coverage per the scaffold law. To maintain coverage for high work when not needed is cost prohibitive.

Mr. Spaccaforo said that in his business he does not have an option he has to maintain a policy for high work as the majority of his work is over six feet.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 138**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SHERIFF’S OFFICE**

**WHEREAS**, a transfer of funds is necessary due to the unanticipated need to replace the Live Scan fingerprint system and a prisoner transport van; and

**WHEREAS**, the purchase of these items were not funded in the 2016 budget.

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

<b><u>FROM:</u></b>		
10-13150-54310000	Food	\$27,000.00
<b><u>TO:</u></b>		
10-13150-52200000	Equipment	\$27,000.00

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

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

**RESOLUTION NO. 139**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
VETERANS SERVICES AGENCY**

**WHEREAS**, funds are needed to complete the purchase of replacement computers that had been authorized for installation in the 2016 budget

**WHEREAS**, the cost was exceeded by \$176.36 and transfer of funds is required to complete the purchase.

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

<b><u>FROM:</u></b>		
10-16510-54465000	Miscellaneous	\$176.36
<b><u>TO:</u></b>		
10-16510-52200000	Equipment	\$176.36

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

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

**RESOLUTION NO. 140**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Delaware County applied for and was awarded grant funding under the

State Homeland Security Program from the New York State Division of Homeland Security and Emergency Services (WM2014SHSP); and

**WHEREAS**, this grant was originally awarded for the purchase of a communications shelter; and

**WHEREAS**, the Department does not require an additional shelter as there are currently four being held in storage; and

**WHEREAS**, the State Homeland Security Program reviewed and approved an amendment to this grant funding, allowing for the purchase of software to upgrade the Computer Aided Dispatch (CAD) System.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 budget be amended as follows:

**FROM:**  
38-13640-43398900/3640387/911     State Interoper Emg Com Grant                                 \$75,000.00

**TO:**  
38-13640-54327000/3640387/911     General Grant Related Expense                                 \$75,000.00

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

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

**RESOLUTION NO. 141**

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

**BE IT RESOLVED** that the following State Equalization Rates be adopted for the apportionment of the 2017 County Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law:

ANDES	100.00
BOVINA	23.45
COLCHESTER	3.04
DAVENPORT	77.14
DELHI	60.00
DEPOSIT	4.02
FRANKLIN	96.00
HAMDEN	17.95
HANCOCK	12.33
HARPERSFIELD	28.50
KORTRIGHT	100.00
MASONVILLE	100.00
MEREDITH	100.00
MIDDLETOWN	100.00
ROXBURY	100.00
SIDNEY	82.45
STAMFORD	26.40
TOMPKINS	3.92
WALTON	26.60

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

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

**RESOLUTION NO. 142**

**TITLE: AN AGREEMENT BETWEEN THE TOWN OF DELHI,  
THE COUNTY OF DELAWARE, THE DELAWARE ACADEMY CENTRAL SCHOOL  
DISTRICT AT DELHI AND THE VILLAGE OF DELHI REGARDING  
THE LITIGATION OF REAL PROPERTY ASSESSMENT  
DEPARTMENT OF REAL PROPERTY TAX SERVICES**

**WHEREAS**, a tax certiorari proceeding has commenced against the Town of Delhi challenging its assessment; and

**WHEREAS**, any change in assessment could impact governmental operations and tax rates of the County, town, village and school district; and

**WHEREAS**, the County previously adopted Resolution No. 168, dated September 24, 2014, setting forth the standards and process by which it may choose to participate in litigation challenging real property tax assessments in the County; and

**WHEREAS**, those standards and processes have been met; and

**WHEREAS**, the Town of Delhi, the County, the Delaware Academy Central School District at Delhi and the Village of Delhi have reached an agreement regarding the payment and reimbursement of the costs incurred as a result of said proceeding that is fair and equitable.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board of Supervisors is hereby authorized to enter into an Intermunicipal Agreement that has been agreed upon by the aforementioned Municipalities regarding such litigation.

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

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

**RESOLUTION NO. 143**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$687,402.48 were hereby presented to the Finance Committee for approval for payment on August 19, 2016 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	\$551,182.67
OET	\$15,101.48
Public Safety Comm System	\$99,202.56
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$0.00
Machinery	\$17,133.92
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$4,781.85

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,096,712.31 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	\$486,554.95
OET	\$11,651.69
Public Safety Comm System	\$4,148.82
Highway Audits, as Follows:	
Weights and Measures	\$372.21
Road	\$745,397.99
Machinery	\$103,967.31
Capital Road & Bridge	\$590,425.94
Capital Solid Waste	\$69,821.83
Solid Waste/Landfill	\$84,371.57

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

Chairman Eisel thanked County Clerk Sharon O'Dell for bringing her delicious award winning cookies to the meeting. He shared that Mrs. O'Dell's cookies won three blue ribbons, two red ribbons, two white ribbons and two Honorable Mentions at this year's Walton Fair.

Upon a motion, the meeting was adjourned at 6:50 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**SEPTEMBER 28, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, September 28, 2016 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. Marshfield and Mr. Davis.

Mr. Pigford offered the invocation.

Mr. Rowe 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. Hynes who introduced Cornell Cooperative Extension (CCE) Executive Director Jeanne Darling.

Mrs. Darling noted that the week of October 2-8 is Cornell Cooperative Extension Week and National 4-H Week. A resolution recognizing the celebration will be presented later in the meeting. The CCE Annual Meeting and Harvest Dinner will be held Thursday, November 3 at the Alumni Hall of the SUNY Delhi Campus. The guest speaker will be the NYS Commissioner of Agriculture and Markets, Richard Ball who will give a presentation entitled "Connecting the Dots."

She spoke of the work CCE is doing crediting staff members for their commitment and dedication. She introduced 4-H Camp Shankitunk Director and CCE Administrative Assistant Corrine Tompkins.

Mrs. Tompkins shared a slide presentation featuring each town in Delaware County and detailing the programs of CCE 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.

Mrs. Darling thanked the Board of Supervisors, the CCE partners and volunteers who help make these programs possible. She invited everyone in attendance to enjoy refreshments after the meeting consisting of locally grown and prepared foods.

Chairman Eisel thanked Mrs. Darling and the CCE staff for an informative presentation and said he looked forward to enjoying the refreshments.

Chairman Eisel granted privilege of the floor to Ms. Molé who introduced Director of Public Health Mandy Walsh.

Ms. Walsh stated that the County's four local hospitals and its Department of Public Health share the same New York State Department of Health Prevention Agenda priorities. These priorities include promoting mental health and preventing substance abuse, Medicaid redesign projects focused on promoting mental and behavioral health and preventing substance abuse, and supporting drug and opioid task forces that exist throughout New York State. The Department of Public Health desires to look at how it is able to support the activities currently working to reduce opioid use as well as prevent the spread of diseases such as HIV and Hepatitis.

She introduced Albany Catholic Charities Care Coordination Services Director of Prevention Services Joseph Filippone and Associate Stephanie Lao to discuss the Expanded Syringe Access Program called Project Safe Point.

Mr. Filippone stated that overdose is the number one cause of accidental death in the U.S. and New York State, pointing out that three out of four deaths are associated with opiates and gave a detailed presentation outlining the Expanded Syringe Access Program and its benefits to communities.

The project is state and federally funded as an HIV/HCV prevention program with the goal of providing early intervention services for individuals injecting drugs. The hope is to minimize the impact of drug use on the person and the community by building relationships and helping those individuals find access to needed services. The Project focuses on five core services: distribution of safer injection supplies, risk reduction education, opioid overdose prevention training with Narcan, HIV/HCV screening, and referral to treatment services.

Mr. Filippone addressed many questions and concerns regarding the rising cost of medical treatment, overdose prevention and subsequent rehabilitation programs.

Chairman Eisel thanked Mr. Filippone and Ms. Lao for a very informative presentation.

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

#### **RESOLUTION NO. 144**

##### **TITLE: 2016 BUDGET AMENDMENT PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT PROGRAM DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, the Department of Emergency Services applied for and was awarded a grant from New York State's 2015-2016 Public Safety Answering Points Operations Grant Program (PSAP) which allows for state support to counties for eligible public safety call taking and dispatching expenses; and

**WHEREAS**, the grant award will allow for dispatcher salaries and PSAP equipment maintenance; and

**WHEREAS**, this grant was awarded in the amount of \$154,732 to Delaware County.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-13020-43330500	State Civil Defense	\$154,732.00
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**INCREASE APPROPRIATIONS:**

10-13020-51327000/3020001/911	Grant Personnel Services	\$130,941.00
10-13020-54327415/3020001/911	Grant Maintenance & Repair	\$23,791.00

The resolution was seconded by Mr. Spaccaforo and adopted by the following vote:  
Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

**RESOLUTION NO. 145**

**TITLE: 2016 BUDGET AMENDMENT  
NON RESIDENTIAL DOMESTIC VIOLENCE EXPANSION  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the County’s Non Residential Domestic Violence program for 2016-2017; and

**WHEREAS**, said monies are to be utilized for the expansion of Non Residential Domestic Violence services to persons with incomes up to 200% of the poverty level; and

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

**NOW, THEREFORE BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUE:**

10-16010-44461000	Federal Social Services Administration	\$24,999.00
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**INCREASE APPROPRIATION:**

10-16010-54427010	DV Non Res Expanded	\$24,999.00
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The resolution was seconded by Mr. Spaccaforo and adopted by the following vote:  
Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

**RESOLUTION NO. 146**

**TITLE: 2016 BUDGET AMENDMENT  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the equipment rental line in the snow removal budget remains well above the 25% balance we would anticipate at this time of year; and

**WHEREAS**, all of the funds in the capital line for equipment rental have been expended; and

**WHEREAS**, there is still extensive work being done on capital projects.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**DECREASE APPROPRIATION:**

24-15142-55000000	Equipment Rental	\$400,000.00
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**DECREASE REVENUE:**

24-15110-45503100	Transfer from General Fund	\$400,000.00
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<b><u>INCREASE APPROPRIATION:</u></b>		
34-15112-55000000	Equipment Rental	\$400,000.00
<b><u>INCREASE APPROPRIATION:</u></b>		
34-15112-45503100	Transfer from General Fund	\$400,000.00

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

**RESOLUTION NO. 147**

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

**LETTING OF SEPTEMBER 19, 2016**

**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 Delaware County Department of Emergency Services is authorized to make award to the bidder meeting the specifications for Construction of Reinforced Concrete Tower Foundations, Grand Gorge Tower Site, Town of Roxbury.

PROPOSAL:	Construction of Reinforced Concrete Tower Foundations: Mid-State Communications 185 Clear Road Oriskany, NY 13424
	Bid Price: \$67,900.00

The resolution was seconded by Mr. Gladstone and Mr. Spaccaforo.

In answer to Chairman Eisel, Director of Emergency Services Steve Hood noted that the Grand Gorge site is a very difficult site to access and in his opinion would not reflect an average foundation cost for other sites.

Commissioner of Public Works Wayne Reynolds explained that the Department of Emergency Services is working in partnership with Margaretville Telephone Company (MTC) on this site. A typical tower foundation base consists of about 200-400 cubic yards of concrete. It is not possible to get that much concrete to the Grand Gorge location because the access road is so steep. This award is a small component of what is involved in this specific foundation. MTC is picking up a large part of the cost of the foundation that will include installation of rock anchors by a specialty geotechnical construction firm. The rock anchors significantly offset the amount of concrete required for the foundation.

In reply to Mr. Spaccaforo, Commissioner Reynolds said that Mid-State Communications is completely aware of what is involved in the project and has indicated that their pricing reflects all aspects of the project.

Mr. Hood noted that experience reflects the difference in the pricing. Mid-State Communications is a tower foundation construction firm. In contrast, the other bidders do not specialize in this type of work.

The resolution was adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

**RESOLUTION NO. 148**

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

**LETTING OF SEPTEMBER 20, 2016**

**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 Delaware County Department of Emergency Services is authorized to make award to the bidder meeting the specifications for Coon Hill, Hancock NY, Radio Site Development.

PROPOSAL: Coon Hill, Hancock NY Radio Site Development:  
Mid-State Communications.  
185 Clear Road  
Oriskany, NY 13424

Bid Price: \$339,750.00

The resolution was seconded by Mr. Tuthill.

Mr. Hood explained this pricing reflects the completion of the entire site and in his opinion would be considered an average cost for this type of project.

The resolution was adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

**RESOLUTION NO. 149**

**TITLE: AUTHORIZATION FOR AWARD  
DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION**

**LETTING OF JUNE 21, 2016**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW1-16 CoComposting Facility Air Handling Improvements to:  
Southerntier Custom Fabricators, Inc.,  
1322 College Ave.  
Elmira, NY 14901

Bid Price: \$101,674.00

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe explained that this represents the air handling equipment for the facility. The difference between the bid pricing raised a red flag. Conversation between the design engineer and Southerntier Custom Fabricators, Inc. indicates they are aware of what the project involves and are confident the project will be completed for the amount awarded.

Commissioner Reynolds stated in answer to Mr. Triolo, that there would be follow-up

testing but not as part of the contract. The Department will test to make sure this air handling system has accomplished what is expected. There are no guarantees that this system will address the entire air quality concern.

In response to Mr. Hynes, Commissioner Reynolds explained that a guarantee was not part of the bid. The vendor provided the cost to erect the air handling system, ductwork, blowers and support system designed by the County's consulting engineering firm. The design firm's goal was to design a system that would effectively move air out of the work environment and transport it to the bio filter.

The resolution was adopted by the following vote: yes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

#### **RESOLUTION NO. 150**

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

**WHEREAS**, Resolution No. 314 of 2004 authorized the DPW to enter into a Federal Aid Agreement for the design of County Route 26 over Telford Hollow Brook (BIN 3351950) in the Town of Colchester, PIN 9753.00 for Preliminary Engineering and Right of Way Incidentals in the amount of \$304,000; and

**WHEREAS**, Resolution No. 51 of 2009 authorized the DPW to enter into a supplemental agreement No. 1 with the State for the Right of Way acquisition in the amount of \$87,123 which increased the contract amount to \$391,123; and

**WHEREAS**, Resolution No. 132 of 2009 authorized the DPW to enter into supplemental agreement No.2 with the State for an increase in the design cost of \$65,000 which increased the contract amount to \$456,123; and

**WHEREAS**, Resolution No. 36 of 2016 authorized the DPW to enter into an agreement with Modjeski and Masters, PC to update the plans in preparation for bidding the project; and

**WHEREAS**, DPW has been informed by NYS DOT that the Federal Highway Administration has obligated funds for the construction phase of the project; and

**WHEREAS**, DPW has negotiated with Modjeski and Masters for the construction phase professional services for the project.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to Modjeski and Masters, P.C., 301 Manchester Road, Suite 102, Poughkeepsie, NY 12603 for construction phase professional services.

Proposal Fee: Maximum Amount Payable \$404,118.23

The resolution was seconded by Mr. Spaccaforo.

Chairman Eisel granted Mr. Rowe's request to abstain from voting on this resolution based on his employment with the New York State Department of Transportation.

The resolution was adopted by the following vote: Ayes 3970, Noes 0, Absent 507 (Marshfield, Davis) Abstain 322 (Rowe).

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

#### **RESOLUTION NO. 151**

##### **TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY NO LONGER NECESSARY FOR PUBLIC USE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Social Services is authorized to sell by auction or sealed bid or destroy the following items:

<u>Car No:</u>	<u>Description:</u>	<u>Vehicle Identification No.:</u>
375	2005 Chevy Malibu	1G1ND52F65M241255
419	2006 Ford Taurus	1FAFP53U06A246234
424	2003 International 3200 Series Bus	1HVBTAAL53H599007

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

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

**RESOLUTION NO. 152**

**TITLE: AUTHORIZATION TO ACCEPT MEMORANDUM OF UNDERSTANDING  
FOR JOINT SUPERVISION OF DISPATCHERS  
DEPARTMENT OF EMERGENCY SERVICES  
SHERIFF’S OFFICE**

**WHEREAS**, the Public Safety Committee has approved the implementation of a Memorandum of Understanding entered into between the Emergency Services Department and Sheriff’s Office which will facilitate dual supervisory privileges for E911 dispatchers; and

**WHEREAS**, said agreement has also been approved by the Personnel Director, as well as the County Labor Attorney; and

**WHEREAS**, it is prudent to coordinate the development and implementation of protocols for dispatchers to effectively and efficiently communicate, deliver and disseminate to law enforcement personnel in a consistent fashion the relevant information, data and related communications as they are received through the E911 System; and

**WHEREAS**, although said dispatchers are presently under the direct supervision of the Emergency Services Department, they also dispatch for and act as representatives of the Sheriff’s Office and as such should adhere to its policies and procedures and take direction from its supervisors.

**NOW, THEREFORE, BE IT RESOLVED** that said Memorandum of Understanding be granted to provide joint oversight and dual supervisory authority of E911 dispatchers.

The resolution was seconded by Mr. Spaccaforo.

Mr. Triolo expressed concern that the resolution calls for joint supervision of the dispatchers. Speaking from his experiences, he noted that he found it was difficult for an employee to serve two bosses and for two bosses to agree on all things.

Mr. Taggart expressed the same concern, adding that he felt there needed to be someone who had final authority.

Mr. Hood shared that as the 911 Call Center officially moves from the State Police in Sidney to Delhi Public Safety, more of the calls will be of a law enforcement/safety/emergency nature. He and Lieutenant Tim Buckley recognize that both EMS and Law Enforcement training and oversight is necessary for the staff working the 911 Call Center, the Sheriff’s Office and EMS have developed the Memorandum of Understanding to ensure adequate oversight and training.

Lieutenant Tim Buckley stated that there is a need for both Police/Sheriff input within the communications division as well as fire and EMS input during ongoing emergency situations. Direct supervision of all matters will be the responsibility of the Communications Supervisor and the Emergency Services Director. This is all spelled out in the memorandum of understanding and has been vetted by the personnel director and County labor attorney.

Mr. Tuthill shared that the intent of the MOU was to ensure that if Mr. Hood or one of his supervisory positions was not immediately available a Sheriff's Office supervisory position was available to step in to make sure there was not a problem with an action of a dispatcher.

Mr. Gregory referenced page two of the MOU and noted that the MOU addresses the issue of leadership in greater detail than the resolution.

