

ORGANIZATIONAL MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
JANUARY 3, 2018

The Organizational Meeting of the Delaware County Board of Supervisors was held Wednesday, January 3, 2018 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 3, 2018 at 1:00 p.m.

The meeting is called for the purpose of organizing for the year 2018, 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 125	Andes
Tina Molé	P.O. Box 6, Bovina Center	Bovina
Arthur Merrill	P.O. Box 321, Downsville	Colchester
Dennis J. Valente	11790 State Highway 23, 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 Hwy 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, Margaretville	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	129 North Street	Walton

Mr. Marshfield offered the invocation.

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

The Clerk requested nominations for Chairman: Mr. Spaccaforo nominated Tina Molé. The nomination was seconded by Mr. Eisel and unanimously approved.

County Clerk Deb Goodrich administered the Oath of Office to Ms. Molé.

Chairman Molé thanked her colleagues on the Board of Supervisors for their confidence and support stating that she is honored and grateful for the opportunity to continue serving as Chairman of the Board in 2018. In 2017, the Board of Supervisors, County Department Heads

and employees worked through challenges that included dealing with 43 inches of snow, finding a new home for the Office for the Aging, the near completion of our Emergency Services towers and developing a budget that kept the tax levy within the state's tax cap requirement. These accomplishments are a result of the dedication of this Board of Supervisors and our County employees.

Concluding she noted that she learned a great deal from the County Department Heads and employees and realized when everyone does their part the County works like a well-oiled machine. The coming year will present many new challenges, among them, deciding upon a new home for the Department of Public Works and the Mental Health Facility.

Upon a nomination by Mr. Taggart, seconded by Mr. Davis, Mark Tuthill was re-elected as Vice Chairman.

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

Upon a nomination by Mr. Spaccaforo, seconded by Mr. Taggart, Amy Merklen was re-elected as County Attorney.

Upon a nomination by Mr. Spaccaforo, seconded by Mr. Eisel and Mr. Gregory, Arthur Merrill was unanimously re-elected as Budget Officer.

Chairman Molé noted that all oversight committees would remain the same until a future Board meeting and made the following committee appointments:

2018 COMMITTEE APPOINTMENTS

AGRICULTURAL AND FARMLAND PROTECTION BOARD

4-year term ending December 31, 2021

Reappoint:

Fred Huneke

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

3-year term ending December 31, 2020

Reappoint:

James Thomson

Andrew Matviak

Flerida Santana

DELAWARE COUNTY PLANNING BOARD

3-year term ending December 31, 2020

Reappoint:

Donald Kearny

Mark Lee

HEALTH SERVICES ADVISORY BOARD

2-year term ending December 31, 2019

Reappoint:

Amanda Walsh, Director Public Health

Wayne Shepard, Director Office for the Aging

SOUTHERN TIER EAST REGIONAL DEVELOPMENT STRATEGY COMMITTEE

Appoint:

Shelly Johnson-Bennett, Director Planning

SOUTHERN TIER EAST REGIONAL PLANNING AND DEVELOPMENT BOARD

Appoint:

Shelly Johnson-Bennett, Director Planning

Glenn Nealis, Director Economic Development

TOURISM ADVISORY BOARD

3-year term ending December 31, 2020

Appoint:

Joyce Barber, Hobart

Reappoint:

Supervisor Mike Triolo

1-year term ending December 31, 2018

Supervisor Art Merrill

The minutes of the previous meeting were accepted as presented.

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

For standing committee reports, Mr. Rowe called attention to the fringe benefit survey placed on each Supervisor's desk noting that it along with the Agreement of Expenditure of Highway Funds need to be returned to the Department of Public Works as soon as possible. The information is compiled for the CHIPS program and towns that provide services for the County cannot be reimbursed until this information is received.

Mr. Rowe, referencing the public informational meeting regarding the Delaware County Department of Public Works Siting Study on July 12, 2017, advised that answers to all of the outstanding questions have been posted to the County website at www.co.delaware.ny.us.

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 Catskill Mountain News 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 Catskill Mountain News is designated for the calendar year 2018 to publish local laws and notices.

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

Mr. Merrill 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 Reporter and the Mountain Eagle 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 Reporter and the Mountain Eagle are designated for the calendar year 2018 to publish local laws and notices.

The resolution was seconded by Mr. Triolo.

In response to Mr. Spaccaforo, Chairman Molé noted that the Republican Committee felt that The Reporter did not provide sufficient coverage in the Stamford/Davenport area.

The resolution was adopted by the following vote: Ayes 4535, Noes 132 (Marshfield), Absent 0.

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

RESOLUTION NO. 3

TITLE: RE-APPOINTMENT DIRECTOR OF ECONOMIC DEVELOPMENT

BE IT RESOLVED that Glenn Nealis is hereby reappointed as Director of Economic Development for a term of two years effective January 1, 2018 and ending December 31, 2019 at the salary contained in the budget.

The resolution was seconded by Mr. Eisel and Mr. Davis and unanimously approved.

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

RESOLUTION NO. 4

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

BE IT RESOLVED that Maria Kelso is hereby reappointed as Elections Commissioner (Republican) for a term of two years effective January 1, 2018 and ending December 31, 2019 at the salary contained in the budget.

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

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

RESOLUTION NO. 5

**TITLE: RE-APPOINTMENT OF DIRECTOR OF
COMMUNITY MENTAL HEALTH SERVICES**

BE IT RESOLVED that Cynthia Heaney is hereby reappointed as Director of Community Mental Health Services for a term of four years effective January 1, 2018 and ending December 31, 2021 at the salary contained in the budget.

The resolution was seconded by Mr. Valente 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 reappointed as Commissioner of Watershed Affairs for a term of two years effective January 1, 2018 and ending December 31, 2019 at the salary contained in the budget.

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

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

RESOLUTION NO. 7

TITLE: RE-APPOINTMENT OF YOUTH BUREAU DIRECTOR

BE IT RESOLVED that Dana Scuderi-Hunter is hereby reappointed as Youth Bureau Director for a term of one year effective January 1, 2018 and ending December 31, 2018.

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

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

RESOLUTION NO. 8

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.

Wayne Bank	\$50,000,000.00
The Delaware National Bank of Delhi	\$30,000,000.00
The Delaware National Bank of Delhi (Court and Trust Fund Designated by NYS Comptroller)	\$10,000,000.00
The National Bank and Trust Company	\$80,000,000.00
Community Bank, N.A.	\$30,000,000.00
Key Bank	\$250,000.00

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

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

RESOLUTION NO. 9

**TITLE: CHANGE ORDER NO. 3 OF PROPOSAL NO. 31-17
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 53 of 2017 authorized the award of Proposal No. 31-17, “Replacement of County Route 26 Bridge over Telford Hollow Brook, PIN 9753.00, BIN 3351950, Town of Colchester” to Sullivan County Paving & Construction Inc. 420 Bernas Road, Cohecton, NY 12726 for the bid amount of \$1,987,598.51; and

WHEREAS, Resolution No. 199 of 2017 authorized the execution of Change Orders No. 1 and 2 at no change in the Contract Amount; and

WHEREAS, due to a software setup error, Item 402.098203, 9.5MM F2 Top Course Hot Mix Asphalt will be removed from the contract and Item 402.128203, 12.5 mm F2 Top Course Hot Mix Asphalt, 80 Series Compaction be added at no additional cost.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 3 for Proposal No. 31-17 adjusting the contract items as referenced above at no change to the contract total cost of \$1,987,598.51.

The resolution was seconded by Mr. Spaccaforo.

Chairman Molé 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 4477, Noes 0, Absent 0, Abstain 322 (Rowe).

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

RESOLUTION NO. 10

**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 2018.

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Taggart, Commissioner of Public Works Wayne Reynolds explained that the Machinery Fund is funded by the rental of County-owned equipment. The resolution allows the Department to spend those funds before they are actually earned.

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

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

RESOLUTION NO. 11

**TITLE: CLIMATE SMART COMMUNITIES PLEDGE
PLANNING DEPARTMENT**

WHEREAS, Delaware County (hereinafter "local government") believes that climate change has impacted our local and global environments; and

WHEREAS, the effects of climate change has increased the need for actions that will protect our infrastructure, economy; farms, and ecological communities, including native fish and wildlife populations, reduce the spread invasive species, protect drinking water supplies and recreational opportunities; and reduce potential threats to the health and well-being of our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even with a reduction in emissions today, communities would still be required to adapt to the effects of climate change for decades to come.

NOW, THEREFORE, BE IT RESOLVED that Delaware County, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

- Pledge to be a Climate Smart Community.
- Set goals, inventory emissions, plan for climate action.
- Decrease community energy use.
- Increase community use of renewable energy.

- Realize benefits of recycling and other climate-smart solid waste management practices.
- Reduce greenhouse gas emissions through use of climate-smart land-use tools.
- Enhance community resilience and prepare for the effects of climate change.
- Support development of a green innovation economy.
- Inform and inspire the public.
- Commit to an evolving process of climate action.
- State of New York
- County of Delaware

The resolution was seconded by Mr. Ellis.

In response to Chairman Molé, Director of Planning Shelly Johnson-Bennett explained that the Planning, Culture and Recreation Committee determined the Climate Smart Communities Pledge an appropriate fit for Delaware County. The County is already very progressive and has undertaken many projects listed in the pledge. The passing of this resolution is a necessary step toward becoming a New York State Climate Smart Community and is one of the eligibility standards that can be used to qualify for Solar Energy grants through the New York State Energy Research and Development Authority (NYSERDA).

The resolution was unanimously adopted.

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

RESOLUTION NO. 12

TITLE: RESOLUTION TO EXEMPT THE NEW YORK STATE CERTIFIED ARMED SECURITY GUARDS AS CONTRACTED WITH DELAWARE COUNTY FOR SECURITY PURPOSES FROM THE WEAPONS PROVISION OF THE COUNTY WORKPLACE VIOLENCE POLICY

WHEREAS, Resolution No. 118 of 2003 as amended by Resolution No. 185 of 2003, along with Resolution Nos. 158 of 2007 and 100 of 2010, establish, clarify and implement the County's Workplace Violence Policy; and

WHEREAS, the policy expressly permits Delaware County to exempt individuals and employees from the weapons provision of that policy; and

WHEREAS, specific exemptions were made for law enforcement officers and attorneys engaged in law enforcement functions; and

WHEREAS, Delaware County will begin contracting with a security company to provide New York State Certified Armed Security Guards to provide services pursuant their contract; and

WHEREAS, per the terms of the contract and the intent of Delaware County is to have armed security guards present on County property; and

WHEREAS, being armed is a function of their job and a term of their contract.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby specifically exempts the New York State Certified Armed Security Guards providing security pursuant to a contract with Delaware County and within the terms of that contract, during work hours, from any and all of the provisions of the County's Workplace Violence Policy which prohibits possessing or carrying weapons of any kind on County property, in County vehicles, or while on County time.

The resolution was seconded by Mr. Davis.

Chairman Molé explained that the County would be contracting with a local security firm for an armed security guard. The guard, who will be positioned in the lobby of 111 Main Street, will monitor building functions Monday through Friday.

In answer to Mr. Marshfield, Commissioner of Social Services Dana Scuderi-Hunter noted that the cost would be about \$50,000.

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

Chairman Molé 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. 13

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,633,944.31 were hereby presented to the Finance Committee for approval for payment on December 29, 2017 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	\$386,002.20
OET	\$8,411.35
Public Safety Comm System	\$0.00
Capital 97 Main	\$84.55
Highway Audits, as Follows:	
Weights & Measures	\$48.42
Road	\$60,945.44
Machinery	\$47,828.64
Capital Road & Bridge	\$1,013,853.40
Capital Solid Waste	\$21,547.34
Solid Waste/Landfill	\$95,222.97

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$654,209.85 are hereby presented to the Board of Supervisors for approval of payment;

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

General Fund	\$271,183.24
OET	\$8,002.10
Public Safety Comm System	\$0.00
Capital 97 Main	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Road	\$23,696.13
Machinery	\$12,601.04
Capital Road & Bridge	\$335,678.86
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$3,048.48

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

Upon a motion, the meeting was adjourned at 1:33 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
JANUARY 24, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, January 24, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Pigford.

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 noted that all communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Director of Planning Shelly Johnson-Bennett who introduced Spencer DeVaul as Employee of the Month.

Mr. DeVaul began his employment with the Planning Department as an intern and was hired as the County's first Geographic Information System (GIS) Technician in December of 1997. In August of 2000 he was promoted to GIS Analyst and in September of 2007 to his current position as GIS Coordinator.

Mrs. Johnson-Bennett said that Mr. DeVaul is a well-rounded and enthusiastic employee who commits himself fully to the task. He has proven himself capable of working independently or with any project team. As a GIS Coordinator, he works closely with many County departments, private entities and municipalities.

Throughout the years of his employment, Mr. DeVaul has played a key role in many critical programs in the County. In particular, Mr. DeVaul has been the cornerstone in the development of the enhanced GIS program that is considered one of the most advanced in the state. An example of his work is the creation of the *Highway Management Inventory* tool that set the foundation for highway management planning throughout the New York City Watershed. His participation in the development and administration of the County's Community Online Mapping Information Tool (COMIT) was particularly helpful in the development of the 911 addressing system and his direction has helped make significant advances in the way the County has developed the COMIT site for public use.

Mrs. Johnson-Bennett stated that Mr. DeVaul is appreciated and respected by his co-workers, peers and supervisors and is the type of employee we should all strive to be. Presenting Mr. DeVaul as Employee of the Month is a well-deserved and long overdue honor.

Mrs. Johnson-Bennett presented Mr. DeVaul with a \$50.00 check. Chairman Molé presented him with the Certificate of Employee of the Month and thanked him for his dedicated service.

Mr. DeVaul thanked Mrs. Johnson-Bennett, his co-workers and the Board of Supervisors for this honor and stated that he looked forward to continuing his work at the County for many more years.

Chairman Molé granted privilege of the floor to Mr. Hynes and Mr. Triolo who introduced members of the Core Group, Director of Planning Shelly Johnson-Bennett, Assistant to Commissioner of Watershed Affairs Molly Oliver and Cornell Cooperative Extension Senior Resource Educator Mariane Kiraly to give an update on the *Farms in Transition Program*.

The PowerPoint presentation entitled: *Farms in Transition* discussed the proposed

language in the Filtration Avoidance Determination (FAD) document relating to the feasibility of a program in partnership with land trusts and stakeholders designed for the protection of transitioning farms with Best Management Practice (BMP) investments. The term “transitioning farms” was defined as agricultural land at risk of foreclosure or farms with retiring farmers. The proposed program would secure an agricultural easement on the farm and transition the farm to new operations consistent with a Whole Farm Plan.

The Core Group was not comfortable with a program that relied solely on conservation easements and would like an opportunity to examine the scope of the problem in Delaware County to determine how best to avoid distressed farm sales. The group has no desire to expand land acquisition in Delaware County and is not comfortable with the potential future expansion of the proposed program. Their evaluation would consider program eligibility, financial planning, transitional planning and what, if any, gaps remain from existing programs designed to assist farms in transition. Their overall opinion of the proposed *Farms in Transition Program* is that it could have a negative impact on Delaware County.

With this in mind, the Core Group felt it was time to approach the Board of Supervisors to determine if they would support the Group in its efforts to develop a local working group that would be an unbiased voice for farmers. The local working group would consist of a representation of impacted local individuals, farmers, outside agencies and municipalities having knowledge of Delaware County and its local conditions. The Group would like the Supervisors’ support to advance its plan at the February meeting of the Land Trust Group.

The Supervisors recognized the usefulness of a *Farms in Transition* program and the apprehension expressed by the Watershed Agricultural Council (WAC) for their future financial protection, however, many concerns were raised in opposition of the program currently proposed by the New York City Department of Environmental Protection.

In response to the Group’s request for input, Supervisors shared thoughts to aid in future discussions of the *Farms in Transition* program. It was noted that farming in general is transitioning due to retiring full-time farmers, a challenging agricultural environment and high land prices. The proposed program should include an opt-in clause for municipalities that choose not to participate; the program needs to be better defined and structured differently from the current Land Acquisition Program. The use of conservation easements could potentially limit economic development possibilities on large parcels as well as negatively affect agricultural assessments. There needs to be flexibility for future land use whether it is as local agricultural economies or recreational properties.

A voice vote for the development of a local working group was called by Chairman Molé. The development of the working group was unanimously approved by the Board.

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

RESOLUTION NO. 14

TITLE: 2018 BUDGET AMENDMENT DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, Delaware County has been awarded grant funding under the Fiscal Year 2017 Emergency Management Performance Grant (EMPG) State Homeland Security Program from the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the purpose of the EMPG Program is to make grants to states to assist state, local, and tribal governments in preparing for all hazards, as authorized by the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (42 U.S.C. 5121 et seq.). Title VI of the *Stafford Act* authorizes FEMA to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the federal government, states, and their political subdivisions. The federal government, through the EMPG Program, provides necessary direction, coordination and guidance, and provides necessary assistance, as authorized in this title so that a comprehensive emergency preparedness system exists for all hazards; and

WHEREAS, this grant was awarded in the amount of \$22,855.00 to Delaware County and will be used to purchase mobile and portable radios and related items to work in conjunction with the new communications system.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUE:
38-13640-43338900/3640390/911 State Interoper Emrg Comm Grnt \$22,855.00

INCREASE APPROPRIATION:
38-13640-52200001/3640390/911 Equipment Grant \$22,855.00

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

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

RESOLUTION NO. 15

**TITLE: PETTY CASH FUND
COUNTY CLERK**

WHEREAS, an audit conducted by the New York State Comptroller’s Office – Department of Motor Vehicles indicated that it is necessary to increase the petty cash fund for the Department of Motor Vehicle Offices (DMV); and

WHEREAS, the County Clerk petty cash fund for the Clerk’s Office was established at \$500 and the total for the DMV Offices at \$656 for a grand total of \$1,156; and

WHEREAS, the audit found that the total of the petty cash funds for the DMV Offices must be increased by \$239.

NOW, THEREFORE, BE IT RESOLVED that any and all resolutions and amendments thereto including but not limited to Resolutions Nos. 85-1989, 304-1989, and 317-1990 be rescinded; and

BE IT FURTHER RESOLVED the following budget amendment is hereby authorized increasing the grand total of the County Clerk’s petty cash fund to \$1,395:

FROM:
10-11410-54415020 Maint & Repair Srvcs, Books \$239.00

TO:
10-00000-11121000/1325210/963 Petty Cash – County Clerk \$239.00
Delhi DMV increase from \$56 to \$165
Deposit DMV increase from \$150 to \$200
Margaretville DMV increase from \$150 to \$180
Sidney DMV increase from \$300 to \$350

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

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

RESOLUTION NO. 16

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

WHEREAS, Resolution No. 209 of 2004 authorized the Department of Public Works to make award for the professional services to design the bridge along with bridges 2-2 and 26-1;

and

WHEREAS, Resolution No. 315 of 2004 authorized the Department of Public Works to enter into a Federal Aid Agreement for the design of Arbor Hill Road over the Little Delaware River (BIN 3352240) in the Town of Delhi, PIN 9753.01 for Preliminary Engineering and Right of Way Incidentals in the amount of \$286,000; and

WHEREAS, the project was placed on the deferred list in the fall of 2008 by NYS DOT because of the national financial crash and there has not been any construction money available for the project since that time; and

WHEREAS, NYS DOT has notified the County that they can now put the bridge back on the Federal Aid program; and

WHEREAS, the Department of Public Works has utilized a qualification based consultant selection procedure in accordance with FHWA requirements; and

WHEREAS, the Department of Public Works has negotiated a scope of work and fee for the professional services required to advance the project.

NOW, THEREFORE, BE IT RESOLVED that the 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 for the preliminary engineering and right of way incidentals for the project.

Proposal Fee: Maximum Amount Payable \$264,113

The resolution was seconded by Mr. Valente.

Chairman Molé 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 3900, Noes 0, Absent 577 (Pigford), Abstain 322 (Rowe).

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

RESOLUTION NO. 17

**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>SN/VIN:</u>
DPW 97	2005 Chevrolet Pickup	1GCEC14VX5E200497
SWM 869	1999 International Rolloff	1HTGLAET4XH557989

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

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

RESOLUTION NO. 18

TITLE: AUTHORIZATION FOR NYS DOT TO USE COUNTY ROUTE 38 AS A DETOUR FOR CONSTRUCTION ON ROUTE 30 DEPARTMENT OF PUBLIC WORKS

WHEREAS, the New York State Department of Transportation proposes to replace a large culvert (C963069) on NYS Route 30 in the Town of Middletown, Delaware County; and

WHEREAS, in conformance with Section 104 and Section 10, Subdivision 19 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize County Route 38 between NYS Route 30 and NYS Route 28 as part of a detour during the period of necessity; and

WHEREAS, the New York State Department of Transportation will erect and maintain detour signs on County Route 38 for the period of necessity.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby authorize the New York State Department of Transportation to utilize the above-mentioned road as a detour; and

BE IT FURTHER RESOLVED that the County of Delaware will continue to maintain the above mentioned road; and

BE IT FURTHER RESOLVED that the Clerk of this Board of Supervisors is directed to provide five (5) certified copies of this resolution to the Department of Public Works for transmission to the State Department of Transportation.

The resolution was seconded by Mr. Spaccaforo.

Chairman Molé 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 3900, Noes 0, Absent 577 (Pigford), Abstain 322 (Rowe).

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

RESOLUTION NO. 19

TITLE: BRIDGE DEDICATION FISHS EDDY VETERANS MEMORIAL BRIDGE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Town of Hancock Town Board passed Resolution No. 12052017 on December 7, 2017 requesting that County Bridge Number 28-1, CR 28 over East Branch Delaware River at Fishs Eddy, be named the "Fishs Eddy Veterans Memorial Bridge" in honor of those service members who have given all for our freedom.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors herewith dedicates Bridge Number 28-1, BIN 3352620, CR 28 over East Branch Delaware River in the Town of Hancock as the "Fishs Eddy Veterans Memorial Bridge"; and

BE IT FURTHER RESOLVED that the Department of Public Works is hereby directed to mount a plaque supplied by the Town of Hancock on or directly adjacent to the bridge in honor of Fishs Eddy Veterans.

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

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

RESOLUTION NO. 20

TITLE: STATE FUNDING TO SUPPORT TREATMENT TO INDIVIDUALS WITH SUBSTANCE USE DISORDERS (SUD) WHO ARE INCARCERATED IN THE DELAWARE COUNTY JAIL DEPARTMENT OF MENTAL HEALTH

WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

WHEREAS, the state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

WHEREAS, there remains a significant gap in the treatment and support continuum care being developed by the state and that is the local jail; and

WHEREAS, individuals who suffer from SUDs frequently come into contact with the criminal justice system; and

WHEREAS, the link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into New York State jails. Alcohol and drugs are implicated in roughly eighty (80) percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public-order offenses; and

WHEREAS, according to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, County Sheriffs indicated that of the individuals detained in their jail on drug-related charges, sixty-eight (68) percent had been in their jail before; and

WHEREAS, jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

WHEREAS, in New York State the counties bear the overwhelming portion of the financial burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

WHEREAS, Delaware County has no funding for substance use disorder treatment services for incarcerated individuals despite strong evidence that these services reduce crime, save money, and save lives; and

WHEREAS, New York State's own cost-benefit analysis of providing jail-based SUD treatment determined that taxpayers could realize a savings over time of \$2,170 per participant through reductions in recidivism costs which include local and state incarceration costs, community supervision costs, court and prosecutions costs and police/field law enforcement costs; and

WHEREAS, the same New York State analysis determined that SUD treatment in the jails would save \$676 per participant in costs incurred by victims which include medical expenses, mental health care, damage to personal property and lost earnings due to harm or injury; and

WHEREAS, a dedicated state funding stream to counties is desperately needed to provide SUD treatment services in the jails including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS, counties are requesting funding of \$12.8 million annually to the LGUs to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization.

NOW, THEREFORE, BE IT RESOLVED that Delaware County calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails.

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 Brian Miller, Office of Alcoholism and Substance Abuse Services General Counsel Rob Kent and the New York State Association of Counties (NYSAC).

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

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

RESOLUTION NO. 21

TITLE: APPOINTMENT OF DELAWARE COUNTY FIRE ADVISORY BOARD DEPARTMENT OF EMERGENCY SERVICES

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 2018:

Chairman: Dale Downin, Franklin
Vice Chairman: Daren Evans, Delhi
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
Franklin – Chief Tom Worden
Grand Gorge – Chief DJ Speenburgh
Hancock – Rolland Bojo, Jr.

Hobart – Chief Josh Mason
Margaretville – Chief Gene Rosa
Masonville – Chief Gary Mott
Pindars Corners – Chief Matt Rittlinger
Sidney - Chief Shawn Sands
Sidney Center – Chief Dave Gill
Stamford – Chief AJ Vamosy
Treadwell – Chief Anthony DeDominicis
Trout Creek – Chief Chris Kinney
Walton – Chief Bob Brown

Alternate Departments:

Cooks Falls – Chief Al Donner
Davenport – Chief Fred Utter
Deposit – Chief Shaun Rynearson
Downsville – Chief Richard Bell

East Branch – Chief Rod Keesler
Halcottsville – Chief Jeff Slauson
Meridale – Chief Brad Hitchcock
Roxbury – Chief Ken Davie
South Kortright – Chief John Kosier

Voting Departments were selected based on meeting attendance for the previous year.

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

Chairman Molé 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. 22

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.