Director of Personnel Teddie Storey stated that it is not the case that employees will have two supervisors and explained that direct supervision for all matters will be the responsibility of the Communications Supervisor and the Emergency Services Director. This MOU is for training and oversight purposes only. For example, if a dispatcher is working an emergency at 2:30 in the morning, the deputy/officer in charge handling the situation can advise the dispatcher what needs to be done as well as status. This would provide a quicker response than the dispatcher calling the Director of Emergency Services at home at 2:30 in the morning to ask questions about a situation the director may not be directly aware of.

The Memorandum of Understanding was drafted in collaboration with the Director of EMS, the Undersheriff, the Communications Supervisor, the Personnel Officer and the County Labor Relations Attorney, Frank Miller.

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 153**

#### **TITLE: 2016 CORNELL COOPERATIVE EXTENSION WEEK AND 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 has served Delaware County for 103 years since 1913; and

**WHEREAS**, Cornell Cooperative Extension is proud of the 89 years of youth camping programs at 4-H Camp Shankitunk and the 9<sup>th</sup> year of 4C Camp for seniors; and

**WHEREAS**, Cornell Cooperative Extension of Delaware County continues to offer 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, and 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, profitable agriculture, productive businesses, healthy families and communities.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby designate the week of October 2 - 8, 2016 as Cornell Cooperative Extension Week and National 4-H Week in Delaware County.



The resolution was seconded by Mr. Valente.

Chairman Eisel noted that this is a very worthwhile organization.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 154**

**TITLE: SALE OF TAX ACQUIRED PROPERTY**

**RESOLVED** that the following described parcels of tax acquired property be sold to the party 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.

AND14TX.031

<b><u>ASSESSED TO:</u></b>	<b><u>EVERETT A REDMOND, RICHARD E COLE AND FLORENCE G BRADLEY</u></b>
TOWN OF:	122000:ANDES
TAX MAP NO:	239.-1-57
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	1.80 ACRES
CONVEYED TO:	JAMES V LEPORE JR 5 EAGLE VALLEY RD HIGHLAND FALLS NY 10928
CASH CONSIDERATION:	\$5,000.00
TAX DEFICIT:	\$858.75

AND14TX.035

<b><u>ASSESSED TO:</u></b>	<b><u>WILLIAM A TODD</u></b>
TOWN OF:	122000:ANDES
TAX MAP NO:	259.7-1-9
SCHOOL DISTRICT:	122002:ANDES
ACREAGE:	93.00'F X 65.00'D ACRES
CONVEYED TO:	JOANNE CALLAHAN 52-45 WOLF HOLLOW RD PO Box 291 ANDES NY 13731
CASH CONSIDERATION:	\$200.00
TAX DEFICIT:	\$433.93

BOV14TX.008

<b><u>ASSESSED TO:</u></b>	<b><u>PAUL E LAPINEL AND MARGARITA F LAPINEL REVOCABLE LIVING TRUST MICHAEL J LAPINEL TRUSTEE</u></b>
TOWN OF:	122200:BOVINA
TAX MAP NO:	176.-1-14
SCHOOL DISTRICT:	122801:DELAWARE ACADEMY
ACREAGE:	18.50 ACRES
CONVEYED TO:	RICHARD WINDMULLER 285 QUEEN ST GREENPORT NY 11944
CASH CONSIDERATION:	\$4,500.00
TAX DEFICIT:	\$3,766.72

BOV14TX.014

<b><u>ASSESSED TO:</u></b>	<b><u>BRUNO SONVICO AND ANNA SONVICO</u></b>
TOWN OF:	122200:BOVINA
TAX MAP NO:	175.-1-29

SCHOOL DISTRICT:	122801:DELAWARE ACADEMY
ACREAGE:	200.00'F x 220.00'D: 0.13 ACRES
CONVEYED TO:	RICHARD WINDMULLER 285 QUEEN ST GREENPORT NY 11944
CASH CONSIDERATION:	\$300.00
TAX DEFICIT:	\$53.69

	COL14TX.011
<b><u>ASSESSED To:</u></b>	<b><u>MACK E DOIG AND AMY W DOIG</u></b>
TOWN OF:	122400:COLCHESTER
TAX MAP NO:	374.-2-21
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	140.00'F x 150.00'D: 0.38 ACRES
CONVEYED TO:	CLAUSON BROOK LLC ROGER G KING MARIE T KING 4705 STATE HIGHWAY 30 EAST BRANCH NY 13756
CASH CONSIDERATION:	\$100.00
TAX DEFICIT:	\$931.40

	COL14TX.013
<b><u>ASSESSED To:</u></b>	<b><u>RUDOLPH M FLITTNER</u></b>
TOWN OF:	122400:COLCHESTER
TAX MAP NO:	408.-2-18
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	5.10 ACRES
CONVEYED TO:	JOHN W APPLEY PO Box 247 EAST BRANCH NY 13756
CASH CONSIDERATION:	\$8,400.00
TAX DEFICIT:	\$1,360.70

	COL14TX.017
<b><u>ASSESSED To:</u></b>	<b><u>C EDWARD GORDON ESTATE</u></b>
TOWN OF:	122400:COLCHESTER
TAX MAP NO:	358.-1-16.9
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	3.20 ACRES
CONVEYED TO:	STEPHEN KALAJ ANTON KALAJ 211 E 21 <sup>ST</sup> STREET NEW YORK NY 10010
CASH CONSIDERATION:	\$100.00
TAX DEFICIT:	\$931.40

	COL14TX.034
<b><u>ASSESSED To:</u></b>	<b><u>JAMES NORTON</u></b>
TOWN OF:	122400:COLCHESTER
TAX MAP NO:	319.-1-31
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	0.90 ACRES
CONVEYED TO:	DONALD AND DONA TOMPKINS 26 MACDONALD ROAD HAMDEN NY 13752
CASH CONSIDERATION:	\$7,500.00
TAX DEFICIT:	\$3,967.00

DAV14TX.020

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:  
  
CASH CONSIDERATION:  
TAX DEFICIT:

122600:DAVENPORT  
8.-1-2.1  
122601:CHARLOTTE VALLEY  
4.34 ACRES  
FINEST CONTRACTING INC  
C/O TODD HILLKEWICZ  
99 WESTWOOD ROAD NORTH  
MASSAPEQUA PARK NY 11762  
  
\$400.00  
\$2,785.41

DAV14TX.036

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:  
  
CASH CONSIDERATION:  
TAX DEFICIT:

**GARY H MAZANEC, CINDY A MAZANEC, CHARLES F GRAVES AND CAROL J GIGL**  
122600:DAVENPORT  
32.-1-21.1  
123201:FRANKLIN  
53.02 ACRES  
GIUSEPPE FUDULI  
1894 LENOX AVE  
EAST MEADOW NY 11554  
  
\$29,000.00  
\$7,882.78

DAV14TX.052

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:  
  
CASH CONSIDERATION:  
TAX DEFICIT:

**ERIC ROBERTS**  
122600:DAVENPORT  
34.-1-82  
122601:CHARLOTTE VALLEY  
5.10 ACRES  
JOSEPH A MARTIN  
1274 FRANK BRIGGS RD  
ONEONTA NY 13820  
  
\$6,500.00  
\$1,555.56

DAV14TX.063

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:  
  
CASH CONSIDERATION:  
TAX DEFICIT:

**EDMUND G URBAN AND CATHERINA G URBAN**  
122600:DAVENPORT  
24.-2-26.2  
122601:CHARLOTTE VALLEY  
1.50 ACRES  
REINALDO SILVA  
721 N LIBERTY DR  
TOMPKINS COVE NY 10986  
  
\$1,100.00  
\$507.00

DAV14TX.067

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:  
  
CASH CONSIDERATION:  
TAX DEFICIT:

**KEITH WILKE**  
122600:DAVENPORT  
14.-2-10  
122601:CHARLOTTE VALLEY  
5.30 ACRES  
BRIAN ROBERT KNIGHT  
TIMBRELL ESTHER KNIGHT  
2 PARK PLACE  
DELHI NY 13753  
  
\$2,000.00  
\$1,940.21

	DEP14TX.007
<b><u>ASSESSED To:</u></b>	<b><u>ROBERT BUSH SR ESTATE &amp; LAURA BUSH ESTATE</u></b>
TOWN OF:	123089:DEPOSIT
TAX MAP NO:	400.4-1-18
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	1.80 ACRES
CONVEYED To:	RICHARD T SMITH DENISE G SMITH 110 SHERMAN CREEK ROAD HANCOCK NY 13783
CASH CONSIDERATION:	\$5,000.00
TAX DEFICIT:	\$2,542.38

	DEP14TX.008
<b><u>ASSESSED To:</u></b>	<b><u>RUSSELL L BUTTS</u></b>
TOWN OF:	123001:DEPOSIT
TAX MAP NO:	349.13-2-15
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	0.50 ACRES
CONVEYED To:	ELIAS JR SANCHEZ 611 E 21 <sup>ST</sup> STREET BROOKLYN NY 11226
CASH CONSIDERATION:	\$9,200.00 VILLAGE SHARE \$4,784.00 COUNTY SHARE\$4,416.00
TAX DEFICIT:	\$6,806.43

	DEP14TX.015
<b><u>ASSESSED To:</u></b>	<b><u>RAYMOND DICKHOFF AND NATALIE DICKHOFF</u></b>
TOWN OF:	123089:DEPOSIT
TAX MAP NO:	368.-2-40
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	5.10 ACRES
CONVEYED To:	MICHAEL W BREMEN LUKE R BREMEN 3 TERRELL LANE HICKSVILLE NY 11801
CASH CONSIDERATION:	\$7,000.00
TAX DEFICIT:	\$2,615.59

	DEP14TX.016
<b><u>ASSESSED To:</u></b>	<b><u>RAYMOND DICKHOFF AND NATALIE DICKHOFF</u></b>
TOWN OF:	123089:DEPOSIT
TAX MAP NO:	368.-2-41
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	5.10 ACRES
CONVEYED To:	MICHAEL W BREMEN LUKE R BREMEN 3 TERRELL LANE HICKSVILLE NY 11801
CASH CONSIDERATION:	\$9,500.00
TAX DEFICIT:	\$2,615.59

	DEP14TX.021
<b><u>ASSESSED To:</u></b>	<b><u>MICHAEL GUERRIERI</u></b>
TOWN OF:	123001:DEPOSIT
TAX MAP NO:	349.13-4-23
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	0.25 ACRES
CONVEYED To:	ELIAS JR SANCHEZ 611 E 21 <sup>ST</sup> STREET BROOKLYN NY 11226
CASH CONSIDERATION:	\$5,200.00 VILLAGE SHARE \$2,704.00

	COUNTY SHARE \$2,490.00
TAX DEFICIT:	\$7,723.29
	DEP14TX.044
<b><u>ASSESSED To:</u></b>	<b><u>JOHN A SHIELDS ESTATE AND SUSAN D SHIELDS</u></b>
TOWN OF:	123001:DEPOSIT
TAX MAP NO:	349.13-7-4
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	0.13 ACRES
CONVEYED To:	PLATTEKILL MOUNTAIN SKI CHALET, LLC PO Box 2764 NEW YORK NY 10163
CASH CONSIDERATION:	\$10,000.00
	VILLAGE SHARE \$4,000.00
	COUNTY SHARE \$6,000.00
TAX DEFICIT:	\$3,568.24
	FRA12TX.012
<b><u>ASSESSED To:</u></b>	<b><u>THERESA M GIBERSON</u></b>
TOWN OF:	123289:FRANKLIN
TAX MAP NO:	143.-1-22.233
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	10.10A ACRES
CONVEYED To:	PATRICIA A TAGGART 200 MERRICKVILLE ROAD SIDNEY CENTER NY 13839
CASH CONSIDERATION:	\$4,600.00
TAX DEFICIT:	\$3,848.40
	FRA12TX.013
<b><u>ASSESSED To:</u></b>	<b><u>JULIE A GILLERAN</u></b>
TOWN OF:	123289:FRANKLIN
TAX MAP NO:	143.-1-22.234
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	10.10A ACRES
CONVEYED To:	PATRICIA A TAGGART 200 MERRICKVILLE ROAD SIDNEY CENTER NY 13839
CASH CONSIDERATION:	\$5,000.00
TAX DEFICIT:	\$3,848.40
	FRA14TX.026
<b><u>ASSESSED To:</u></b>	<b><u>REGINALD R MCCLENON</u></b>
TOWN OF:	123201:FRANKLIN
TAX MAP NO:	97.8-2-2 & 97.-1-10
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	0.25 ACRES & 70.00'F x 70.00'D ACRES
CONVEYED To:	NICHOLAS G MACEK 200 WADSWORTH AVE #61 NEW YORK NY 10083
CASH CONSIDERATION:	\$3,000.00
	VILLAGE SHARE \$720.00
	COUNTY SHARE \$2,800.00
TAX DEFICIT:	\$5,314.95
	FRA14TX.032
<b><u>ASSESSED To:</u></b>	<b><u>RUTH B NORTH</u></b>
TOWN OF:	123289:FRANKLIN
TAX MAP NO:	120.-1-30
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	0.75 ACRES
CONVEYED To:	MICHAEL SCARIMBOLO 464 SHAVER HILL ROAD EAST MEREDITH NY 13757

CASH CONSIDERATION: \$16,000.00  
TAX DEFICIT: \$5,173.48

FRA14TX.037A

**ASSESSED To:** **WILLIAM J SMITH**  
TOWN OF: 123289:FRANKLIN  
TAX MAP NO: 76.-1-39.3  
SCHOOL DISTRICT: 123201:FRANKLIN  
ACREAGE: 24.00'F x 455.00'D: 0.26 ACRES  
CONVEYED To: GARY L BONKER  
265 OTEGO ROAD  
FRANKLIN NY 13775  
  
CASH CONSIDERATION: \$200.00  
TAX DEFICIT: \$128.88

FRA14TX.045

**ASSESSED To:** **DEBORAH J ZACHOW**  
TOWN OF: 123289:FRANKLIN  
TAX MAP NO: 167.-6-1.2  
SCHOOL DISTRICT: 123201:FRANKLIN  
ACREAGE: 0.40 ACRES  
CONVEYED To: LEON CARL BOYLES  
MARIE J BOYLES  
7399 DUNK HILL ROAD  
WALTON NY 13856  
  
CASH CONSIDERATION: \$7,500.00  
TAX DEFICIT: \$4,096.06

HAM14TX.011A

**ASSESSED To:** **JOSEPH FROEHLICH AND ELIZABETH FROEHLICH**  
TOWN OF: 123400:HAMDEN  
TAX MAP NO: 235.-1-5  
SCHOOL DISTRICT: 122801:DELAWARE ACADEMY  
ACREAGE: 6.60 ACRES  
CONVEYED To: MATTHEW D SCOBIE  
214 STODDARD HOLLOW ROAD  
DELANCEY NY 13752  
  
CASH CONSIDERATION: \$5,000.00  
TAX DEFICIT: \$10,160.82

HAN14TX.023

**ASSESSED To:** **WILLIAM BONNSTAUFFER TRUSTEE OF THE WILLIAM  
BONNSTAUFFER HERITAGE TRUST AND  
GEORGE A MORIO JR AS TRUSTEE OF THE GEORGE A  
MORIO JR HERITAGE TRUST**  
  
TOWN OF: 123689:HANCOCK  
TAX MAP NO: 454.-3-22  
SCHOOL DISTRICT: 484401:ROSCOE  
ACREAGE: 5.00 ACRES  
CONVEYED To: JOHN M BAGGS  
NANCY J BAGGS  
274 SHELDON AVENUE  
STATEN ISLAND NY 10312  
  
CASH CONSIDERATION: \$9,000.00  
TAX DEFICIT: \$1,573.45

HAN14TX.051

**ASSESSED To:** **LEONARD DEMARTINO**  
TOWN OF: 123689:HANCOCK  
TAX MAP NO: 420.2-2-61  
SCHOOL DISTRICT: 122401:DOWNSVILLE  
ACREAGE: 0.50 ACRES  
CONVEYED To: ELIAS JR SANCHEZ  
611 E 21<sup>ST</sup> STREET

		BROOKLYN NY 11226
CASH CONSIDERATION:		\$1,000.00
TAX DEFICIT:		\$9,539.03
		HAN12TX.104
<b><u>ASSESSED TO:</u></b>	<b><u>HENRY SOULES JR AND PATRICIA ANN SOULES</u></b>	
	<b><u>&amp; C ROBERT WEYRAUCH AND JOYCE WEYRAUCH &amp;</u></b>	
	<b><u>CHARLES SOULES AND MARY PATRICIA SOULES</u></b>	
TOWN OF:		123689:HANCOCK
TAX MAP NO:		372.-3-33
SCHOOL DISTRICT:		123606:HANCOCK
ACREAGE:		1.00A ACRES
CONVEYED TO:		COUNTY HIGHWAY 36 INC
		PO BOX 43
		FLEISCHMANN'S NY 12430
CASH CONSIDERATION:		\$3,000.00
TAX DEFICIT:		\$4,607.68
		KOR14TX.003
<b><u>ASSESSED TO:</u></b>	<b><u>ELIJAH P ALBERT</u></b>	
TOWN OF:		124000:KORTRIGHT
TAX MAP NO:		26.-5-8
SCHOOL DISTRICT:		122601:CHARLOTTE VALLEY
ACREAGE:		5.20 ACRES
CONVEYED TO:		GEORGE D FIX
		LINDA L FIX
		188 FORGEHILL ROAD
		HAMBURG PA 19526
CASH CONSIDERATION:		\$10,800.00
TAX DEFICIT:		\$3,886.39
		KOR14TX.015
<b><u>ASSESSED TO:</u></b>	<b><u>VICTOR L FAIRBAIRN</u></b>	
TOWN OF:		124000:KORTRIGHT
TAX MAP NO:		26.-2-27
SCHOOL DISTRICT:		122601:CHARLOTTE VALLEY
ACREAGE:		5.93 ACRES
CONVEYED TO:		RICHARD J CUCCIA JR
		21 SPRING STREET
		PAWLING NY 12564
CASH CONSIDERATION:		\$4,400.00
TAX DEFICIT:		\$1,739.94
		KOR14TX.020
<b><u>ASSESSED TO:</u></b>	<b><u>FRANK LAUKARAN</u></b>	
TOWN OF:		124000:KORTRIGHT
TAX MAP NO:		66.-1-3.6
SCHOOL DISTRICT:		125202:SOUTH KORTRIGHT
ACREAGE:		4.40 ACRES
CONVEYED TO:		MARK R KENYON
		12860 TURNPIKE ROAD
		EAST MEREDITH NY 13757
CASH CONSIDERATION:		\$13,000.00
TAX DEFICIT:		\$4,991.10
		MAS14TX.013
<b><u>ASSESSED TO:</u></b>	<b><u>LAWRENCE HALM</u></b>	
TOWN OF:		124200:MASONVILLE
TAX MAP NO:		184.-1-11.2
SCHOOL DISTRICT:		125001:SIDNEY
ACREAGE:		5.00 ACRES
CONVEYED TO:		KARL H SENICAR
		JOSEF SENICAR

		176 GLANZ AVENUE NORTHVALE NJ 07647
CASH CONSIDERATION:		\$8,500.00
TAX DEFICIT:		\$1,777.48
		MER14TX.013A
<b><u>ASSESSED TO:</u></b>	<b><u>DANIEL J HOSIER AND BONNY S HOSIER</u></b>	
TOWN OF:		124400:MEREDITH
TAX MAP NO:		81.2-1-17
SCHOOL DISTRICT:		122801:DELAWARE ACADEMY
ACREAGE:		93.00'D x 40.00'D: 0.13 ACRES
CONVEYED TO:		ANTONINO TRIARSI IV 7366 COUNTY HIGHWAY 33 BLOOMVILLE NY 13739
CASH CONSIDERATION:		\$2,000.00
TAX DEFICIT:		\$5,713.93
		MER14TX.032
<b><u>ASSESSED TO:</u></b>	<b><u>JOHN C OCHS, RICHARD RUMSEY, ROBERT E WILLIAMS, RODNEY TORTARELLA, CARMINE TORTARELLA JR, SAMUEL REICHEL</u></b>	<b><u>T, ROBERT FARRELL AND CHARLES BUELOW JR</u></b>
TOWN OF:		124400:MEREDITH
TAX MAP NO:		46.-2-15
SCHOOL DISTRICT:		122801:DELAWARE ACADEMY
ACREAGE:		0.12A ACRES
CONVEYED TO:		MICHAEL SCARIMBOLO 464 SHAVER HILL ROAD EAST MEREDITH NY 13757
CASH CONSIDERATION:		\$5,200.00
TAX DEFICIT:		\$2,186.10
		MID14TX.056
<b><u>ASSESSED TO:</u></b>	<b><u>JOHN KOWATCH</u></b>	
TOWN OF:		124601:MIDDLETOWN
TAX MAP NO:		287.18-5-7
SCHOOL DISTRICT:		124601:MARGARETVILLE
ACREAGE:		2.90 ACRES
CONVEYED TO:		MARTIN MORALES 967 MAIN STREET FLEISCHMANN'S NY 12430
CASH CONSIDERATION:		\$500.00 VILLAGE SHARE \$125.00 COUNTY SHARE \$375.00
TAX DEFICIT:		\$3,071.40
		MID14TX.057
<b><u>ASSESSED TO:</u></b>	<b><u>LOUIS G KULESS</u></b>	
TOWN OF:		124689:MIDDLETOWN
TAX MAP NO:		263.-3-49
SCHOOL DISTRICT:		124601:MARGARETVILLE
ACREAGE:		0.36 ACRES
CONVEYED TO:		STEPHEN KALAJ ANTON KALAJ 211 E 21 <sup>ST</sup> STREET NEW YORK NY 10010
CASH CONSIDERATION:		\$7,200.00
TAX DEFICIT:		\$4,984.10
		MID14TX.085
<b><u>ASSESSED TO:</u></b>	<b><u>MARVIN NEWMARK</u></b>	
TOWN OF:		124689:MIDDLETOWN
TAX MAP NO:		263.-4-17
SCHOOL DISTRICT:		124601:MARGARETVILLE



ACREAGE:	2.08 ACRES
CONVEYED TO:	FINEST CONTRACTING INC C/O TODD HILLKEWICZ 99 WESTWOOD ROAD NORTH MASSAPEQUA PARK NY 11762
CASH CONSIDERATION:	\$4,600.00
TAX DEFICIT:	\$1,250.02

	MID11TX.103
<b><u>ASSESSED TO:</u></b>	<b><u>ALBERTO TORRES</u></b>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	242.-2-20
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	5.00A ACRES
CONVEYED TO:	JERRY M LOMBARDO 20 VAN TERRACE SPARKILL NY 10976
CASH CONSIDERATION:	\$9,500.00
TAX DEFICIT:	\$2,894.07

	SID14TX.033
<b><u>ASSESSED TO:</u></b>	<b><u>RODNEY G KAFCHINSKI D/B/A K&amp;W INVESTMENTS</u></b>
TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.12-11-8.2
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	133.00'F X 124.00'D: 0.31 ACRES
CONVEYED TO:	UNITED PROPERTIES CORP 1975 HEMPSTEAD TPK SUITE 309 EAST MEADOW NY 11554
CASH CONSIDERATION:	\$5,200.00
TAX DEFICIT:	\$1,926.75

	SID14TX.034
<b><u>ASSESSED TO:</u></b>	<b><u>RICHARD A KETCHUM ESTATE</u></b>
TOWN OF:	125089:SIDNEY
TAX MAP NO:	163.-1-8
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	1.50 ACRES
CONVEYED TO:	DANIEL LEWIS BLACKMAN JR 30 GRAND STREET SIDNEY NY 13838
CASH CONSIDERATION:	\$500.00
TAX DEFICIT:	\$1,784.17

	SID14TX.041
<b><u>ASSESSED TO:</u></b>	<b><u>AUGUSTUS J MARK AND LETITIA M MARK</u></b>
TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.20-2-33
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	0.46 ACRES
CONVEYED TO:	ELIZA M HADDEN 18 EAST MAIN ST APT2 SIDNEY NY 13838
CASH CONSIDERATION:	\$11,000.00
TAX DEFICIT:	\$7,027.94

	STA14TX.011
<b><u>ASSESSED TO:</u></b>	<b><u>KERMIT CANTWELL ESTATE</u></b>
TOWN OF:	125289:STAMFORD
TAX MAP NO:	69.-2-48.2
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	40.00'F X 78.00'D ACRES

CONVEYED TO:

DANNY A OAKLEY  
15355 DEL CO HWY 18  
HOBART NY 13788

CASH CONSIDERATION:

\$500.00

TAX DEFICIT:

\$164.53

STA14TX.032

**ASSESSED TO:**

**LCM LANDSCAPES INC**

TOWN OF:

125201:STAMFORD

TAX MAP NO:

88.5-7-8

SCHOOL DISTRICT:

125201:STAMFORD

ACREAGE:

130.00'F x 185.00'D: 0.25 ACRES

CONVEYED TO:

STEVE GRGAS  
RUZICA GRGAS  
317 GRANGE STREET  
FRANKLIN SQUARE NY 11010

CASH CONSIDERATION:

\$1,000.00  
VILLAGE SHARE \$390.00  
COUNTY SHARE \$610.00

TAX DEFICIT:

\$871.33

STA14TX.044

**ASSESSED TO:**

**CHARLES V STOUTENBURG AND DORIS J STOUTENBURG**

TOWN OF:

125289:STAMFORD

TAX MAP NO:

69.-2-38

SCHOOL DISTRICT:

125202:SOUTH KORTRIGHT

ACREAGE:

2.36 ACRES

CONVEYED TO:

RUTH L WEINMANN  
143 TOWN BROOK ROAD  
HOBART NY 13788

CASH CONSIDERATION:

\$1,300.00

TAX DEFICIT:

\$698.05

STA14TX.048

**ASSESSED TO:**

**DIANE VIDAL**

TOWN OF:

125289:STAMFORD

TAX MAP NO:

109.-3-9

SCHOOL DISTRICT:

125202:SOUTH KORTRIGHT

ACREAGE:

5.60 ACRES

CONVEYED TO:

PETER R ZIEGELER  
11 OCEAN AVE #3  
STATEN ISLAND NY 10305

CASH CONSIDERATION:

\$2,200.00

TAX DEFICIT:

\$1,123.37

TOM14TX.016

**ASSESSED TO:**

**CHRIS PAPPAS**

TOWN OF:

125400:TOMPKINS

TAX MAP NO:

387.-1-7

SCHOOL DISTRICT:

125601:WALTON

ACREAGE:

0.25 ACRES

CONVEYED TO:

HELENE MORAN  
8046 246<sup>TH</sup> STREET  
BELLEROSE NY 11426

CASH CONSIDERATION:

\$300.00

TAX DEFICIT:

\$164.62

TOM13TX.016

**ASSESSED TO:**

**RICHARD MIGLIN, RAY SMITH & GEORGE REILEY**

TOWN OF:

125400:TOMPKINS

TAX MAP NO:

387.-1-12.3

SCHOOL DISTRICT:

123606:HANCOCK

ACREAGE:

150.00'F x 80.00'D: 0.50A ACRES

CONVEYED TO:

KEVIN MARTZ

CONVEYED TO:187 WANSER AVE  
INWOOD NY 11096

CASH CONSIDERATION:\$1,000.00

TAX DEFICIT:\$1,852.69

WAL14TX.006A

**ASSESSED TO:**

**DAVID W BROWN ESTATE**

TOWN OF:125689:WALTON

TAX MAP NO:187.-2-6

SCHOOL DISTRICT:125601:WALTON

ACREAGE:9.30 ACRES

CONVEYED TO:CAMOMILE LLC  
216 W 89TH STREET APT PH  
NEW YORK NY 10024

CASH CONSIDERATION:\$17,500.00

TAX DEFICIT:\$6,299.99

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

RESOLUTION NO. 155

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the party 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.

KOR12TX.031

**ASSESSED TO:**

**MARIO E P RUTELLA**

TOWN OF:124000:KORTRIGHT

TAX MAP NO:37.-2-19

SCHOOL DISTRICT:125202:SOUTH KORTRIGHT

ACREAGE:13.71A ACRES

CONVEYED TO:MARIO RUTELLA  
21 KALINA DRIVE  
SAUGERTIES NY 12477

CASH CONSIDERATION:\$6,813.26

TAX DEFICIT:\$5,088.36

KOR12TX.036

**ASSESSED TO:**

**MARIO F P RUTELLA**

TOWN OF:124000:KORTRIGHT

TAX MAP NO:37.-2-15

SCHOOL DISTRICT:125202:SOUTH KORTRIGHT

ACREAGE:14.27A ACRES

CONVEYED TO:MARIO RUTELLA  
21 KALINA DRIVE  
SAUGERTIES NY 12477

CASH CONSIDERATION:\$5,880.43

TAX DEFICIT:\$4,371.71

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

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

RESOLUTION NO. 156

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,749,222.14 were hereby presented to the Finance Committee for

approval for payment on September 23, 2016 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	\$1,021,450.39
OET	\$21,175.95
Public Safety Comm System	\$131,326.99
Highway Audits, as Follows:	
Weights & Measures	\$1,622.78
Road	\$115,560.38
Machinery	\$24,986.99
Capital Road & Bridge	\$82,244.57
Capital Solid Waste	\$290,866.90
Solid Waste/Landfill	\$59,987.19

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$818,168.06 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	\$429,248.64
OET	\$15,116.00
Public Safety Comm System	\$45,103.88
Highway Audits, as Follows:	
Weights and Measures	\$177.21
Road	\$2,295.50
Machinery	\$68,834.56
Capital Road & Bridge	\$154,737.86
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$102,654.41

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Marshfield, Davis).

Chairman Eisel appointed Jaclyn Brownell to the Youth Bureau Board of Directors.

Upon a motion, the meeting adjourned at 2:45 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**OCTOBER 12, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 12, 2016 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Vice Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Eisel and Mr. Davis. Mr. Davis arrived shortly after roll call.

Vice Chairman Molé noted that Mr. Eisel is attending a family wedding out of town.

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.

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

**RESOLUTION NO. 157**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SHERIFF’S OFFICE**

**WHEREAS**, funds have been made available to the Sheriff’s Office by way of felony drug prosecutions which funding is routinely collected; and

**WHEREAS**, TDU® pants and duty belts with standard supplements are needed for the Special Response Team members conducting police business at incident locations throughout Delaware County.

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

**FROM:**

10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff’s Office	\$3,391.50
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**TO:**

10-13110-54640000	Uniforms	\$3,391.50
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4266, Noes 0, Absent 533 (Eisel, Davis).

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

**RESOLUTION NO. 158**

**TITLE: 2016 TRANSFER OF FUNDS  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the following appropriation account is in need of funding.

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

**FROM:**

10-16140-54569000	Safety Net	\$30,000.00
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**TO:**

10-16142-54259000	EAA	\$30,000.00
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The resolution was seconded by Mr. Taggart.

Mr. Marshfield explained that the transfer to the Emergency Aid for Adults (EAA) account is done on a yearly basis to achieve a higher reimbursement level. The 2017 Budget will reflect these funds in the EAA account omitting the necessity of a yearly transfer resolution.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 159**

**TITLE: RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY  
REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY  
INCREASES SET BY THE STATE**

**WHEREAS**, on December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

**WHEREAS**, the recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

**WHEREAS**, on April 1, 2016 the state approved the Commission's recommendation; and

**WHEREAS**, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

**WHEREAS**, for over 50 years, the state has funded all salary increases that they imposed on the counties; and

**WHEREAS**, the District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase as well; and

**WHEREAS**, this salary increase recommendation occurred well after all counties set their 2016 budgets in law; and

**WHEREAS**, to the extent that the Commission's recommendations do, in fact, supersede the provisions of Judiciary Law section 221-d as applicable to District Attorney's annual salary; and

**WHEREAS**, DAs are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

**WHEREAS**, on April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; and

**WHEREAS**, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

**WHEREAS**, for some counties, this salary increase represents approximately 1/3 of their total allowable property tax growth for all government operation in 2016.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers; and

**NOW, THEREFORE, FURTHER RESOLVED** the Delaware County Board of Supervisors calls on the state to pay for this increase and any similar state mandated salary increase in future years; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar, II, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney, other New York Counties, and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Tuthill.

Mr. Spaccaforo said this resolution is similar to one passed earlier this year however, it is an unfunded mandate by the state and he wants to make sure the matter is front and center of the Assembly and Senate.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 160**

**TITLE: RESOLUTION URGING GOVERNOR CUOMO TO SIGN INTO LAW  
PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)**

**WHEREAS**, the United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

**WHEREAS**, in 1965 the State of New York delegated this state responsibility to counties; and

**WHEREAS**, the decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of cost for this state responsibility; and

**WHEREAS**, the New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% by 2023 and thereafter; and

**WHEREAS**, the Delaware County Board of Supervisors thanks the State Senate and the State Assembly for recognizing and addressing this need by passing the Public Defense Mandate Relief Act; and

**WHEREAS**, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of Executive Law Section 832; and

**WHEREAS**, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties, therefore creating an unequal system of justice in the remaining counties of the State; and

**WHEREAS**, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

**WHEREAS**, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, while also providing fiscal relief for local property taxpayers; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar, II, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney, other New York Counties, and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Tuthill.

Mr. Spaccaforo noted that similar resolutions have been passed this year on this unfunded mandate. The legislation has passed the Assembly and Senate and is awaiting

Governor Cuomo to act.

Ms. Molé stated that this is a very timely resolution, as the Governor has to act either way by December 31, 2016.

Mr. Marshfield commented that it might seem redundant to put these resolutions through multiple times but the issues are important and it is good to keep them front and center. He noted that the Department of Social Services would be presenting unfunded mandate resolutions at the next Board of Supervisors meeting similar to ones passed earlier this year for the same reason. He pointed out that the New York State Association of Counties (NYSAC) recommended these resolutions for adoption.

Ms. Molé noted that the NYSAC provides resolutions addressing the issues faced by the counties and encourages these resolutions to be passed by County Boards.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 161**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PLANNING DEPARTMENT**

**WHEREAS**, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer, have agreed that additional funding of appropriations is needed at this time to purchase a plotter for the Geographic Information System.

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

<b><u>FROM:</u></b>		
10-18020-51000000	Personal Services	\$10,948.09
<b><u>TO:</u></b>		
10-18020-52200000	Equipment	\$10,948.09

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 162**

**TITLE: SALE OF TAX ACQUIRED PROPERTY**

**RESOLVED** that the following described parcels of tax acquired property be sold to the party 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.

		HAN14TX.168
<b><u>ASSESSED TO:</u></b>		<b><u>JOHN C STEWART</u></b>
TOWN OF:		123689:HANCOCK
TAX MAP NO:		454.-1-14.2
SCHOOL DISTRICT:		484802:SULLIVAN WEST
ACREAGE:		9.86 ACRES
CONVEYED TO:		JOHN C STEWART
		147A DEKALB AVE APT 2
		JERSEY CITY NJ 07306
CASH CONSIDERATION:		\$15,942.47
TAX DEFICIT:		\$13,064.58



The resolution was seconded by Marshfield and adopted by the following vote: Ayes 4641, Noes, 0 Absent 158 (Eisel).

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

**RESOLUTION NO. 163**

**TITLE: DESIGNATION OF DELAWARE COUNTY CHAMBER OF COMMERCE  
AS TOURISM PROMOTION AGENCY FOR DELAWARE COUNTY  
DEPARTMENT OF ECONOMIC DEVELOPMENT  
PLANNING DEPARTMENT**

**BE IT RESOLVED** that the Delaware County Chamber of Commerce be designated as the Tourism Promotion Agency for Delaware County, for the purpose of making applications for and receiving grants under Section 100[6] of the Economic Development Law, with the Chamber of Commerce to provide the required local matching funds for the “I Love New York” tourism promotion 2017 program.

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

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

**RESOLUTION NO. 164**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,300,120.63 are hereby presented to the Board of Supervisors for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$1,087,855.72
OET	\$57,153.19
Public Safety Comm System	\$10,008.90
Highway Audits, as Follows:	
Weights and Measures	\$50.85
Landfill	\$21,443.26
Road	\$3,435.85
Machinery	\$37,403.29
Capital Road & Bridge	\$82,769.57
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

Upon a motion, the meeting adjourned at 1:15 p.m.

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**OCTOBER 26, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 26, 2016 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. Rowe, Mr. Spaccaforno, Mr. Hynes and Mr. Layton.

Mr. Marshfield offered the invocation.

Mr. Pigford 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.