	FRA15TX.018
<u>ASSESSED TO:</u>	<u>ERNEST GERWALD</u>
TOWN OF:	123289:FRANKLIN
TAX MAP No:	166.-3-4
SCHOOL DISTRICT:	125601:WALTON
ACREAGE:	5.07A ACRES
CONVEYED TO:	ESTATE OF ERNEST GERWALD C/O JAMES A ALLEN 1444 7 TH ST WEST BABYLON NY 11704
CASH CONSIDERATION:	\$2,047.06
TAX DEFICIT:	\$1,587.09

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

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

RESOLUTION NO. 23

**TITLE: SUPPORTING A SOLARIZE CAMPAIGN
PLANNING DEPARTMENT**

WHEREAS, solarize is a short-term, local effort that brings together groups of potential solar customers through widespread outreach and education; and

WHEREAS, this model helps customers choose a solar installation company that is offering competitive, transparent pricing; and

WHEREAS, historically, solarize campaigns lower the cost of solar 10 to 20 percent; and

WHEREAS, residents and businesses who sign up for solar installations by a specific deadline will be able to take advantage of group rates below market prices; and

WHEREAS, the more customers who sign up, the lower the price will be for everyone; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) provides technical assistance and other tools and resources to communities in support of solarize campaigns.

NOW, THEREFORE, BE IT RESOLVED that Delaware County supports, endorses, and is committed to participate in a future solarize campaign.

BE IT FURTHER RESOLVED that the Delaware County stands ready to assist with community outreach and education in support of a future solarize campaign.

The resolution was seconded by Mr. Taggart and Mr. Ellis and unanimously adopted.

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

RESOLUTION NO. 24

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,238,249.54 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	\$1,616,721.31
CAP 97 Main	\$23,946.84
OET	\$24,368.80
Public Safety Comm System	\$207,595.85
Highway Audits, as Follows:	
Weights and Measures	\$148.09
Landfill	\$72,659.25
Road	\$200,783.88
Machinery	\$57,524.87
Capital Road & Bridge	\$21,223.43
Capital Solid Waste	\$13,277.22

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

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

RESOLUTION NO. 25

**TITLE: 2018 BUDGET AMENDMENT
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County has been awarded grant funding under the Fiscal Year 2016 Emergency Management Performance Grant (EMPG). State Homeland Security Program from the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the purpose of the EMPG Program is to make grants to states to assist state, local, and tribal governments in preparing for all hazards, as authorized by the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (42 U.S.C. 5121 et seq.). Title VI of the *Stafford Act* authorizes FEMA to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the federal government, states, and their political subdivisions. The Federal Government, through the EMPG Program, provides necessary direction, coordination, and guidance, and provides necessary assistance, as authorized in this title so that a comprehensive emergency preparedness system exists for all hazards; and

WHEREAS, this grant was awarded in the amount of \$22,973.00 to Delaware County and will be used to purchase mobile and portable radios and related items to work in conjunction with the new communications system.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

<u>INCREASE REVENUE:</u>		
38-13640-44498900/3640389/911	Fed Otr Home & Comm Serv	\$22,973.00
<u>INCREASE APPROPRIATION:</u>		
38-13640-52200001/3640389/911	Equipment Grant	\$22,973.00

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

Chairman Molé made the following committee appointments:

DELAWARE COUNTY DEFERRED COMPENSATION COMMITTEE

Reappoint:

Supervisor James Ellis
Supervisor William Layton
Supervisor Arthur Merrill
Supervisor Wayland Gladstone

DELAWARE COUNTY PLANNING BOARD

3-year term ending December 31, 2020

Appoint

Travis O'Dell, Hancock

OLYMPIC REGIONAL DEVELOPMENT AGENCY (ORDA) COMMUNITY ADVISORY PANEL

2-year term ending December 31, 2019

Appoint

Diane Monroe

Reappoint:

Mark Birman

SOIL & WATER CONSERVATION DISTRICT BOARD

3-year term ending December 31, 2020

Reappoint:

Andy Kiraly

1-year term ending December 31, 2018

Reappoint:

Supervisor James Ellis
Supervisor Jeffrey Taggart

YOUTH BUREAU BOARD

3-year term ending December 31, 2020

Reappoint:

Diane Oles

Chairman Molé announced that the new committee assignments and listings have been placed on each Supervisor's desk. She pointed out that there are changes in the assignments and listing, noting that the Chamber of Commerce was moved from the oversight of the Planning Committee to the Economic Development/Watershed Affairs Committee.

Upon a motion, the meeting was adjourned at 2:45 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

FEBRUARY 28, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 28, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Gladstone, Mr. Rowe and Mr. Hynes.

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 read a letter from Town of Hancock Supervisor Samuel Rowe dated February 21, 2018, stating that he accepted a promotion with the New York State Department of Transportation. As a condition of the employment he was required to get approval from the department's Ethics Office to perform the duties of Town Supervisor. The Ethics Office determined it would be a conflict of interest and have the appearance of impropriety for him to continue as the Town of Hancock Supervisor. As a result he resigned as Town of Hancock Supervisor effective immediately.

Chairman Molé noted that Mr. Rowe served the County and the residents of the Town of Hancock for 17 years. She wished him well in his future endeavors and said he has worked tirelessly for the Department of Public Works the betterment of Delaware County.

The Clerk noted that all other communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Commissioner of Social Services Dana Scuderi-Hunter who introduced Meghan Barnes as Employee of the Month.

Mrs. Barnes began her employment in 2008 with the Department of Social Services in the Child Protective Unit. Upon completion of her training she moved to the Family and Children's Unit as a caseworker after which she was promoted to her current position of supervisor overseeing the Child Protective Unit.

Commissioner Scuderi-Hunter said that Mrs. Barnes gives her all to the agency and its clients. She regularly works late, goes out of her way to help others, and always volunteers for special assignments. She is extremely conscientious, dependable and knowledgeable. Her ability to engage with the agency's clients is outstanding and she has a way of building a rapport with just about anyone. She is an excellent role model, very supportive to those she supervises and is always willing to assist in any way she can.

Commissioner Scuderi-Hunter said that Mrs. Barnes is very deserving of the honor of Employee of the Month and thanked her for being an asset to the agency and for making the department a better place to work.

Commissioner Scuderi-Hunter presented Mrs. Barnes with a \$50.00 check. Chairman Molé presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Mrs. Barnes thanked the Board of Supervisors for her recognition. She thanked her husband, her mother-in-law and other immediate family members for their support adding that without their support she would not be able to do this work. She thanked her supervisors and co-workers for their commitment and dedication to the department and for providing an environment of support and camaraderie. She shared that she enjoys the work she does and recognizes that her success is in great part due to all of these elements.

Chairman Molé introduced Director of Alcohol and Drug Abuse Services Chris Kemp. She announced that Mr. Kemp will be retiring after 30 years with the County. Mr. Kemp began his employment with the County in 1988 in the criminal justice field. In 1993, he became a counselor with the Department of Alcohol and Drug Services and was then promoted to Senior Counselor. In 2011, he became the Director of the County's Department of Alcohol and Drug Abuse Services.

Chairman Molé thanked Mr. Kemp for his many years of dedicated service and for having made a significant impact on the lives of so many of the County's residents. On behalf of the Board of Supervisors, she presented Mr. Kemp with a certificate of appreciation for his dedication and contribution to Delaware County and wished him well in the future.

Mr. Kemp thanked the Chairman and Board of Supervisors for the recognition. He said that he was born and raised in Delaware County and is grateful to have had the opportunity to work and raise his family in this beautiful county.

He shared that it has been an honor to work with so many individuals who have

transformed their lives through the process of recovery from addiction. Being part of a department that offers the tools and programs to combat these addictions has meant a great deal to him. His satisfaction is in hearing and witnessing the success stories of those the Alcohol and Drug Abuse department has worked with over the years. He stated that he feels very fortunate to have worked for this county and with other county staff who care so much about the residents of Delaware County.

Chairman Molé granted privilege of the floor to Mr. Haynes who introduced Environmental Technician Tyson Robb to provide a presentation on the Village of Delhi River Walk Project. Mr. Haynes noted that the presentation is a precursor to Resolution No. 44 entitled: *Village of Delhi River Walk Project Authorization of Right-of-Way* that will be called up later in the meeting.

Mr. Robb shared a PowerPoint presentation entitled: *Village of Delhi River Walk*. The river walk project requires support from riverside property owners and the community overall. Several property owners are waiting to see what the County's position is on the project before committing to easements. In return for allowing this project to move forward the community benefits from restored natural character to its riverbank and stormwater improvement critical to water quality. Local residents and visitors to the area would be provided with safe and maintained access along the river, snowmobile access to local businesses and other recreational opportunities that will benefit the local economy.

He noted that the river walk project is 100 percent grant funded with available funds of around \$740,000 for Phase 2 of the project. Construction on Phase 1 was completed in the fall of 2015 and includes stormwater bio swales, 'stormtech' infiltration systems, walkways, plantings and a boat launch. Initially, a proposed route and project was approved by numerous permitting agencies, however, due to changing circumstances the proposed route needed to be redesigned. Subsequent meetings are being held in order to develop a design that meets all stakeholder needs and funding requirements.

The resolution to be called up later in the meeting seeks the support of the Board of Supervisors in allowing the Chairman of the Board and the Shared Services Committee to work together with the Village of Delhi to secure the necessary county easements in order for the project to continue.

Mr. Robb addressed suggestions, questions and concerns presented by the Supervisors with regard to the size of the project, parking spaces, water quality issues, and long-term maintenance relating to the development of a redesign on County right-of-ways.

For standing committees, Chairman of the Capital Projects Committee Mark Tuthill announced that there will be a Capital Projects Committee meeting on March 1 with C&S Engineering, Inc. the County's consulting firm for the Mental Health building project. The consultants will offer recommendations on the site selection process and a direction for the committee to proceed. At that meeting, a date will be set for a public forum for Walton residents.

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

RESOLUTION NO. 26

TITLE: 2018 BUDGET AMENDMENT SEXUALLY EXPLOITED YOUTH (SEY) AWARD YOUTH BUREAU

WHEREAS, the Delaware County Youth Bureau is the designated local agency to administer the Sexually Exploited Youth (SEY) Award; and

WHEREAS, 100% State funds are available to support public awareness, training, and to meet the needs of youth survivors of human trafficking and commercial sexual exploitation.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUE:

10-17310-43382000/7310008/987	State Youth Programs-SEY	\$30,000.00
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INCREASE APPROPRIATION:

10-17310-54327200	Grant Contractual Services	\$30,000.00
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The resolution was seconded by Mr. Taggart.

Mr. Marshfield noted that a brochure entitled: *End Human Trafficking & Sexual Exploitation of Youth in our Communities* explaining human trafficking was placed on each Supervisor’s desk.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 27

**TITLE: 2018 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 2018 Budget be amended as follows:

INCREASE REVENUE:

10-16141-44464100	FEDERAL AID-HEAP	\$21,046.00
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INCREASE APPROPRIATION:

10-16141-54342030	HEAP-PA	\$21,046.00
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The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 28

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

WHEREAS, the 2018 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	\$464.00
10-11165-58500000	District Attorney	1,471.00
10-11185-58500000	Medical Examiner	128.00
10-11325-58500000	Treasurer	768.00
10-11327-58500000	Fiscal Affairs	655.00
10-11340-58500000	Budget Director	48.00
10-11355-58500000	Real Property Tax	793.00
10-11364-58500000	Tax Acquired Prop	148.00
10-11410-58500000	County Clerk	2,087.00
10-11412-58500000	Records Management	109.00
10-11420-58500000	County Attorney	1,606.00
10-11430-58500000	Personnel	735.00
10-11450-58500000	Elections	579.00
10-11620-58500000	Buildings	2,275.00
10-11680-58500000	Information Technology	2,161.00
10-13020-58500000	Public Safety - 911	1,179.00
10-13110-58500000	Sheriff - Law Enforcement	3,303.00
10-13140-58500000	Probation	1,820.00
10-13150-58500000	Sheriff Jail	8,991.00
10-13315-58500000	Stop DWI	12.00
10-13620-58500000	Safety Inspections	166.00
10-13640-58500000	Emergency Services	482.00
10-14012-58500000	Public Health	1,649.00
10-14059-58500000	Early Intervention	707.00
10-14060-58500000	Edu Physically Handicapped	385.00
10-14310-58500000	Mental Health Clinic	4,230.00
10-14311-58500000	Community Support	228.00
10-14312-58500000	MH Crisis Serv Prog	180.00
10-14315-58500000	Enh Childrens Serv	160.00
10-14317-58500000	Alcoholism Clinic	1,486.00
10-14321-58500000	Exp Mental Health	370.00
10-16010-58500000	Social Services	12,725.00
10-16326-58500000	Economic Development	659.00
10-16510-58500000	Veterans	472.00
10-16610-58500000	Sealer of Weights and Measures	144.00
10-16772-58500000	Office for the Aging	1,416.00
10-17310-58500000	Youth Bureau	1,764.00
10-18020-58500000	Planning	1,642.00
10-18740-58500000	Watershed Affairs	600.00
22-18160-58500000	Landfill Solid Waste	4,118.00
24-19050-58500000	Public Works	14,454.00
62-11710-58500000	Workers Compensation	123.00
	Total	\$77,492.00

TO:

10-19050-42280100	Interfund Revenue	\$77,492.00
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INCREASE REVENUE:

10-19000-42280100	Interfund Revenue	\$77,492.00
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INCREASE APPROPRIATION:

10-19050-58500000	Unemployment Insurance	\$77,492.00
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The resolution was seconded by Mr. Spaccaforno and Mr. Merrill.

In answer to Mr. Triolo, Personnel Officer Linda Pinner said the calculation is one third of one percent of the total salary.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 29

**TITLE: 2018 BUDGET AMENDMENT
APPROPRIATION OF SURPLUS
MACHINERY FUND
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the 2018 Machinery Fund equipment budget is insufficient as budgeted due to an unforeseen but necessary purchase of a small equipment trailer; and

WHEREAS, a transfer from the Machinery Fund Balance is necessary; and

WHEREAS, the Department has researched prices for said trailer.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

DECREASE FUND BALANCE:

26-00000-34915000	Assigned Unappropriated Fund Balance	\$13,000.00
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INCREASE APPROPRIATION:

26-15130-52200000	Equipment	\$13,000.00
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 30

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

LETTING OF JANUARY 25, 2018

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. 1-18	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., PO Box 243, Preble, NY 13141; Bothar Construction, LLC, 170 East Service Road, Binghamton, NY 13901; Broome Bituminous Products, Inc., PO Box 354, Vestal, NY 13850; 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; DG Construction Service LLC, 220 State Road, Andes, NY 13731; 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, PO Box450, New Stanton, PA 15672; Robert H. Finke & Sons Inc., 1569 Rout 9W Selkirk, NY 12158; LaFever Excavating Inc., 3135 County Highway 6, Bovina Center, NY 13740; Monroe Tractor, 1001 Lehigh Station Rd., Henrietta, NY 14467; Oneonta Equipment Rental and Sales, 532 Co. Hwy. 58, Oneonta, NY 13820;
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Pawlikowski’s Excavating, 1215 Hamden Hill Rd., Delhi, NY 13753; 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 13726; Tracey Road Equipment, 6803 Manlius Center Rd., East Syracuse, NY 13057; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Tweedie Construction Services Inc., 90 Crystal Creek Rd., Walton, NY 13856; Vantage Equipment, LLC, 5985 Court Street Road, Syracuse, NY 13206.

Bid Price: See Summary Sheet

PROPOSAL NO. 22-18 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. Valente and Mr. Spaccaformo and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 31

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

LETTING OF FEBRUARY 1, 2018

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. 6-18 Liquid Bituminous Concrete & Related Equipment Bid to: Gorman Asphalt DBA American Asphalt, 200 Church Street, Albany, NY 12202; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Peckham Materials Corp., 763 Schoharie Turnpike, 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. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 32

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

LETTING OF FEBRUARY 7, 2018

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. 7-18 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; Eric J Dahlberg Construction LLC., 696 Potter Mtn Rd., Gilboa, NY 12076; Hanson Aggregates NY LLC, PO Box A, Nedrow, NY 13120; Johnston & Rhodes Bluestone Co., 34 Bridge Street, East Branch, NY 13756; Masonville Stone Inc., 12999 State Route 8, Masonville, NY 13804; Platterkill Mine LLC., 871 Bull Hill Rd., Gilboa, NY 12076; Robinson Bros Excavating, 29119 St Hwy 10, Walton, NY 13856; Schaefer Enterprises of Deposit, Inc., 315 Old Route 10, Deposit, NY 13865; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820; Tri City Highway Products Inc., 145 Podpadic Rd., Richmondville, NY 12149.

Bid Price: See Summary Sheet

PROPOSAL NO. 8-18 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. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 33

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

LETTING OF FEBRUARY 8, 2018

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. 9-18	Transit Mixed Concrete to: Hanson Aggregates NY, LLC., PO Box A, Nedrow, NY 13120; Masters RMC, Inc., PO Box 25, Kingsley, PA 18826; Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820; Wadler Bros Inc., PO Box 550, Fleischmanns, NY 12430.
	Bid Price: See Summary Sheet
PROPOSAL NO. 10-18	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 Street, Owego, NY 13827
	Bid Price: See Summary Sheet
PROPOSAL NO. 11-18	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.
	Bid Price: See Summary Sheet
PROPOSAL NO. 12-18	Interlocking Steel Sheet Piling to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902
	Bid Price: See Summary Sheet
PROPOSAL NO. 13-18	Steel Reinforcing Bars 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. 14-18	Epoxy Coated Steel Reinforcing Bars to: Steel Sales Inc., PO Box 539, Sherburne, NY 13460.
	Bid Price: See Summary Sheet
PROPOSAL NO. 16-18	Gabions to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Expanded Supply Products, Inc., 3330 Route 9, Cold Spring, NY 10516.
	Bid Price: See Summary Sheet
PROPOSAL NO. 17-18	Pressure Treated Timbers to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820
	Bid Price: See Summary Sheet
PROPOSAL NO. 18-18	Plain Elastomeric Bridge Bearing Material to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.
	Bid Price: See Summary Sheet
PROPOSAL NO. 19-18	Bridge Deck Membrane to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.
	Bid Price: See Summary Sheet
PROPOSAL NO. 20-18	Steel Sign Posts to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902
	Bid Price: See Summary Sheet

PROPOSAL NO. 21-18	Lubricating Oils to: Superior Lubricants, 32 Ward Rd., North Tonawanda, NY 14120
	Bid Price: See Summary Sheet
PROPOSAL NO. 23-18	Portland Cement to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820
	Bid Price: See Summary Sheet
PROPOSAL NO. 26-18	Elastomeric Concrete to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.
	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. Valente and adopted by the following: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 34

TITLE: AUTHORIZATION FOR AWARD DEPARTMENT OF PUBLIC WORKS

WHEREAS, NYS DOT has notified the County that it is eligible for Federal Funds under the Bridge Preventive Maintenance Program for 2018; and

WHEREAS, the County will be entering into an agreement with the NYS DOT for PIN 9754.33, D035907, BIN 3352710 (Charles Medlar Road over Trout Brook, Town of Hancock) and BIN 3353260 (CR 44 over Ouleout Creek, Town of Sidney), Delaware County Bridge Preventive Maintenance Program, 2 locations within Delaware County; and

WHEREAS, the Department of Public Works has selected a Consultant Engineering Firm by using the Region 9 Local Design Services Agreement (LDSA) process to provide professional services for the entire project and has completed the negotiations for the design phase.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Department of Public Works is authorized to make award to McFarland Johnson Engineers, 49 Court Street, Binghamton, NY 13902 for the design and preparation of bidding documents for the project.

Proposal Fee: Maximum Amount Payable \$22,893.08

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 35

TITLE: AUTHORIZATION FOR AWARD DEPARTMENT OF PUBLIC WORKS

WHEREAS, County Bridge 7-3, BIN 3351890, County Route 7 over Spring Brook had a condition rating of 4.22 in 2015 (the 2017 inspection is based on the new system) and is in need of replacing; and

WHEREAS, the hydraulic capacity of the structure is insufficient for current and projected storm events as evidenced by the significant damage that it sustained in the flood of 2007; and

WHEREAS, the location of the structure in the Spring Brook Valley has a number of physical constraints that will make reconstruction of the bridge extremely challenging; and

WHEREAS, the Public Works Committee has decided that the design of the replacement structure will require the assistance of a consulting engineering firm and that the project development will be advanced in a phased approach with the first phase being a Bridge Replacement Feasibility Study; and

WHEREAS, the Department of Public Works has utilized the Local Design Services Agreement (LDSA) qualification based consultant selection procedure in accordance with FHWA requirements to select a consultant; and

WHEREAS, the Department of Public Works has negotiated a scope of work and fee for the professional services required to advance the Feasibility Study phase of the project with subsequent phases of the project to be added with supplements.

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 for the preliminary engineering and right of way incidentals for the project.

Proposal Fee: Maximum Amount Payable \$173,904.00

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 36

TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. 35-17 DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 147 of 2017 authorized the award of Proposal No. 35-17, Purchase of Combination Jet/Vacuum Machine to GapVax, Inc., 575 Central Ave., Johnstown, PA 15902 for the bid amount of \$475,775; and

WHEREAS, Resolution No. 212 of 2017 authorized the Department of Public Works to execute Change Order No. 1 making certain modifications to the truck at no cost to the County and at no change in the delivery time; and

WHEREAS, GapVax, Inc. has notified the County that Mack Truck has notified them that because of a Mack plant shutdown for re-tooling, the chassis delivery date to GapVax has been delayed significantly; and

WHEREAS, the delay in the chassis delivery will delay GapVax's production of the completed unit at no fault of GapVax.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal No. 35-17 that extends the delivery date for the completed unit from March 7, 2018 to July 10, 2018 at no extra cost to the County and at no penalty to GapVax.

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

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

RESOLUTION NO. 37

**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 Delaware County Bridge Maintenance Program (2018), PIN 9754.32 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of said 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/Design work.

NOW, THEREFORE, the Delaware County Board of Supervisors, duly convened does hereby

RESOLVE that the Delaware County Board of Supervisors hereby approves the above-subject project; and it is 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 cost of Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$40,000 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the above phase of the Project; and it is 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 it is further

RESOLVED that the Chairman of the Board 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 it is 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 it is further

RESOLVED this resolution shall take effect immediately.

The resolution was seconded by Mr. Spaccaforo and adopted by the following vote:
Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 38

TITLE: A RESOLUTION REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO RELEASE ITS MAINTENANCE JURISDICTION OVER A PORTION OF HIGHWAY RIGHT OF WAY ALONG ROUTE 30 IN THE TOWN OF ROXBURY AND FURTHER AUTHORIZING THE CONVEYANCE OF DELAWARE COUNTY'S INTEREST IN SAID PORTION OF RIGHT OF WAY TO MOUNTAINSIDE FARMS INC. DEPARTMENT OF PUBLIC WORKS

WHEREAS, Mountainside Farms Inc. has expressed a desire to acquire property being a portion of State Route 30 Right of Way in the Town of Roxbury, being currently unused property due to buildings that have encroached upon the property, said property being between the lands of Mountainside Farms Inc. and the alignment of State Route 30; and

WHEREAS, the County of Delaware originally purchased the highway right of way for State Route 30 in this area; and

WHEREAS, the New York State Department of Transportation has indicated a willingness to release its maintenance jurisdiction over that portion of property requested by Mountainside Farms Inc.; and

WHEREAS, with the abandonment by the New York State Department of Transportation, the County can proceed to convey its interest in that portion of land to Mountainside Farms Inc.; and

WHEREAS, a description of said parcel of land is shown on a New York State Department of Transportation Conveyance Map entitled; Roxbury – Grand Gorge, S.H. 5459, Map No. 3-C, Parcel No. 91 as prepared by Joanne Darcy Crum, L.S. and dated April of 2017.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby requests the New York State Department of Transportation to release its maintenance jurisdiction over that portion of highway right of way along State Route 30 in the Town of Roxbury as determined by NYSDOT to be surplus property; and

BE IT FURTHER 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 (approximately 0.036 acres) of land to Mountainside Farms Inc. at a cost consideration to be approved by the Public Works Committee after negotiations have been completed.

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Eisel, Department of Public Works Commissioner Wayne Reynolds stated that the creamery has encroached onto the County and state right-of-way. The adoption of this resolution removes the liability from the state and County.

The resolution was unanimously adopted.

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

RESOLUTION NO. 39

TITLE: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT FOR THE MAIN SHOP DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 20 of 2014 authorized the Department of Public Works to enter into a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. (Wendel) for the professional services of Conceptual Design and Programming Phase for the design of a new shop for a not to exceed amount of \$154,000; and

WHEREAS, Resolution No. 137 of 2017 authorized the Department of Public Works to enter into Supplemental Agreement No. 1 for the project which expanded the scope of work to include a siting study and structural evaluation of the existing building and increasing the not to exceed contract amount to \$304,000; and

WHEREAS, the Public Works Committee has requested Wendel to perform additional work for the qualitative assessment of 3 sites and also the design of temporary structural bracing and partial demolition of the Page Avenue facility.

NOW, THEREFORE, BE IT RESOLVED that the County Department of Public Works is herewith authorized to execute supplemental agreement number 2 with Wendel to perform the additional work for a not to exceed amount of \$50,000 bringing the contract not to exceed total to \$354,000.

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Gregory, Mr. Haynes noted that the appraisals of the three potential sites should be back to the Department by the end of the week. Mr. Gregory questioned this spending in light of the fact that the sites have not been narrowed down. Mr. Haynes advised that this work is being done as part of the evaluation for the Department’s presentation at the next Board of Supervisors meeting.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

RESOLUTION NO. 40

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
VETERANS SERVICE AGENCY**

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 Department of Veterans Service is authorized to sell by trade-in, on-line auction or for scrap the following item:

<u>Department</u>	<u>Description</u>	<u>Serial No.</u>
Veterans Service Agency	Oce’ Copier	6110484

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

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

RESOLUTION NO. 41

**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, May 18, 2018; 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 Mr. Marshfield and unanimously adopted.

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

RESOLUTION NO. 42

TITLE: A RESOLUTION TO ADOPT THE SECTION 3 PLAN TO COMPLY WITH 24 CFR, PART 135 OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 3 DEPARTMENTS OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS, Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS, Delaware County staff has developed a revised Section 3 Plan in adherence to 24 CFR, Part 135 that more comprehensively addresses the standards and procedures prescribed in the Act; and

WHEREAS, the Section 3 Plan has been reviewed by the Delaware County Board of Supervisors and the Delaware County Attorney and their comments have been incorporated into the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors adopts and will insure implementation of the revised Section 3 Plan to ensure compliance with Federal Law.

The resolution was seconded by Mr. Eisel.

In answer to Mr. Marshfield, the Director of Economic Development Glenn Nealis explained that the US Department of Housing & Urban Development (HUD) requires the County have a Section 3 Plan in place in order to be eligible for grant funding from HUD. A Section 3 Plan establishes certain standards and procedures to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by HUD funds. The proposed Section 3 Plan has been written in adherence to the Section 3 requirements contained in 24 CFR, Part 135, and has been reviewed and approved by the County Attorney.

The resolution was unanimously adopted.

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

RESOLUTION NO. 43

TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING FOR CLOSEOUT OF THE 2015 DELAWARE COUNTY AGRICULTURAL MICROENTERPRISE PROGRAM NEW YORK STATE OFFICE OF COMMUNITY RENEWAL GRANT ADMINISTRATION COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, Delaware County was awarded a Microenterprise grant program through the Office of Community Renewal in 2015; and

WHEREAS, Delaware County made the grant funding through this program available to agriculturally based businesses in Delaware County; and

WHEREAS, the grant funding received under the Community Development Block Grant Program has been fully disbursed; and

WHEREAS, the NYS Office of Community Renewal requires that the governing body of the recipient provides opportunities for community engagement and feedback through the hosting of a public hearing to obtain citizen's views; and

WHEREAS, in that regard Delaware County will schedule a public hearing on Wednesday, March 14, 2018 at 12:45 p.m. to be held at the Charles Cook Office Building.

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 publicize a public hearing to meet the administration requirements of the grant funds.

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

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

RESOLUTION NO. 44

TITLE: VILLAGE OF DELHI RIVER WALK PROJECT AUTHORIZATION OF RIGHT-OF-WAY DEPARTMENT OF BUILDING AND MAINTENANCE

WHEREAS, the Village of Delhi has received numerous grants for the development of the Delhi River Walk Project which is a walkway along the river behind Main Street providing people the ability to walk along the river; and

WHEREAS, the Village must secure a right-of-way from the landowners bordering the river in order to construct the walkway; and

WHEREAS, a right-of-way must be obtained from the County for the paved walkway on the land behind the 99 and 111 Main Street parking lots.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes the Chairman of the Board to sign the needed documents providing for a right-of-way for the Delhi Riverwalk project.

The resolution was seconded by Mr. Ellis and Mr. Davis and unanimously adopted.

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

RESOLUTION NO. 45

TITLE: RESOLUTION CALLING ON ALBANY STRATTON VA MEDICAL CENTER TO RECONSIDER MOVING THE BAINBRIDGE COMMUNITY BASED OUTPATIENT CLINIC VETERANS SERVICE AGENCY

WHEREAS, the Albany Stratton VA Medical Center is considering moving the Bainbridge Community Based Outpatient Clinic (CBOC) from Bainbridge to Oneonta, NY; and

WHEREAS, the Bainbridge CBOC has been located at its present location since 2009 and has provided services that are convenient to Delaware County veterans, providing excellent services for many area veterans; and

WHEREAS, this move was instituted with absolutely no input from area veterans and does not take into consideration the needs of those veterans unable to travel longer distances to access services; and

WHEREAS, the current facility owner has passed all inspections conducted by

independent VA facility inspection teams and maintains all components of the building in an exemplary manner; and

WHEREAS, the reason for making this move is unknown, the current owner of the Bainbridge CBOC has made it clear he would be willing to expand space if needed and would even remove his own chiropractic clinic to accommodate the needs of the VA; and

WHEREAS, by moving, the VA is isolating the Delaware County veterans as it pertains to access of healthcare locations without providing some type of transportation arrangement; and

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby call upon the Executive Director of the Albany Stratton VA Medical Center to reconsider moving the Bainbridge CBOC until local veteran input has been received and a clear explanation of why this move should be instituted is explained to our veterans; and

BE IT FURTHER RESOLVED that if the Albany Stratton VA Medical Center continues in this endeavor then they should initiate a transportation system that allows Delaware County veterans experiencing transportation issues, free transportation through services provided by the Albany Stratton VA Medical Center; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors forward copies of this resolution to the Albany VA Medical Center Interim Director Darlene DeLancey, Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congressman John J. Faso, Senator James L. Seward, Assemblyman Clifford W. Crouch, and Secretary of Veteran Affairs David J. Shulkin.

The resolution was seconded by Mr. Taggart.

Mr. Marshfield noted that the current owner of the building is very supportive of the veterans and maintains the building very well. This is a well-used clinic that has provided excellent services to its veterans and has been used by Delaware County veterans for many years. The move was initiated with no input from area veterans and moving the clinic from Bainbridge to Oneonta presents a hardship for many of our veterans.

In answer to Mr. Eisel, Director of Veterans Service Agency Charles Piper said that a reason for the move was not given.

The resolution was unanimously adopted.

Chairman Molé 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. 46

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,865,299.56 were hereby presented to the Finance Committee for approval for payment on February 23, 2018 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	\$1,689,313.53
OET	\$23,309.90
Public Safety Comm System	\$26,374.40
CAP 97-Main Street	3,865.36

Highway Audits, as Follows:	
Weights & Measures	\$16.25
Road	\$518.70
Machinery	\$80,858.72
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$41,042.70

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,382,835.27 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	\$603,664.14
OET	\$22,105.26
Public Safety Comm System	\$3,057.58
CAP 97 Main Street	0.00

Highway Audits, as Follows:	
Weights and Measures	\$166.87
Road	\$412,170.92
Machinery	\$75,660.90
Capital Road & Bridge	\$80,938.37
Capital Solid Waste	\$25,706.59
Solid Waste/Landfill	\$159,364.64

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

Chairman Molé made the following appointments:

DELAWARE COUNTY COOPERATIVE EXTENSION BOARD

1-year term ending December 31, 2018

Appoint:
Wayland Gladstone, Town of Andes Supervisor

Reappoint:
Dennis Valente, Town of Davenport Supervisor

DELAWARE COUNTY PLANNING BOARD

3-year term ending December 31, 2020

Appoint:
Dale Downin, Code Enforcement Officer
James Thomas, Department of Public Works

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

RESOLUTION NO. 47

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 because publicity would substantially affect the value of the property.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Gladstone, Mr. Rowe and Mr. Hynes.

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

PUBLIC HEARING
DELAWARE COUNTY BOARD OF SUPERVISORS
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

MARCH 14, 2018

The Delaware County Board of Supervisors held a Public Hearing to seek public input regarding the proposed New York State Office of Community Renewal's Community Development Block Grant Program 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, March 14, 2018 Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

Notice is Hereby Given that Delaware County will hold a public hearing at the Charles D. Cook County Office Building, located at 111 Main Street, Delhi, NY, on Wednesday, March 14, 2018 at 12:45 p.m. to seek public input regarding the New York State Office of Community Renewal's Community Development Block Grant Program and a completed microenterprise program which provided financial assistance, in the form of small, matching grants to local agricultural entrepreneurs and businesses. Written comments may be forwarded to the Department of Economic Development at One Courthouse Square, Suite 4, Delhi, NY 13753.

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé 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 Molé declared the hearing adjourned at 12:50 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
MARCH 14, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 14, 2018 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 Tina B. Molé 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 noted that all communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Mr. Haynes who introduced Wendel Corporate Vice President Gerald Summe, Sr. Project Manager Mark Molnar, PE and Commissioner of Public Works Wayne Reynolds to give a PowerPoint presentation entitled: *Delaware County DPW Facility Sites Top Sites Hybrid Site No.11A & 7A and Site No.3.*

Mr. Summe noted that the existing facility on Page Avenue has served the Department of Public Works (DPW) well for many years. The Department and the Public Works Committee has known for some time that the construction of a new DPW maintenance facility was inevitable. The existing facility continues to deteriorate and require extensive and costly improvement.

He further stated that the siting process has evaluated and ranked a total of 12 sites since the initial process began. Primary consideration has been given to relocating the facility out of a floodplain, proximity to the County Seat and the Emergency Operation Center, ability to service all of the department's operations and provide for future expansion. While it is not possible to accommodate every aspect of the ranking criteria to everyone's satisfaction the presentation explored the positive and negative attributes of the final top two sites. The Hybrid Site which includes Site No.11A, (the Bishop Site in the Town of Hamden) and Site No.7A (the existing Site in the Village of Delhi) and Site No. 3 located on County Highway 18 in the Town of Delhi.

Mr. Molnar noted that the Hybrid Site was a suggestion from members of the Board of Supervisors. The positive and negative attributes of Site No. 11A & Site No. 7A were presented. Though Site No. 11A offers just enough room to provide the entire buildout it moves the vehicle maintenance garage 10 miles from the County Seat. From an operations perspective, having the vehicle maintenance garage at Site No. 11A will require more travel from the outside agencies using the County maintenance shop for services. It also increases the distance between the DPW facility, the County Seat and the County Emergency Operations Center during an emergency situation. It was explained that from a response time perspective, the added mileage is completely unacceptable. Site No. 11A would not work for the entire buildout because it moves the Delhi Patrols 10 miles from their current location and over 30 miles from the extent of their jurisdiction. The additional mileage means that a snowplow averaging 25 MPH would have an increased round trip time of approximately 48 minutes. Additionally, Site No. 7A is located entirely in a floodplain. The proposed mitigation is costly and has the potential of negatively impacting neighboring properties.

The cost of the Hybrid Site is \$27.47 million (Phase 1). The cost of a \$6.96 million Bridge, a road at Hoags Crossing and \$1,940,260 additional over 20 years for vehicle maintenance are not included in this cost.

The presentation continued with the evaluation of Site No. 3 (County Route 18) discussing the site's positive and negative attributes. The strong engineering attributes of this site are superior to any of the other sites considered. The size of the parcel allows for future expansion and is the best location for all of the DPW core activities to be managed and operated centrally. The site is within close proximity to the County Seat and the Emergency Operations Center. There is also a parcel that will be leased for farming and the remainder of the property not being used for the facility will be put back on the market. The site requires a bridge across the West Branch of the Delaware River in order to provide good access to the site. The proposed bridge would be accessible after the Bridge Street and Sherwood Road bridge approaches have flooded. The Committee takes the position that the bridge is both a benefit to the County and to the local community.

The cost of Site No. 3 is \$26.30 million (Phase 1). The bridge and road is included in this cost. The operation and maintenance costs not included in this figure is \$240,426 over 20 years and includes an allowance for added travel of the vehicles to be maintained and the added distance for the snow plow trips.

A discussion of the presentation followed. Mr. Summe, Mr. Molnar and Commissioner Reynolds responded to many questions and concerns regarding the data presented. Discussion reflected concerns relating to flooding on State Route 10 and access to the Village of Delhi during an event, historical preservation, an unspecified amount of available funding to counties relocating critical facilities from a floodplain, the cost of either building project in relation to its impact on the taxpayers of the County and the feeling that other options suggested to the Committee have not been explored prior to a vote.

Commissioner Reynolds noted that a Supervisor's informational packet detailing the history of the DPW operations and site evaluations would be distributed at the conclusion of the meeting and that the full presentation would be available for viewing on the County's website at www.co.delaware.us.

Mr. Tuthill, speaking as the Town of Delhi Supervisor, stated that his constituents have made clear to him that they are not in favor of having the new DPW facility located on County Route 18. Although he felt the presentation showed considerable effort went into fitting the facility appropriately into a new community it was not enough to make this location a favorable choice for the residents. He shared that he was made aware of possible litigation that could keep the project from moving forward in a timely manner if the Board of Supervisors votes to relocate the DPW facility to Site No. 3.

Mr. Haynes noted that a resolution favorable to the committees preferred location Site No. 3 would be presented at the next Board of Supervisors meeting. He encouraged Supervisors to contact anyone on the Public Works Committee for further discussion or for answers to any remaining questions or concerns.

Chairman Molé thanked Mr. Summe, Mr. Molnar and Commissioner Reynolds for a very informative presentation. She thanked the Supervisors for their input and ensuing discussion and asked that they be prepared to vote on this issue at the March 28 Board of Supervisors Meeting.

For standing committees, Chairman of the Capital Projects Committee Mark Tuthill announced that there will be a presentation on the planned relocation of the Mental Health Facility on Tuesday, March 27 at 6 p.m. at the Walton Fire Hall.

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

RESOLUTION NO. 48

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

LETTING OF MARCH 7, 2018

WHEREAS, Delaware County has been awarded grant funding under the State Homeland Security Program from the New York State Division of Homeland Security and Emergency Services (WM2017 SHSP) for equipment; and

WHEREAS, the purchase of a utility task vehicle was approved in this grant and the grant award was approved in Resolution 172 of 2017; and

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 the Department of Emergency Services is authorized to make award to the lowest bidder meeting specifications as follows:

Utility Task Vehicle: Argo North,
363 Route 513
Califon, NJ 07830

Bid Price: \$52,000.00

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

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

RESOLUTION NO. 49

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

LETTING OF MARCH 1, 2018

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. 27-18 Purchase of Four (4) Tandem Axle Dump Trucks with Snow Equipment to: Tracey Road Equipment, Inc., 6803 Manlius Center Rd., East Syracuse, NY 13057

Purchase Price: \$209,061.00 each (\$836,244.00)

Towns may participate in this bid.

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. Valente and Mr. Spaccaforo.

In answer to Mr. Taggart, Commissioner Reynolds explained that the department's fleet manager is developing a regular yearly truck rotation schedule. The department sacrificed other equipment this year in order to purchase these trucks. He pointed out that snow equipment is a critical piece of the department's equipment inventory.

Commissioner Reynolds further stated that this award does not include an extended warranty. The new trucks have been very problematic and a review of historic expenses showed that over a seven-year period repairs were in the \$20,000 range. A change order resolution increasing the bid to cover an extended seven-year warranty at a cost of \$5,735 per truck will be brought to the next meeting. He noted that the department has had one of its existing trucks down for the past 20 days. The new trucks are Freightliners and the company has a goal of turning around a down truck within 72 hours.

Mr. Merrill added that the Town of Colchester has a Freightliner and it has proved to be very good.

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

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

RESOLUTION NO. 50

TITLE: AUTHORIZATION FOR AWARDS DEPARTMENT OF PUBLIC WORKS

LETTING OF FEBRUARY 21, 2018

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. 37-17 Delaware County Bridge Structural Steel Preservation Project, PIN 9754.32, D035654 to: Rover Contracting Inc., 2424 Route 52, Suite 2F, Hopewell Junction, NY 12533

Purchase Price: \$272,800.00

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. Spaccaforo.

In answer to Mr. Marshfield, Mr. Haynes noted that the preservation is on three bridges: County Route 21, bridge number 21-5 and 21-9 and County Route 23, bridge number 23-9.

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

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

RESOLUTION NO. 51

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

LETTING OF MARCH 1, 2018

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. SW1-18 Purchase of Tandem Axle Roll-Off Truck to: Mohawk Valley
Freightliner, 703 Oriskany Blvd., Yorkville, NY 13495

Purchase Price: \$145,222.00 each (\$290,444.00)

Towns may participate in this bid.

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. Spaccaforo.

Commissioner Reynolds noted that a change order resolution for an extended warranty will be brought to the next meeting.

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. 52

**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>Dept. Vehicle No.:</u>	<u>Description:</u>	<u>Serial No./VIN</u>
DCSO 87	2008 Chrysler PT Cruiser	3A8FY58BX8T126492

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

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

RESOLUTION NO. 53

**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:</u>
DPW 59	2007 Chevrolet Pickup	2GCEK190071660370
DPW 87	2017 PJ Trailer	4P5F82228H3023264
DPW 303	1999 SA International Dump	1HTGEAHR7XH643971
DPW 730	1988 Champion Motor Grader	720A1874761881088
DPW 380	1999 Mack Dump Truck	1M2P267C7XM043809

The resolution was seconded by Mr. Spaccaforno.

In reply to Mr. Taggart, Mr. Haynes advised that the frame on the 2017 PJ Trailer broke. Commissioner Reynolds further explained that the frame broke on top which is uncommon in this type of equipment. The company was contacted and the department attempted to seek a reasonable settlement however, the company's response was that the equipment was misused.

The resolution was unanimously adopted.

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

RESOLUTION NO. 54

**TITLE: OCCUPANCY TAX DISBURSEMENT APPROVAL
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, Local Law No.13 of 2015 established a Hotel Occupancy Tax in Delaware County for the purpose of promoting the tourism industry in Delaware County; and

WHEREAS, the Law stipulates that revenues derived from the occupancy tax are to be allocated for the promotion and development of the tourism industry in Delaware County; and

WHEREAS, pursuant to the Law, Delaware County established and empowered the Tourism Advisory Board to solicit, review and recommend proposals for the use of the funds raised from the occupancy tax for the promotion and development of the tourism industry in Delaware County; and

WHEREAS, the Tourism Advisory Board received and reviewed 59 proposals for use of occupancy tax revenues and has recommended 43 proposals for approval by the Delaware County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors approves the recommendations of the Tourism Advisory Board regarding projects to be funded through occupancy tax revenues for 2018.

The resolution was seconded by Mr. Eisel.

In response to Mr. Triolo, Director of Economic Development Glenn Nealis said this relates to the portion of bed tax receipts that are open to municipalities and other not-for-profit entities. There were four categories of funding, Arts and Culture, Capital Improvements, Community Celebrations and Promotion, and Marketing. The amount of funding available totaled \$97,957.46. He pointed out that a like amount has been set aside for grants associated with the County's Tourism Promotion Agency. The gross amount of bed tax collected in 2017

was approximately \$217,000 with a net figure of \$195,914.92.

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. 55

TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING FOR THE PURPOSE OF SEEKING PUBLIC INPUT IN REGARD TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL CDBG SMALL BUSINESS ASSISTANCE PROGRAM DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, the NYS Office of Community Renewal is accepting applications from eligible communities to compete for funds available through the 2018 CDBG Small Business Assistance Program; and

WHEREAS, a request for assistance, in the form of a grant, has been received by the County to aid in the expansion of a local business; and

WHEREAS, the NYS Office of Community Renewal application process requires that the governing body of the applicant hold a public hearing to obtain the view of citizens on community development and housing needs, as well as the proposed activity.

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 schedule a public hearing on Wednesday, March 28, 2018 at 12:45 p.m. to be held at the Charles Cook Office Building.

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

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

RESOLUTION NO. 56

TITLE: DELAWARE RIVER BASIN SUBCOMMITTEE ON ECOLOGICAL FLOWS DEPARTMENT OF WATERSHED AFFAIRS

WHEREAS, the Delaware River Basin Commission will soon approve the reinstatement of the Subcommittee on Ecological Flows (SEF) to the Regulated Flow Advisory Committee (RFAC) which focusses on environmental conditions and aquatic habitat needs in the Upper Delaware River; and

WHEREAS, the SEF will serve as a scientific body and public forum for the discussion of important water resource issues such as the Flexible Flow Management program and may lead to policy decisions that have a direct impact on the economic livelihood of residents of Delaware County; and

WHEREAS, the Upper Delaware River Tailwaters Coalition (UDRTC) is comprised of elected officials and non-profit organizations in Delaware County, NY dedicated to the sound management of water resources to benefit people, communities, the economy and natural resource values of the region; and

WHEREAS, the UDRTC has emerged as a leading voice across the Delaware River watershed and has spearheaded the development of a comprehensive Stream Corridor Management Plan for Delaware County below the NYC Delaware basin reservoirs; and

WHEREAS, the SEF is comprised of seven seats filled by federal and state agencies and four seats available to non-profit conservation interests and other community based interests.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors urges the Delaware River Basin Commission to appoint a representative from the UDRTC to the SEF.

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

In answer to Mr. Triolo, Commissioner of Watershed Affairs Dean Frazier noted that the issues related to ecological flows are fishing and recreation below the dams. He noted that the Towns of Colchester, Hancock and Deposit will be greatly affected in that the habitat of the aquatic organisms that keep the food supply for the fishery in balance would be detrimentally affected. These Towns and their communities are often the first to be impacted financially. The resolution seeks support from the Board of Supervisors for the Upper Delaware River Tailwaters Coalition to have a seat on this subcommittee when it is reinstated by DRBC.

The resolution was unanimously adopted.

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

RESOLUTION NO. 57

TITLE: RESOLUTION REQUESTING IMMEDIATE ATTENTION BE GIVEN TO A SOLUTION TO THE DAIRY FARM CRISIS BY US SENATOR CHARLES SCHUMER, US SENATOR KIRSTEN GILLIBRAND AND CONGRESSMAN JOHN FASO DEPARTMENT OF WATERSHED AFFAIRS

WHEREAS, agriculture historically and currently represents an important and significant economic engine for Delaware County; and

WHEREAS, the dairy farm sector has been and still is the major economic agricultural enterprise in the County; and

WHEREAS, the dairy farm milk price during 2017 was part of an ongoing decline over the past three years and projections for 2018 are even more bleak than 2017, reflecting prices received at the farm over ten years ago; and

WHEREAS, this current trend of severely declining milk prices combined with ever increasing operating costs is at crisis levels; and

WHEREAS, it is anticipated due to price declines, that significantly more dairy farmers will go out of business in the county in 2018 diminishing the overall economic viability of local communities, shedding more direct and indirect related dairy farm jobs and threatening the livelihood of too many hardworking farm families; and

WHEREAS, this crisis is a nationwide phenomenon; and

WHEREAS, the federal government sets the milk price dairy farmers receive through the Federal Dairy Program; and

WHEREAS, the solution at the farm level, is very often, to produce more milk to survive financially adding to an overall nationwide surplus of milk leading to even lower prices; and

WHEREAS, a solution for the dairy farmers current dilemma is needed to assist them in weathering a devastating set of circumstances outside of their control.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors maintains that it is incumbent upon US Senator Charles Schumer, US Senator Kirsten Gillibrand and Congressman John Faso to make it a priority to urgently and faithfully represent the dairy farmers of our County and State toward a solution to provide a federal program that will provide relief soon, for the dairy farm industry before it is decimated beyond repair by the current trends.

The resolution was seconded by Mr. Davis.

Mr. Triolo explained that milk pricing is determined by four classes of milk. Class 1, fluid milk (which demands the highest price), Class 2, ice cream and yogurts, Class 3, soft and hard cheeses and Class 4, butter and dry products. Class 3 and 4 are the bases for all the pricing of milk. The farmer receives a blended price based on the utilization in the market. Due to the decline of fluid milk the blended price has decreased significantly. For example, in 1975, this country used 53.8 billion pounds of fluid milk averaging to about 246 pounds per person. In 2016, this country used 49.7 billion pounds of fluid milk averaging to about 152 pounds per person. Even though actual use of milk has gone up based on an increase in utilization of Class 3 and 4 products the farmer does not benefit due to the blended pricing.

This resolution calls for our elected officials to work toward a solution to provide a federal program that will provide immediate relief. In the meantime, he feels locally people can start by buying local milk and increasing daily usage of fluid milk. He pointed out on each carton there is a plant number. The number 36 on the milk carton indicates the milk was processed in New York State.

The resolution was unanimously adopted.

Chairman Molé 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 adoptions:

RESOLUTION NO. 58

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,197,450.56 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	\$909,258.94
OET	\$17,775.98
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$16.25
Landfill	\$42,739.80
Road	\$171,056.26
Machinery	\$56,286.15
Capital Road & Bridge	\$317.18
Capital Solid Waste	\$0.00

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

Upon a motion, the meeting adjourned at 3:55 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 28, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 28, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Pigford who arrived shortly after the roll call.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Mr. Pigford. Mr. Pigford introduced Director of Public Health Amanda Walsh who gave 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.

Ms. Walsh referenced Resolution No. 66 entitled: *Delaware County Public Health Services Celebrates National Public Health Week April 2-8* that will be called up later in the meeting. During this week, the public health community comes together to celebrate accomplishments and brings a renewed focus to the work ahead.

She noted that participants are needed for the Medical Countermeasures Drill that will be held on Tuesday, April 2 from 10:30 a.m. to 12:30 p.m. at the Delhi American Legion. The drill will test Public Health’s capacity to serve community members and be able to respond effectively and efficiently in real emergencies. Anyone interested in participating should call the Department of Public Health.

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

RESOLUTION NO. 59

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR TAI CHI FOR ARTHRITIS PROJECT
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$5,000.00 from CDPHP to expand the agency’s existing Tai Chi for Arthritis program for the County’s older population; and

WHEREAS, this funding will be used to engage in activities to support health promotion and stay healthy wellness programs.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUES:

10-16772-42270607/6772050/977	Grant from Corporations	\$5,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327000/6772050/977	Contracted Services	\$3,750.00
10-16772-54327625/6772050/977	Travel	\$1,250.00

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

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

RESOLUTION NO. 60
TITLE: 2018 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, an additional taser equal to those worn by other members of the Special Response Team (SRT) is needed to similarly equip all members of the SRT so they are fully equipped when there is a need to respond to special tasks.

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

<u>TRANSFER FROM:</u>		
10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff’s Office	\$1,670.00
<u>TRANSFER TO:</u>		
10-13110-52200000	Equipment	\$1,670.00

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

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

RESOLUTION NO. 61
TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. SW1-18
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 51 of 2018 authorized the award of Proposal No. SW1-18, Purchase of Tandem Axle Roll-Off Truck to Mohawk Valley Freightliner for the price of \$145,222 each; and

WHEREAS, the manufacturer has offered a seven-year extended warranty that was not included in the original bid specifications for a price of \$5,735 per truck; and

WHEREAS, the Department has reviewed the warranty and our usual costs over the first seven years and determined that the warranty would be beneficial to the County.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. SW1-18 adding the extended warranty at a cost \$5,735/truck bringing the total cost per truck to \$150,957.00.

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

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

RESOLUTION NO. 62
TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 27-18
DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 49 of 2018 authorized the award of Proposal No. 27-18,

Purchase of Four Tandem Axle Dump Trucks with Snow Equipment to Tracey Road Equipment for the price of \$209,061 each; and

WHEREAS, the manufacturer has offered a seven-year extended warranty that was not included in the original bid specifications for a price of \$5,735 per truck; and

WHEREAS, the Department has reviewed the warranty and our usual costs over the first seven years and determined that the warranty would be beneficial to the County.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 27-18 adding the extended warranty at a cost \$5,735/truck bringing the total cost per truck to \$214,796.