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

**RESOLUTION NO. 165**

**TITLE: 2016 BUDGET AMENDMENT  
POLICE TRAFFIC SERVICES PROGRAM GRANT  
SHERIFF'S OFFICE**

**WHEREAS**, the Sheriff's Office has been successful in securing grant funds with which to participate in the statewide Police Traffic Services Program; and

**WHEREAS**, the Sheriff's Office agrees to participate in "Statewide Traffic Services Program," the goal of which is to increase seat belt usage and reduce dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes; 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 \$12,250.00 to be used to pay the salaries of the road patrol deputies participating in this program which runs from October 1, 2016 through September 30, 2017.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUE:**

10-13310-43338900/3310144/907	State OTR Public Safety	\$12,250.00
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**INCREASE APPROPRIATION:**

10-13310-51327000/3310144/907	Personal Services	\$12,250.00
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The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforno, Hynes, Layton).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 166**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING FOR MOBILITY MANAGEMENT  
OF SOUTH CENTRAL NEW YORK  
OFFICE FOR THE AGING**

**WHEREAS**, the Delaware County Office for the Aging operates a non-emergency transportation system through which individuals are assisted with transportation to and from non-emergency medical appointments, obtaining legally authorized prescription medications and obtaining essential medical supplies; and

**WHEREAS**, the Delaware County Office for the Aging has received an additional \$1,000.00 to enhance the agency's established non-emergency medical transportation program for 2016.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as

follows:

**INCREASE REVENUE:**

10-16772-42270602/6772044/977	Grants from Non-Profit	\$1,000.00
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**INCREASE APPROPRIATION:**

10-16772-54327000/6772044/977	Grant Contractual Services	\$1,000.00
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforo, Hynes, Layton).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 167**

**TITLE: 2016 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING FOR MATTER OF BALANCE PROJECT AND  
TAI CHI FOR ARTHRITIS PROJECT  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging has been granted \$7,000.00 from the Rural Healthcare Alliance of Delaware County to train staff for administering the Matter of Balance and Tai Chi for Arthritis programs for the county’s older population; and

**WHEREAS**, this funding will be used to engage in activities to support health promotion and wellness programming such as fall prevention and stay healthy programs.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUES:**

10-16772-42270602/6772047/977	Grant from Non-Profit	\$7,000.00
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**INCREASE APPROPRIATIONS:**

10-16772-54327000/6772047/977	Contracted Services	\$4,242.00
10-16772-54327595/6772047/977	Supplies	\$500.00
10-16772-54327625/6772047/977	Travel	\$2,258.00

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforo, Hynes, Layton).

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

**RESOLUTION NO. 168**

**TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. 27-16  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution 44 of 2016 authorized the award of Proposal No. 27-16, “Purchase of Two Tandem Axle Dumps with plow, wing and spreader” to Ben Funk Inc., 3609 Route 9, Hudson, NY 12534 for the bid amount of \$210,733.50; and

**WHEREAS**, Resolution No. 58 of 2016 authorized the acceptance of Change Order No. 1 which added two options at an increased cost of \$461.00 per truck raising the total amount of each truck to \$211,194.50; and

**WHEREAS**, the trucks have been built without the high lift tailgate as specified in the bid documents and the bodies cannot be retrofitted to meet that requirement; and

**WHEREAS**, the vendor has agreed to a reduction in the purchase price of \$4,486.00 to compensate for the lack of the high lift gate option.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is

herewith authorized to execute Change Order No. 2 in the amount of -\$4,486.00 decreasing the purchase price to \$206,708.50 per truck.

The resolution was seconded by Mr. Valente and was adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaformo, Hynes, Layton).

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

**RESOLUTION NO. 169**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**BE IT RESOLVED**, that the Department of Public Works is authorized to sell by online auction or scrap value whichever is higher the following items:

<u>Vehicle No.</u>	<u>Description</u>	<u>SN/VIN</u>
DPW 84	2011 Cross Country Trailer	431FS1825B1000066

The resolution was seconded by Mr. Tuthill.

In response to Mr. Marshfield, Director of Solid Waste Management Sue McIntyre advised that it is a light duty trailer that has been well used.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 170**

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

**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 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 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, 2017 for County employees who are willing to work on a per-hour, as-needed basis in the Personnel Office.

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

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

**RESOLUTION NO. 171**

**TITLE: STANDARD WORK DAY AND REPORTING RESOLUTION  
NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

**BE IT RESOLVED**, that the County of Delaware hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of

activities maintained and submitted by these officials to the clerk of this body.

<u>Title</u>	<u>Name</u>	<u>Standard Work Day (hrs/day)</u>	<u>Term Begin-End</u>	<u>Employer Rec. of Time Worked (Y/N)</u>	<u>Days Per Month Based on Record of Activities</u>
<b><u>ELECTED OFFICIALS:</u></b>					
Acting District Attorney	John Hubbard	6	01/01/16 - 12/31/16	N	28.43
County Clerk	Sharon O'Dell	6	01/01/15 - 12/31/18	N	28.82
County Treasurer	Beverly Shields	6	01/01/14 - 12/31/17	N	31.33

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

Mr. Merrill introduced Local Law Intro. No. 1 which was seconded by Mr. Taggart.

**LOCAL LAW NO. 1 OF 2016**

**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, 2017 and ending December 31, 2017 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 2017 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 judgment 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 judgment or order shall be rendered.

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

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

**RESOLUTION NO. 172**

**TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 1 OF 2016  
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 9, 2016 at 12:30 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. Tuthill.

Mr. Marshfield noted that this resolution is being presented to allow the county to file for an override in a timely manner if overriding the tax levy is necessary.

The resolution was unanimously adopted.

Mr. Ellis introduced Local Law Intro Nos. 2 through 13 which were seconded by Ms. Molé.

## **LOCAL LAW INTRO NO. 2**

### **TITLE: SALARY INCREASE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES**

Section 1. The salary of Cynthia Heaney, Director of Community Mental Health Services shall be Ninety-three thousand, five hundred ninety-eight dollars [\$93,598] per annum effective January 1, 2017.

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. 3**

### **TITLE: SALARY INCREASE COUNTY ATTORNEY**

Section 1. The salary of Porter Kirkwood, County Attorney shall be One hundred thirty thousand, four hundred fifty-five dollars [\$130,455] per annum effective January 1, 2017.

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 ECONOMIC DEVELOPMENT**

Section 1. The salary of Glenn Nealis, Director of Economic Development shall be Seventy-nine thousand, two hundred eighty-three dollars [\$79,283] per annum effective January 1, 2017.

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 ELECTION COMMISSIONER**

Section 1. The salary of William Campbell, Election Commissioner shall be Twenty-two thousand, five hundred forty-two dollars [\$22,542] per annum effective January 1, 2017.

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 DIRECTOR OF EMERGENCY SERVICES**

Section 1. The salary of Stephen Hood, Director of Emergency of Services shall be Fifty-eight thousand, four hundred seventy-eight dollars [\$58,478] per annum effective January 1, 2017.

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 DIRECTOR OF INFORMATION TECHNOLOGY**

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be Eighty thousand, eleven dollars [\$80,011] per annum effective January 1, 2017.

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 OF PUBLIC WORKS**

Section 1. The salary of Wayne Reynolds, Commissioner of Public Works shall be Ninety-four, thousand, nine hundred sixty-seven dollars [\$94,967] per annum effective January 1, 2017.

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 REAL PROPERTY TAX SERVICES II**

Section 1. The salary of Michael Sabansky, Director of Real Property Tax Services II shall be Sixty-two thousand, four hundred twenty-five dollars [\$62,425] per annum effective January 1, 2017.

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 COMMISSIONER OF SOCIAL SERVICES**

Section 1. The salary of Dana Scuderi-Hunter, Commissioner of Social Services shall be Ninety thousand dollars [\$90,000] per annum effective January 1, 2017.

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 WATERSHED AFFAIRS**

Section 1. The salary of Dean Frazier, Commissioner of Watershed Affairs shall be Seventy-five thousand, one hundred seventy dollars [\$75,170] per annum effective January 1, 2017.

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 COUNTY TREASURER**

Section 1. The salary of Beverly Shields, County Treasurer shall be Sixty-five thousand, five hundred seventy-eight dollars [\$65,578] per annum effective January 1, 2017.

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 SHERIFF**

Section 1. The salary of Thomas Mills, Sheriff shall be Seventy-three thousand, five hundred fifty-one dollars [\$73,551] per annum effective January 1, 2017.

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. Ellis offered the following resolution and moved its adoption:

## **RESOLUTION NO. 173**

### **TITLE: PUBLIC HEARING LOCAL LAW INTRO. NOS. 2 THROUGH 13 OF 2016**

**WHEREAS**, Local Law Intro. Nos. 2 through 13 have been introduced to increase the 2017 salaries of:

**Non-Elected:** Cynthia Heaney, Director Community Mental Health Services; Porter Kirkwood, County Attorney; Glenn Nealis, Director Economic Development; William J. Campbell, Commissioner Board of Elections; Stephen Hood, Director of Emergency Services; Joseph deMauro, Director of Information Technology; Wayne Reynolds, Commissioner of Public Works; Michael Sabansky, Director Real Property Tax Services II; Dana Scuderi-Hunter,



Commissioner Department of Social Services; Dean Frazier, Commissioner of Watershed Affairs.

**Elected:** Beverly Shields, Treasurer; Thomas Mills, County Sheriff.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on Local Laws Intro Nos. 2 through 13 on the 9th day of November, 2016 at 12:45 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. Merrill.

Mr. Marshfield stated that raises for 2017 are 2 percent.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 174**

**TITLE: RATIFICATION OF BAGS LANDFILL  
BUDGET FOR 2017**

**BE IT RESOLVED** that the 2017 budget for the BAGS Landfill in the total amount of \$8,294.00 with \$1,820.35 the apportioned cost to the Town of Sidney be ratified as presented.

The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforno, Hynes, Layton).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 175**

**TITLE: DELAWARE COUNTY CELEBRATES  
BREAST CANCER AWARENESS MONTH  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, the month of October is National Breast Cancer Awareness Month; and

**WHEREAS**, breast cancer is one of the most common cancers among women in New York State; and

**WHEREAS**, each year in New York, over 15,000 women are diagnosed with breast cancer and over 2,600 women die from the disease; and

**WHEREAS**, breast cancer accounts for the leading type of cancer affecting women and is the second leading cause of cancer death in Delaware County; and

**WHEREAS**, it is estimated that one in eight women will develop breast cancer during her life; and

**WHEREAS**, a woman's risk of breast cancer nearly doubles if she has a first-degree relative (mother, sister, daughter) who has been diagnosed with breast cancer; and

**WHEREAS**, most breast cancer—about 85 percent—occurs in women who have no family history of breast cancer; and

**WHEREAS**, the leading risk factor for breast cancer is simply being a woman. Though breast cancer does occur in men, the disease is 100 times more common in women than in men and women are at 200 times the risk of developing the disease compared to risk in men; and

**WHEREAS**, the Cancer Services Program of Delaware, Otsego and Schoharie Counties offers breast screening services to uninsured and underinsured women over the age of 40.

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County recognizes October as Breast Cancer Awareness Month.

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

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

**RESOLUTION NO. 176**

**TITLE: RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO  
GRADUALLY RESTORE THE 50/50 STATE/COUNTY COST SHARING FOR THE  
SAFETY NET PROGRAM, TO INCREASE SHELTER GRANT REIMBURSEMENTS  
TO COUNTIES AND TO PROVIDE SUFFICIENT RESOURCES TO PROVIDE SAFE  
AND SECURE HOUSING  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the 2011-12 State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent county/29 percent state, severing the historic 50 percent state/50 percent county partnership; and

**WHEREAS**, this continues a long line of state legislative actions that has transferred the State's constitutional and fiscal responsibility to care for the needy to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

**WHEREAS**, the Safety Net funding shift also builds upon recent trends where the State has leveraged significant savings from maximizing available federal resources largely for state financial plan purposes, at the expense of local property taxpayers; and

**WHEREAS**, the net effect of this state practice forces local property taxes to be higher than they should because available savings are being spent by the state rather than being used to lower the cost of state mandates which can provide direct relief to local property tax payers; and

**WHEREAS**, nearly half of the states do not have Safety Net programs and New York is one of only 11 states that provide benefits to childless adults that do not have some disability; and

**WHEREAS**, most other states do not require counties to fund such a large share of public assistance costs; and

**WHEREAS**, counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

**WHEREAS**, State data through May 2016 indicates that non-federally participating Safety Net costs continue to grow faster than federally participating TANF costs; and

**WHEREAS**, counties believe that the rising cost of providing shelter assistance to recipients is a major contributor to this increase; and

**WHEREAS**, enhanced shelter assistance and state reimbursement, along with more permanent affordable housing, are essential components necessary to achieve State goals of reducing homelessness and providing stability for families and individuals in need; and

**WHEREAS**, recent inspections by the State and local governmental agencies have uncovered poor conditions in some shelters and hotels/motels, which reinforces that the State must provide the necessary resources to local agencies to remediate and address the needs of individuals and families.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for the Safety Net program over a five-year period, starting with an increase in county reimbursement for shelter assistance in order to help alleviate the lack of affordable housing alternatives in many areas of the state, while also lowering the local property tax burden for homeowners and small businesses; and

**BE IT FURTHER RESOLVED** that counties should be consulted and advised of shelter inspection schedules, participate to the extent possible in the actual inspection and be part of a solution should issues within a shelter or hotel/motel need to be addressed; and

**BE IT FURTHER RESOLVED** that the State needs to have fiscal resources available to assist in keeping the temporary housing supply code-compliant; and

**BE IT FURTHER RESOLVED** that Delaware County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Tuthill.

Mr. Marshfield noted that this resolution and the two following are similar resolutions passed on unfunded mandates. The New York State Association of Counties encourages County Boards to present these resolutions to ensure the issues stay front and center of the Assembly and Senate.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 177**

**TITLE: RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO  
MAINTAIN OUR MUTUAL GOALS OF NOT SHIFTING NEW COSTS TO COUNTIES,  
WHILE MAINTAINING REASONABLE LOCAL FLEXIBILITY  
OVER ADMINISTRATIVE FUNCTIONS, AS THE STATE REALIGNS  
MEDICAID ADMINISTRATIVE FUNCTIONS AND HUMAN SERVICES PROGRAMS  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the State Department of Health continues its multi-year effort to take over the administrative responsibilities of the Medicaid program from county government as a way to provide improved consistency in the administration of Medicaid and to reduce administrative burdens for counties and New York City; and

**WHEREAS**, counties support efforts to streamline government operations in ways that can improve the delivery of services and responsiveness to recipients' needs, while not shifting new costs to county taxpayers; and

**WHEREAS**, the state has enacted a cap in reimbursement to counties and New York City related to Medicaid administrative claiming, and for many counties this cap continues to be in place prior to the actual state takeover of a significant portion of local Medicaid administrative functions; and

**WHEREAS**, local departments of social services (DSS) are now being required to take on additional administrative responsibilities including:

- Approving or authorizing services under the Community First Choice Option (CFCO) under Medicaid, which significantly alters the existing model of Medicaid long term care services and supports, and
- Implementing the Uniform Assessment System (UAS), which must be completed by a registered nurse, under the Immediate Need for Personal Care Services and Consumer Directed Personal Assistance programs; and

**WHEREAS**, policies have evolved such that the local DSS role is shrinking in terms of eligibility determinations, but simultaneously increasing in terms of home care assessments and responsibilities; and

**WHEREAS**, capped reimbursement with minimal relief from administering the State's Medicaid program creates significant fiscal and liability concerns for counties and is counterproductive in the current property tax cap environment; and

**WHEREAS**, counties also struggle with administering all other human services programs mandated by the state especially since State financial support for local social service district administrative costs was essentially eliminated several years ago to help balance state budget shortfalls; and

**WHEREAS**, the State Legislature has also passed legislation that will dramatically increase local district costs by requiring caseload caps for child welfare services without providing any additional state resources to support these actions; and

**WHEREAS**, security breaches, including violence committed against county employees at local social service districts, both nationally and locally highlight the increased need for enhanced safety and security investments at local social service district offices; and

**WHEREAS**, current state administrative reimbursement caps to local social service districts make such safety and security investments highly challenging; and

**WHEREAS**, the safety of all public employees is a priority and the need in certain county offices is more critical.

**NOW, THEREFORE, BE IT RESOLVED** that until the state Medicaid administrative takeover is complete we urge the Governor and Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap, continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the state falls short in its attempt to takeover local Medicaid administrative functions; and

**BE IT FURTHER RESOLVED** the State should not reduce counties' Medicaid administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts; and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and

**BE IT FURTHER RESOLVED** the Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently associated with the Medicaid program on the local level; and

**BE IT FURTHER RESOLVED** the State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; and

**BE IT FURTHER RESOLVED** the state should exempt certain local investments that enhance the safety and security of local social services district employees and clients from state administrative reimbursement caps; and

**BE IT FURTHER RESOLVED** that upon an act of violence perpetrated upon a local social services district employee in New York (or when an incident of national attention occurs against similar public employees), for safety and security reasons the state should acknowledge the act and notify all local district social services offices of the activity; and

**BE IT FURTHER RESOLVED** copies of this resolution be forwarded to Governor Andrew M. Cuomo, the New York State Legislature, the State Department of Health and all others deemed necessary and proper.

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

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

## **RESOLUTION NO. 178**

### **TITLE: RESOLUTION URGING THE STATE TO PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE TO COUNTIES TO HOLD LOCALITIES HARMLESS FROM NEW COSTS ASSOCIATED WITH FEDERAL CHILD CARE LAW CHANGES TO ENSURE LOCAL CHILD CARE SLOTS ARE NOT LOST DUE TO INCREASED COSTS OF MEETING THE NEW FEDERAL MANDATES DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the federal government is implementing new child care safety and quality standards that are intended to improve child care services nationwide; and

**WHEREAS**, the new federal standards will require all child care providers to be checked against a variety of databases including FBI fingerprinting, National Crime Information Center, National Sex Offender Registry, State criminal and sex offender registry, and child abuse and neglect registry in each state an applicant has resided in over the past five years; and

**WHEREAS**, the State estimates there are over 220,000 regulated and legally-exempt providers as well as household members over the age of 18 that would be required to have a background check at a cost of nearly \$102 per person; and

**WHEREAS**, these federal standards will require annual, unannounced full inspections of all facilities, including legally-exempt providers which will require New York to conduct 25,000 additional inspections each year; and

**WHEREAS**, new federal rules will require a mandatory pre-service/orientation and ongoing health and safety training for all child care staff in a variety of topical areas including first aid/CPR; and

**WHEREAS**, in New York the cost of First Aid/CPR classroom training is estimated at \$125 per person and would apply to as many as 220,000 individuals; and

**WHEREAS**, the State has estimated that meeting these new standards could increase costs for the state, counties and child care providers by up to \$90 million; and

**WHEREAS**, due to significantly constrained property tax cap limits, counties do not have the ability to absorb new costs of this magnitude while also meeting new federal subsidy requirements including 12-month eligibility redetermination and the graduated phase-out of families leaving the subsidy program; and

**WHEREAS**, without additional federal or state funding support to cover these increased costs counties may be forced to close intake (including closing active cases) or lower income thresholds which will reduce the number of low income working families receiving subsidized child care services.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls on the Governor and State Legislature to hold counties fiscally harmless to ensure that existing child care slots and subsidies provided by counties are not jeopardized over the coming years as these new federal standards are implemented.

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

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

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

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

**RESOLUTION NO. 179**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,043,354.13 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	\$843,956.02
OET	\$21,163.85
Public Safety Comm System	\$509,539.92
Highway Audits, as Follows:	
Weights and Measures	\$169.54
Landfill	\$71,509.57
Road	\$19,218.57
Machinery	\$73,695.81
Capital Road & Bridge	\$504,100.85
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforo, Hynes, Layton).

Chairman Eisel announced that County Clerk Sharon O’Dell and Personnel Officer Teddie Storey are retiring. Mrs. O’Dell will retire on Friday, October 28, after thirty-six and a half years of service. Mrs. Storey will retire on Friday, November 4, after twelve years of service. On behalf of himself and the Board of Supervisors, he recognized their dedication and service to the County.

Chairman Eisel commented that Mrs. O’Dell runs an efficient operation that strives to serve the residents of this County in a timely and professional manner. Mrs. O’Dell has been a dedicated public servant and a pleasure to work with. During her tenure, she has served this Board and the County well. She will be missed.

County Clerk Sharon O’Dell thanked the Board of Supervisors for its commitment to the Office of County Clerk and stated that it has been a privilege to serve the Board and the residents of Delaware County.

Chairman Eisel noted that Mrs. Storey runs an efficient office that strives to balance contract negotiations, County policy and personnel issues. In all personnel-related matters, she has represented the County and its employees in a fair and efficient manner. Mrs. Storey has been a pleasure to work with and will be missed.

Mrs. Storey stated that it has been an honor and privilege to serve the Board of Supervisors and employees of the County as Personnel Officer. She thanked the Board of Supervisors for its commitment to the Personnel Office and its dedication to serving the residents of Delaware County.

Chairman Eisel thanked each for their outstanding service to the County and wished each the best of luck in their future endeavors.

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

**RESOLUTION NO. 180**

**TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Rowe, Mr. Spaccaforno, Mr. Hynes and Mr. Layton.

Upon a motion, the meeting was adjourned at 1:40 p.m.

## **PUBLIC HEARING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**NOVEMBER 9, 2016**

The Delaware County Board of Supervisors held a Public Hearing concerning proposed Local Law Intro. No. 1 to override the tax levy limit established in General Municipal Law §3-c in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:30 p.m. on Wednesday, November 9, 2016 Chairman James E. Eisel, Sr. presiding.

Chairman Eisel called the hearing to order.

The Clerk read the Notice of Hearing:

## **NOTICE OF PUBLIC HEARING**

### **DELAWARE COUNTY**

#### **LOCAL LAW INTRO. NO. 1 OF 2016 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, November 9, 2016 at 12:30 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning proposed Local Law Intro. No. 1 to override the tax levy limit established in General Municipal Law §3-c. This law is being proposed to comply with Subdivision 5 of General Municipal Law §3-c which authorizes the Board of Supervisors 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 County Board.

All persons interested in speaking concerning the proposed local law will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: November 2, 2016

Christa M. Schafer  
Clerk of the Board  
Delaware County Board of Supervisors

Chairman Eisel stated that a sign-in sheet is being passed around and asked that anyone wishing to speak to please stand and state their name and town they reside in.

Since no one wished to speak, Chairman Eisel declared the hearing adjourned at 12:35 p.m.

## **PUBLIC HEARING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**NOVEMBER 9, 2016**

The Delaware County Board of Supervisors held a Public Hearing concerning Local Law Intro. Nos. 2 through 13 setting the salaries of Delaware County Officers in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:45 p.m. on Wednesday, November 9, 2016 Chairman James E. Eisel, Sr. presiding.

Chairman Eisel called the hearing to order.

The Clerk read the Notice of Hearing:

### **NOTICE OF PUBLIC HEARING**

#### **LOCAL LAWS INTRO. NOS. 2 THROUGH 13 of 2016 SALARIES DELAWARE COUNTY OFFICERS**

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, November 9, 2016 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning proposed Local Laws as follows:

Introductory No. 2 to set the salary of Cynthia Heaney, Director of Community Mental Health Services at \$93,598 per annum; No. 3 to set the salary of Porter Kirkwood, County Attorney at \$130,455 per annum; No. 4 to set the salary of Glenn Nealis, Director of Economic Development at \$79,283 per annum; No. 5 to set the salary of William Campbell, Election Commissioner at \$22,542 per annum; No. 6 to set the salary of Stephen Hood, Director of Emergency Services at \$58,478 per annum; No. 7 to set the salary of Joseph deMauro, Director of Information Technology at \$80,011 per annum; No. 8 to set the salary of Wayne Reynolds, Commissioner of Public Works at \$94,967 per annum; No. 9 to set the salary of Michael Sabansky, Director Real Property Tax Services II at \$62,425 per annum; No. 10 to set the salary of Dana Scuderi-Hunter, Commissioner of Social Services at \$90,000 per annum; No. 11 to set the salary of Dean Frazier, Commissioner of Watershed Affairs at \$75,170 per annum; No. 12 to set the salary of Beverly Shields, County Treasurer at \$65,578 per annum; No. 13 to set the salary of Thomas Mills, Sheriff at \$73,551 per annum.

All persons interested in speaking concerning the proposed local law will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: November 2, 2016

Christa M. Schafer  
Clerk of the Board  
Delaware County Board of Supervisors

Chairman Eisel stated that a sign-in sheet is being passed around and asked that anyone wishing to speak to please stand and state their name and town they reside in.

As no one wished to speak, Chairman Eisel declared the hearing adjourned at 12:50 p.m.

### **REGULAR MEETING**

#### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**NOVEMBER 9, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 9, 2016 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. Hynes.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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



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

**RESOLUTION NO. 181**

**TITLE: APPOINTMENT ACTING COUNTY CLERK**

**BE IT RESOLVED** that because Sharon O’Dell has retired from the elected position of County Clerk before her term would have expired on December 31, 2018, Debra Goodrich is hereby appointed as Acting County Clerk to fulfill her term from November 1, 2016 through December 31, 2017 at the salary of \$52,000. Effective January 1, 2018, the position will be filled by election.

The resolution was seconded by Mr. Triolo.

Mr. Spaccaforo acknowledged the retirement of Sharon O’Dell and introduced Mrs. Goodrich as the appointed Acting County Clerk.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 182**

**TITLE: APPOINTMENT PERSONNEL OFFICER**

**BE IT RESOLVED** that because Leonarda Storey has retired from the position of Personnel Officer before her term would have expired on April 27, 2019, Linda Pinner is hereby appointed as Personnel Officer to fulfill her term from November 5, 2016 through April 27, 2019 at the base salary for the position.

The resolution was seconded by Mr. Axtell.

Mr. Ellis introduced Mrs. Pinner as the Delaware County Personnel Officer.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 183**

**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, 2016.

**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	\$30,784.62	\$30,784.62	
Bovina	\$13,203.20	\$13,203.20	
Colchester	\$11,841.16	\$11,841.16	

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Davenport	\$9,448.84	\$9,448.84	
Delhi	\$36,620.70	\$31,054.27	\$5,566.43
Deposit	\$6,029.37	\$5,622.52	\$406.85
Franklin	\$13,735.34	\$13,138.00	\$597.34
Hamden	\$6,588.27	\$6,588.27	
Hancock	\$29,760.08	\$27,118.23	\$2,641.85
Harpersfield	\$8,102.84	\$7,252.47	\$850.37
Kortright	\$10,570.35	\$10,570.35	
Masonville	\$5,444.34	\$5,444.34	
Meredith	\$13,965.97	\$13,965.97	
Middletown	\$32,378.76	\$29,489.95 FL	\$889.54
		MV	\$1,999.27
Roxbury	\$20,781.59	\$20,781.59	
Sidney	\$19,425.23	\$13,857.30	\$5,567.93
Stamford	\$7,413.47	\$5,738.46 ST	\$672.87
		HO	\$1,002.14
Tompkins	\$3,959.07	\$3,959.07	
Walton	\$20,322.36	\$16,644.28	\$3,678.08
Totals ...	\$300,375.56	\$276,502.89	\$23,872.67

The resolution was seconded by Mr. Triolo.

Chairman Eisel noted that Supervisors can pick up their town checks after the meeting.

The resolution was adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

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

**RESOLUTION NO. 184**

**TITLE: TRANSFER OF FUNDS  
GENERAL FUND RESERVE TO THE COUNTY SELF INSURANCE FUND**

**WHEREAS**, upon closure of the Delaware County Countryside Care Center Enterprise Fund, the sum total of \$3,149,751.60 was transferred to the Delaware County Self Insurance Fund per Resolution No. 22 of 2010 to pay for ongoing obligations for workers’ compensation

benefits to former employees of Countryside; and

**WHEREAS**, a Restricted Fund Balance Account – CCC Reserved for Workers Compensation was established in the General Fund to set aside Enterprise Funds to pay residual expenses related to the sale of Countryside Care Center; and

**WHEREAS**, there are no more expenses or obligations to be paid relating to the sale of Countryside.

**NOW, THEREFORE, BE IT RESOLVED** that consistent with Resolution No. 22 of 2010 the sum of \$62,110.02 will be transferred from the General Fund Reserve Account to the Delaware County Self Insurance Fund.

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

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

**RESOLUTION NO. 185**

**TITLE: ADOPTION OF 2016 DELAWARE COUNTY AGRICULTURE  
AND FARMLAND PROTECTION PLAN  
PLANNING DEPARTMENT**

**WHEREAS**, Delaware County originally adopted an Agriculture and Farmland Protection Plan in 2000; and

**WHEREAS**, Delaware County received grant funding from the O'Connor Foundation to update said plan; and

**WHEREAS**, the Delaware County Farmland Protection Board, in conjunction with the County Planning Department, Cornell Cooperative Extension and additional hired consultants, conducted a thorough update process; and

**WHEREAS**, the purpose of the plan is to increase the viability of the agricultural industry, ensure that agricultural lands persist, and improve the profitability of farms in Delaware County; and

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board (AFPB) held a public hearing on June 11, 2014 as required by NYSDAM; and

**WHEREAS**, the Delaware County Board of Supervisors held a public hearing on April 13, 2016; and

**NOW, THEREFORE, BE IT RESOLVED** that the County Board of Supervisors hereby adopt the 2016 Delaware County Agriculture & Farmland Protection Plan and forward it to the NYS Department of Agriculture & Markets for filing.

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

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

**RESOLUTION NO. 186**

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

**WHEREAS**, the Delaware County Board of Supervisors, in accordance with Chapter 523 of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period starting on April 1, 2016 and closing April 30, 2016 in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified

Agricultural District prior to the County-established review period; and

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

**WHEREAS**, the Delaware County Board of Supervisors must hold a Public Hearing to consider the requests and recommendations of the County Agricultural Farmland Protection Board concerning the inclusion of land(s) into Agricultural District 2.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Tuesday, November 22<sup>nd</sup> 2016 at 12:45 p.m. in the Board of Supervisors Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, NY

**Meredith: Agricultural District 2: NYS Route 28**

Tax ID #62.-1-23.1 (80.5 ac) Beef, Pasture, Bee hives, Hay

The resolution was seconded by Mr. Tuthill and Mr. Spaccaforo and unanimously adopted.

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

**RESOLUTION NO. 187**

**TITLE: FOUR-DAY WORK WEEK  
SHERIFF’S OFFICE**

**WHEREAS**, by Resolution No. 289 of October 27, 1999, the Board of Supervisors approved an agreement with CSEA Local 1000 AFSCME AFL-CIO for cooks employed by the Sheriff’s Office; and

**WHEREAS**, said agreement provides for an annual vote by employees assigned to a four-day workweek and the Board in order to continue the four-day workweek in the following year; and

**WHEREAS**, Sheriff’s Office employees participating in the four-day workweek have voted in favor of continuing the four-day workweek; and

**WHEREAS**, the Sheriff and the Public Safety Committee recommend that the four-day workweek continue through 2017.

**NOW, THEREFORE, BE IT RESOLVED** that continuation of said four-day workweek until December 31, 2017 is hereby approved.

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

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

**RESOLUTION NO. 188**

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990  
SHERIFF’S OFFICE**

**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 Sheriff’s Office is experiencing difficulties in recruiting deputies, a physician for the Corrections Facility, registered nurses and correction officers; and

**WHEREAS**, from time to time employees in other County departments are willing to work on a per-hour, as-needed basis in the Sheriff’s Office.

**NOW, THEREFORE, BE IT RESOLVED** that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2017 for County employees who are willing to work on a per-hour, as-needed basis in the Sheriff's Office.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 189**

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990  
OFFICE FOR THE AGING  
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 Office for the Aging and the Veterans' Service Agency are experiencing difficulties in recruiting bus drivers, for example, 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 2017 for county employees who are willing to work on a per-hour, as-needed basis for the Office for the Aging and the Veterans' Service Agency.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 190**

**TITLE: ECONOMIC IMPACT OF EXPANDED IN-HOME SERVICES FOR THE  
ELDERLY PROGRAM (EISEP) IN DELAWARE COUNTY  
OFFICE OF THE AGING**

**WHEREAS**, the Office for the Aging has been providing chore and personal care services for Delaware County residents over the age of 60 for the past thirty years through the Expanded In-Home Services for the Elderly program (EISEP); and

**WHEREAS**, the EISEP program supports and enhances the care older persons may already be receiving from families, friends and neighbors; and

**WHEREAS**, the EISEP program provides assistance to those who need help with day to day activities such as dressing, bathing, personal care, shopping and cooking; and

**WHEREAS**, the EISEP program also provides case management services which allows the older person to be evaluated and monitored for other assistive services they could be taking advantage of; and

**WHEREAS**, the Office for the Aging was established following the passing of the Older Americans Act in 1965 which governs the use of State and Federal funds; and

**WHEREAS**, the EISEP program is state and county funded, the funding levels for each County agency within New York State are pre-determined by New York State Office for the Aging with no additional funding being available when funding runs out; and

**WHEREAS**, Delaware County has the second largest senior population by percentage in New York State; and

**WHEREAS**, the 2010 Census showed that in 2010 Delaware County residents, 60 years of age and older, ranked at 28% of the County's total population while comparatively in 2015 the same age group ranked at 31% of the County's total population; and

**WHEREAS**, the 2010 Census projects that this trend will continue with the population of 60 years of age and older ranking in at 34% of the County's total population by the year 2020 with this percentage peaking in 2030 where this population will rank at 37% of the County's total population; and

**WHEREAS**, the Office for the Aging currently holds a waiting list of close to thirty clients who cannot receive EISEP services due to funding and aide shortages with an anticipation that the waiting list will be growing as the population increases; and

**WHEREAS**, the Delaware County Office for the Aging currently has nearly eighty clients receiving two or more services such as Link to Life, Home Delivered Meals and EISEP; and

**WHEREAS**, if these nearly eighty clients were not able to receive these services, they would need to be placed in either a nursing home or assisted living facility at a cost for each individual of \$6,000 per month or more which could cost the Medicaid system close to \$5.76 million annually; and

**WHEREAS**, assisting older adults through this program allows them to remain in their homes longer than if they did not receive assistive services; and

**WHEREAS**, keeping older adults in their homes longer allows the individuals to contribute to the County tax burden through their payments of property taxes; and

**WHEREAS**, keeping older adults in their homes longer would save the County and the Medicaid system over \$5 million dollars annually.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby respectfully urge to have an increase in funding brought down to the County level so that older individuals won't have to be denied needed services that will allow them to stay in their homes longer while saving tax dollars at the same time; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar, II, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney, New York State Office for the Aging and the New York State Association of Counties (NYSAC).

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

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

#### **RESOLUTION NO. 191**

#### **TITLE: RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND CORRECTIONAL ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISON AND JAILS DEPARTMENT OF PROBATION**

**WHEREAS**, county Probation Departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law, and the Family Court Act; and

**WHEREAS**, it is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

**WHEREAS**, state funding for Probation was drastically reduced between 1990 and 2016

from a 46.5% state share to less than 10% in 2016, putting a huge strain on counties and cost to county property taxpayers; and

**WHEREAS**, at the same time there have been increases in the number of mandates programs and services county Probation Departments are required to provide; and

**NOW, THEREFORE, BE IT RESOLVED** that Delaware County supports the New York State Association of Counties (NYSAC) proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternative to Incarceration in the following ways:

- Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated
- In response to Violation of Probation (VOP) Petitions require counties to develop swift, certain, graduated responses and require courts to dispose of VOP's within 90 days
- Enable Probation to administratively modify Conditions of Probation in the provision of graduated responses.
- Establish a dedicated funding stream for juvenile services provided to Probation directly through DCJS/OPCA and
- Eliminate the requirement for dual supervision of Ignition Interlock parolees by delegating direct supervision to NYS Parole only of defendants sentenced to DOCCS.

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the appropriate New York State Legislators, and all others deemed necessary and proper.

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Probation Director Scott Gluekert stated that over the course of a year the Probation Department has monitored approximately 85 community service cases and approximately 300 probation supervision cases. It was further noted that the Probation Department also provides an Electronic Monitoring Program, also referred to as Ankle Bracelet that can monitor up to seven participants at one time and currently has three under supervision.

Mr. Spaccaforo noted that this is another unfunded state mandate.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 192**

#### **TITLE: RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO MORE EQUITABLY AND EFFICIENTLY IMPOSE THE 9-1-1 SURCHARGE ON ALL WIRELESS COMMUNICATIONS DEVICES AND USE REVENUES TO FINANCE COUNTY 9-1-1 DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, the State of New York imposes a \$1.20 public safety surcharge on wireless "contract telephones," which, when it was enabled in statute, was intended to fund 9-1-1 operations and help dispatchers, first responders and law enforcement officers to communicate and respond to emergencies; and

**WHEREAS**, the "pre-paid" cellular phone market is currently not contributing resources to support 9-1-1 service; and

**WHEREAS**, it is estimated at least 1/3 of all cell phones are "pre-paid" and do not pay

the \$1.20 state surcharge or the \$.30 local surcharge; and

**WHEREAS**, more than 30 states have expanded their 9-1-1 surcharge to “pre-paid” phones; and

**WHEREAS**, the growth of smart phones into the “prepaid” marketplace in recent years is accelerating and providers are moving away from annual contracts toward “prepaid” monthly programs; and

**WHEREAS**, the state’s revenues from the \$1.20 surcharge totals nearly \$200 million annually but is declining, with the majority of which is used by the state for purposes other than 9-1-1; and

**WHEREAS**, current funding mechanisms do not provide enough funding to address the essential needs of all counties nor the implementation of Next Generation 9-1-1 (NG 911).