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. 63

TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING FOR THE PURPOSE OF SEEKING PUBLIC INPUT IN REGARD TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL CDBG SMALL BUSINESS ASSISTANCE PROGRAM DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, the NYS Office of Community Renewal is accepting applications from eligible communities to compete for funds available through the 2018 CDBG Small Business Assistance Program; and

WHEREAS, a request for assistance, in the form of a grant, has been received by the County to aid in the expansion of a local business; and

WHEREAS, the NYS Office of Community Renewal application process requires that the governing body of the applicant hold a public hearing to obtain the view of citizens on community development and housing needs, as well as the proposed activity; and

WHEREAS, the public hearing originally authorized by Resolution No. 55 of 2018 had to be postponed.

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 schedule a public hearing on Wednesday, April 11, 2018 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. Eisel and unanimously adopted.

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

RESOLUTION NO. 64

TITLE: AUTHORIZATION TO ENTER INTO AN OPTION FOR LAND PURCHASE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution 17 of 2017 authorized the Chairman of the Board working with the then Acting County Attorney to negotiate and enter into an option with the landowner to determine the suitability of a site for a DPW highway facility; and

WHEREAS, that site was the parcel of property identified by Town of Delhi tax map no. 150.-1-92.1 (Site No. 3); and

WHEREAS, public opposition to the County's purchase of that property resulted in the option not being exercised; and

WHEREAS, 11 landowners approached DPW with property for consideration for a new facility; and

WHEREAS, the County's Consulting Architect/Engineer for the project evaluated each of those sites with site selection criteria and criteria weighting factors established by the Board of Supervisors; and

WHEREAS, the number of sites was reduced to the three highest ranked sites plus the null site of developing at the current location for closer evaluation; and

WHEREAS, the County's Consulting Architect/Engineer further evaluated the four sites and determined that Site No. 3 is the most economical site from the standpoint of capital and operational costs as well as public safety improvements for Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is authorized to sign an option agreement and other legal documents, after it is approved by the County Attorney for one year at a cost of \$120,000 and if subsequent extensions are required for \$60,000 per year to enable environmental, archeological, and physical studies to be completed to determine if the site is suitable for the development of the DPW facility.

BE IT FURTHER RESOLVED that Resolution No. 17 of 2017 not having been rescinded and after due diligence the Board hereby authorizes the Chairman of the Board to sign all necessary said documents.

The resolution was seconded by Mr. Spaccaformo.

Mr. Tuthill stated that the constituents of his Town have expressed their opposition to the County building a DPW facility on the McFarland site. He felt the people did not have an opportunity to speak their concerns and the public meetings that were held consisted of lengthy presentations, with limited time for questions and concerns. Additionally, it took months to get answers to many of the questions and concerns raised. The Board has long had an issue with eminent domain and he does not believe it should be used for the purpose of building a bridge. The McFarland property has been slated for the Village of Delhi's hamlet extension area and made off limits for purchase by New York City. He expressed concern that the property might now be lost to the County. He did not feel the hybrid option was ideal and felt there could be a better plan that would not alienate the host community. For these reasons he would be voting against this resolution.

Mr. Marshfield read from his prepared statement entitled: *Site 3 (McFarland) vs. Hybrid Site 7/11 (Page Avenue/Bishop)*.

In reviewing our last PowerPoint presentation and the packet given to the Supervisors, I have the following comments:

In fairness to both suggested proposals I find that not only should we have had the submitted pros to Site 3, but we should have had the pros to Site Selection 7/11, the hybrid.

Site 7/11 (Delhi/Bishop) pros are as follows: This proposal will have no lawsuits, it is out of the floodplain, there are no archeological issues, no public outcry, located in a commercial zone, no options to pay, quickest site selection for moving the project along, it's along a State highway, accessible to the landfill personnel if sharing of some services is desired, no additional bridge to maintain forever, it retains a highway patrol in Delhi, there are no eminent domain issues with a willing seller, Site 7 is owned by the county, all utilities are already there on Site 7, no neighborhood issues on Site 7, and most of all Site 3 is in the designated hamlet area of the Town of Delhi and Site 11 is not in a designated hamlet area of Hamden. Site 11 has a two-bay 42' x 75' commercial garage, 20' clearance inside, 6" reinforced concrete floor, 750,000 btu boiler, 200 amp single phase electric service, and the two insulated doors are 14' wide and 16' high. Based on values in this proposal, this garage would cost between \$475,000 and \$600,000 to build.

Both sites do not address deductions for selling the excess land and buildings, which admittedly could be in fact an advantage to Site 3.

Site 11 does have municipal sewer and water available less than .7 tenths of a mile from the site and this was not addressed on the proposal such as Site 3 was.

I find that the insertion of the Hoag's Crossing Bridge in the 7/11 site, to be most unfair, even though the direct costs were not part of the immediate project. Hoag's Crossing is a 60' bridge and should remain in our normal bridge replacement policy and to figure \$7,000,000 for a replacement is in my mind not sensible. It shouldn't be inserted in the hybrid site's future costs, as it was never inserted in the original pure Page Avenue site costs. Residents on County Route 18 in emergencies can easily traverse Glen Burnie Road for about 4 miles, then coming to State Route 28 another no more than 4 miles from downtown Delhi. As far as the historic Fitches Covered Bridge, it is ludicrous to continue to allow 2,700 cars to traverse that bridge over any given weekend. This bridge should be easily closed for one weekend out of the year and it would solve that unusual and unique problem.

The proposed W. Branch Delaware River bridge allowance in Site 3 which once stood at \$4 million is now at \$1.9 million. Many felt that the \$4 million would end up being double, but now it is less than one-half that?

The Delhi public has been totally against the Site 3 and that opinion means a lot to me. I worked in Delhi for 50 years among these same people and I respect what they are conveying to us; I hear them loud and clear. Take a look at the Bracci lot today, it has about 20 round bales of hay positioned there with "no bridge here" painted on them.

Within and near Delhi the residents protest the use of these sacred lands for this project, and your constituents the further you get from Delhi, resent the costs associated with these projects, neither project site escapes that scrutiny. I have fielded calls near and far, and that is what they are saying. Who knows better what the public can afford than our public themselves. They are paying the bill!

Do we need an 80,000 square feet complex? Two acres worth of buildings seems excessive to me. To design a facility after a NYSDOT Kirkwood facility is far beyond what our taxpayers can afford.

However, I am glad to see that the proposed project break room was reduced from 1500 square feet to 1000 square feet, which by the way I feel is still plenty. I also question the 5,750 square feet small engine/tires/fluids rooms when the early prints I look at only allotted 2000 square feet for those same rooms. If the 2000 square feet is correct, the cost of both project sites could be reduced by almost a million dollars. Additionally, I would also like to see the new two-bay garage on Site 11 (Bishop) utilized thereby being able to save more dollars for our tax payers. I also think more consideration should be given to leaving the small engine repair shop on Page Avenue in Delhi, but I do think there are ways to efficiently transport vehicles to Hamden if needed without encumbering extra costs. The Human Resources committee should be consulted as well on this for their recommendations.

At one time a site in DeLancey was under consideration with equally as much opposition as the Delhi Site. I know what it means to support our constituency and to not ignore their public opinion. If this DeLancey project was still on the scope as a primary site, I would certainly have wanted the respect, support and consideration of my fellow supervisors, the same respect, support and consideration I am now giving to Delhi.

Do I really need another highway department in the Town of Hamden, do I want more land taken off the tax roll in Hamden, the answer to both is not really. But for all of the taxpayers in Delaware County, this hybrid solution is by far the best. The proposal shows a cost difference of \$1,174,000 more for the hybrid sites. You can reduce this cost difference by another \$500,000 - \$600,000 in utilizing the Bishop garage vs. building new. With the remaining \$500,000 difference you have no options to pay, no eminent domain issues, little if any public outcry, no lawsuits, no archeological issues, no forever maintenance and replacements on another bridge, and this site will move the project along to match the DPW's immediate needs. And most of all you don't leave the Delhi community torn apart.

Abe Lincoln once said, “public opinion is everything.” He felt as a leader it meant finding out what his electorate wanted, and within reason giving it to them. Our public has and is sharing their opinions with us, there is a more viable alternative and that is the hybrid Site 7/11. Is it perfect, heck no, but it is a good solution for all parties concerned, a solution that is not politically motivated.

Mr. Spaccaforno explained in response to Mr. Marshfield, that two-thirds of the Bishop property is located in a floodplain. Building a critical facility in a floodplain will significantly impact the burden on the taxpayers as it will limit the amount of available grant funding. He pointed out that past flooding events have proven that often times getting from the Town of Hamden to the Town of Delhi is impeded by road closure during the event. Additionally, the Bishop property does not allow for any future expansion and the use of the existing garage and traffic alignment may not be suitable. He pointed out that the Public Works Committee has evaluated all the sites recommended to them and the McFarland site continually ranks as the most suitable.

Mr. Gregory opined that it is the responsibility of the Supervisors to provide the Public Works employees with a safe and efficient work place. Delaying construction of a new facility while fighting court battles and designing additional bridges and roads hinders this obligation to our employees. Additionally, we need to listen to the people of the host community; many have spoken to him about their opposition to the McFarland site, yet no one has come to him with opposition to the Bishop property. His assessment of the information presented is that the hybrid option would allow the building project to move along quicker. The McFarland site requires eminent domain, building a bridge and has significant community opposition. The Bishop site requires no bridge, has no community opposition, is situated on a state highway and has a willing seller.

Mr. Davis stated that the Supervisors have been made aware of the challenges faced by the Department of Public Works Committee and their diligence in seeking a resolution. There is a great deal more at stake here than money. This decision is about the health, safety and welfare of all the residents of the County. The decision to build a critical facility in a floodplain is ludicrous and does not address the utmost concern which is the County’s ability to act for all of the municipalities during and immediately following a flood event or national disaster.

Mr. Eisel noted that DPW County employees are working in awful conditions. He felt the Public Works Committee had done its due diligence and it is time to move forward. The resolution before the Supervisors allows the process to move forward with the site the County’s Consulting Engineers has determined to be the most suitable for the project. He opined that while no site is perfect the project should remain in the County seat and he would be voting in favor of the resolution.

Mr. Gladstone stated that the host community has expressed their opposition to the McFarland site and he felt the Supervisors had a responsibility to respect the host community. He shared his concerns stating that a public meeting to discuss the final two sites was not held, he is very much against the use of eminent domain in less than the most critical of situations, the lack of information with regard to available grant funding, and as a lifelong farmer he is opposed to taking prime agricultural land for other purposes despite the decline in agriculture. For these reasons he will be voting against the resolution.

Chairman Molé thanked Commissioner Reynolds and the Public Works Committee for their diligent work in siting a new DPW facility. The Public Works Committee has done a very thorough job of reviewing the sites meeting the criteria set by the Board of Supervisors. The consulting firm, hired by the County, has presented the Board with the two final options. It is the responsibility of the Supervisors to plan for the future of this County, to consider the facts, weigh the pros and the cons and make the best decision for the all of the residents of Delaware County. Building a new facility split between sites miles apart with a portion of it in a floodplain in her assessment is not the best option for the entire County. She felt after weighing all of the information presented that the McFarland site is the most suitable location for the County’s DPW facility. For these reasons, she would be voting in favor of this resolution.

The resolution was defeated by the following vote: Ayes 2228, Noes 2511 (Gladstone, Merrill, Tuthill, Taggart, Marshfield, Ellis, Pigford, Gregory), Absent 0.

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

RESOLUTION NO. 65

**TITLE: RESOLUTION CALLING FOR STATE FUNDING OF A
SCHOOL RESOURCE OFFICER FOR EVERY ELEMENTARY AND SECONDARY
SCHOOL IN NEW YORK STATE
SHERIFF'S OFFICE**

WHEREAS, our children are deserving of the best protection possible when they are away from their homes and in the care and custody of our educational institutions; and

WHEREAS, we are, unfortunately, in an era where children in schools have too often become a target for evil persons wishing to cause mayhem and terror; and

WHEREAS, chief among the things that can be done quickly to increase the safety of our children and their schools is to provide an armed police presence in the schools; and

WHEREAS, due to budget constraints, tax caps and limited sources of revenue, it is beyond the fiscal capability of many school districts and other local government entities to fund the placing of an armed police officer in every school; and

WHEREAS, the current threat to the safety of our children in their schools is a public safety emergency requiring a statewide response by our state government, with its multiple revenue sources, to address this emergency.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby support the New York State Sheriffs' Association in its call for the state funding of an armed school resource officer in every elementary and secondary school in New York State, and does hereby call upon the New York State Legislature and the Governor to include in the 2018 Annual State Budget funding for that purpose.

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

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

RESOLUTION NO. 66

**TITLE: DELAWARE COUNTY PUBLIC HEALTH SERVICES
CELEBRATES NATIONAL PUBLIC HEALTH WEEK
APRIL 2-8, 2018**

WHEREAS, the week of April 2-8, 2018, is National Public Health Week; with a theme of "Healthiest Nation 2030: Changing our Future Together"; 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, we need to make healthy choices for ourselves and work together to create communities that make healthy choices the easy choice for everyone; 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 2-8, 2018 as Public Health Week.

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

Chairman Molé 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. 67

TITLE: RESOLUTION CALLING ON GOVERNOR CUOMO AND THE STATE LEGISLATORS TO REJECT THE EMPIRE FOREST FOR FUTURE INITIATIVE WITH REGARD TO THE PROPOSED CHANGE TO FOREST TAX EXEMPTION 480-A BY CREATING A NEW EXPANDED FOREST TAX EXEMPTION 480-B REAL PROPERTY TAX SERVICES

WHEREAS, the State looks to change Forest Tax Exemption 480-a. The current 480-a exemption requires among other things a lot size of at least 50 acres of forested land. The proposed change reduced this requirement to a minimum of 25 acres with only 10 acres being forested; and

WHEREAS, such a reduction in lot size would result in a drastic increase in the number of exempt eligible properties and a drastic reduction in tax revenue to the County; and

WHEREAS, currently pursuant to exemption 480-a there are approximately 664 properties in Delaware County meeting the requirements of the lot size for this exemption.

WHEREAS, if proposal 480-b is passed there will be a total of 6,520 properties eligible for a 40% reduction in their property taxes; and

WHEREAS, this proposal imposes a huge tax burden on the residents of Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors calls upon Governor Cuomo and the State Legislators to reject the proposed Forest Tax Exemption amendment 480-b as it would once again shift an additional devastating tax burden onto the people of Delaware County.

The resolution was seconded by Mr. Marshfield.

Chairman Molé noted the reason for this not-prefiled resolution is to express the County's concern regarding the passage of 480-b as the state budget negotiations are in the final

stages and expected to wrap up by Thursday, March 29, 2018.

The resolution was unanimously adopted.

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

RESOLUTION NO. 68

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$933,825.13 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	\$630,778.94
OET	\$29,776.49
Public Safety Comm System	\$0.00
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$222.47
Landfill	\$61,244.44
Road	\$169,643.81
Machinery	\$42,158.98
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00

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

In response to the request made by Chairman of the Public Works Committee George Haynes, Chairman Molé called for a short recess.

Upon a motion, the meeting adjourned for a short recess.

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 69

**TITLE: AUTHORIZATION TO PROCEED WITH THE HYBRID OPTION
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 64 of 2018 entitled: *Authorization to Enter into an Option for Land Purchase* for Site No. 3 has been defeated by the Board of Supervisors; and

WHEREAS, the Department of Public Works must continue to pursue the construction of a new facility to replace the current failing and undersized facility; and

WHEREAS, the only other viable option for development is the hybrid option which includes development at Site Nos. 7 and 11.

NOW, THEREFORE, BE IT RESOLVED that the Public Works Committee is herewith authorized to initiate the design of a patrol garage on Page Avenue in the Village of Delhi in accordance with the general outline provided by Wendel at the March 14, 2018 Board Meeting; and

BE IT FURTHER RESOLVED that the Public Works Committee is herewith

authorized to initiate negotiations for an option on Site No. 11 to allow the onsite investigations required to complete the SEQRA investigations.

The resolution was seconded by Mr. Valente.

Mr. Haynes explained that this resolution, if approved, will allow the Public Works Committee to move forward with a design of a patrol garage and enter into negotiations for the purchase of Site No.11 (Bishop Property).

In answer to Mr. Taggart, Mr. Haynes noted that the main concern at this time is the patrol garage.

Mr. Valente expressed concern that the hybrid option is a band-aid fix and does not take into consideration the offices for the Department of Public Works, Board of Elections, Office of Employment and Training and Veterans Affairs. In addition, the County is building a critical facility in a floodplain despite the fact that the County Planning Department is working on flood buy-out purchases for 200 private homes in the Town of Sidney.

Mr. Davis pointed out that the County has also administered a flood buy-out program in the Town of Middletown. He stated that the Town of Middletown was against it as property is so limited.

In answer to Mr. Ellis, Mr. Haynes noted that the design and location of the structures are not finalized.

Mr. Triolo remarked that he is disappointed that the McFarland site was defeated. He advised that he will vote against a purchase price on Site No. 11 that is significantly more than the appraised value of the property.

Mr. Gregory expressed his appreciation to the Public Works Committee for the work they have done through the process and for their very detailed response to all of his questions.

Mr. Hynes stated that Supervisors have been working to consolidate departments whenever possible. The defeat of Resolution No. 64 goes against that direction. He opined that it does not make sense to split up one of the County's most critical departments.

In answer to Mr. Hynes, Mr. Haynes stated that the design of the patrol garage and authorization to initiate negotiations for an option on Site No. 11 in the same resolution did not present a concern to the Public Works Committee.

Mr. Haynes stated in answer to Chairman Molé, that a resolution will be presented to the Board once the appraisal is complete and an asking price is determined.

Mr. Valente referenced comments made earlier in the meeting, noting that DPW Committee realized this was a very public issue and made a great effort to include the public and the Supervisors in public meetings throughout the process. He pointed out that one such public meeting had three people in attendance. He stated that the committee welcomes input and encourages the public and the Supervisors to contact any member of the committee.

The resolution was adopted by the following vote: Ayes 3699, Noes 1160 (Hynes, Triolo, Layton, Gregory), Absent 0.

Upon a motion, the meeting adjourned at 2:20 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

NEW YORK STATE OFFICE OF COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

APRIL 11, 2018

The Delaware County Board of Supervisors held a Public Hearing to seek public input regarding the proposed New York State Office of Community Renewal's Fiscal Year 2018 Community Development Block Grant Program and a proposed Small Business Assistance project 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 11, 2018, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

Notice is Hereby Given that Delaware County will hold a public hearing at the Charles D. Cook County Office Building, located at 111 Main Street, Delhi, NY, on Wednesday, April 11, 2018 at 12:45 p.m. to seek public input regarding the New York State Office of Community Renewal's Fiscal Year 2018 Community Development Block Grant Program and a proposed Small Business Assistance project to provide financial assistance in the form of a matching grant to a local business. Delaware County is considering a request of \$82,000 through this program. Written comments may be forwarded to Tina Molé, Chairman Delaware County Board of Supervisors at 111 Main Street, Delhi, NY 13753.

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé 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 Molé declared the hearing adjourned at 12:50 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

APRIL 11, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 11, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Gladstone and Mr. Davis.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were approved with an addition requested by Mr. Valente to include Mr. Marshfield's full prepared statement under Resolution No. 64 entitled: *Authorization to Enter into an Option for Land Purchase*.

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

For standing committee reports Chairman of the Social Services Committee Wayne Marshfield called the Supervisors' attention to their 2018 Delaware County Summer Youth Employment Program form. The Youth Bureau is asking Supervisors to complete and return the form in order to identify the level of interest, intention and placement requests. The form needs to be returned to the Youth Bureau by no later than April 30.

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

RESOLUTION NO. 70

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY INSURANCE**

WHEREAS, it is necessary to fund the County Insurance account to cover premiums on purchased policies for 2018 incidental liability claims, administrative costs and continued funding of the insurance reserve account

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

FROM:

10-11010-54350200	Board of Supervisors	\$6,576.00
10-11040-54350200	Clerk of the Board	2,265.00
10-11165-54350200	District Attorney	2,945.00
10-11325-54350200	County Treasurer	3,713.00
10-11327-54350200	Fiscal Affairs	1,912.00
10-11355-54350200	Real Property Tax Services	2,608.00
10-11410-54350200	County Clerk	10,353.00
10-11420-54350200	County Attorney	2,785.00
10-11430-54350200	Personnel	2,569.00
10-11450-54350200	Board of Elections	2,574.00
10-11620-54350200	Buildings	18,850.00
10-11670-54350200	Printing	66.00
10-11680-54350200	Information Technology	16,498.00
10-13110-54350200	Sheriff	43,458.00
10-13140-54350200	Probation	17,565.00
10-13150-54350200	Jail	94,570.00
10-13620-54350200	Code Enforcement	550.00
10-13640-54350200	Emergency Services	12,289.00
10-14012-54350200	Public Health Services	13,768.00
10-14310-54350200	Mental Health Clinic	29,909.00
10-14317-54350200	Alcoholism	12,810.00
10-14321-54350200	Expanded Mental Health Programs	1,150.00
10-16010-54350200	Social Services	65,212.00
10-16326-54350200	Economic Development	2,600.00
10-16510-54350200	Veterans Service Agency	2,036.00
10-16610-54350200	Sealer of Weights & Measures	894.00
10-16772-54350200	Office for Aging	6,146.00
10-17510-54350200	County Historian	169.00
10-18020-54350200	Planning Department	3,450.00
10-18740-54350200	Watershed Affairs	2,416.00
22-18160-54350200	Solid Waste	83,768.00
26-15130-54350200	Highway Department	154,720.00
	Total:	\$621,194.00

TO:

10-19000-42280100	Interfund Revenue Insurance	\$621,194.00
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INCREASE REVENUE:

10-19000-42280100	Interfund Revenue Insurance	\$621,194.00
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INCREASE APPROPRIATION:

10-11910-54350200

Unallocated County Insurance

\$621,194.00

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. Spaccaforno and adopted by the following vote:
Ayes 4294, Noes 0, Absent 505 (Gladstone, Davis).

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

RESOLUTION NO. 71

**TITLE: RESCINDING RESOLUTION NO. 97 OF 2006
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 97 of 2006 standardized roadside mowing equipment for Tiger mowers ensuring that the equipment was interchangeable between tractors and to reduce parts and knife inventory; and

WHEREAS, during the bidding process for Proposal No. 29-18 *Purchase of Tractor with Roadside Mower Equipment* it became evident that Tiger Mowers had been purchased by a competitor and are no longer available.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 97 of 2006 is herewith rescinded.

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

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

RESOLUTION NO. 72

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

LETTING OF MARCH 15, 2018

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. 29-18 Purchase of Tractor with Road Side Mower Equipment:
Monroe Tractor & Implement Co., Inc.,
6 Equipment Drive, Binghamton, NY 13904

Purchase Price: \$85,380.00

Towns may participate in this bid.

The mower bid meets or exceeds the previously standardized specifications.

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. Spaccaforno and adopted by the following vote:
Ayes 4294, Noes 0, Absent 505 (Gladstone, Davis).

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

RESOLUTION NO. 73

TITLE: AUTHORIZING THE SUBMISSION OF AN APPLICATION TO NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2018 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 2018 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, Catskill Food Company is proposing to undertake an expansion project that will result in the creation of five new full-time jobs within 24 months; and

WHEREAS, Delaware County has held a public hearing to obtain citizens' 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 additional information as may be required.

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

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

RESOLUTION NO. 74

TITLE: DELAWARE COUNTY REQUESTS THAT THE DELAWARE COUNTY ALTERNATIVE LAND ACQUISITION PROPOSAL BE INCLUDED IN THE NYC DEP APRIL 30, 2018 FILTRATION AVOIDANCE DETERMINATION REPORT ON TOWN LEVEL ASSESSMENTS TO THE NYS DEPARTMENT OF HEALTH DEPARTMENT OF WATERSHED AFFAIRS

WHEREAS, the fundamental principle of the 1997 New York City Watershed Memorandum of Agreement is the following: [T]he parties recognize that the goals of drinking water protection and economic vitality within the watershed communities are not inconsistent and it is the intention of the parties to enter into a new era of partnership to cooperate in the development and implementation of a watershed protection program that maintains and enhances the quality of New York City drinking water supply and the economic vitality and social character of the watershed communities"; and

WHEREAS, the 1997 New York City Watershed Memorandum of Agreement ("MOA") also provides: "the parties agree that the City's Land Acquisition Program, the City's watershed regulations, and the other programs and conditions contained in this agreement, when implemented in conjunction with one another, would allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals of each of the watershed communities; and that the City's land acquisition goals ensure that the availability of developable land in the watershed will remain sufficient to accommodate projected growth without anticipated adverse effect on water quality and without substantially changing future population patterns in the watershed communities" (hereinafter "Land Acquisition Principles"); and

WHEREAS, Section 1 of the New York City Water Supply Permit indicates that the “terms and conditions of this permit are authorized by, and designed to ensure that the project is consistent with section 15 – 1503 (2)... of the Environmental Conservation Law.” Section 15 – 1503 (2) provides that “before granting a permit, a permit renewal or permit modification pursuant to this section, the Department shall ascertain the probable effect on the health, safety and welfare of the people of the state, and the effect on the natural resources of the state likely to result from the proposed project or work.”; and

WHEREAS, the City’s Land Acquisition Program is premised on the principal that surface runoff from impervious surfaces and concentrated human activity poses a contamination threat to the City’s water supply. In developing the City Land Acquisition Program, the parties were concerned that the vast amount of open space within the West of Hudson Watershed created the potential for new significant adverse development in an unfiltered watershed. The City’s Land Acquisition Program was a tool to prevent and control such development; and

WHEREAS, in 1997 when the parties executed the MOA, approximately 11% of the watershed lands within Delaware County were under New York City and/or New York State control. Twenty years later, according to the December 2017 Land Acquisition Report, 27.9% of the watershed lands within Delaware County are under New York City and/or New York State control and such control is closing in on the 30% benchmark (as suggested in the 2012 – 2022 Long-Term Land Acquisition Plan) when memorandum of contract properties are included; and

WHEREAS, the past 20 years of post MOA activity have demonstrated that despite the vast amount of open space in the watershed lands within Delaware County (due in large part, to topography, climate and general economic and social realities), there is little or no potential for new significant adverse development in the watershed lands within Delaware County (in other words, the threat that the City Land Acquisition Program was designed to address does not exist in the majority of watershed communities within Delaware County); and

WHEREAS, during negotiations of the 2017 Filtration Avoidance Determination (FAD), New York City Department of Environmental Protection (NYC) agreed to reevaluate the 2010 Water Supply Permit Environmental Impact Statement conclusions regarding whether the City’s Land Acquisition Program “would allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals of each of the watershed communities; and [whether] the City’s land acquisition goals ensure that the availability of developable land in the watershed will remain sufficient to accommodate projected growth without anticipated adverse effect on water quality and without substantially changing future population patterns in the watershed communities” (“NYC 2017 Individual Town Assessment”); and

WHEREAS, on October 31, 2017 as provided for in the 2017 Filtration Avoidance Determination and in response to NYC 2017 Individual Town Assessment, Delaware County and the other West of Hudson Counties, with support from the Coalition of Watershed Towns and financial and technical support from the Catskill Water Corporation, conducted an evaluation of the impacts from the City’s Land Acquisition Program. Delaware County issued the following report: *New York Land Acquisition Town Level Assessment 2017: Delaware County Evaluation and Response* (“*Delaware County 2017 Report*”); and

WHEREAS, *Delaware County 2017 Report* concluded and demonstrated that in a substantial number of Delaware County towns the actual amount of developable land remaining is insufficient to “allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals” of those communities; and thus the “City’s land acquisition goals for those communities did not ensure... the availability of developable land...will remain sufficient to accommodate projected growth” and thus the continuation of City’s land acquisition could “substantially changing future population patterns...”; and

WHEREAS, at page 36 the 2017 FAD, DOH/EPA required a two-step review to the land acquisition program. The first review is in 2018 and applies to updating the 2012 – 2022 Long-Term Land Acquisition Plan. The 2017 FAD provides as follows:

The City provided new or updated Town Level Assessments for 21 WOH towns to NYSDOH, USEPA, NYSDEC, and WOH stakeholders. Following the release of those assessments, the City will accept stakeholder comments for 180 days. Based on the updated Town Level Assessments and its review of comments received, the City will evaluate the need for modification of its 2012-2022 Long-Term Land Acquisition Plan and discuss its conclusions with NYSDOH, USEPA, and NYSDEC. The City will share any proposed modifications to its solicitation plan, or the basis for a conclusion that no modifications are warranted, with the WOH stakeholders. During the period between February 14, 2017 and the City's adoption of a modified solicitation plan or conclusion that no Modifications are necessary, the City agreed to limit solicitations in certain towns; and

WHEREAS, the second more comprehensive review begins in 2022 and requires the City to develop a new Long-Term Land Acquisition Plan for the period 2023-2033. Page 36 the 2017 FAD provides as follows:

The current WSP became effective December 2010 and expires in 2025. While the term of the 2017 FAD extends into 2027, solicitation and funding requirements for the LAP beyond 2024 are contingent upon reissuance of the WSP. Application for a WSP to succeed the 2010 WSP is required by June 2022 to ensure adequate time for stakeholder input on the conditions of the successor WSP. In addition, the FAD requires the City to develop a new Long-Term Land Acquisition Plan, which will cover the period 2023-2033 and will consider the findings of the National Academies Expert Panel review of the City's Watershed Protection Program. It is anticipated that the long-term plan and the Expert Panel findings will also help inform the conditions of the successor WSP; and

WHEREAS, the 2017 FAD calls for the continuation and robust funding for the City's Land Acquisition Program through 2027. In its consent to the 2017 FAD, in a letter dated December 27, 2017 to Howard Zucker, Commissioner New York State Department of Health, from Peter D Lopez, Region 2 Administrator, EPA stressed as important the "City and state efforts" in "the ongoing review of town – level assessments" and "City and state efforts" "to refine the program so as to ensure the City is soliciting parcels that will provide the highest value of watershed protection as well as address other important objective in the watershed"; and

WHEREAS, given the findings and conclusion above, Delaware County has determined that as part of the 2018 update to the 2012-2022 Long-Term Land Acquisition Plan, for those communities where the city's land acquisition goals do "not ensure ... the availability of developable land ... will remain sufficient to accommodate projected growth" and/or where the continuation of City's land acquisition could "substantially chang[e] future population patterns...(Special Condition 2, Water Supply Permit)", some form of relief should be provided; and

WHEREAS, in order to provide that relief, with the assistance of the Coalition of Watershed Towns and CWC, Delaware County has developed an Alternative Land Acquisition Program Option that will provide the impacted communities an opportunity to provide robust/enhanced protection of environmental – sensitive lands in a manner that will not "substantially chang[e] future population patterns..." The Option includes a fixed-term annual rental payment model that has proven to be effective in Delaware County. The Option focuses on environmentally sensitive lands (such as buffers) which directly contribute to water quality. This program would compensate landowners for the water quality protection provided by their land (including enhanced vegetated buffers) while still maintaining ownership. It will provide the balance between water quality and community sustainability and economic viability as required by the MOA. The impacted municipality would have to make a determination and a commitment to provide enhanced protection of sensitive lands in lieu and as a substitute for the continuation of the traditional DEP Land Acquisition Program. The municipal commitment would be for a period of years (e.g., 10 years); during that commitment period, DEP Open Space Land Acquisition Program would be suspended; and

WHEREAS, the alternative program is designed for those communities where the DEP Open Space Land Acquisition Program (intended to prevent development) has little or no water quality benefit and to substitute a program focused on protecting and enhancing lands sensitive to water quality that would not otherwise be protected with the cooperation and participation of the local community; and

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors requests that as part of DEP's 2018 update to the 2012-2022 Long-Term Land Acquisition Plan, DEP include a commitment to work with the parties to develop and implement the Delaware County Alternative Land Acquisition Program Option; and

BE IT FURTHER RESOLVED as part of the permit modification proceeding to incorporate the components of the 2018 update to the 2012-2022 Long-Term Land Acquisition Plan, consistent with its obligations under section 15 – 1503 (2) of the Environmental Conservation Law and consistent with the Land Acquisition Principles of the 1997 MOA, requests that DEC incorporate the Delaware County Alternative Land Acquisition Program Option as an alternative for those impacted communities willing to make a long-term commitment to protect and enhance lands sensitive to water quality in lieu of the DEP Open Space Land Acquisition Program; and

BE IT FURTHER RESOLVED that this resolution be sent to New York Governor Cuomo, US Congressman John Faso, NYS Senators Bonacic, Seward and Akshar, NYS Assemblymen Crouch and Miller, EPA Region 2 Director Peter D. Lopez, NYSDEC Commissioner Basil Seggos, NYCDEP Commissioner Vincent Sapienza and NYSDOH Commissioner Howard A. Zucker, M.D., J.D.

The resolution was seconded by Mr. Eisel.

Mr. Triolo summarized the resolution stating that the County is asking that the Land Acquisition Program be paused at this time in order to give the County time to develop an alternative program. He called on Director of Planning Shelly Johnson-Bennett, to discuss the resolution further.

Mrs. Johnson-Bennett advised that the County Planning Department has made the case that the current Land Acquisition Program is having a negative impact on the community's long-term sustainability. The alternative program at this point is a voluntary termed leased base program that would enable a landowner to opt-out should they not wish to reenroll. The County does not agree that additional land acquisition under the current Land Acquisition Program benefits water quality. The County is proposing an alternative program that more directly relates to water quality, has more benefits to the City, and will better protect our communities sustainability.

Mr. Gregory noted that his participation in the work group and the development of an alternative approach to water quality has been a positive experience for him. He hopes the City will take this resolution to heart and recognize that the alternative program is truly geared to water quality. He felt the resolution addressed the matter well.

Mr. Marshfield shared that the City is proposing to purchase approximately 160 acres of land in the Town of Hamden. The land consists of 10 to 14 subdivided parcels. In his opinion, only one parcel would qualify for water quality, however, because the parcels are contiguous with other City properties they are buying all of the parcels. He opined that in his estimation this purchase is going too far.

Mr. Spaccaforo commented that the City is purchasing all of this land without knowing whether or not it is benefiting water quality. He expressed concern that if the current Land Acquisition Program continues the City could eventually own enough land to demand that the municipalities lower or eliminate their taxes. He encouraged more resolutions of this type to keep the matter in the forefront.

Commissioner of Watershed Affairs Dean Frazier stated that it is to the County's benefit to have the alternative program included in the FAD report the DEP is submitting to NYS Department of Health on April 30. Referencing Mr. Spaccaforo's comment, he advised that despite the questioning no one has given an answer to how much land is enough.

The study completed by the County Planning Department is based on a full build out regarding impervious surfaces. It demonstrated that the potential for future development and sustainability is already severely limited. He pointed out that the County's study is being ignored by stakeholders determined to see more open space acquisition. Although the County's work group has expended a lot of effort promoting the County's alternative program there is push back. All three environmental groups are against the alternative program and the New York State Department of Environmental Conservation is backing away from its support of the program.

He reported that EPA Region 2 Director Peter D. Lopez has publicly stated that the Land Acquisition Program needs to be revisited in order to determine how much land is enough land and to ensure that sufficient attention is given to the community's welfare. Mr. Lopez's view is in line with the County's alternative program which is more focused on water sensitive lands rather than open space acquisitions.

Mr. Eisel stated that in his opinion it is not the City so much as the environmental groups that are actively pursuing the acquisition of more land.

The resolution was unanimously adopted.

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

RESOLUTION NO. 75

TITLE: NO FURTHER OPEN SPACE LAND ACQUISITION IN DELAWARE COUNTY DEPARTMENT OF WATERSHED AFFAIRS

WHEREAS, the Memorandum of Agreement (MOA) acknowledges that the purpose of the Land Acquisition Program is to protect water quality, but also clearly states that this should be done while enabling sustainable and responsible growth for watershed communities; and

WHEREAS, Resolution No. 185 of October 25, 2017 details the Delaware County evaluation and response to NYC's impact analysis titled *New York City Land Acquisition Town Level Assessment 2017: Delaware County Evaluation and Response*, which is a town level assessment and buildout analysis which demonstrated that if all developable acres remaining in Delaware County were built out to the maximum extent possible, the amount of impervious land would not be enough to impact the drinking water supply; and

WHEREAS, the existing Watershed Rules and Regulations will mitigate any potential risks to water quality; and

WHEREAS, that same resolution provides the justification for the development of Delaware County's Alternative Land Acquisition Option; and

WHEREAS, there appears to be agreement among stakeholders that the Land Acquisition Program should begin to shift its focus toward protection of environmentally sensitive lands which directly protect the quality of the NYC drinking water supply; and

WHEREAS, Peter D. Lopez, EPA Region 2 Administrator, signed the Filtration Avoidance conditionally on the premise that: "The emphasis is to seek a continued, careful balancing of environmental objectives with the opportunity for achieving other important socio-economic goals for communities located within the watershed." He goes on to say, "we are pleased with the City's and State's efforts... to evaluate opportunities to refine the program so as to ensure the City is soliciting parcels that will provide the highest value of watershed protection as well as address other important objectives in the watershed. In this regard, my office is also keenly interested in exploring the current "protectiveness" of existing lands controlled by New York City and the State of New York for promoting the purposes of the FAD and the overall cost-effectiveness/need for continued land acquisition."

NOW, THEREFORE, BE IT RESOLVED Delaware County has provided substantial and credible evidence to justify our expectation that no further open space be acquired in

Delaware County and we support the request of Peter D. Lopez to make a determination of the cost-effectiveness and need for continued land acquisition; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors calls for the stakeholder group to come together to develop a plan to end the Land Acquisition Program entirely; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors believes that targeted land acquisition programs are appropriate in the interim, with some conditions:

- For each acre purchased by NYC through the New York City Funded Flood Buyout Program, one developable, accessible acre shall be returned to that community for future community uses
- If towns are not given the ability to opt into the Streamside Acquisition Program, we do not support its expansion
- Per Resolution No. 74 of 2018, the Board of Supervisors fully supports the Alternative Land Acquisition Program.

BE IT FURTHER RESOLVED that this resolution be sent to New York Governor Andrew Cuomo, US Congressman John Faso, NYS Senators Bonacic, Seward and Akshar, NYS Assemblymen Crouch and Miller, EPA Administrator Scott Pruitt, EPA Region 2 Director Peter D. Lopez, NYS DEC Commissioner Basil Seggos, NYC DEP Commissioner Vincent Sapienza, and NYS DOH Commissioner Howard A. Zucker, M.D., J.D.

The resolution was seconded by Mr. Valente.

Mr. Gregory stated that he fully supports this resolution and that the Town of Walton passed a similar resolution. He referenced a Board of Supervisors presentation given by the County Planning Department last summer that showed only six percent of developable land was left in the Town of Walton. Since then, the City has continued to purchase land either outright or through easements and is currently proposing the purchase a 1040 acre conservation easement. He added that the purchase would be greater than the size of the Village of Walton.

In reply to Mr. Marshfield, Commissioner Frazier agreed that the support of towns through the passing of a similar resolution would be beneficial. The Planning Department study shows clearly what municipalities already know—that developable acreage is being lost through the current Land Acquisition Program, further stating these losses are in perpetuity.

The resolution was unanimously adopted.

Chairman Molé 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. 76

**TITLE: SALE OF TAX ACQUIRED PROPERTY
TREASURER’S OFFICE**

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.

ASSESSED TO:

TOWN OF:
TAX MAP NO:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED TO:

HAN13TX.080
SCARPINITO FRANK
123689:HANCOCK
456.-3-7
123606:HANCOCK
1.80A ACRES
CHARLES DIRIG

16475 HWY 97
HANCOCK NY 13783
\$65,500.00
\$28,861.61

CASH CONSIDERATION:
TAX DEFICIT:

The resolution was seconded by Mr. Spaccaformo and Mr. Ellis.

Mr. Marshfield commented that the decision to pull this parcel from the foreclosure auction and advertise with real estate brought the County a better price.

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

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

RESOLUTION NO. 77

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,094,795.55 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:	\$739,843.77
OET	\$36,592.71
Public Safety Comm System	\$174,012.17
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Landfill	\$24,556.66
Road	\$60,942.10
Machinery	\$40,465.39
Capital Road & Bridge	\$18,382.75
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4294, Noes 0, Absent 505 (Gladstone, Davis).

Upon a motion, the meeting adjourned at 1:20 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

APRIL 25, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 25, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Hynes who arrived after the roll call.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Commissioner of Social Services Dana Scuderi-Hunter who introduced Richard Gerace as Employee of the Month.

Mr. Gerace began his employment with the Department of Social Services in 2012 as a Program Specialist. In 2016, he was promoted to Social Services Investigator working in the Welfare Fraud Unit.

Commissioner Scuderi-Hunter praised Mr. Gerace's perseverance, dedication and willingness to learn stating these characteristics attributed to his promotion to Social Services Investigator. Among Mr. Gerace's assets are his pleasant demeanor, his commitment and dedication to his work and his respect and appreciation for his colleagues. It is the mission of the Welfare Fraud unit to eliminate welfare fraud thereby maintaining the integrity of the programs designed to assist those who are in a time of need. As a Program Specialist, Mr. Gerace gained an extensive knowledge in the program area and this serves him well in his current position. Commissioner Scuderi-Hunter said that Mr. Gerace is very deserving of the honor of Employee of the Month and thanked him for his dedication and commitment to the agency.

Commissioner Scuderi-Hunter presented Mr. Gerace with a \$50.00 check. Chairman Molé presented him with the Certificate of Employee of the Month and thanked him for his dedicated service.

Mr. Gerace thanked Commissioner Scuderi-Hunter and the Board of Supervisors for his recognition. He stated that he enjoys his work and is grateful for the commitment and camaraderie of his coworkers whom without he could not have achieved this honor. He noted that he has been fortunate to find the work he enjoys doing and lucky to be doing it with good people. He accepted the award on behalf of his coworkers and thanked them for their guidance and commitment to meeting the goals of the agency.

Chairman Molé granted privilege of the floor to Mr. Triolo who introduced Commissioner of Watershed Affairs Dean Frazier to report on issues related to land acquisition.

Commissioner Frazier noted that the discussion relating to the County's alternative land acquisition proposal did not go as anticipated at the April 18 watershed stakeholders meeting. He felt the proposal fell upon deaf ears and expressed concern that the City will be providing their report to the New York State Department of Health (DOH) by April 30 and the report will not contain language referencing an alternative land acquisition focused on water quality rather than open space. The DOH and others felt the alternative proposal should be part of a discussion on the Streamside Acquisition Program. He explained that the Streamside Acquisition Program is a pilot program in Greene County's Schoharie Reservoir watershed. The program is managed by the Catskill Center and funded by the New York City Department of Environmental Protection. The program focuses on preserving lands that are adjacent to streams that feed the City's reservoir system in the Catskills. There is interest in expanding the pilot program into other parts of the watershed. If this is to happen, the water supply permit would have to be reopened. If expanded, the County could negotiate to require that towns are able to opt in rather than be forced to accept it.

Sharing a piece of good news, he said that the Third Supplement Side Agreement is finally complete and will be circulated for signatures in the very near future. A resolution will be presented authorizing the Chairman of the Board to sign the Agreement. The Third Supplement Agreement includes matters that are not appropriate for inclusion in the Filtration Avoidance Determination (FAD) and contains critical contractual issues that are beneficial to Delaware County.

On completing his report, Commissioner Frazier announced his plan to retire. He provided a history of the watershed issues based on his experiences. He emphasized the need to continue to be vigilant about the Land Acquisition Program and its ramifications should it continue in its current form. He stated that the build out analysis prepared for each municipality in response to the DOH is a very sound piece of work and clearly demonstrates the small amount of buildable land remaining in Delaware County. Yet, despite this excellent work, it has not changed the view of the regulators and too many stakeholders want more land acquisition regardless of our data. He opined that this is because many of the stakeholders are only interested in open space not water quality. He did his best to thank past and present Supervisors

and the people he worked with over the years for their guidance and support. His last day in the office will be in early June of 2018.

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

RESOLUTION NO. 78

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF PUBLIC SAFETY ANSWERING POINTS OPERATIONS GRANT
DEPARTMENT OF EMERGENCY SERVICES E911**

WHEREAS, the Department of Emergency Services applied for and was awarded a grant from New York State’s 2017-2018 Public Safety Answering Points Operations Grant Program (2017-2018 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 \$170,800 to Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-13020-43330500/3020003/911	State Civil Defense	\$170,800.00
<u>INCREASE APPROPRIATION:</u>		
10-13020-54327415/3020003/911	Grant Maintenance & Repair	\$60,800.00
10-13020-51327000/3020003/911	Grant Personnel Services	\$110,000.00

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

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

RESOLUTION NO. 79

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF 2018 A. LINDSAY AND OLIVE B. O’CONNOR
FOUNDATION GRANT
SHERIFF’S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the A. Lindsay and Olive B. O’Connor Foundation Grant in the amount not to exceed \$5,000; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff’s Office, was awarded for the specific purpose of the cost of publishing educational materials about bicycle safety, drug abuse, domestic violence, fraud awareness, etc. at the cost not to exceed \$5,000 during the period commencing on April 4, 2018 and ending on April 4, 2021 unless the grant is extended.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-13110-42270604/3110056/907	Grants from O’Connor	5,000.00
<u>INCREASE APPROPRIATION:</u>		
10-13110-54327595/3110056/907	Grant Supplies	5,000.00

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

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

RESOLUTION NO. 80

TITLE: STATE ENVIRONMENTAL QUALITY REVIEW ACT DETERMINATION FOR AUTHORIZATION FOR AWARD OF GROUP BID FOR TOWERS DEPARTMENT OF EMERGENCY SERVICES

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 for the construction of towers and related facilities for emergency services; and

WHEREAS, the matter consists of a group bid for the Radio Site Development Project for locations known as Downsville (Town of Colchester), Fishes Eddy (Town of Hancock), Lookout (Town of Tompkins), Margaretville (Town of Middletown) and Mt. Pisgah (Town of Andes); and

WHEREAS, the Board of Supervisors seeks to comply with its obligations under the State Environmental Quality Review Act (“SEQRA”) related to the above-listed sites; and

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

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

WHEREAS, by Resolution No. 136 dated September 26, 2012, the Board of Supervisors declared that it would serve as Lead Agency; and

WHEREAS, the Board of Supervisors issued a Negative Declaration as its SEQRA determination for the overall project. In the reasoned elaboration adopted in support of the Negative Declaration, the Board of Supervisors identified and evaluated the potential environmental impacts associated with the overall project. At that time the Board of Supervisors also determined to conduct a review to determine whether a specific site development fits within the scope/guidelines of the Negative Declaration and, if not, determined to conduct a site-specific SEQRA review; and

WHEREAS, a Negative Declaration was previously issued for the Margaretville site at the time that site was acquired. As a result, the SEQRA review for that site is complete; and

WHEREAS, a Negative Declaration for the Mt. Pisgah site was included in the SEQRA determination for the entire project. As a result, the SEQRA review for that site is complete; and

WHEREAS, a SEQRA review has not been completed for the three remaining sites in the bid group – Downsville, Fishes Eddy and Lookout; and

WHEREAS, the Department of Emergency Services’ environmental consultant has prepared a Long Environmental Assessment Form for the three remaining sites; and

WHEREAS, the Department of Emergency Services’ environmental consultant has completed a Phase I Environmental Site Assessment of the properties (except for Fishes Eddy which is already owned by the County) and this assessment has not revealed evidence of any recognized environmental conditions on the properties; and

WHEREAS, the Department of Emergency Services’ environmental consultant has completed a review with the State Historic Preservation Officer (SHPO) who has concurred that there will be no adverse effect on properties listed or eligible for listing on the historic register; and

WHEREAS, the Department of Emergency Services' environmental consultant has completed a Wildlife and Vegetation Assessment for each of the three sites and these assessments have revealed that there will be no impact to federally or state listed endangered or threatened species. Further, the consultant opined that no potentially suitable or critical habitat was observed at the properties; and

WHEREAS, the Department of Emergency Services' environmental consultant has completed a Visual Impact Assessment Report for the three properties. The reports indicate that the proposed towers will be visible from certain locations in the surrounding area. The environmental consultant indicates that the proposed towers will not adversely affect the overall visual/aesthetic character or quality of the surrounding landscape within a 5 mile radius.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Delaware County hereby determines that the erection of the new communications structures is considered an action subject to SEQRA; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby determines that the three Sites (Downsville, Fishes Eddy and Lookout) fit within the scope and guidelines of the initial Negative Declaration for the overall project and to the extent that they do not;

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts a Negative Declaration as its SEQRA determination for each of the sites. In the reasoned elaboration adopted in support of the Negative Declaration, the Board of Supervisors has identified and evaluated the potential environmental impacts associated with the sites; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Delaware County directs the Director of Emergency Services, all other County agencies and Attorney for the County along with the various consultants who have been retained to circulate a copy of this resolution and the attached Negative Declaration and such other information to the extent required under SEQRA; and

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

The resolution was seconded by Mr. Davis.

Director of Emergency Services Steve Hood stated in reply to Mr. Eisel that this resolution completes the tower system.

The resolution was unanimously adopted.

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

RESOLUTION NO. 81

TITLE: AUTHORIZATION FOR AWARD OF BID DEPARTMENT OF EMERGENCY SERVICES

LETTING OF APRIL 17, 2018 RADIO SITE DEVELOPMENT

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; and

WHEREAS, the Board of Supervisors has previously reviewed the Full Environmental Assessment Form and issued a Negative Declaration as its SEQRA determination for the overall project and has made site-specific SEQRA determinations where required.

NOW, THEREFORE, BE IT RESOLVED that Delaware County Department of Emergency Services is authorized to make award to the bidder meeting the specifications for the group of radio sites consisting of Downsville, Fishes Eddy, Lookout, Margaretville and Mt. Pisgah.

PROPOSAL: Group Bid – Radio Site Development
Downsville (Town of Colchester)
Fishes Eddy (Town of Hancock)
Lookout (Town of Tompkins)
Margaretville (Town of Middletown)
Mt. Pisgah (Town of Andes)

Company: Sky Climber Tower Solutions, LLC
1800 Pittsburgh Drive
Delaware, OH 43015

Bid Price: \$1,220,610.00

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

In answer to Mr. Marshfield, Mr. Hood stated that this proposal is part of the bond.

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. 82

TITLE: AUTHORIZATION FOR AWARD DEPARTMENT OF EMERGENCY SERVICES

LETTING OF APRIL 17, 2018 POLE BARN

WHEREAS, Delaware County 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) for equipment.

WHEREAS, construction of an equipment storage building to house equipment obtained through grant funding was approved. The grant award was approved in Resolution 20 of 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 the Delaware County Department of Emergency Services is authorized to make award to the lowest bidder meeting specifications as follows:

PROPOSAL: Pole Barn

Company: DJ BENDER GENERAL CONTRACTOR, LLC
Donald J. Bender
9590 County Highway 14
Delhi, NY 13753

Bid Price: \$49,000.00

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

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

RESOLUTION NO. 83

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

LETTING OF APRIL 20, 2018

WHEREAS, 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. 30-18 Lead Remediation Project DPW Garage, Page Avenue, Delhi to:
NRC NY Environmental Services, Inc.
6392 Deere Road, Syracuse, NY 13206

Bid Price: \$299,732.00

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. Spaccaforno and adopted by the following vote:
Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 84

**TITLE: AUTHORIZATION FOR DISPOSITION OF REAL 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 real property no longer necessary for public use; and

WHEREAS, in 1912 the County purchased property on behalf of the State of New York to improve a portion of State Highway 5384 (NYS Route 30) in the Town of Middletown; and

WHEREAS, in 1933 the County purchased additional property on behalf of the State of New York to relocate a portion of State Highway 5384 in the Town of Middletown; and

WHEREAS, in 1998 the State abandoned maintenance jurisdiction to the County for portion of the property that was purchased in 1912; and

WHEREAS, the property identified in the 1998 abandonment is no longer necessary for the public good; and

WHEREAS, Liselotte Puberl has requested that the portion of parcel identified as Map 4-A in the 1912 acquisition that protrudes into her property (Town of Middletown Tax Map Number 284.-1-27) be sold to her.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors herewith authorizes the sale of the property being a portion of Map 4-A of the 1912 acquisition that protrudes into her property (Town of Middletown Tax Map Number 284.-1-27); and

BE IT FURTHER 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 Liselotte Puberl at a cost consideration of Ten Dollars.