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency needs and authorize all counties the authority to impose a local surcharge up to a \$1.20 on ALL wireless devices that are capable of accessing 911 services; and

**BE IT FURTHER RESOLVED** that any expansion of the state surcharge to prepaid plans should commensurately authorize local surcharges for the same purpose; and

**BE IT FURTHER RESOLVED** the state should provide optional authority for the local wireless \$.30 surcharge for the 8 counties that do not currently impose this surcharge; and

**BE IT FURTHER RESOLVED** that Delaware County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the Commissioner of the Division of Homeland Security and Emergency Services and all others deemed necessary and proper.

The resolution was seconded by Mr. Gladstone and Mr. Spaccaforo.

Director of Emergency Services Steve Hood explained that about 60 percent of all cell phone plans are pre-paid. The pre-paid plans do not charge the \$1.20 state surcharge or the .30¢-local surcharge and therefore is not contributing resources to support the 9-1-1 service. This resolution is asking New York State to impose these charges on all wireless devices capable of accessing 911 services.

In answer to Chairman Eisel, Mr. Hood noted that NG 911 stands for Next Generation 9-1-1 which is a voice-over internet protocol that allows digital information such as voice, photos, videos and text to flow from the public to the 911 Center, and back out to responders.

Mr. Spaccaforo pointed out that this again is another unfunded state mandate.

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 193**

**TITLE: RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE  
STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NEW YORK  
STATE AND CREATE A NEW YORK STATE 911 DEPARTMENT THAT SUPPORTS  
COUNTY PUBLIC SAFETY ANSWERING POINTS  
AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, counties provide 911 services in New York State by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance; and



**WHEREAS**, counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

**WHEREAS**, these changes are a fundamental shift toward an IP based 911 system that is commonly referred to as Next Generation (NG) 911; and

**WHEREAS**, NG 911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

**WHEREAS**, the majority of states across the country have aggressively begun preparing for NG 911 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG 911 system; and

**WHEREAS**, New York State has done comparatively little to prepare for NG 911 and is facing significant risk in becoming a straggler in the deployment of NG 911 technologies; and

**WHEREAS**, a lag in planning and investment in NG 911 places New York's citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete; and

**WHEREAS**, the NYS Public Service Commission (PSC) conducted a telecommunications study on 911 that required the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions; and

**WHEREAS**, the NYS Public Service Commission (PSC) intends to work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 911 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG 911 in New York State, while maintaining their oversight of 911 system affordability and reliability as it pertains to providers of 911 services; and

**WHEREAS**, a New York State effort to provide coordinated leadership in the area of 911 would be most appropriately empowered to both support the mission of the PSAPs in the state as well as transition the current state's 911 legacy system to a NG 911 system that will better serve its citizens for years to come; and

**WHEREAS**, leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 911 network; and

**WHEREAS**, counties urge New York State to adopt the Automated Secure Alarm Protocol (ASAP) which automates all alarms coming from alarm companies and allows for an electronic link between the Central States Alarm Association, the NLETS system and the PSAP's via the NYS e-justice system.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 9-1-1 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 9-1-1 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors calls upon the State Legislature and the Governor to enable a State 9-1-1 Department that would:

- Provide funding
- Issue RFPs and award contracts as necessary to support 9-1-1
- Establish standards for 9-1-1
- Apply for and distribute Federal Grant Funds
- Coordinate and provide training for 9-1-1 directors, supervisors and call takers
- Provide public education
- Provide necessary networks to support 9-1-1 both in a legacy and NG 9-1-1 environment
- Provide a Statewide ESInet to support interoperability within and outside of New York State

- Create, maintain and distribute GIS databases
- Create and maintain NG 9-1-1 and other appropriate databases to support 9-1-1 efforts
- Provide and propose appropriate regulation/legislation/tariffs to support 9-1-1
- Represent New York State in efforts to support and advance 9-1-1 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC
- Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques, and standards
- Help manage Civil Service exams
- Manage the TERT program
- Provide legal expertise in 9-1-1 related matters
- Serve as the liaison to 9-1-1 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.)
- Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field
- Provide for connectivity via the e-justice system to allow for the Automated Secure Alarm Protocol (ASAP); and

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices as essential to preserving current resources for 911 services; and

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the Commissioner of the Division of Homeland Security and Emergency Services and all others deemed necessary and proper.

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

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

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

**RESOLUTION NO. 194**

**TITLE: APPORTIONMENT OF COUNTY SELF INSURANCE BUDGET**

**RESOLVED** that the budget for the County Self Insurance Fund for Workers' Compensation and Volunteer Firemen's Benefits in the total amount of \$1,800,000, as set forth below be accepted as part of the records of this Board.

<u>Participant</u>	<u>Full Value Assessment</u>	<u>Apportioned Amount to Raise</u>
County of Delaware	5,728,523,502	\$842,575.56
<u>Towns</u>		
Andes	435,767,697	\$64,094.56
Bovina	150,653,463	\$22,158.75
Colchester	822,871,349	\$121,031.41
Davenport	197,199,484	\$29,004.94
Delhi	313,790,463	\$46,153.63
Deposit	331,608,706	\$48,774.42
Franklin	198,491,709	\$29,195.00

Hamden	161,967,326	\$23,822.84
Hancock	428,970,584	\$63,094.82
Harpersfield	141,906,874	\$20,872.27
Kortright	158,356,353	\$23,291.73
Masonville	102,285,425	\$15,044.57
Meredith	140,767,949	\$20,704.75
Middletown	702,877,591	\$103,382.22
Roxbury	421,058,160	\$61,931.02
Sidney	278,963,241	\$41,031.10
Stamford	173,828,466	\$25,567.43
Tompkins	186,823,903	\$27,478.85
Walton	380,334,759	\$55,941.25

#### Villages

Delhi	95,393,813	\$14,030.94
Deposit	44,752,612	\$6,582.41
Franklin	17,264,540	\$2,539.34
Hancock	76,160,876	\$11,202.07
Stamford (Harpersfield)	29,785,575	\$4,380.99
Stamford (Stamford)	31,554,587	\$4,641.18
Fleischmanns	38,620,042	\$5,680.40
Sidney	159,920,606	\$23,521.80
Hobart	46,995,856	\$6,912.35
Walton	137,671,365	\$20,249.30

#### Fire Districts

Arena, Hardenburgh	16,491,950	\$2,425.71
Midd.-Hard., Hardenburgh	46,685,942	\$6,866.77

Deposit	39,539,404	\$5,815.62
TOTAL	12,237,884,172	\$1,800,000.00

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

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

**RESOLUTION NO. 195**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,603,250.59 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	\$494,703.36
OET	\$24,273.80
Public Safety Comm System	\$10,026.87
Highway Audits, as Follows:	
Weights and Measures	\$16.15
Landfill	\$82,581.26
Road	\$47,647.49
Machinery	\$452,172.40
Capital Road & Bridge	\$479,436.75
Capital Solid Waste	\$12,392.51

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Merrill recalled Local Law Intro. No. 1 to Override the Tax Levy Limit Established in General Municipal Law §3-c. The Local Law was seconded by Mr. Taggart and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 2 to set the 2017 salary of Cynthia Heaney, Director of Community Mental Health Services at \$93,598. The Local Law was seconded by Ms. Molé and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 3 to set the 2017 salary of Porter Kirkwood, County Attorney at \$130,455. The Local Law was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 4 to set the 2017 salary of Glenn Nealis, Director of Economic Development at \$79,283. The Local Law was seconded by Mr. Triolo and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 5 to set the 2017 salary of William Campbell, Election Commissioner at \$22,542. The Local Law was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. 6 to set the 2017 salary of Stephen Hood, Director of Emergency Services at \$58,478. The Local Law was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 7 to set the 2017 salary of Joseph deMauro, Director of Information Technology at \$80,011. The Local Law was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 8 to set the 2017 salary of Wayne Reynolds, Commissioner of Public Works at \$94,967. The Local Law was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 9 to set the 2017 salary of salary of Michael Sabansky, Director of Real Property Tax Services II at \$62,425. The Local Law was seconded by Mr. Spaccaforo and adopted by the following vote: Ayes 2942, Noes 1607 (Merrill, Tuthill, Axtell, Taggart, Rowe, Ellis), Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 10 to set the 2017 salary of Dana Scuderi-Hunter, Commissioner of Social Services at 90,000. The Local Law was seconded by Mr. Spaccaforo and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 11 to set the 2017 salary of Dean Frazier, Commissioner of Watershed Affairs at \$75,170. The Local Law was seconded by Mr. Triolo and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 12 to set the salary of Beverly Shields, County Treasurer at \$65,578. The Local Law was seconded by Mr. Spaccaforo and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Mr. Ellis recalled Local Law Intro. No. 13 to set the 2017 salary of Thomas Mills, Sheriff at \$73,551. The Local Law was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hynes).

Budget Director Art Merrill introduced the 2017 Tentative Delaware County Budget. He thanked the department heads and committees involved for their help and support in bringing this budget to fruition. He noted that there is a change in tax levy over last year of 1.8275 percent equating to about \$568,000.

The Supervisors discussed the tax levy limit and its effect on the County budget.

Budget Director Merrill noted that state mandates are a large part of the budget. He felt if not for the state mandates, the County had the potential of presenting a budget within the tax cap requirement.

Mr. Spaccaforo pointed out that the state meets its budgetary requirements by passing its overages onto the counties.

It was stated in answer to Mr. Pigford, that efforts to challenge the state's tax limit have fallen upon deaf ears.

Mr. Rowe commented that he felt the tax levy limit challenged municipalities to a higher fiscal responsibility.

In answer to Mr. Rowe, Clerk of the Board Christa Schafer stated that \$241,536.05 referred to by the state as the casino money was received from the State Gaming Commission in June and deposited to the General fund.

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

#### **RESOLUTION NO. 196**

#### **TITLE: PUBLIC HEARING 2017 TENTATIVE BUDGET**

**BE IT RESOLVED** that the budget, with the changes discussed, be adopted as the Tentative 2017 Delaware County Budget and a public hearing be held on the 22<sup>nd</sup> day of November, 2016 at 12:30 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

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

Upon a motion, the meeting was adjourned at 1:45 p.m.

**PUBLIC HEARING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**NOVEMBER 22, 2016**

The Delaware County Board of Supervisors held a Public Hearing concerning the 2017 Tentative Budget in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:30 p.m. on Tuesday, November 22, 2016 Chairman James E. Eisel, Sr. presiding.

Chairman Eisel called the hearing to order.

The Clerk read the Notice of Hearing:

**NOTICE OF PUBLIC HEARING  
DELAWARE COUNTY 2017 TENTATIVE BUDGET**

**PLEASE TAKE NOTICE** that the Delaware County Board of Supervisors will hold a public hearing on Tuesday, November 22, 2016 at 12:30 p.m. in the Board of Supervisors' Room at the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, on the proposed budget for 2017.

Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during said fiscal year to members of the Board of Supervisors and the Chairman thereof, respectively, are hereby specified as follows:

18 members of the Board of Supervisors (each)	\$12,109
1 Chairman of the Board of Supervisors	\$47,422

All citizens are invited to attend and provide the Board of Supervisors with oral or written comments and to ask questions concerning the proposed budget. Copies of the proposed budget are available in the office of the Clerk of the Board of Supervisors at 111 Main Street, Delhi, New York during office hours. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: November 16, 2016

Christa M. Schafer  
Clerk of the Board  
Delaware County Board of Supervisors

Chairman Eisel stated that a sign-in sheet is being passed around and asked that anyone wishing to speak to please stand and state their name and town they reside in.

As no one wished to speak, Chairman Eisel declared the hearing adjourned at 12:35 p.m.

**PUBLIC HEARING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**NOVEMBER 22, 2016**

The Delaware County Board of Supervisors held a Public Hearing concerning the inclusion of land(s) into Agricultural District No. 2. in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:45 p.m. on Tuesday, November 22, 2016 Chairman James E. Eisel, Sr. presiding.

Chairman Eisel called the hearing to order.

The Clerk read the Notice of Hearing:

**NOTICE OF PUBLIC HEARING  
INCLUSION OF AGRICULTURALLY VIABLE LAND INTO  
CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2016 THIRTY-DAY  
PERIOD FOR ANNUAL DISTRICT REVIEW**

**PLEASE TAKE NOTICE**, that the Delaware County Board of Supervisors will hold a Public Hearing, Tuesday, November 22, 2016, at 12:45 p.m. in the Board of Supervisors Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, NY concerning the inclusion of land(s) into Agricultural District No. 2. This hearing shall be held to consider the requests and recommendations of the County Agricultural Farmland Protection Board on the inclusion of the following properties into certified agricultural districts:

**Meredith: Agricultural District No. 2: NYS Route 28**

Tax ID #62.-1-23.1 (80.5 ac) Beef, Pasture, Bee hives, Hay

A map and list of properties is available for inspection in the office of the Clerk of the Board of Supervisors at 111 Main Street in Delhi, NY. All persons desiring to comment on any Agricultural District inclusions shall be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: November 16, 2016

Christa M. Schafer  
Clerk of the Board  
Delaware County Board of Supervisors

Chairman Eisel stated that a sign-in sheet is being passed around and asked that anyone wishing to speak to please stand and state their name and town they reside in.

As no one wished to speak, Chairman Eisel declared the hearing adjourned at 12:50 p.m.

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**NOVEMBER 22, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Tuesday, November 22, 2016 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. Rowe.

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.

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

**RESOLUTION NO. 197**

**TITLE: 2016 BUDGET AMENDMENT  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Delaware County has been awarded grant funding from the Delaware County Rural Health Care Alliance; and

**WHEREAS**, this grant was awarded in the amount of \$5,000 to Delaware County

Emergency Services for the purpose of undertaking an EMS planning study regarding the future of EMS in Delaware County; and

**WHEREAS**, in Resolution No. 184 of 2013 the Delaware County Rural Health Care Alliance has already awarded Delaware County a grant of \$10,000 to be used towards this study.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Emergency Services be authorized to accept this grant funding and the 2016 Budget be amended as follows:

**INCREASE REVENUE:**

10-13640-42270602/3640044/911	Grants from non-profits	\$5,000.00
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**INCREASE APPROPRIATION:**

10-13640-54327000/36400044/911	General Grant Related Expenses	\$5,000.00
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The resolution was seconded by Mr. Tuthill and Mr. Spaccaforo and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 198**

**TITLE: TRANSFER OF FUNDS FROM SALE OF BUS  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging was in need of purchasing a new bus for the agency's transportation system; and

**WHEREAS**, the Delaware County Senior Council gifted the Office for the Aging with \$58,907.34 to cover the full payment of the new bus for the agency's transportation system; and

**WHEREAS**, there were no County funds involved in the purchase of this bus; and

**WHEREAS**, the County Board of Supervisors approved the purchase of a new bus and accepted the funding from the Senior Council through Resolution No. 149 of 2015; and

**WHEREAS**, the monies were collected by Delaware County when the Office for the Aging's former bus was sold through the County auction process; and

**WHEREAS**, the Board of Supervisors agreed to transfer any monies received from the sale of the former bus to the Senior Council because the Council paid for the new bus in full.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors transfer \$588.15 to the Delaware County Senior Council.

The resolution was seconded by Mr. Spaccaforo.

Ms. Molé noted that since Good Neighbor Funding was used to purchase the former bus the decision was made to transfer the proceeds to the Delaware County Senior Council.

Commissioner of Public Works Wayne Reynolds stated in answer to Mr. Marshfield, that the bid received for the bus was higher than its scrap value.

The resolution was adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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



**RESOLUTION NO. 199**

**TITLE: YEAR END ACCOUNTING MODIFICATIONS TO THE 2016 BUDGET  
DEPARTMENT OF FISCAL AFFAIRS**

**WHEREAS**, there are many bookkeeping entries that are needed to close out the books for 2016; and

**WHEREAS**, there will be no increase in the actual spending, just a balancing of accounts between personal services, equipment, contractual, employee benefits and undistributed employee benefits; and

**WHEREAS**, an accounting of all transactions will be presented to the Board of Supervisors upon completion of the annual report.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors authorizes the Department of Fiscal Affairs to make the necessary adjustments to the 2016 Budget and to file a written report to the Finance Committee before the books for 2016 are actually closed.

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

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

**RESOLUTION NO. 200**

**TITLE: DIRECT TOWN TAX**

**BE IT RESOLVED** that pursuant to §233a of the County Law, the nineteen towns of the County be and hereby are charged \$184,631.02 for the assessment rolls, field books, tax bills, etc.; and

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

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

Mr. Merrill offered the following resolutions and moved its adoption:

**RESOLUTION NO. 201**

**TITLE: LEVY OF TOWN ACCOUNTS**

**WHEREAS**, there has been presented to the Board of Supervisors the County Treasurer's 2016 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>	<u>CREDIT</u>
Andes	\$6,766.91	
Bovina	\$5,095.99	
Colchester	\$13,191.09	
Davenport	\$8,578.02	
Delhi	\$13,292.27	
Deposit	\$7,664.13	
Franklin	\$8,000.66	
Hamden	\$3,906.51	

Hancock	\$13,368.14
Harpersfield	\$3,957.88
Kortright	\$6,779.84
Masonville	\$5,433.30
Meredith	\$9,350.71
Middletown	\$13,321.81
Roxbury	\$12,905.47
Sidney	\$17,128.87
Stamford	\$7,044.84
Tompkins	\$4,349.98
Walton	\$20,689.10

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

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

#### **RESOLUTION NO. 202**

##### **TITLE: AUTHORIZATION OF FOUR-DAY WORK WEEK DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 55 of 1993, as modified, authorizes a four ten-hour-per-day work week in the Public Works Department which is subject to annual approval by the County and Public Works employees; and

**NOW, THEREFORE, BE IT RESOLVED** that subject to approval of the Public Works employees, four-day work schedules for 2017 are hereby approved in the Public Works Department as follows:

- 1.) January 1, 2017 to March 25, 2017: Bridge Crews only.
- 2.) March 26, 2017 to October 21, 2017: All Public Works employees, except those employees specifically excluded from the four-day work week by agreement with the union, i.e., landfill employees, certain engineering staff, etc.
- 3.) November 19, 2017 to December 31, 2017: Bridge Crews only.