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

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

RESOLUTION NO. 85

**TITLE: REQUEST OF NYS DEPARTMENT OF TRANSPORTATION (DOT) TO
ADDRESS THE CONDITION OF STATE ROUTE 10
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, in the absence of any interstate roadways that access the interior portions of the County, the State roads are critical to provide that service; and

WHEREAS, the County depends on good roads to support local businesses, tourism, safe transportation for our school children and for the residents commute to and from work; and

WHEREAS, the County is desirous of maintaining some sort of economic vitality; and

WHEREAS, NYS Route 10 through the Towns of Stamford, Harpersfield, Kortright, Delhi, Hamden, Walton, Tompkins and Deposit is generally in need of improvements and repairs to the road driving surface.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors herewith requests that the NYS Department of Transportation develop and implement a plan for the reconstruction/resurfacing of the NYS Route 10 corridor in the County; and

BE IT FURTHER RESOLVED that the Board requests that the Region 9 Office of the DOT arrange for a meeting with the affected Towns to inform them of the Region's intent to accomplish the request; and

BE IT FURTHER RESOLVED that certified copies of this resolution be sent to the NYS DOT Acting Commissioner Paul Karas and the Region 9 Director Jack Williams.

The resolution was seconded by Mr. Spaccaformo.

Mr. Merrill stated that he fully supports this resolution and encouraged future resolutions for other roads in the County that are also in deplorable condition.

Mr. Marshfield stated in reply to Mr. Merrill, that he asked for a resolution from the Department of Public Works to assist him in his efforts to have the DOT recognize the condition of NYS Route 10.

Chairman Molé stated that this resolution is very timely as the DOT will be in receipt of the resolution prior to her meeting with the Village of Walton Mayor, Mr. Gregory and the DOT in the beginning of May.

The resolution was unanimously adopted.

Chairman Molé 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. 86

**TITLE: SALE OF TAX ACQUIRED PROPERTY
TREASURER’S OFFICE**

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.

	STA15TX.022
<u>ASSESSED To:</u>	<u>ANTHONY J GOODNOW</u>
TOWN OF:	125289:STAMFORD
TAX MAP NO:	108.-3-25
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	3.09A ACRES
CONVEYED TO:	ANTHONY J GOODNOW 574 WASHINGTON AVE BEACON NY 12508
CASH CONSIDERATION:	\$1,483.02
TAX DEFICIT:	\$1,018.29

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

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

RESOLUTION NO. 87

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF
AGRICULTURAL DISTRICT NO. 14
PLANNING DEPARTMENT**

WHEREAS, the Delaware County Agricultural and Farmland Protection Board and the Delaware County Planning Board have presented recommendations for the modification of Agricultural District 14 located in the Towns of Franklin & Meredith during the scheduled 8-year review period;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by the Delaware County Board of Supervisors on the proposed modifications to Agricultural District No. 14 on Wednesday, May 9, 2018 at 12:45 p.m. in the Board of Supervisors’ Room of the County Office Building at which time all interested parties will be given an opportunity to be heard.

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

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

RESOLUTION NO. 88

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,329,239.74 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	\$878,995.90
OET	\$10,135.38
Public Safety Comm System	\$24,150.00
CAP 97-Main Street	\$0.00

Highway Audits, as Follows:	
Weights and Measures	\$116.00
Landfill	\$88,615.81
Road	\$62,205.83
Machinery	\$62,667.46
Capital Road & Bridge	\$197,820.36
Capital Solid Waste	\$4,533.00

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

Chairman Molé appointed Joe Kelly to the Olympic Regional Development Agency (ORDA).

Chairman Molé announced that Mr. Haynes has been appointed Chairman of the Public Works Committee and Mr. Davis and Mr. Gregory have been added increasing the committee from five to seven members.

Upon a motion, the meeting adjourned at 1:55 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 14

MAY 9, 2018

The Delaware County Board of Supervisors held a Public Hearing concerning the eight-year review of Agricultural District No. 14, located in the Towns of Franklin and Meredith 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, May 9, 2018 Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

**NOTICE OF PUBLIC HEARING ON EIGHT-YEAR REVIEW OF
AGRICULTURAL DISTRICT NO. 14**

PLEASE TAKE NOTICE that the Delaware County Board of Supervisors will hold a Public Hearing on Wednesday, May 9, 2018 at 12:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY concerning the eight-year review of Agricultural District No. 14, located in the Towns of Franklin and Meredith. This hearing shall be held to consider the requests and recommendations of the County Agricultural Farmland Protection Board on the proposed modifications to Agricultural District No. 14.

Agricultural District No. 14 after the 2018 eight-year review:

Town of Franklin

Removed	13.74
New Additions	1,060.59
District 14 after modifications	9,745.73

Town of Meredith

Removed	29.79
New Additions	161.49
District 14 after modifications	1,690.58

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 at (607) 832-5110.

Dated: May 4, 2018

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé 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 Molé declared the hearing adjourned at 12:50 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 9, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 9, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Valente and Mr. Axtell.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Mr. Triolo who introduced Director of Public Health Services Amanda Walsh.

Ms. Walsh introduced Public Health Program Coordinator, René Stratton who is a co-chairman of the Suicide Prevention Network of Delaware County (SPNDC). Ms. Stratton explained that the Network was established in 2014 to address the high rate of suicide in the County. The Network consists of community partners and individuals from human services, mental health and substance abuse agencies, law enforcement, area hospitals, schools and other interested community-based agencies. The goal of the Network is to become "a caring community free of the stigma associated with suicide, where all people can openly disclose, talk about and receive help for suicidal thinking and its impact on everyone."

Ms. Stratton pointed out that the County's suicide rate of 9.5 is higher than the New York State average of 8.1. From the year 2011-2016 an average of nine people per year committed suicide in Delaware County. Particularly vulnerable individuals include men between the ages of 30-59. Individuals in crisis typically demonstrate noticeable behavior changes. To help prevent suicide in your community it is important to know the facts, the warning signs and where to get help. The presentation referenced the County's suicide demographics by age group and encouraged members of the community to be alert to changes in the lives of their loved ones and other community members struggling with difficulties that could potentially lead to suicidal thoughts.

Supervisors and those in attendance were given a pamphlet concerning Suicide Prevention Training and a *Pocket Guide to Services and Emergency Contacts in Delaware County NY 2017* both developed by the SPNDC.

The Suicide Prevention Network of Delaware County received grant funding from the Suicide Prevention Center of NY (SPCNY) to produce Delaware County tailored public service announcements using the *Be the One to Save a Life (#Bethe1to) Campaign*. A series of public service announcement videos featuring the “Be the One to” Campaign, developed by the SPNDC, were shown.

Ms. Walsh noted that the SPNDC will be kicking off a suicide prevention campaign that will begin June 3 at the Walton Theater at which time these public service announcement videos will debut to the public. The public service announcements will then be released to local media and be available on social media.

For standing committee reports Chairman of the Social Services Committee Wayne Marshfield called the Supervisors’ attention to their Town’s Summer Youth Employment Packet. He introduced Youth Bureau Program Director Lara Yambor. Ms. Yambor stated that the packet contains all the information the town needs to participate in the program and encouraged Supervisors to contact her with any questions regarding the program.

Mr. Marshfield noted that after an extensive search Dr. Shelly Bartow was hired as the new Executive Director for Delaware Opportunities. He introduced and welcomed Dr. Shelly Bartow who began her employment April 30.

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

RESOLUTION NO. 89

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF GRANT MONEY FROM THE GOVERNOR’S OFFICE OF STORM
RECOVERY (GOSR), OFFICE OF HOUSING AND URBAN DEVELOPMENT (HUD)
AND FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE
HAZARD MITIGATION GRANT PROGRAM FOR A VOLUNTARY FLOOD BUYOUT
IN THE VILLAGE AND TOWN OF SIDNEY
PLANNING DEPARTMENT**

WHEREAS, in September 2011, the Village of Sidney experienced catastrophic flooding from Tropical Storm Lee, adversely affecting the village; and

WHEREAS, the GOSR assisted the Village of Sidney in the development of a New York Rising Flood Mitigation Plan; and

WHEREAS, the Delaware County Planning Department has applied for funding from NYS GOSR, HUD and FEMA for a voluntary flood buyout and home elevation program in accordance with the adopted plan; and

WHEREAS, on or about December 1, 2016, Delaware County was awarded \$18,915,104.00 from HUD to acquire 129 homes and elevate 7 homes; and

WHEREAS, for purposes of the Flood Buyout Program, the GOSR, HUD, FEMA and NYS OEM (with the cooperation and participation of the County) has conducted a comprehensive review under SEQRA and NEPA; and

WHEREAS, public notice was published in the official county papers and the Tri-Town News on November 17, 2016; and

WHEREAS, the project is a reimbursable program that would require Delaware County to upfront funding for purchases and payments to contractors before submitting to the GOSR for reimbursement; and

WHEREAS, the Delaware County Planning Department has received confirmation from GOSR that the HUD reimbursement policy would provide for payment within 30 days after proper invoicing is received; and

WHEREAS, the grant contract is through September 30, 2019, at which time all project deliverables must be completed and invoices submitted for final payments and project closure; and

WHEREAS, the project is considered a 100% reimbursable program with the exception of local expenses including Planning Department staff administration time, local taxes paid at closing and any environmental clean-up that may arise during demolition; and

WHEREAS, the Delaware County Planning Department will invoice for payments at the time of each closing for reimbursement within 30 days;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors accepts these grant moneys and authorizes the Chairman of the Board to enter into agreement with NYS OEM, FEMA, GOSR and HUD as necessary to implement the Flood Buyout Program; and

BE IT FURTHER RESOLVED that Delaware County will commit initial funds in the amount of \$2,000,000.00 to be used as a revolving account for purchases and contract payment throughout the duration of the project; and

BE IT FURTHER RESOLVED that Delaware County will commit \$50,000 into the Delaware County Planning Department budget for non-reimbursable expenses; and

BE IT FURTHER RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUES:

10-18020-43398901/8020025/908	State OTR Home & Comm Grant	\$2,000,000.00
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INCREASE APROPRIATIONS:

10-18020-54327000/8020025/908	Gen Grant Related Exp	\$2,000,000.00
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TRANSFER FUNDS:

FROM:

10-11990-54900000	Contingency	\$50,000.00
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TO:

10-18020-54486000/8020025/908	Non-Remb Flood Buyout Expenses	\$50,000.00
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The resolution was seconded by Mr. Ellis.

In response to Mr. Pigford's concern regarding acceptable reimbursement invoicing, Director of Planning Shelly Johnson-Bennett explained that the state's Elations accounting system is set up to require detailed invoicing of services from the contractors before approval to pay an invoice is given. She noted that she has been working with Sidney residents and Congressman John Faso to exempt properties located in flood hazard areas that are participating in an approved buy-out program from the mandatory purchase requirement under the National Flood Insurance Program.

Chairman Molé noted that Congressman John Faso introduced the Flooded Homeowner Financial Relief Act of 2018 to Congress in April of this year and the bill is in its first stage of the legislative process.

The resolution was adopted by the following vote: Ayes 4331, Noes 0, Absent 468 (Valente, Axtell).

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

RESOLUTION NO. 90

TITLE: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE TOWN OF HANCOCK FOR THE TRANSFER OF JURISDICTION OF A SECTION OF COUNTY ROUTE 17 DEPARTMENT OF PUBLIC WORKS

WHEREAS, the County has jurisdiction over County Route 17 in the Towns of Colchester and Hancock; and

WHEREAS, the section of County Route 17 between mile markers 7.0 and 7.6 in the Town of Hancock runs along an extremely steep slope down to the East Branch of the Delaware River; and

WHEREAS, within that section of the highway, there are a number of slope failures that have reduced the County road to an alternating one lane roadway which is controlled by stop signs; and

WHEREAS, the County has obtained estimates for the stabilization of the roadway so it could be returned to a two lane roadway with a cross section consistent with the remainder of the road and it is not cost effective; and

WHEREAS, the section of County Route 17 between NYS Route 17 Exit 89 at Fishs Eddy and Exit 90 at East Branch is a low volume road; and

WHEREAS, State Route 17 parallels County Route 17 between Fishs Eddy and East Branch so is a viable alternate route; and

WHEREAS, the County continues to monitor the slope failures for movement in anticipation of closing the road to through traffic and constructing hammer head turn arounds on either end of the failures when the slope starts to move again; and

WHEREAS, the Town of Hancock is desirous of keeping the road open to a lesser standard and has offered to assume jurisdiction of the section of road between Fishs Eddy and East Branch in trade for \$150,000 payable over two years and County Truck #303 (a 1999 International single axle dump truck with snowplow, wing and spreader); and

WHEREAS, it is in the County's best interest to abandon the jurisdiction of the section of CR 17 from NYS Rte. 17 Exit 89 to Exit 90.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is herewith authorized to execute any and all agreements and documents necessary to complete the transfer.

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

Mr. Spaccaforno withdrew Resolution No. 91 entitled: *Amendment of the Rules of the Delaware County Board of Supervisors* for further editing.

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

RESOLUTION NO. 92

TITLE: RESOLUTION CALLING FOR SUPPORT OF NEW YORK STATE SENATE BILL S8210 REQUESTING THE STATE DIRECTOR INCREASE PAYMENT OF ALLOCATED FUNDS FOR THE DELAWARE COUNTY VETERANS SERVICE AGENCY

WHEREAS, New York State Senate Bill S8210 is requesting amendment to Section 1. Subdivision 1 of Section 359 of the Executive Law, as amended by Chapter 196 of the Laws of 2009, be further amended; and

WHEREAS, currently the NY State Director, in conjunction with the Commissioner of Veterans Affairs, makes annual payments to Delaware County Veterans Services in the amount equal to fifty per centum of expenditures totaling \$8,529; and

WHEREAS, this bill would remove the restriction of fifty per centum of expenditures; and

WHEREAS, by lifting this restriction additional funds would be made available to the Delaware County Veterans Service Agency based on total population within the county; and

WHEREAS, although this would not cover all expenses, an increase would assist in expenditures for maintenance and operation thereby providing further services to Delaware County veterans; and

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors fully supports New York State Senate Bill S8210; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors forward copies of this resolution to Senator Charles E. Schumer, Senator Kirsten E. Gillibrand, Congressman John J. Faso, Senator James L. Seward, Senator John J. Bonacic, Senator Fred Akshar, II, Assemblyman Clifford W. Crouch, and Assemblyman Brian D. Miller.

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

Chairman Molé 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. 93

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, 2018.

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	\$11,326.88	\$11,326.88	
Bovina	\$10,389.34	\$10,389.34	
Colchester	\$7,914.79	\$7,914.79	
Davenport	\$16,733.77	\$16,733.77	
Delhi	\$22,597.27	\$19,170.57	\$3,426.70
Deposit	\$26,176.54	\$24,421.11	\$1,755.43
Franklin	\$16,057.25	\$15,366.51	\$690.74
Hamden	\$11,071.96	\$11,071.96	
Hancock	\$18,025.33	\$16,422.00	\$1,603.33

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Harpersfield	\$11,759.00	\$10,531.44	\$1,227.56
Kortright	\$9,740.17	\$9,740.17	
Masonville	\$3,839.75	\$3,839.75	
Meredith	\$6,632.73	\$6,632.73	
Middletown	\$37,330.13	\$34,058.23 FL	\$1,007.50
		MV	\$2,264.40
Roxbury	\$39,440.02	\$39,440.02	
Sidney	\$26,123.06	\$18,612.05	\$7,511.01
Stamford	\$15,579.77	\$12,049.22 ST	\$1,418.26
		HO	\$2,112.29
Tompkins	\$3,879.67	\$3,879.67	
Walton	\$20,082.63	\$19,092.39	\$990.24
Totals ...	\$314,700.06	\$290,692.60	\$24,007.46

The resolution was seconded Mr. Spaccaforno and adopted by the following vote:
Ayes 4331, Noes 0, Absent 468 (Valente, Axtell).

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

RESOLUTION NO. 94

**TITLE: APPROVAL OF MODIFICATIONS AND RENEWAL OF
AGRICULTURAL DISTRICT NO. 14
PLANNING DEPARTMENT**

WHEREAS, Delaware County has complied with the eight-year review procedure of Agricultural Districts 14 in the Towns of Franklin, & Meredith; and

WHEREAS, the Delaware County Board of Supervisors held a Public Hearing on Wednesday, May 9, 2018, for any public comment; and

WHEREAS, the Agricultural and Farmland Protection Board and the County Planning Board have reviewed said Districts and have recommended that said Agricultural District 14 be renewed with the following modifications:

Town of Franklin	
Removed	13.74
New Additions	1,060.59
District 14 after modifications	9,745.73

Town of Meredith	
Removed	29.79
New Additions	161.49
District 14 after modifications	1,690.58

Agricultural District 14 after the 2010 8-year review: 11,436.31

NOW, THEREFORE, BE IT RESOLVED that Agricultural District No. 14 be renewed with the above recommended modifications.

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

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

RESOLUTION NO. 95

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,308,519.38 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	\$1,084,073.15
OET	\$5,007.13
Public Safety Comm System	\$797.00
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$35.00
Landfill	\$16,486.11
Road	\$49,119.32
Machinery	\$51,433.85
Capital Road & Bridge	\$69,549.91
Capital Solid Waste	\$32,017.91

The resolution was seconded by Mr. Gladstone and Mr. Marshfield and adopted by the following vote: Ayes 4331, Noes 0, Absent 468 (Valente, Axtell).

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

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 23, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 23, 2018 at 4:00 p.m. in the Supervisors’ Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Gladstone.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Commissioner of Watershed Affairs Dean Frazier who introduced Molly Oliver as Employee of the Month.

Ms. Oliver began her employment with the Planning Department in August 2013. She accepted the position of Assistant to the Commissioner of Watershed Affairs in July 2015.

Commissioner Frazier stated that Ms. Oliver was an asset when she came to the Department and is now a well-seasoned asset. From the beginning, she has been involved in every matter and decision faced by the Department. Commissioner Frazier praised her as a strong leader and self-starter, congenial, professional, considerate and smart. She is an exceptional writer and a very good speaker. All of these attributes are especially important in the forums she works in. Her contributions to the watershed negotiations have been objective and fair gaining her the respect of the highest level state, federal, city and local watershed stakeholders. Ms. Oliver is committed to defending the Board's position and direction and has been a great benefit to the Department.

Commissioner Frazier presented Ms. Oliver with a \$50.00 check. Chairman Molé acknowledged Ms. Oliver's achievements and presented her with the Certificate of Employee of the Month.

Ms. Oliver thanked Commissioner Frazier for this honor and stated that he has been an amazing mentor who will be greatly missed upon his retirement. She thanked her parents for always supporting her and her co-workers for their commitment and dedication to the Department. She stated that she is very proud to be working for the County.

Chairman Molé granted privilege of the floor to Capital Projects Committee Chairman Mark Tuthill. Mr. Tuthill introduced C&S Consultants Managing Architect Eric Witschi to share a summary of the Mental Health Facility siting study.

Mr. Witschi advised that the current facilities can no longer accommodate the County's demand for mental health services and relocating to a new space affords the County the opportunity to restructure services in a manner that better accommodates usage. The new facility will be approximately 17,000 square feet with 100 parking spaces and consolidate three agencies, the Adult Mental Health Clinic, the Family & Children's Mental Health Unit and the Alcohol and Drug Abuse Services.

The presentation outlined the pros and cons of the two proposed locations, 43 Fancher Avenue, Walton and 243 Delaware Street, Walton. Referencing 43 Fancher Avenue, he noted that at the March public forum held in Walton, residents were in opposition to this site because of its residential zoning. Referencing 243 Delaware Street, he noted the public favored this site as it is located in a business zone. Commenting on site development, he pointed out that 43 Fancher Avenue has a five-percent higher cost of site development than the 243 Delaware Street site. The 243 Delaware Street site is located outside of the 100-year floodplain but is adjacent to it.

In conclusion, Mr. Witschi stated that although both sites would work for the building project, the Committee favored 243 Delaware Street because it meets the County's needs, residents favored the site and the properties are located in a business zone.

In response to Mr. Davis, Mr. Witschi explained that both sites require above normal foundations, a design which adds to the cost of site development.

Mr. Witschi stated in answer to Mr. Marshfield, that site development on 243 Delaware Street is estimated at \$1.2 million and the building cost is estimated at \$4.8 million.

The building, Mr. Witschi stated in reply to Mr. Eisel, is not going to have a basement; it will be built on a slab above grade. There is discussion of a two-story structure but the actual building design and layout have not been determined. Everything at this point is very preliminary.

Mr. Tuthill advised that the owner desires to sell the properties as a package. There is a small parcel on Delaware Street that the owner would like to retain. The Committee was agreeable to this as it takes the County out of any right-of-way issues and there is not much the County can do with the piece. He noted that the owner agreed to take down a structure on the property which allows the County to purchase vacant land.

In response to Mr. Taggart, Mr. Witschi stated that the site design takes into consideration that Delaware Street has flooded in the past so even though the properties are outside of the 100-year floodplain the potential is there.

Mr. Gregory stated that the town, village and residents are on board with the 243 Delaware Street location.

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

RESOLUTION NO. 96

**TITLE: 2018 BUDGET AMENDMENT
AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE APPALACHIAN
REGIONAL COMMISSION (ARC) AND TO ESTABLISH ACCOUNTS TO DEVELOP A
VOLUNTARY STREAM CORRIDOR MANAGEMENT PLAN PHASE II IN THE
TAILWATERS OF THE DELAWARE RIVER CONTRACT NUMBER NY-19142-302-18
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, the Upper Delaware River Tailwaters Coalition, whose membership includes municipalities and not-for-profits in the Upper Delaware River Tailwaters region and whose mission is “to develop and implement science-based initiatives and policies that enhance the local economy, the cold water fishery and mitigate flooding in the Upper Delaware River and Tailwaters”; and

WHEREAS, dedicated funding for stream work related to flooding, fishing and recreation in the upper Delaware River and Tailwaters is essentially nonexistent; and

WHEREAS, there is an important need to develop a Stream Corridor Management Plan (SCMP) to provide the basis for future funding of projects; and

WHEREAS, Delaware County has been awarded a federal grant from the Appalachian Regional Commission (ARC) to develop Phase II of their SCMP in the amount of \$130,000; and

WHEREAS, the required in-kind match and commitments are in place; and

WHEREAS, the Upper Delaware River Cold Water Fishing and Boating Economic Impact Study of April 2014 demonstrated the economic value of the fishery and recreational activities exceeds \$400 million over twenty years to affected communities; and

WHEREAS, Oquaga Creek (whose headwaters are in Broome County) flows through the Village of Deposit creating high risks to the Village and critical infrastructure during high water events and therefore will be included in the SCMP Phase II.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors authorizes the Chairman of the Board of Supervisors to enter into contract with the ARC; and

BE IT FURTHER RESOLVED that the 2018 budget be amended as follows:

<u>INCREASE REVENUES:</u>		
10-18741-43358901/8740042/900	Appalachian Regional Commission	\$130,000.00
<u>INCREASE APPROPRIATIONS:</u>		
10-18741-54327200/8740042/900	Contractual Services	\$130,000.00

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

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

RESOLUTION NO. 97

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
MEDICAL EXAMINER’S OFFICE**

WHEREAS, funds are needed to purchase a replacement radio for the Medical Examiner’s vehicle; and

WHEREAS, the purchase was an unexpected expense and requires a transfer of funds.

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

FROM:		
10-11185-54535000	Professional Fees	\$490.91
TO:		
10-11185-52200000	Equipment	\$490.91

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

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

RESOLUTION NO. 98

TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
REAL PROPERTY TAX SERVICE

WHEREAS, Resolution No. 168 of 2014 established the minimum standards for the County to participate in litigations involving challenges to real property assessments; and

WHEREAS, the Towns of Delhi and Walton received lawsuits challenging real property assessments that met the criteria established by Resolution No. 168; and

WHEREAS, the Finance Committee has approved the payment of the County’s share for the litigations; and

WHEREAS, a transfer of funds is necessary to pay for the litigation expenses.

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

FROM:		
10-11990-54900000	Contingency	\$13,478.98
TO:		
10-11355-54406001	Litigation Expense - Assessments	\$13,478.98

The resolution was seconded by Mr. Taggart.

In answer to Mr. Valente, Mr. Tuthill noted that the litigation kept \$3 million of assessed valuation on the role.

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

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

RESOLUTION NO. 99

TITLE: AUTHORIZATION FOR AWARDS
DEPARTMENT OF SOCIAL SERVICES

LETTING OF APRIL 16, 2018

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 Delaware County Department of Social Services is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. DSS1-G-18 East Basement Wall Replacement, 31 Prospect Street,
Village of Stamford New York Construction Contract
DSS1-G-18 to:
Tweedie Construction Services Inc., 90 Crystal Creek
Road, Walton, NY 13856

Purchase Price: \$41,800.00

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. Taggart.

Mr. Marshfield stated this bid is for the replacement of one wall at prevailing wage. He noted that the County rejected a bid in the amount of \$70,000 for the same work last year.

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

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

RESOLUTION NO. 100

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

WHEREAS, Resolution No. 75 of 2016 authorized the Department of Public Works to enter into a supplemental agreement with GHD for the Construction of Phase I of the modifications to the Compost Plant air handling system; and

WHEREAS, Resolution No. 149 of 2016 authorized the Department of Public Works to make award to Southerntier Custom Fabricators, Inc. for the construction of Phase I of the modifications to the air handling system; and

WHEREAS, the construction of Phase I was completed and the NYS Department of Labor came back in to monitor the air in the plant and there are still concerns over elevated levels of diacetyl that have to be addressed in Phase II of the modifications to the air handling system.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to make award to GHD Consulting Services Inc., One Remington Park Drive, Cazenovia, NY 13035 for professional services including the preliminary engineering for Phase II of the project.

Proposal Fee: Maximum Amount Payable \$24,000.00

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

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

RESOLUTION NO. 101

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

LETTING OF MAY 15, 2018

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. 31-18 Slope Stabilization-Soil Nails to:
GeoStabilization International LLC.
4475 E 74th Ave.
Commerce City, CO 80022

Purchase Price: \$438,400.00

Towns may participate in this bid.

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. Spaccaforo and adopted by the following vote: Ayes 4669, Noes 0, Absent 130 (Gladstone).

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

RESOLUTION NO. 102

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

LETTING OF MAY 15, 2018

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. 32-18 Cold In Place Recycling to:
Gorman Bros. Inc.
200 Church Street
Albany, NY 12202

Purchase Price: \$94,329.15

Towns may participate in this bid.

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. Davis.

Commissioner of Public Works Wayne Reynolds explained in answer to Mr. Marshfield, that cold-in-place recycling is a method of removing and reusing the existing asphalt surface. It involves grinding off the top 2 to 5 inches of the existing asphalt surface and mixing the crushed asphalt with an asphalt recycling agent and placing it back down with a paver.

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

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

RESOLUTION NO. 103

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 Delaware County Bridge Maintenance Program (2017), PIN 9754.32 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of said 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/Design work and Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, the Delaware County Board of Supervisors, duly convened does hereby

RESOLVE that the Delaware County Board of Supervisors hereby approves the above-subject project; and it is 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 cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$329,800 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the above phase of the Project; and it is 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 it is further

RESOLVED that the Chairman of the Board 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 it is 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 it is further

RESOLVED this resolution shall take effect immediately.

The resolution was seconded by Mr. Spaccaforo.

Mr. Haynes noted that the project is for the painting of three bridges, one each in the Towns of Franklin, Walton and Sidney.

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

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

RESOLUTION NO. 104

TITLE: RESOLUTION FOR THE EXECUTION OF THE THIRD SUPPLEMENTAL SIDE AGREEMENT TO THE MOA DEPARTMENT OF WATERSHED AFFAIRS

WHEREAS, as part of negotiations and subsequent to reaching an agreement on the New York City Flood Mitigation Program in 2012, the Second Supplemental Side Agreement to the MOA was finalized in July 2016, which included commitments regarding what would be negotiated in the discussions related to the forthcoming 2017 Filtration Avoidance Determination; and

WHEREAS, said negotiations began in the spring of 2016 involving modifications to the NYC Watershed and Rules and Regulations (WR&R), commitments to continued funding in the forthcoming 2017 Filtration Avoidance Determination (FAD) for the partnership programs and changes to program administration and implementation of said programs and a study of the impact of the 2016 Long-Term Watershed Protection Plan pertaining to land acquisition; and

WHEREAS, the Third Supplemental Side Agreement (*Side Agreement*) contains conditions for modifications in the WR&R subject to the City Administrative Procedures Act, conducting an impact study of the land acquisition program on watershed communities and changes to partnership programs not appropriate for inclusion in the 2017 FAD are contained in the *Side Agreement* for which negotiations have now concluded; and

WHEREAS, with the direction of the Watershed Affairs Oversight Committee of the Board of Supervisors, the staff of the Delaware County Department of Watershed Affairs, the Special Delaware County Watershed Counsel and members of the Delaware County Core Group as specific expertise was needed, participated in and have been very active in the negotiations; and

WHEREAS, the Board was provided a detailed summary of the terms and conditions of *Side Agreement* settlement at the March 8, 2017 Board of Supervisors meeting and subsequent copies of the settlement documents and has had an opportunity to review for comments; and

WHEREAS, the *Side Agreement* contains the conditions requested by the Coalition of Watershed Towns, Delaware County and Catskill Watershed Corporation that protect watershed community interests.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors supports the settlement; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors, by this resolution, authorizes the Chairman of the Board of Supervisors to execute the *Side Agreement*.

The resolution was seconded by Mr. Davis.

Mr. Triolo noted that the Agreement is a culmination of two years of negotiating stating that it is not perfect but is certainly beneficial to the watershed towns. He introduced Assistant to the Commissioner of Watershed Affairs Molly Oliver for further comment.

Ms. Oliver stated that the Agreement is the counterpart to the Filtration Avoidance Determination and that it covers a variety of concerns from contracting issues to funding. She reiterated that this is not perfect, but highly beneficial to the County. She encouraged any Supervisors desiring greater detail to contact her.

The resolution was unanimously adopted.

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

RESOLUTION NO. 105

TITLE: AUTHORIZATION TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PROPERTY DEPARTMENT OF MENTAL HEALTH

WHEREAS, Delaware County is facing an ever increasing demand for mental health services and the current physical plant and facilities not being able to accommodate this demand; and

WHEREAS, the Capital Projects Committee and the Mental Health Committee were tasked with finding a solution to this mounting problem; and

WHEREAS, these committees looked at a number of potential sites in the County with the assistance of C & S Companies as demonstrated by the presentation done on the Board Floor today, May 23, 2018; and

WHEREAS, it was determined that the property located at 237 Delaware Street, Walton, NY, 239 Delaware Street, Walton, NY and 243 Delaware Street, Walton, NY, all so identified as tax map numbers 273.7-7-1, 273.7-7-29 and 273.6-6-6, respectively, would be ideal for the new Mental Health Facility; and

WHEREAS, the site would except out a subdivision on the southern end to accommodate a local business.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board after the documents have been approved by the County Attorney is authorized to sign a contract for the purchase of said properties in the amount of \$607,500 and the sale being contingent upon the successful completion of SEQRA.

BE IT FURTHER RESOLVED that upon successful completion of SEQRA the Chairman of the Board is authorized to sign any and all documents, after they are approved by the County Attorney, to follow through with the purchase of said properties for the intended purpose of constructing a new Mental Health Facility and subdividing a small portion of the southern end to accommodate a local business.

The resolution was seconded by Mr. Tuthill.

County Attorney Amy Merklen called the Supervisors attention to the last two paragraphs of the resolution pointing out that it is stated in the resolution that the purchase of the properties is contingent upon a successful SEQRA. Upon a successful SEQRA, the Chairman is authorized to do what is necessary to move the purchase forward.

Mr. Tuthill explained in answer to Mr. Valente, that the properties appraised at \$587,500 and are being sold to the County at the appraisal price. Today, it was agreed to pay \$20,000 to the owner to take the house on the property down. With that agreement, the total for the properties was increased to \$607,500.

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

Mr. Gregory withdrew Resolution No. 106 entitled: *Authorization to Proceed with Phase II of the New Mental Health Facility*.

Chairman Molé 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. 107

**TITLE: SALE OF TAX ACQUIRED PROPERTY
TREASURER’S OFFICE**

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.

	DEP16TX.010
<u>ASSESSED TO:</u>	<u>ESTATE OF JUNE A CARTER</u>
TOWN OF:	123089:DEPOSIT
TAX MAP NO:	290.-1-2.3
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	2.00A ACRES
CONVEYED TO:	TAMMAC HOLDINGS CORPORATION 100 COMMERCE BLVD., STE. 200 WILKES-BARRE PA 187.02
CASH CONSIDERATION:	\$10,064.01
TAX DEFICIT:	\$8,445.98

	KOR15TX.023
<u>ASSESSED TO:</u>	<u>MARIO RUTELLA</u>
TOWN OF:	124000:KORTRIGHT
TAX MAP NO:	37.-2-14
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	5.74A ACRES
CONVEYED TO:	MARIO RUTELLA 21 KALINA DRIVE SAUGERTIES NY 12477
CASH CONSIDERATION:	\$1,544.82
TAX DEFICIT:	\$1,103.84

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

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

RESOLUTION NO. 108

**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>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial No./Vehicle ID</u>
DSS 411	2006 Jeep Grand Cherokee	1J4GR48K86C341634
DSS 355	2003 Chevrolet Van	1GAGG25U031204340

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

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

RESOLUTION NO. 109

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,121,115.20 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	\$ 752,797.14
OET	\$31,914.86
Public Safety Comm System	\$12,504.64
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$146.27
Landfill	\$88,814.92
Road	\$9,044.58
Machinery	\$55,489.57
Capital Road & Bridge	\$153,255.22
Capital Solid Waste	\$17,148.00

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

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

RESOLUTION NO. 110

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 because publicity would substantially affect the value of the property.

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

The meeting convened in regular session with all Supervisors present except Mr. Gladstone.

Chairman Molé appointed Sarah Nagy-Fleischmann to the Community Services Board.

Upon a motion, the meeting adjourned at 5:30 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JUNE 27, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 27, 2018 at 4:00 p.m. in the Supervisors’ Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Gregory.

Mr. Marshfield offered the invocation.

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

Chairman Molé, referencing Mr. Marshfield's invocation noted that on Monday, June 25, 2018 we lost our colleague and friend, Town of Walton Supervisor Charles Gregory. A resolution in his memory will be offered later in the meeting.

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Mr. Taggart who introduced the 2018 Dairy Princess Morgan Hungerford.

Ms. Hungerford noted that she is from East Meredith and introduced her Ambassadors, Morgan Kuhn of Grand Gorge, Meredith McCann and Jessica Coleman of Delhi and Chloe Davis of Harpersfield.

Ms. Hungerford shared that agriculture represents New York State's largest single industry and dairy is the largest segment of that industry. Milk contains nine essential nutrients and has a perfect balance of fat. New York State dairy industry statistics show that both production and consumption of dairy products have decreased in recent years. This decline affects not only our dairy farmers but our local communities as well. The Delaware County Dairy Promotion Team works to ensure a future for farming and the local dairy industry in our County. The public can also support local farms by eating a piece of cheese, drinking a glass of milk or enjoying a bowl of ice cream. It is good for your health and helps to support the industry that is so important to our County and state.

She thanked the Board of Supervisors for the opportunity to speak about the benefits of dairy and for their support of the dairy industry. She encouraged their continued efforts to ensure the future of farming and the local dairy industry in our County.

Ms. Hungerford said that she and her Ambassadors will be serving milk punch and refreshments in the lobby later in the meeting.

Chairman Molé thanked Ms. Hungerford for her presentation.

For standing committee reports, Chairman of the Public Works Committee George Haynes noted that the Page Avenue Lead Remediation Project is complete and has gone well. He called on the Commissioner of Public Works Wayne Reynolds to discuss the project further and to provide a timeline for the portion of the building that will be demolished.

Commissioner Reynolds reported that two containers of waste were generated from the lead remediation process. Both containers were tested and neither was found to be hazardous. With that portion of the project complete, the focus moves to the reinforcement of the annex building that houses the Board of Elections, Office for Employment and Training and Veterans Service Agency. The reinforcement work is anticipated to go on through August. Bidding for the demolition of the main shop area will begin in September. The demolition is expected to begin in October.

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

RESOLUTION NO. 111

TITLE: 2018 BUDGET AMENDMENT NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT (SICG) DEPARTMENT OF EMERGENCY SERVICES E911

WHEREAS, the Department of Emergency Services applied for and was awarded a grant from New York State Division of Homeland Security and Emergency Services Statewide Interoperable Communications Grant (SICG) which allows for the purchase of P25 compliant interoperable communications equipment; and

WHEREAS, the grant award will allow for the purchase of end user UHF mobile radios

for all Delaware County fire apparatus and personnel for use with the new communications system; and

WHEREAS, this grant was awarded in the amount of \$480,891 to Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-13640-43330500/3640056/911	State Civil Defense	\$480,891.00
<u>INCREASE APPROPRIATION:</u>		
10-13640-52200001/3640056/911	Grant Equipment	\$480,891.00

The resolution was seconded by Mr. Spaccaforo and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

Mr. Triolo withdrew Resolution No. 112 entitled: *2018 Budget Amendment Reimbursement of Expenditures under the New York State Office of Community Renewal Agricultural Microenterprise Community Development Block Grant.*

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

RESOLUTION NO. 113

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, the net sum of \$195,914.93 received by the Hotel Occupancy Tax activity during 2017 was set aside and placed into the Restricted Fund Balance as of December 31, 2017 for the purpose of promotion and development of tourism industry in Delaware County; and

WHEREAS, by Resolution No. 54 of 2018 the Board of Supervisors approved the list of projects to be funded with the 2017 Hotel Occupancy Tax revenues and the funding of the approved contracts requires such revenues to be transferred from the restricted fund balance.

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

<u>FROM:</u>		
10-00000-34899000	Restricted Fund Balance Hotel Occupancy Tax	\$195,914.93
<u>TO:</u>		
10-16410-54614000	Tourism Development Promotion	\$195,914.93

The resolution was seconded by Mr. Davis.

In answer to Chairman Molé, Director of Economic Development Glenn Nealis stated that the amount of occupancy tax received is on par with the County’s projection.

The resolution was adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 114

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
OFFICE FOR THE AGING**

WHEREAS, the bus for the Delaware County Office for the Aging was involved in a vehicle accident on February 22, 2018 which resulted in damage to the bus; and

WHEREAS, the estimate for repairs on the bus totals \$12,568.60 and actual towing charges for the bus total \$1,501.20; and

WHEREAS, the final bus repair cost is yet uncertain but could be higher than the estimate due to additional findings while the bus was in the repair process; and

WHEREAS, there is not enough money in the Maintenance and Repair Services Vehicle account to cover this cost; and

WHEREAS, there is funding in the personal services account as a staff member resigned the end of 2017 and the position has yet to be filled that can cover the costs of the bus tow and repair.

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

FROM:

10-16772-51000000	Personal Services	\$16,526.00
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TO:

10-16772-54415082/6772020/977	Maintenance Auto Accident Repair	\$16,526.00
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 115

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been approved to purchase a new vehicle in 2018; and

WHEREAS, there currently is no funding for the purchase of a vehicle in the Agency's 2018 equipment budget; and

WHEREAS, the purchase price of the new vehicle is \$17,572.35.

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

FROM:

10-16772-54200000/6772027/977	General Grant Related Expenses	\$17,572.35
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TO:

10-16772-52200000/6772027/977	Equipment	\$17,572.35
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The resolution was seconded by Mr. Marshfield and Mr. Triolo.

Mr. Marshfield explained that the purchase price of the vehicle will be reimbursed 100 percent by the New York Connects Program. In addition, the department will be removing a vehicle from its inventory.

The resolution was adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 116

TITLE: CHANGE ORDER NO. 1 ARCHITECTURAL AGREEMENT DEPARTMENT OF MENTAL HEALTH

WHEREAS, Resolution No. 105 adopted on May 24, 2018 authorized the Chairman of the Board to enter into an agreement with C&S Companies to pay the Preliminary Phase at a stipulated sum of \$63,341; and

WHEREAS, C&S Companies having contracted to provide SEQRA services in Phase II, the Design and Build Phase and not the Preliminary Phase; and

WHEREAS, prior to acquisition and Phase II of the project commencing, SEQRA must be completed; and

WHEREAS, the SEQRA process must be moved to the Preliminary Phase; and

WHEREAS, C&S Companies estimates the SEQRA process costing \$4,594 thus decreasing Phase II by said amount.

NOW, THEREFORE, BE IT RESOLVED the Department of Mental Health is herewith authorized to execute Change Order No. 1 for Resolution No. 105 of 2018 adding the SEQRA process to the Preliminary Phase at a cost of \$4,594.

The resolution was seconded by Mr. Marshfield.

Mr. Tuthill explained that the SEQRA process was intended for Phase I but was inadvertently added to Phase II. This resolution corrects that by removing the expense from Phase II and placing it appropriately in Phase I. The net change is zero.

The resolution was adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 117

TITLE: CHANGE ORDER NO. 4 OF PROPOSAL NO. 31-17 DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 53 of 2017 authorized the award of Proposal No. 31-17, “Replacement of County Route 26 Bridge over Telford Hollow Brook, PIN 9753.00, BIN 3351950, Town of Colchester” to Sullivan County Paving & Construction Inc. 420 Bernas Road, Cohecton, NY 12726 for the bid amount of \$1,987,598.51; and

WHEREAS, Resolution No. 199 of 2017 authorized the execution of Change Orders Nos. 1 and 2 at no change in the contract amount; and

WHEREAS, Resolution No. 9 of 2018 authorized the execution of Change Order No. 3 at no change in the contract amount; and

WHEREAS, during the course of the construction three force account items were added to complete the construction of the bridge which included:

Item 950.09304 Temporary traffic lights - which provided traffic lights and a variable message board to protect the travelling public for a lump sum cost of \$12,497.81

Item 950.10 Bridge rail anchors - which changed the designed location of the anchors to better protect the travelling public for a lump sum cost of \$801.65

Item 950.11 Bearing shims - which provided specially beveled steel bridge beam bearing shims to ensure that the bridge beams sat at the proper elevation for a lump sum cost of \$24,384.52; and

WHEREAS, the cost of these three new items are to be covered by the reduction of Item 697.03 Field Change Payment in the amount of \$37,683.98 (Reduce from \$103,361.72 to \$65,677.74);

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 4 for Proposal No. 31-17 adjusting the contract items as referenced above at no change to the contract total cost of \$1,987,598.51.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 118

**TITLE: AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT TO ACQUIRE
AN INTEREST IN REAL PROPERTY FOR THE REHABILITATION,
REPLACEMENT, MODIFICATION AND EXPANSION OF THE DELAWARE
COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM
PISGAH SITE (GROMMECK ROAD, TOWNS OF ANDES AND BOVINA)
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Department of Emergency Services is progressing with the project of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System as previously authorized; and

WHEREAS, a site in the Town of Andes and Bovina at the former Bobcat Ski Center has been identified as being a site which will provide increased and improved coverage to that area of the county as set forth in Resolution No. 136 of 2012 (dated September 26, 2012); and

WHEREAS, the Department of Emergency Services has negotiated with the owners a lease agreement for the erection of an emergency services communications tower and related appurtenances; and

WHEREAS, the Board of Supervisors has previously reviewed the Full Environmental Assessment Form and issued a Negative Declaration as its SEQRA determination for the Overall Project; and

WHEREAS, the Department of Emergency Services seeks authorization to enter into a lease agreement for a 10 year period with two additional five year terms with the owner; and

WHEREAS, the tower to be constructed by the County will also be used by the New York State Police. The NYSP will pay the rent payable under this lease agreement during the period of time the tower is used by the NYSP.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services is herewith authorized to enter into a lease agreement, in the name of the County of Delaware, for a rental amount of \$16,390.90 in 2018 which rent shall be adjusted on a yearly basis; and

BE IT IS FURTHER RESOLVED that the Director of the Department of Emergency Services or the Chair of the Board of Supervisors is hereby authorized and directed to execute such documents and take such other and further steps as are necessary to effectuate this resolution.

The resolution was seconded by Mr. Spaccaforo.

Director of Emergency Services Steve Hood noted the tower is located at the former Bobcat Ski Center.

The resolution was adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 119

**TITLE: AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT TO ACQUIRE AN INTEREST IN REAL PROPERTY FOR THE REHABILITATION, REPLACEMENT, MODIFICATION AND EXPANSION OF THE DELAWARE COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM DOWNSVILLE SITE (MONEY POINT ROAD, TOWN OF COLCHESTER)
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Department of Emergency Services is progressing with the project of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System as previously authorized; and

WHEREAS, a site in the Town of Colchester has been identified as being a site which will provide increased and improved coverage to that area of the county as set forth in Resolution No. 136 of 2012 (dated September 26, 2012); and

WHEREAS, the Department of Emergency Services has negotiated with the owner (Ronnie L. MacDonald) a lease agreement for the erection of an emergency services communications tower and related appurtenances on a parcel of property located off of Money Point Road in the Town of Colchester (Tax Map No. 339.-1-6.1); and

WHEREAS, the Board of Supervisors has previously reviewed the Full Environmental Assessment Form and issued a Negative Declaration as its SEQRA determination for the Overall Project; and

WHEREAS, the Board of Supervisors has previously reviewed the Full Environmental Assessment Form and issued a site specific Negative Declaration for this location; and

WHEREAS, the Department of Emergency Services seeks authorization to enter into a lease agreement for a five (5) year term with eight (8) additional five year extension terms with the owner.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services is herewith authorized to enter into a lease agreement, in the name of the County of Delaware, for a rental amount of \$6,000 per year, which rent shall be adjusted each term; and

BE IT IS FURTHER RESOLVED that the Director of the Department of Emergency Services or the Chair of the Board of Supervisors is hereby authorized and directed to execute such documents and take such other and further steps as are necessary to effectuate this resolution.

The resolution was seconded by Mr. Spaccaformo and Mr. Davis and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 120

**TITLE: AUTHORIZATION TO ENTER INTO EASEMENT AGREEMENTS FOR ACCESS TO A TOWER SITE AND, IN THE ALTERNATIVE, TO COMMENCE A DE MINIMIS EMINENT DOMAIN PROCEEDING TO ACQUIRE AN INTEREST IN PROPERTY FOR THE REHABILITATION, REPLACEMENT, MODIFICATION AND EXPANSION OF THE DELAWARE COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM
MARGARETVILLE SITE (SWART ROAD, TOWN OF MIDDLETOWN)
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Department of Emergency Services is progressing with a public use project consisting of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System as previously authorized; and

WHEREAS, a location in the Town of Middletown has been identified as being a site which will provide increased and improved coverage to that area of the county; and

WHEREAS, the proposed communications tower will be located on lands owned by the County (the “Tower Parcel”). However, access and utilities to the site are over property owned by Reed Clark (Delaware County Tax Map No. 305.0-1-12.113) and Thomas D. Fucignas and Victor A. Fucignas (Delaware County Tax Map No. 305.0-1-13) (the “Access Parcels”); and

WHEREAS, access to the Tower Parcel originates from Swart Road in the Town of Middletown and generally follows an existing woods road over the Clark parcel and then over the Fucignas parcel before entering the County’s tower parcel; and

WHEREAS, representatives of Delaware County have approached the owners of the Access Parcels and requested an easement for access and utilities generally along the route of the existing woods road; and

WHEREAS, the County has engaged the services of a qualified appraiser to determine the fair market value for the permanent easement across each parcel; and

WHEREAS, Mr. Clark agreed to the easement and has executed the easement and needs to be compensated; and

WHEREAS, the owners of the Fucignas property have been approached and seem willing to execute an easement but are generally not responsive; and

WHEREAS, the Board of Supervisors has determined that the rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System is in the best interest of the County and, as a result, that the contemplated acquisition is in the best interests of the health, safety and welfare of the County, as it is in the public's best interest that the Project be properly constructed and maintained; and

WHEREAS, the County has endeavored and will continue to endeavor to acquire the interests in property necessary for the Project by voluntary compliance with the land owners, but the Board of Supervisors acknowledges that voluntary compliance may not be achieved for the necessary acquisitions requiring the County to exercise its powers of Eminent Domain.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY, NEW YORK:

THAT THE Board of Supervisors of Delaware County hereby determines that voluntary compliance to acquire the needed easement from Fucignas in furtherance of the Project for the Margaretville Site is likely not practicable and will prejudice the Project; and

BE IT FURTHER RESOLVED the County of Delaware and its legal agents are authorized to acquire the interest in land by use of Eminent Domain; and

BE IT FURTHER RESOLVED the Board of Supervisors has determined that the contemplated acquisition of the easement over an existing woods road is minor in nature, only affecting a small portion of the property and constitutes a minor amount of land and land interests, and therefore acquisition by Eminent Domain would be *de minimis* in nature so that the public interests will not be prejudiced by the acquisition of those property interests for construction of the Project; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the County of Delaware and its legal agents to make an offer of reasonable compensation to acquire the interests in land that cannot be practically acquired by voluntary compliance; and

IT IS FURTHER RESOLVED that in the event that the owners of the Fucignas property refuse the offer of reasonable compensation (\$4,157) and fail to promptly execute the required easement and related documentation, that the Department of Emergency Services and the attorneys for the County are hereby directed to commence an eminent domain action to acquire the required easement; and

IT IS FURTHER RESOLVED that with respect to the Reed Clark easement, that has been executed, that the Department of Emergency Services, County Treasurer and the attorneys for the County are hereby directed to make payment of reasonable compensation in accordance with the appraisal report (\$3,400) to Reed Clark; and

IT IS FURTHER RESOLVED that the Department of Emergency Services, County Treasurer and the attorneys for the County are hereby directed to take such actions as are necessary to implement this resolution.