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

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

#### **RESOLUTION NO. 203**

##### **TITLE: AUTHORIZATION FOR DELAWARE COUNTY AND DELAWARE COUNTY SHERIFF'S OFFICE TO ENTER INTO PUBLIC SAFETY MUTUAL AID AGREEMENT WITH OTSEGO COUNTY AND THE OTSEGO COUNTY SHERIFF'S OFFICE SHERIFF'S OFFICE**

**WHEREAS**, Section 119-o of the General Municipal Law permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of one or more their respective functions, powers and duties on a cooperative or contract basis or for the provision of joint services, and

**WHEREAS**, Otsego County and its Sheriff's Office, Delaware County and its Sheriff's Office have determined that it is in the best interests of the respective municipalities to enter into an agreement for the provision of interagency law enforcement services.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Delaware County Board of Supervisors is hereby authorized to sign a Public Safety Mutual Aid Agreement with Otsego County and the Otsego County Sheriff's Office.

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Sheriff Mills stated that the use of mutual aid would only be considered under certain conditions.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 204**

#### **TITLE: RESOLUTION ADOPTING THE 2016 TITLE VI POLICY PROGRAM AMERICANS WITH DISABILITIES ACT (ADA) FOR DELAWARE COUNTY**

**WHEREAS**, the Board of Supervisors for Delaware County has determined that it is necessary to adopt a Title VI Policy for the Americans with Disability Act.

**NOW, THEREFORE, BE IT RESOLVED** that the proposed Title VI Policy for the Americans with Disabilities Act for Delaware County annexed to this resolution be adopted as the official policy for Delaware County.

#### **DELAWARE COUNTY AMERICANS WITH DISABILITIES ACT (ADA) TITLE VI PROGRAM**

As a recipient of federal and state funds, Delaware County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended. The provisions include but are not limited to, prohibiting discrimination (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services and activities) on the grounds of race, color or national origin. Specifically, Title VI provides that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. § 2000d).

The following Federal Laws and Executive Orders expand the Title VI nondiscrimination mandate:

The Civil Rights Restoration Act of 1987 clarified the definition of "programs and activities" covered by the nondiscrimination provisions of civil rights statutes. The revised definition states that discrimination is prohibited throughout an entire agency or institution, if any part of that agency receives federal financial assistance.

The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, school, transportation, and all public and private places that are open to the general public. The purpose of this law is to make sure people with disabilities have the same rights and opportunities as everyone else. The ADA has five titles that relate to different areas of public life.

Executive Order 12898 (Environmental Justice or "EJ") seeks to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations, and to ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

Executive Order 13166 (Limited English Proficiency or “LEP”) ensures individuals whose first language is not English and have a limited capacity to read, write or understand English have meaningful access to programs, information and services by any entity receiving Federal funding.

Delaware County assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether such programs and activities are federally assisted. Delaware County’s ADA Compliance Officer or his/her designee is responsible for monitoring the Title VI activities for Delaware County.

### **Title VI Information Dissemination**

Delaware County’s Title VI Policy Statement and Program, including the name and contact information for the Delaware County Title VI Coordinator, will be made available on the County’s website at [www.co.delaware.ny.us](http://www.co.delaware.ny.us). Additionally, information posters shall be prominently and publicly displayed in Delaware County’s facilities.

Title VI information shall be disseminated to Delaware County employees annually, via email and a department mailing. This form reminds employees of Delaware County’s policy statement, and of their Title VI responsibilities in their daily work and duties. New employees will be provided with Title VI information during the new employee orientation process.

### **Title VI Complaint Procedures**

Anyone who wishes to make a complaint of discrimination should complete and submit a Title VI Complaint Form (Appendix A), available on the Delaware County website or at the Delaware County Code Enforcement Officer (address below). If the Complaint Form is needed in another language, please contact the Delaware County’s ADA Compliance Officer at the address provided below. The Complaint Form must be submitted no later than sixty (60) calendar days from the date of the alleged discrimination to:

Delaware County Compliance Officer, Title VI Coordinator,  
Office of Delaware County Code Enforcement Officer  
280 Phoebe Lane, Suite 4  
Delhi, NY 13753

External complaints alleging discrimination by Delaware County will be forwarded, within 10 (ten) business days of receipt, to the New York State Department of Transportation for review.

For all other complaints, within fifteen (15) days after receipt of the complaint, or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will meet with the complainant to discuss the complaint. Within fifteen (15) calendar days of this meeting, or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will respond to the complainant in writing, or where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the outcome of the County’s investigation of the complaint, its conclusion(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable. Where the complainant has limited English proficiency, the Title VI Coordinator will arrange for the provision of language interpretation services at the initial meeting, and/or for the written translation of the Title VI Coordinator’s response to the complainant.

If the complainant does not believe that the Title VI Coordinator’s response satisfactorily resolves the issue, the complainant and/or his/her designee may appeal that decision in writing within fifteen (15) calendar days after receipt of the response to:

Delaware County Board of Supervisors Chairperson  
111 Main Street, Suite 1  
Delhi, NY 13753

The Board of Supervisors Chairperson or his/her designee will meet with the complainant within fifteen (15) calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from, and possible resolution(s). Within fifteen (15) calendar days after this meeting, the Chairperson of the Delaware County Board of

Supervisors or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. Where the complainant has limited English proficiency, the Board of Supervisors Chairperson will arrange for the provision of language interpretation services at the initial meeting, and/or for the written translation of the Board of Supervisors Chairperson's response to the appeal.

All written complaints received by the Title VI Coordinator and appeals to the Board of Supervisors Chairperson, investigative records, and responses from these two offices will be retained by Delaware County for at least six (6) years.

Delaware County's investigation of the alleged violation of Title VI will commence within thirty (30) days of a complaint being received by Delaware County. The complainant will be timely notified of Delaware County's determination and resolution by the Title VI Coordinator.

A copy of any complaint alleging discrimination by Delaware County will also be forwarded, within ten (10) business days of receipt, to the New York State Department of Transportation for review.

### **Community Outreach**

As a recipient of federal financial assistance, Delaware County makes the following community outreach efforts:

1. The public is invited to attend and participate in the legislative process.
2. Title VI statements are posted in all County facilities for public viewing. (Appendix B)
3. Delaware County has a user-friendly website to enhance community relation efforts. Delaware County's Title VI Plan is/will be available to the community on the website.

## **APPENDIX A**

### **TITLE VI COMPLAINT FORM**

If you believe that you have been subjected to unlawful discrimination (denied the benefits of, access to, or participation in the programs and activities of Delaware County) based on race, color, national origin, sex, age, disability, income or Limited English Proficiency, please provide the following information in order to assist us in processing your complaint, and send completed Complaint Form to:

Delaware County Compliance Officer - Title VI Coordinator  
Office of the Code Enforcement Officer  
280 Phoebe Lane, Suite 4  
Delhi, NY 13753

Please print clearly:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code:

\_\_\_\_\_

Telephone Number: \_\_\_\_\_(home) \_\_\_\_\_(cell)

Date of alleged discrimination: \_\_\_\_\_

Alleged discrimination based on:

- |                                |                              |                                     |  |
|--------------------------------|------------------------------|-------------------------------------|--|
| <input type="checkbox"/> Race  | <input type="checkbox"/> Sex | <input type="checkbox"/> Disability | <input type="checkbox"/> National Origin             |
| <input type="checkbox"/> Color | <input type="checkbox"/> Age | <input type="checkbox"/> Low Income | <input type="checkbox"/> Limited English Proficiency |

Where did the alleged discrimination take place?

\_\_\_\_\_

Please describe the circumstances of the alleged discriminatory conduct:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list any and all witnesses’ names and phone numbers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What type of corrective action would you like to see taken?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach any documents you have which support the allegation. Date and sign this form below.

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print your name

**APPENDIX B**

Narrative for posters to be displayed in Delaware County facilities:

Title VI of the Civil Rights Act of 1964 and subsequent statutes, regulations and executive orders protect individuals from discrimination in programs and activities of Delaware County. Discrimination on the basis of race, color, national origin, sex, age, disability, low income or limited English proficiency status is prohibited.

Delaware County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, national origin, sex, age, disability, low income or Limited English Proficiency status. If you feel that you have been subjected to unlawful discrimination, please submit a complaint in accordance with the Complaint Procedure set forth below.

Delaware County’s LEP Plan can be found on our website at [www.co.delaware.ny.us](http://www.co.delaware.ny.us). Upon request, Delaware County will provide LEP individuals, free of charge, with interpreter or translation services related to a County program or service. Requests for services should be submitted to:

Delaware County Compliance Officer - Title VI Coordinator  
Office of the Code Enforcement Officer  
280 Phoebe Lane, Suite 4  
Delhi, NY 13753

For more information, visit our website at [www.co.delaware.ny.us](http://www.co.delaware.ny.us).

### **Title VI Complaint Procedure**

Anyone who wishes to make a complaint of discrimination should complete and submit a Title VI Complaint Form, which is available on the Delaware County website at [www.co.delaware.ny.us](http://www.co.delaware.ny.us) or to the Office of the Code Enforcer (address below). If the Complaint Form is needed in another language, please contact the Delaware County Title VI Coordinator at the address provided below. The Complaint Form should be submitted no later than sixty (60) calendar days from the date of the alleged discrimination to:

Delaware County Compliance Officer - Title VI Coordinator  
Office of Delaware County Code Enforcement Officer  
280 Phoebe Lane, Suite 4  
Delhi, NY 13753

Within fifteen (15) days after receipt of the complaint, or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will meet with the complainant to discuss the complaint. Within fifteen (15) calendar days of this meeting or within a mutually agreed upon timeframe, the Title VI Coordinator or his/her designee will respond to the complainant in writing, or where appropriate, in a format accessible to the complaint, such as large print, Braille, or audio tape. The response will explain the outcome of the County's investigation of the complaint, its conclusions(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable. Where the complainant has limited English proficiency, the Title VI Coordinator will arrange for provision of language interpretation services at the initial meeting, and/or for the written translation of the Title VI Coordinator's response to the complainant.

If the complainant does not believe the Title VI Coordinator's response satisfactorily resolves the issue, the complainant may appeal that decision in writing within fifteen (15) calendar days after receipt of the response to:

Delaware County Board of Supervisors Chairperson  
111 Main Street, Suite 1  
Delhi, NY 13753

The Chairperson of the Board of Supervisors or his/her designee will meet with the complainant within fifteen (15) calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from and possible resolution(s). Within fifteen (15) calendar days after this meeting, the Chairperson of the Board of Supervisors or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. Where the complainant has limited English proficiency, the Chairperson of the Board of Supervisors will arrange for the provision of language interpretation services at the initial meeting, and/or for the written translation of the Chairperson's response to the appeal.

All written complaints received by the Title VI Coordinator and appeals to the Board of Supervisors Chairperson. Investigative records and responses from these two offices will be retained by Delaware County for at least six (6) years.

Delaware County's investigation of the alleged violation of Title VI will commence within thirty (30) days of the complaint being received by Delaware County. The complainant will be timely notified of Delaware County's determination and resolution by the Title VI Coordinator.

A copy of any complaint alleging discrimination by Delaware County will also be forwarded, within 10 (ten) business days of receipt, to the New York State Department of Transportation for review.

**DELAWARE COUNTY  
GRIEVANCE PROCEDURE UNDER  
THE AMERICANS WITH DISABILITIES ACT**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination or retaliation on the basis of disability in the provision of services, activities, programs, or benefits by Delaware County. Delaware County Policy governs employment-related complaints of disability discrimination or retaliation.

Any complaint regarding disability discrimination or retaliation should be in writing and contain information about the alleged discrimination or retaliation such as name, address, phone number of complainant and location, date and description of the problem, and name(s) of all witnesses and persons involved, if any. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

Any such complaint should be submitted by the grievant and/or his/her designee as soon as possible after the event, but no later than sixty (60) calendar days after the alleged discrimination or retaliation.

ADA Coordinator  
Office of the Code Enforcement Officer  
280 Phoebe Lane, Suite 4  
Delhi, NY 13753

Within fifteen (15) calendar days after receipt of the complaint, or within a mutually agreed upon timeframe, the ADA Coordinator or his/her designee will meet the complainant to discuss the complaint. Within fifteen (15) calendar days of this meeting or within a mutually agreed upon timeframe, the ADA Coordinator or his/her designee will respond to the complainant in writing, or where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the outcome of the County’s investigation of the complaint, its conclusions(s) based on the investigation, and possible options for substantive resolution of the complaint, if applicable.

If the complainant does not believe that the ADA Coordinator’s response satisfactorily resolves the issue, the complainant and/or his/her designee may appeal that decision in writing within fifteen (15) calendar days after receipt of the response to:

Delaware County Board of Supervisors Chairperson  
111 Main Street, Suite 1  
Delhi, NY 13753

The Chairperson of the Board of Supervisors or his/her designee will meet with the complainant within fifteen (15) calendar days, or within a mutually agreed upon timeframe, after receipt of an appeal, to discuss the complaint, the decision appealed from, and possible resolution(s). Within fifteen (15) calendar days after this meeting, the Chairperson of the Board of Supervisors or his/her designee will respond in writing to the appeal or where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator and appeals to the Chairperson of the Board of Supervisors investigative records, and responses from these two offices will be retained by Delaware County for at least six (6) years.

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Mr. Spaccaforo advised that the County’s Code Enforcement Officer Dale Downin would act as the Delaware County Title VI Compliance Officer and the ADA Coordinator.

The resolution was unanimously adopted.



Mr. Triolo requested Resolution No. 205 entitled In Support of the Constitution Pipeline be pulled at this time as the Project is currently under appeal with the court system making it inappropriate for the Board to act upon.

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

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

**RESOLUTION NO. 205**

**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, upon receipt of cash consideration hereinafter set forth.

	HAN14TX.052
<b><u>ASSESSED TO:</u></b>	<b><u>JOSEPH DERMODY AND ROSEMARIE DERMODY</u></b>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	456.-2-16
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	1.00 ACRES
CONVEYED TO:	CHARLES DIRIG 16475 STATE HWY 97 HANCOCK NY 13783
CASH CONSIDERATION:	\$12,240.00
TAX DEFICIT:	\$7,537.28

	HAN14TX.082
<b><u>ASSESSED TO:</u></b>	<b><u>EDWARD JOHNSON ESTATE</u></b>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	420.2-2-56
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	50.00'F x 168.00'D ACRES
CONVEYED TO:	DONALD K & MARY E CHARLES 151 MAIN ST EAST BRANCH NY 13756
CASH CONSIDERATION:	\$1,010.00
TAX DEFICIT:	\$386.72

	HAN14TX.092A
<b><u>ASSESSED TO:</u></b>	<b><u>ROSE LORETTA KERN</u></b>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	451.-1-16.2
SCHOOL DISTRICT:	484802:SULLIVAN WEST
ACREAGE:	2.11 ACRES
CONVEYED TO:	BRANDON L JONES LELA HELEN ROSE 46 WHITE STREET APT #1 NEW YORK NY 10013-3693
CASH CONSIDERATION:	\$28,000.00
TAX DEFICIT:	\$6,724.72

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4477, Noes 0 Absent 322 (Rowe).

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

**RESOLUTION NO. 206**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,312,764.30 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	\$785,649.17
OET	\$11,807.24
Public Safety Comm System	\$23,609.00
Highway Audits, as Follows:	
Weights and Measures	\$200.34
Landfill	\$60,944.61
Road	\$3,877.36
Machinery	\$59,291.36
Capital Road & Bridge	\$363,631.93
Capital Solid Waste	\$3,753.29

The resolution was seconded by Mr. Spaccaforo and adopted by the following vote:  
Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 207**

**TITLE: ADOPTION OF 2017 DELAWARE COUNTY BUDGET**

**WHEREAS**, the Tentative Budget for the year 2017 has been presented to the Board by the Budget Officer and duly discussed and a public hearing having been held thereon as required by law;

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to §360 of the County Law, the Tentative Budget, as amended, for 2017 be adopted.

The resolution was seconded by Mr. Taggart and Mr. Triolo.

Mr. Merrill noted that the budget is a sound one and is cognizant of the future.

Mr. Marshfield shared that this year the increase could have been lower but in the interest of future planning the Finance Committee increased the Contingency account to offset significant 2017 expenditures. He noted that many departments were able to reduce their budget based on additional revenues and/or reduced expenses. On the other hand, several departments were challenged by additional expenses and/or a reduction of revenue causing an increase.

He thanked the departments for their hard work in maintaining or lowering their budgetary needs. He thanked the Finance Committee, Clerk of the Board Christa Schafer, County Accountant Joan Chytalo and department heads for their efforts in developing this fiscally sound 2017 budget.

Budget Director Merrill thanked Mr. Marshfield for his comments and extended thanks to all who worked alongside the committee in developing this budget.

Chairman Eisel extended his thanks as well adding that he sat in on many meetings. The decisions were tough but well thought through. A budget increase of under two percent that maintains essential services for our residents is good.

The resolution was adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 208**

**TITLE: APPROPRIATION RESOLUTION**

**WHEREAS**, this Board by Resolution No. 207, dated November 22, 2016 adopted a budget for the fiscal year 2017;

**RESOLVED** that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified effective January 1, 2017.

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

Chairman Eisel wished everyone a very Happy Thanksgiving.

Upon a motion, the meeting was adjourned at 1:20 p.m.

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**DECEMBER 14, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, December 14, 2016 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 Assistant Clerk called the roll and all Supervisors were present.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

Chairman Eisel noted that Clerk of the Board Christa Schafer was not feeling strong enough after her medical procedure to attend today's meeting and asked that he communicate her sincerest wishes to all for a merry Christmas and a happy New Year.

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

Chairman Eisel called attention to the copy of the County's Code of Ethics policy placed on each Supervisor's desk that needs to be completed and returned to the office of the Clerk of the Board as soon as possible.

Chairman Eisel granted privilege of the floor to Mr. Triolo who introduced Chairman of the Coalition of Watershed Towns Bruce Dolph. Mr. Dolph referenced an email he sent to all of the towns and villages inside and outside of the watershed requesting information regarding new building permits and the associated cost of the septic system. He advised that the information would be compiled to determine if it is more costly to build inside the watershed. He asked that the information be to him by Friday, December 16.

In answer to Mr. Marshfield's concern in obtaining the approximate cost of the septic, Mr. Dolph suggested that the code enforcement officer contact the new homeowner to determine that information.

Mr. Davis noted that while he was a Code Enforcement Officer he would complete a card sent monthly from the US Census Bureau requesting new building information. The information is on their website and is compiled by town and village.

In answer to Ms. Molé, Mr. Dolph said the information needed is detailed in the email.

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

**RESOLUTION NO. 209**

**TITLE: 2016 BUDGET AMENDMENT  
REIMBURSEMENT OF ADMINISTRATIVE DUTIES  
UNDER THE COALITION OF WATERSHED TOWNS  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the Department of Watershed Affairs provides the administrative support for the Coalition of Watershed Towns; and

**WHEREAS**, the Coalition of Watershed Towns will reimburse the Department of Watershed Affairs for administrative tasks.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**INCREASE REVENUE:**

10-18740-41128908	Other General Dept. Income Village	\$12,475.00
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**INCREASE APPROPRIATION:**

10-18740-51000000	Personal Services	\$12,475.00
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The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 210**

**TITLE: 2016 BUDGET AMENDMENT  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the equipment rental line in the capital budget has a small balance remaining and the construction season is over for the year; and

**WHEREAS**, all of the funds in the maintenance line for equipment rental have been expended; and

**WHEREAS**, we need to expend the equipment line to balance the machinery fund; and

**WHEREAS**, we also need funds to cover payroll on the maintenance side for the remainder of the year.

**NOW, THEREFORE, BE IT RESOLVED** that the 2016 Budget be amended as follows:

**DECREASE APPROPRIATION:**

34-15112-51000000	Personal Service	\$200,000.00
34-15112-55000000	Equipment Rental	\$34,146.81
34-15112-58300000	Social Security Emplr Contrib.	\$12,400.00
34-15112-58900000	Medicare Emplr Contrib.	\$2,900.00

**DECREASE REVENUE:**

34-15112-45503100	Transfer from General Fund	\$249,446.81
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**INCREASE APPROPRIATION:**

24-15110-51000000	Personal Services	\$200,000.00
24-15110-55000000	Equipment Rental	\$34,146.81
24-15110-58300000	Social Security Emplr Contrib.	\$12,400.00
24-15110-58900000	Medicare Emplr Contrib.	\$2,900.00

**INCREASE APPROPRIATION:**

24-15110-45503100	Transfer from General Fund	\$249,446.81
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The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 211**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**BE IT RESOLVED**, that the Department of Public Works is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Dept/Vehicle No.</u>	<u>Description</u>	<u>SERIAL NO./VIN NO.</u>
DPW 430	2007 Chevrolet Pickup	2GCEK190071659641
DPW 73	1995 Trail King Trailer	1TKC02421SM062595
DPW	33 buckets of Miscellaneous Nuts and Bolts	
DPW	5 Dust Pan Snow Plows	
DPW	1 Stainless Steel Hopper Spreader	
DPW	1 Mild Steel Swenson Hopper Spreader	
DPW	1 AT76966 Backhoe Bucket	
DPW	1 3 Point Hitch 5 Foot Back Blade	
DPW	1 Onan 15 KW Generator	C780307867
DPW	Meteor 2 Ton Hoist	
DPW	Partial Spool of Heavy Electrical Wire	
DPW 667	Wain Roy Quik Attach 48” Ditching bucket	
DPW	Wain Roy Quik Attach 48” Ditching Bucket	127006

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

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

**RESOLUTION NO. 212**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL  
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use;

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Social Services is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Vehicle No.</u>	<u>Description</u>	<u>Serial No./Vehicle ID NO.</u>
379	2005 Chevy Malibu	1G1ND52F35M229788
384	2005 Chevy Malibu	1G1ND52F55M112374
389	2007 Chevy Malibu	1G1ZS57F97F273866
391	2007 Chevy Malibu	1G1ZS57F87F274071
425	2000 Chevy Lumina	2G1WL52J1Y1336933

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

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

**RESOLUTION NO. 213**

**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, 2017;

**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	\$653,747.50	\$ .00
Deposit	\$374,879.00	\$31,133.00
Franklin	\$298,750.00	\$35,985.00
Hancock	\$811,878.00	\$29,914.00
Harpersfield	\$319,668.00	\$48,023.00
Middletown	\$790,620.00	\$102,718.00
Sidney	\$344,638.00	\$12,385.00
Stamford	\$222,826.00	\$37,952.00
Walton	\$297,236.00	\$65,997.00

**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	\$183,795.00
Arena Fire District	\$14,663.83
Andes Light	\$8,000.00
Delinquent Water	\$14,568.40
Delinquent Sewer	\$6,199.60
BOVINA	
Bovina Center Light District	\$1,845.00
Bovina Rural Fire District	\$98,731.00
Bovina Water District	\$37,052.00
Bovina Sewer District	\$9,057.75
COLCHESTER	
Downsville Light District	\$10,000.00
Downsville Fire District	\$239,451.16
Beaverkill Valley Fire District	\$733.56
Colchester Fire Protection District	\$12,000.00
Delinquent Cooks Falls Water	\$2,088.45
Delinquent Downsville Water	\$6,159.66
DAVENPORT	
East Meredith Fire District	\$111,611.61
Davenport Fire District	\$48,482.81
Davenport Light District	\$1,200.00
Davenport Center Light District	\$1,700.00
West Davenport Light District	\$1,000.00
Davenport Water	\$6,000.00
Delinquent Water	\$3,322.08

DELHI	
Delhi Rural Fire District	\$231,824.28
DEPOSIT	
Deposit Fire and Ambulance	\$75,543.00
FRANKLIN	
Treadwell Light District	\$3,782.00
Treadwell Water District	\$11,930.00
Franklin-Treadwell Fire District	\$205,586.41
HAMDEN	
Hamden Light District	\$2,100.00
DeLancey Light District	\$1,400.00
Delhi Fire District	\$927.57
Walton Fire Protection	\$22,782.00
Downsville Fire Protection	\$3,500.00
Delhi Rural Fire Protection	\$67,902.48
Downsville Fire District	\$4,118.84
Hamden Sewer District	\$10,502.86
Delinquent Water	\$8,510.00
Property Maintenance	\$300.00
HANCOCK	
Upper Delaware Valley Ambulance District	\$2,709.08
Cadosia Light District	\$3,000.00
East Branch Light District	\$5,400.00
East Branch Fire District	\$99,970.00
Fishs Eddy Light District	\$4,500.00
Hancock Rural Fire District	\$136,520.63
Long Eddy Fire District	\$23,657.94
Hancock Ambulance District	\$250,000.00
HARPERSFIELD	
Stamford Fire District	\$80,587.31
Hobart Fire District	\$5,560.10
Davenport Fire District	\$13,596.56
North Harpersfield Fire Protection	\$43,500.00
North Harpersfield Light District	\$0.00
KORTRIGHT	
Kortright Fire District	\$103,048.14
Bloomville Light District	\$4,000.00
Bloomville Sewer District	\$15,975.95
Stamford Fire District	\$14,503.83
Hobart Rural Fire District	\$10,059.84
East Meredith Fire District	\$3,557.41
Davenport Fire District	\$8,001.63
South Kortright Sewer	\$100.00
Delinquent Water	\$5,561.70
MASONVILLE	
Masonville Fire District	\$110,115.00
Masonville Light District	\$2,500.00
MEREDITH	
East Meredith Light District	\$1,200.00
Delhi Fire District	\$38,944.46
Meredith Square Light District	\$540.00
Franklin-Treadwell Fire District	\$24,989.32
Meridale Rural Fire District	\$55,700.00
East Meredith Fire District	\$18,631.97
Meridale Light District	\$1,080.00

MIDDLETOWN		
	Halcottsville Light District	\$1,496.00
	Arena Fire District	\$14,771.67
	Arkville Light District	\$9,982.00
	Arkville Water District	\$25,300.00
	New Kingston Light District	\$798.00
	Arkville Fire District	\$33,700.00
	Fire District No. 1	\$73,284.00
	Middletown-Hardenburgh Fire District	\$292,131.00
	Delinquent Arkville Water	\$7,772.65
	Delinquent Halcottsville Water	\$4,110.82
ROXBURY		
	Roxbury Fire District	\$179,600.00
	Roxbury Light District	\$15,596.00
	Roxbury Water District	\$30,999.00
	Grand Gorge Fire District	\$150,875.00
	Grand Gorge Light District	\$13,097.00
	Grand Gorge Water District	\$72,367.00
	Middletown/Hardenburgh Fire District	\$5,451.98
	Roxbury Run Light District	\$3,199.00
	Roxbury Sewer District (unit charge)	\$41,471.70
	Denver Sewer District (debt charge)	\$0.00
	Denver Sewer District (unit charge)	\$85,010.00
	Denver Water District	\$30,483.00
	Delinquent Denver Water	\$1,581.80
	Delinquent Grand Gorge Water	\$9,884.20
	Delinquent Roxbury Water	\$4,064.96
SIDNEY		
	Consolidated Health District	\$3,400.00
	Sidney Center Light District	\$4,000.00
	Sidney Center Fire District	\$78,574.00
	Sidney Fire Protection District	\$61,849.00
STAMFORD		
	Stamford Fire District	\$17,154.15
	South Kortright Fire District	\$4,000.00
	Hobart Fire District	\$30,540.26
	Kortright Fire District	\$10,702.86
	South Kortright Light District	\$1,800.00
	South Kortright Sewer	\$3,800.00
TOMPKINS		
	Tompkins Fire District	\$114,055.00
	Hancock Rural Fire District	\$16,021.37
	Sewer District	\$6,200.00
WALTON		
	Walton Fire District	\$337,478.00

**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	\$653,324.00	\$891,040.00
Bovina	\$289,192.00	\$385,129.00
Colchester	\$874,700.00	\$1,310,400.00



<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Davenport	\$253,643.00	\$683,599.00
Delhi	\$396,478.09	\$510,500.00
Deposit	\$343,967.00	\$427,865.00
Franklin	\$209,800.00	\$579,045.00
Hamden	\$185,062.00	\$503,925.00
Hancock	\$450,196.09	\$768,603.57
Harpersfield	\$318,651.00	\$246,135.00
Kortright	\$271,460.00	\$620,690.00
Masonville	\$162,975.00	\$477,000.00
Meredith	\$183,635.15	\$694,661.00
Middletown	\$693,871.00	\$1,084,475.00
Roxbury	\$946,013.00	\$1,445,178.00
Sidney	\$429,138.00	\$339,599.00
Stamford	\$255,681.00	\$277,282.00
Tompkins	\$231,956.00	\$710,557.00
Walton	\$339,527.00	\$604,765.00

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

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

**RESOLUTION NO. 214**

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

**RESOLVED**, that the sum of \$32,272,669.08 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 29, 2016 the taxes be returnable the first day of April 2017 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 2017, upon the collector's complying with the statute thereto.

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

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

## **RESOLUTION NO. 215**

### **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. Spaccaforo and unanimously adopted.

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

## **RESOLUTION NO. 216**

### **TITLE: INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED AGRICULTURAL DISTRICTS DURING DESIGNATED THIRTY- DAY PERIOD FOR ANNUAL AGRICULTURAL DISTRICT REVIEW PLANNING DEPARTMENT**

**WHEREAS**, the Delaware County Board of Supervisors, in accordance with Chapter 523 of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period from April 1 to April 30, 2016 in which a landowners may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board has to verified that each parcel proposed is “viable agricultural land”, and meets the eligibility requirements for inclusion into a Certified Agricultural District; and

**WHEREAS**, the Delaware County Board of Supervisors held a Public Hearing, Tuesday, November 22 at 12:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, N.Y. to consider the requests and recommendations of the County Agricultural Farmland Protection Board concerning the inclusion of land(s) into Agricultural District No. 2; and

**WHEREAS**, the Delaware County Board of Supervisors has authorized the preparation of an Agricultural Environmental Assessment form as required by § 303-b of the Agriculture & Markets: Agricultural Districts Law; and

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby adopt the inclusion of the following properties into Agricultural District No. 2.

#### **Meredith: Agricultural District # 2: NYS Route 28**

Tax ID #62.-1-23.1 (80.5 ac) Beef, pasture, Bee hives, Hay

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

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

## **RESOLUTION NO. 217**

### **TITLE: 2017 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 4, 2017	- 1:00 p.m.	Wednesday, January 25, 2017	- 1:00 p.m.
Wednesday, February 22, 2017	- 1:00 p.m.		
Wednesday, March 8, 2017	- 1:00 p.m.	Wednesday, March 22, 2017	- 1:00 p.m.
Wednesday, April 12, 2017	- 1:00 p.m.	Wednesday, April 26, 2017	- 1:00 p.m.
Wednesday, May 10, 2017	- 4:00 p.m.	Wednesday, May 24, 2017	- 4:00 p.m.
Wednesday, June 28, 2017	- 4:00 p.m.		
Wednesday, July 26, 2017	- 4:00 p.m.		
Wednesday, August 23, 2017	- 4:00 p.m.		
Wednesday, September 27, 2017	- 4:00 p.m.		
Wednesday, October 11, 2017	- 1:00 p.m.	Wednesday, October 25, 2017	- 1:00 p.m.
Wednesday, November 8, 2017	- 1:00 p.m.	Tuesday, November 21, 2017	- 1:00 p.m.
Wednesday, December 13, 2017	- 1:00 p.m.		

The resolution was seconded by Mr. Rowe.

Mr. Spaccaforo pointed out that the evening meetings were changed from 5:30 p.m. to 4:00 p.m. during the summer months. He thanked Mr. Rowe for his input regarding time scheduling.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 218**

**TITLE: LEVYING OF 2016 - 2017 RETURNED SCHOOL TAXES  
TREASURER'S OFFICE**

**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:

TOWN	TAX	7% PENALTY	TOTAL TAX
ANDES	221,566.13	15,509.64	237,075.77
BOVINA	127,057.73	8,894.06	135,951.79
COLCHESTER	252,804.77	17,696.73	270,501.50

DAVENPORT	342,063.05	23,944.42	366,007.47
DELHI	274,101.24	19,187.08	293,288.32
DEPOSIT	302,290.83	21,160.38	323,451.21
FRANKLIN	330,137.49	23,109.77	353,247.26
HAMDEN	166,651.42	11,665.64	178,317.06
HANCOCK	698,986.97	48,929.20	747,916.17
HARPERSFIELD	220,105.56	15,407.43	235,512.99
KORTRIGHT	256,189.01	17,933.24	274,122.25
MASONVILLE	157,188.93	11,003.27	168,192.20
MEREDITH	191,535.63	13,407.54	204,943.17
MIDDLETOWN	555,879.92	38,911.54	594,791.46
ROXBURY	407,201.12	28,503.98	435,705.10
SIDNEY	437,106.75	30,597.53	467,704.28
STAMFORD	277,825.71	19,447.84	297,273.55
TOMPKINS	111,129.33	7,779.16	118,908.49
WALTON	407,894.99	28,552.61	436,447.60
<b>Totals</b>	<b>\$5,737,716.58</b>	<b>\$401,641.06</b>	<b>\$6,139,357.64</b>

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

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

**RESOLUTION NO. 219**

**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.

<b><u>ASSESSED To:</u></b>	DEP14TX.045 <b><u>NIKKI SMITH</u></b>
TOWN OF:	123089:DEPOSIT
TAX MAP No:	400.4-1-1 & 400.4-1-2
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	200.00'F x 180.00'D: 0.33 ACRES 73.00'F x 164.00'D: 0.37 ACRES
CONVEYED To:	CP SOLUTIONS, LLC 1488 DEER PARK AVE #128 NORTH BABYLON NY 11703-1208
CASH CONSIDERATION:	\$26,990.00
TAX DEFICIT:	\$3,237.30

<b><u>ASSESSED To:</u></b>	HAN12TX.104 <b><u>HENRY SOULES JR AND PATRICIA ANN SOULES</u></b> <b><u>&amp; C ROBERT WEYRAUCH AND JOYCE WEYRAUCH &amp;</u></b> <b><u>CHARLES SOULES AND MARY PATRICIA SOULES</u></b>
TOWN OF:	123689:HANCOCK
TAX MAP No:	372.-3-33
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	1.00A ACRES
CONVEYED To:	CP SOLUTIONS, LLC 1488 DEER PARK AVE #128 NORTH BABYLON NY 11703-1208
CASH CONSIDERATION:	\$6,010.00
TAX DEFICIT:	\$4,607.68

<b><u>ASSESSED To:</u></b>	MID14TX.056 <b><u>JOHN KOWATCH</u></b>
TOWN OF:	124601:MIDDLETOWN

TAX MAP NO:287.18-5-7

SCHOOL DISTRICT:124601:MARGARETVILLE

ACREAGE:2.90 ACRES

CONVEYED TO:CP SOLUTIONS, LLC  
1488 DEER PARK AVE #128  
NORTH BABYLON NY 11703-1208

CASH CONSIDERATION:\$5,010.00  
VILLAGE SHARE \$1,252.50  
COUNTY SHARE \$3,757.50

TAX DEFICIT:\$885.30

SID14TX.047A

ASSESSED TO:BRIAN O'CONNOR AND KATHY L O'CONNOR

TOWN OF:125001:SIDNEY

TAX MAP NO:115.20-1-17

SCHOOL DISTRICT:125001:SIDNEY

ACREAGE:0.25 ACRES

CONVEYED TO:CP SOLUTIONS, LLC  
1488 DEER PARK AVE #128  
NORTH BABYLON NY 11703-1208

CASH CONSIDERATION:\$27,990.00

TAX DEFICIT:\$6,976.09

The resolution was seconded by Mr. Marshfield.

Mr. Merrill noted that with the exception of one vacant lot this resolution completes the sale of all tax acquired properties.

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

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

RESOLUTION NO. 220

TITLE: PAYMENT OF AUDIT

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,345,427.65 are hereby presented to the Board of Supervisors for approval of payment;

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay said expenditures as listed below:

General Fund	\$1,108,975.72
OET	\$11,282.99
Public Safety Comm System	\$18,792.50
Highway Audits, as Follows:	
Weights and Measures	\$243.27
Landfill	\$59,498.68
Road	\$71,204.93
Machinery	\$66,041.80
Capital Road & Bridge	\$6,596.15
Capital Solid Waste	\$2,791.61

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

Chairman Eisel thanked County Treasurer Beverly Shields for bringing in her homemade Christmas cookies and wished everyone a merry Christmas and a happy New Year.

Upon a motion, the meeting adjourned at 1:17 p.m.