The resolution was seconded by Mr. Spaccaformo and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 121

**TITLE: AUTHORIZATION TO ENTER INTO EASEMENT AGREEMENTS FOR ACCESS TO A TOWER SITE AND, IN THE ALTERNATIVE, TO COMMENCE A DE MINIMIS EMINENT DOMAIN PROCEEDING TO ACQUIRE AN INTEREST IN PROPERTY FOR THE REHABILITATION, REPLACEMENT, MODIFICATION AND EXPANSION OF THE DELAWARE COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM
LOOKOUT SITE (TOWER LANE, TOWN OF TOMPKINS)
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Department of Emergency Services is progressing with a public use project consisting of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System as previously authorized; and

WHEREAS, a location in the Town of Tompkins has been identified as being a site which will provide increased and improved coverage to an area of the county; and

WHEREAS, the proposed communications tower will be located on lands owned by the City of New York (the “Tower Parcel”). However, access and utilities to the site are over property owned by Christopher Pape and Phyllis Pape (Delaware County Tax Map No. 334.-2-3) and The Henry J. and Joyce A. Dester Revocable Trust (Delaware County Tax Map No. 334.-3-13)(the “Access Parcels”); and

WHEREAS, access to the Tower Parcel originates from Tower Lane in the Town of Tompkins and generally follows an existing woods road over the Pape Parcel and then over the Dester Parcel before entering the City of New York’s Tower Parcel; and

WHEREAS, representatives of Delaware County have approached the owners of the Access Parcels and requested an easement for access and utilities generally along the route of the existing woods road; and

WHEREAS, the County has engaged the services of a qualified appraiser to determine the fair market value for the permanent easement across each parcel; and

WHEREAS, the Pape’s agreed in general to the easement but have not yet executed the easement and will need to be compensated; and

WHEREAS, Dester agreed in general to the easement but has not yet executed the easement and will need to be compensated; and

WHEREAS, bids have been received for the construction of the facility and any delay by Pape or Dester will jeopardize the timing of the construction; and

WHEREAS, the Board of Supervisors has previously reviewed the Full Environmental Assessment Form and issued a Negative Declaration as its SEQRA determination for the Overall Project; and

WHEREAS, the Board of Supervisors has previously reviewed the Full Environmental Assessment Form and issued a site specific Negative Declaration for this location; and

WHEREAS, the Board of Supervisors has determined that the rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System is in the best interest of the County and, as a result, that the contemplated acquisition is in the best interests of the health, safety and welfare of the County, as it is in the public's best interest that the Project be properly constructed and maintained; and

WHEREAS, the County has endeavored and will continue to endeavor to acquire the interests in property necessary for the Project by voluntary compliance with the land owners, but the Board of Supervisors acknowledges that voluntary compliance may not be achieved for the necessary acquisitions requiring the County to exercise its powers of Eminent Domain.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY, NEW YORK:

THAT the Board of Supervisors of Delaware County hereby determines that voluntary compliance to acquire the needed easements from Pape and Dester in furtherance of the Project for the Lookout Site is likely not practicable and will prejudice the Project; and

BE IT FURTHER RESOLVED the County of Delaware and its legal agents are authorized to enter into the Easements with Pape and Dester or, in the alternative, to acquire the interest in land by use of Eminent Domain; and

BE IT FURTHER RESOLVED the Board of Supervisors has determined that the contemplated acquisition of the easement over an existing woods road is minor in nature, only affecting a small portion of the property and constitutes a minor amount of land and land interests, and therefore acquisition by Eminent Domain would be *de minimis* in nature so that the public interests will not be prejudiced by the acquisition of those property interests for construction of the Project; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the County of Delaware and its legal agents to make an offer of reasonable compensation to acquire the interests in land that cannot be practically acquired by voluntary compliance; and

IT IS FURTHER RESOLVED that in the event that the owners of the Pape property refuse the offer of reasonable compensation (\$3,250) and fail to promptly execute the required easement and related documentation, that the Department of Emergency Services and the attorneys for the County are hereby directed to commence an Eminent Domain action to acquire the required easement; and

IT IS FURTHER RESOLVED that in the event that the owners of the Dester property refuse the offer of reasonable compensation (\$2,500) and fail to promptly execute the required easement and related documentation, that the Department of Emergency Services and the attorneys for the County are hereby directed to commence an Eminent Domain action to acquire the required easement; and

IT IS FURTHER RESOLVED that the Department of Emergency Services, County Treasurer and the attorneys for the County are hereby directed to take such actions as are necessary to implement this resolution.

The resolution was seconded by Mr. Spaccaforno and Mr. Davis and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 122

**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 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>Dept. Vehicle No.</u>	<u>Vehicle Description</u>	<u>Serial No./Vehicle ID</u>
PRO 79	2007 Chevy Malibu	1G1ZS57F37F271157
PRO 25	2009 Ford Fusion	3FAH90GA7AR110225

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

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

RESOLUTION NO. 123

**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>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial No./Vehicle ID</u>
DSS 404	2008 Chevrolet Impala	2G1WB58N981279717

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

Mr. Haynes 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 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 No.</u>	<u>Description</u>	<u>Serial No./Vehicle ID</u>
DPW 92	2009 Ford F-250	1FTSX21519EA84811
DPW 581	2008 Chevrolet Impala	2GIWB58NX81238996

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

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

RESOLUTION NO. 125

**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>Days Per Month Based on Record of Activities</u>
<u>ELECTED OFFICIALS:</u>				
Supervisor-Davenport	Dennis Valente	6	01/01/18-12/31/19	12.00
Supervisor-Stamford	Michael Triolo	6	01/01/18-12/31/19	4.97

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

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

RESOLUTION NO. 126

**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, 2018 and closing April 30, 2018 in which 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 identified each parcel proposed as “viable agricultural land” eligible for inclusion into a Certified Agricultural District as listed below; 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 No.17.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Wednesday, July 25, 2018 at 3:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

Davenport: Agricultural District No. 17:
Tax ID #23.-1-19.1 (12.11 ac) Dutch Hill Rd.
Tax ID #24.-1-34.14 (8.6 ac) Dutch Hill Rd.

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

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

RESOLUTION NO. 127

**TITLE: RECOMMENDATION NOT TO SUPPORT THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NYC DEP) FILTRATION AVOIDANCE DETERMINATION (FAD) DELIVERABLE “FARM RESCUE”
PLANNING DEPARTMENT**

WHEREAS, the New York City Department of Environmental Protection (NYC DEP) is required to develop specific program deliverables to support clean water initiatives as part of the Filtration Avoidance Determination (FAD); and

WHEREAS, the Watershed Agricultural Council (WAC) presented a program proposal called “Farm Rescue” as an in fee purchase for farm lands that have Best Management Practice installations, through WAC programs, and are in financial distress as part of the 2017 FAD; and

WHEREAS, those lands would then be eased and a resale to a viable farmer would be sought; and

WHEREAS, the 2017 FAD stated, *“A focus for this FAD period will be to consider the feasibility of a program, in partnership with land trusts and stakeholders, that will protect the majority of each transitioning farm (for example, a farm that is at risk of foreclosure or farms with retiring farmers).”*; and

WHEREAS, the NYC DEP formed a working group to discuss this and other open space and land acquisition programs; and

WHEREAS, that working group entertained presentations from several land trust organizations that promote open space and agricultural easement programs; and

WHEREAS, Delaware County presented several concerns about the program as proposed in the FAD to the working group, including questioning the need, the scope and the practicality if the program were to be funded and implemented; and

WHEREAS, further discussion with WAC and NYC DEP lent itself to the formation of a local working group, supported by the Delaware County Board of Supervisors to evaluate the FAD proposal; and

WHEREAS, the Delaware County working group, led by the Delaware County Agricultural Farmland Protection Board (AFPB), has evaluated the proposal, completed a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis and compiled a list of existing programs that assist farmers with transition issues; and

WHEREAS, the results of the SWOT and the program evaluations completed do not support one tool or solution to the more complex discussion of farm transition; and

WHEREAS, the merits of the “Farm Rescue” proposal are only viable as part of a larger more comprehensive transition program that supports all aspects of farm transition, including the secondary economic beneficiaries of the agricultural community; and

WHEREAS, the AFBP has made a recommendation to the Delaware County Board of Supervisors not to support the “Farm Rescue” program as presented, but to continue conversations with WAC, NYC DEP and all agricultural partners to address farm transition in a comprehensive county-wide evaluation that provides for an in depth review of existing programs, economic viability and farmer support.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does not support “Farm Rescue” as a stand-alone funded program; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors supports the continuing efforts of the Delaware County working group in conjunction with all partners, watershed stakeholders and NYS agricultural programs to study, evaluate and provide guidance to decision makers, regulators and legislators regarding farm transition issues, programs and needs; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors requests; Delaware County, the Catskill Watershed Towns, WAC, Catskill Watershed Corporation and Delaware County Soil and Water Conservation District be formally included in upcoming NYSDOH, USEPA, NYC DEP & NYS DEC discussions regarding farm transition and opportunities to reshape the “Farm Rescue” concept into a more comprehensive transition program.

The resolution was seconded by Mr. Ellis.

Mr. Hynes called upon Planning Director Shelly Johnson-Bennett to explain the position the County has taken.

Ms. Johnson-Bennett noted that a handout entitled: *Strengths, Weaknesses, Opportunities, Threats (S.W.O.T) Analysis Farm Rescue as Proposed by NYC DEP and WAC Findings* was placed on each Supervisor's desk earlier in the meeting. She explained that the concept of the program to assist farms in transition is supported by all parties involved. However, the proposal presented in the FAD is too narrowly focused and not developed enough to lend itself as a single tool that could be successful. The recommendation of the working group is to continue the conversations regarding farm transition, to develop a suite of tools that address the issues faced by the industry and to work together as one community that supports our future in agriculture.

The resolution states that upon evaluation of the Farm Rescue Program, the working group concluded that it is not in support of the FAD proposal and is asking that the Board of Supervisors support the group's continuing efforts to develop a proposal that addresses the many aspects of the industry problems.

Ms. Johnson-Bennett introduced former Town of Meredith Supervisor Frank Bachelor who is a local farmer and a Board member on the Agricultural and Farmland Protection Board. She noted that Mr. Bachelor was a very important part of the S.W.O.T. process. Mr. Bachelor shared that he supports the direction of the working group and was pleased to be part of the process.

Mr. Gladstone commented that WAC's focus of the Farm Rescue Program was always an attempt to help the farmers inside the watershed and was never meant to be a means of land acquisition. The evaluation process by the working group created an opportunity for all parties to discuss the many options already available to farmers. The working group desires to develop a proposal that will benefit farms county-wide.

Ms. Johnson-Bennett agreed with Mr. Gladstone and added that prior to the evaluation she was not aware of how many programs exist to help farmers. She further stated that farmers may not be aware of the programs available to them.

Mr. Valente stated in response to Mr. Johnson-Bennett, that the programs are very good and that he toured three successful transitioning farms. However, there has to be a means of steering the farmers toward the program and there has to be a willingness on the part of the farmer to participate.

Mr. Spaccaforo suggested that the towns pass a similar resolution to further support the County's position. Ms. Johnson-Bennett offered to draft a resolution for the use by the towns.

Ms. Johnson-Bennett pointed out that the Farm Rescue Program is titled land acquisition only because of the funding stream it comes from.

The resolution was unanimously adopted.

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

RESOLUTION NO. 128

**TITLE: DELAWARE COUNTY REQUESTS THE SCOPE OF WORK AND THE MAKE-UP OF THE NATIONAL ACADEMY OF SCIENCES AND MEDICINE EXPERT PANEL BE REVISED TO INCLUDE A CONCENTRATION ON HOST COMMUNITY SUSTAINABILITY AS IT RELATES TO THE NYC LONG-TERM WATERSHED PROTECTION PLAN AND THAT A MORATORIUM ON NEW PURCHASE CONTRACTS BE IMPLEMENTED PENDING PUBLICATION OF THE NATIONAL ACADEMY OF SCIENCES AND MEDICINE EXPERT PANEL FINDINGS
PLANNING DEPARTMENT**

WHEREAS, the fundamental principle of the 1997 New York City Watershed Memorandum of Agreement ("MOA") is the following: "[T]he parties recognize that the goals of drinking water protection and economic vitality within the watershed communities are not

inconsistent and it is the intention of the parties to enter into a new era of partnership to cooperate in the development and implementation of a watershed protection program that maintains and enhances the quality of New York City drinking water supply and the economic vitality and social character of the watershed communities"; and

WHEREAS, the 1997 MOA also provides: "the parties agree that the City's Land Acquisition Program, the City's watershed regulations, and the other programs and conditions contained in this agreement, when implemented in conjunction with one another, would allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals of each of the watershed communities; and that the City's land acquisition goals ensure that the availability of developable land in the watershed will remain sufficient to accommodate projected growth without anticipated adverse effect on water quality and without substantially changing future population patterns in the watershed communities" (hereinafter "Land Acquisition Principles"); and

WHEREAS, Section 1 of the New York City Water Supply Permit indicates that the "terms and conditions of this permit are authorized by, and designed to ensure that the project is consistent with section 15-1503 (2)... of the Environmental Conservation Law." In 1997, when the permit was issued, Section 15-1503 (2) provided that "before granting a permit, a permit renewal or permit modification pursuant to this section, the Department shall ascertain the probable effect on the health, safety and welfare of the people of the state, and the effect on the natural resources of the state likely to result from the proposed project or work."; and

WHEREAS, the City's Land Acquisition Program is premised on the principle that surface runoff from impervious surfaces and concentrated human activity poses a contamination threat to the City's water supply. In developing the City Land Acquisition Program, the parties were concerned that the vast amount of open space within the West of Hudson Watershed created the potential for new significant adverse development in an unfiltered watershed. The City's Land Acquisition Program was a tool to prevent and control such development; and

WHEREAS, in 1997 when the parties executed the MOA, approximately 11% of the watershed lands within Delaware County were under New York City and/or New York State control. Twenty years later, according to the December 2017 Land Acquisition Report, 27.9% of the watershed lands within Delaware County are under New York City and/or New York State control; and

WHEREAS, the past 20 years of post-MOA activity have demonstrated that despite the vast amount of open space in the watershed lands within Delaware County (due in large part, to topography, climate and general economic and social realities), there is little or no potential for new significant adverse development in the watershed lands within Delaware County; and

WHEREAS, during negotiations of the 2017 Filtration Avoidance Determination (FAD), New York City Department of Environmental Protection (NYC) agreed to reevaluate the 2010 Water Supply Permit Environmental Impact Statement conclusions regarding whether the City's Land Acquisition Program "would allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals of each of the watershed communities; and [whether] the City's land acquisition goals ensure that the availability of developable land in the watershed will remain sufficient to accommodate projected growth without anticipated adverse effect on water quality and without substantially changing future population patterns in the watershed communities" ("NYC 2017 Individual Town Assessment"); and

WHEREAS, on October 31, 2017 as provided for in the 2017 FAD and in response to NYC 2017 Individual Town Assessment, Delaware County and the other West of Hudson Counties, with support from the Coalition of Watershed Towns and financial and technical support from the Catskill Watershed Corporation, conducted an evaluation of the impacts from the City's Land Acquisition Program. Delaware County issued the following report: *New York Land Acquisition Town Level Assessment 2017: Delaware County Evaluation and Response* ("Delaware County 2017 Report"); and

WHEREAS, *Delaware County 2017 Report* concluded and demonstrated that in a substantial number of Delaware County towns the actual amount of developable land remaining is insufficient to "allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals" of those communities; and thus the "City's land acquisition goals for those communities did not ensure... the availability of developable land ... will remain sufficient to accommodate projected growth" and thus the continuation of City's land acquisition could "substantially change future population patterns..."; and

WHEREAS, at page 36 the 2017 FAD, DOH/EPA required a two-step review to the land acquisition program. The first review is in 2018 and applies to updating the 2012-2022 Long-Term Land Acquisition Plan. The 2017 FAD provides as follows:

The City provided new or updated Town Level Assessments for 21 WOH towns to NYSDOH, USEPA, NYSDEC, and WOH stakeholders. Following the release of those assessments, the City will accept stakeholder comments for 180 days. Based on the updated Town Level Assessments and its review of comments received, the City will evaluate the need for modification of its 2012-2022 Long-Term Land Acquisition Plan and discuss its conclusions with NYSDOH, USEPA, and NYSDEC. The City will share any proposed modifications to its solicitation plan, or the basis for a conclusion that no modifications are warranted, with the WOH stakeholders. During the period between February 14, 2017 and the City's adoption of a modified solicitation plan or conclusion that no modifications are necessary, the City agreed to limit solicitations in certain towns; and

WHEREAS, the second more comprehensive review begins in 2022 and requires the City to develop a new Long-Term Land Acquisition Plan for the period 2023-2033:

The FAD requires the City to develop a new Long-Term Land Acquisition Plan, which will cover the period 2023-2033 and will consider the findings of the National Academies of Science and Medicine Expert Panel review of the City's Watershed Protection Program. It is anticipated that the long-term plan and the Expert Panel findings will also help inform the conditions of the next WSP; and

WHEREAS, the 2017 FAD calls for the continuation and robust funding for the City's Land Acquisition Program through 2027. In its consent to the 2017 FAD, in a letter dated December 27, 2017 to Howard Zucker, Commissioner New York State Department of Health, from Peter D. Lopez, Region 2 Administrator, EPA stressed as important the "City and state efforts" in "the ongoing review of town-level assessments" and "City and state efforts" "to refine the program so as to ensure the City is soliciting parcels that will provide the highest value of watershed protection as well as address other important objectives in the watershed"; and

WHEREAS, given the findings and conclusion above, in April 2018, Delaware County Board of Supervisors passed Resolution No. 74 demanding that as part of the 2018 update to the 2012-2022 Long-Term Land Acquisition Plan, for those communities where the City's land acquisition goals do "not ensure ... the availability of developable land ... will remain sufficient to accommodate projected growth" and/or where the continuation of City's land acquisition could "substantially chang[e] future population patterns...(Special Condition 2, Water Supply Permit)", some form of relief should be provided; and

WHEREAS, in order to provide that relief, with the assistance of the Coalition of Watershed Towns and CWC, Delaware County developed an Alternative Land Acquisition Program Option; and

WHEREAS, the alternative program is designed for those communities where the DEP Open Space Land Acquisition Program (intended to prevent development) has little or no water quality benefit and to substitute a program focused on protecting and enhancing lands sensitive to water quality that would not otherwise be protected with the cooperation and participation of the local community; and

WHEREAS, in response to Resolution No. 74, in consultation with DOH, the DEP denied Delaware County's request; although it was agreed the proposal has merit and deserves further discussion. The government stakeholders concurred that the appropriate opportunities for the further discussion will be provided in the proceeding to amend the Water Supply Permit to expand the Stream Buffer Program and the City's development of a new Long-Term Land Acquisition Plan, which will cover the period 2023-2033 and will consider the findings of the NASMEP; and

WHEREAS, the final scope of work for the NASMEP released on April 19, 2018 (together with a request for expert nominations) stated "An ad hoc committee of the National Academies will review and evaluate the NYC DEP's watershed protection program-- with the goal of determining whether the current suite of individual programs is appropriate and adequate to comply with the Surface Water Treatment Rule into the future. Key questions include: (1) Are individual program elements (e.g., agriculture and stormwater best management practices, wastewater technologies, requirements for streamside buffers) based on the most relevant and up-to-date science? (2) Can the various watershed protection components (e.g., operational controls, regulatory programs and their enforcement, voluntary programs, and partnership programs) be better balanced to be more effective and sustainable? It was further stated the study would be carried out by a committee of volunteer experts. Examples of expertise needed included "Social sciences (land management, land use planning, economics, water policy)"; and

WHEREAS, in reliance on that scope and request for expertise, the West of Hudson communities nominated several experts for consideration, including experts in land management, land use planning and economics who could help ensure the following two key questions were addressed: (1) Can the [land acquisition program] ... be better balanced to be more effective and sustainable; (2) Are the land acquisition program elements based on the most relevant and up-to-date science?; and

WHEREAS, on June 12, 2018, the NASM announced the members of the Expert Panel which does not include any of the individual members nominated by the West of Hudson communities and has informally indicated that the impact of watershed programs on community sustainability is not specifically considered as a primary focus of the scope of review for the expert panel; and

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors respectfully requests that the expert panel consider an addition of one or more members with a concentration in community sustainability and land use management; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors respectfully requests that expert panel give serious consideration to the following two reports: *New York Land Acquisition Town Level Assessment 2017: Delaware County Evaluation and Response ("Delaware County 2017 Report")* and *A New Vision for the New York City Watershed: Using Successful Partnership Programs To Protect Water Quality While Facilitating Business Retention and Development (March 2015)* in addition to serious consideration to the following issues: the history of development in Delaware County; the real or imagined threat of significant adverse development; the actual realities and challenges to community sustainability; the adverse impacts from random open space land acquisition; and the local agencies achievements in water quality protection; and

BE IT FURTHER RESOLVED that this resolution be sent to Governor Andrew M. Cuomo, Congressman John Faso, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar II, Assemblyman Clifford W. Crouch, Assemblyman Brian Miller, Assemblyman Chris Tague, Environmental Protection Agency Region 2 Director Peter D. Lopez, New York State Department of Environmental Conservation Commissioner Basil Seggos, New York City Department of Environmental Protection Commissioner Vincent Sapienza and New York State Department of Health Commissioner Howard A. Zucker, M.D., J.D.

The resolution was seconded by Mr. Ellis.

In response to Mr. Hynes, Ms. Johnson-Bennett shared that the MOA turned 20 years old in 2017. The stakeholders felt it was time to bring the National Academy of Sciences and Medicine Expert Panel (NASMEP) back to the table. She noted that Delaware County has made great strides in land use and management and have proven to be good stewards of the land as it pertains to the protection of the New York City water supply. However, what we've learned is that land acquisition issues are preventing the growth and economic success of our towns. The County provided its study to the New York City stakeholders who have asked us to wait to present this study to the NASMEP. The NASMEP list and agenda was released and did not include the County's issues.

This resolution is objecting to the selection list and the deletion of land use consideration. She stated that six experts in the field of land management and land use planning and economics were nominated by the West of Hudson communities and submitted to the NASMEP to consider. When NASMEP announced the list of members on the Expert Panel it did not include any of the experts nominated by the West of Hudson communities. The reason for this as indicated by NASMEP is that the impact of watershed programs on community sustainability is not in their scope of review.

In answer to Mr. Marshfield, Ms. Johnson-Bennett stated that a similar resolution is being drafted for the towns. Mr. Marshfield referenced land acquisition by New York City in the Town of Hamden saying that the City is taking 200 acres subdivided into 10 parcels because a small portion of the land qualifies and the parcels are contiguous. He stated that he will be formalizing his objection in the near future.

Mr. Davis expressed concern that the best interest of the County might not be considered if the NASMEP does not select one or more of the experts recommended. He felt strongly that the NASMEP needed to base their study on the same criteria that the County used in its report.

In response to Mr. Davis, Ms. Johnson-Bennett noted that the working group plans to bring these experts into the discussion if the NASMEP does not put one or more members on the panel.

The resolution was unanimously adopted.

Chairman Molé 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. 129

TITLE: 2018 BUDGET AMENDMENT NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE STOP-DWI

WHEREAS, STOP-DWI (Special Traffic Operations Program-Driving While Intoxicated) is empowered to coordinate and execute local efforts to reduce alcohol and drug related traffic accidents; and

WHEREAS, STOP-DWI is funded entirely through fines collected from convicted drunk driving offenders and is not funded from any tax source; and

WHEREAS, the crime of Driving While Intoxicated has severe and lasting effects on the victims and on the residents of Delaware County; and

WHEREAS, the New York State Governor's Traffic Safety Committee allocated \$22,500 to the Delaware County STOP-DWI Program for education and enforcement efforts; and

WHEREAS, STOP-DWI supports the efforts of Delaware County affiliates providing vital educational programming intended to reduce the occurrence of DWI to support safer roads in the community.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUE:

10-13315-43338900	State Other Public Safety	\$22,500.00
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INCREASE APPROPRIATION:

10-13315-54183000	Community Outreach & Education	\$17,500.00
10-13315-52200000	Equipment	\$5,000.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 130

**TITLE: CLIMATE SMART COMMUNITIES TASK FORCE/COORDINATOR
PLANNING DEPARTMENT**

WHEREAS, Delaware County has pledged to be a Climate Smart Community; and

WHEREAS, climate change certification is an ongoing effort of tasks and accomplishments that require periodic updates and regular discussion; and

WHEREAS, an oversight board and County staff structure can provide organizational and administrative support to ongoing Climate Smart Certification efforts; and

WHEREAS, the Climate Smart Communities Coordinator can provide updates on related efforts to the designated task force; and

WHEREAS, the Delaware County Planning Board represents an assemblage of regional representation from throughout the County and provides oversight to the County Planning Department; and

IT IS HEREBY RESOLVED that the Delaware County Planning Board serve as the Climate Smart Communities Task force, and

BE IT FURTHER RESOLVED that the Delaware County Planning Department Director serve as the Climate Smart Communities Coordinator for Delaware County.

The resolution was seconded by Mr. Ellis.

Chairman Molé stated that this is another step in the process of becoming a Climate Smart Community.

The resolution was unanimously adopted.

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

RESOLUTION NO. 131

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$990,847.48 were hereby presented to the Finance Committee for approval for payment on June 22, 2018 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	\$792,876.64
OET	\$33,316.33
Public Safety Comm System	\$0.00
Capital 97 Main	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$16.23
Road	\$152.16
Machinery	\$143,386.01
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$21,100.11

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,475,154.44 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	\$582,964.49
OET	\$20,092.00
Public Safety Comm System	\$407,954.59
Capital 97 Main	\$3,094.06
Highway Audits, as Follows:	
Weights and Measures	\$145.23
Road	\$73,038.30
Machinery	\$65,055.51
Capital Road & Bridge	\$181,443.95
Capital Solid Waste	\$49,729.25
Solid Waste/Landfill	\$91,637.06

The resolution was seconded by Mr. Gladstone and adopted by the following vote:
Ayes 4241, Noes 0, Absent 0, Vacant 558 (Walton).

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

RESOLUTION NO. 132

TITLE: IN MEMORY OF CHARLES F. GREGORY

WHEREAS, former Town of Walton Supervisor Charles F. Gregory passed away on June 25, 2018; and

WHEREAS, he served as Town of Walton Supervisor from 2016 until June 25, 2018; and

WHEREAS, he will be remembered with distinction for his hard work, distinguished service and dedication to the County and the Town of Walton.

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

The resolution was seconded by Mr. Marshfield.

Mr. Marshfield noted that he served on several committees with Mr. Gregory. Mr. Gregory was a true gentleman and always went above the level of resource needed. He was an asset to the Town of Walton and the County. Unfortunately, Mr. Gregory served too short a time.

Chairman Molé shared that Mr. Gregory was always willing to accept a challenge, did his homework and was prepared to speak to his decisions. He felt strongly about meeting face to face to ensure his communications were clear and that he was always transparent. He will be missed.

Mr. Pigford commented that he had sent a thank you note to Mr. Gregory for his assistance on a certain matter. He shared the note Mr. Gregory sent back to him “I love to take credit for stuff but it is God’s grace and guidance that keeps me going. I am just his worker bee.”

Upon a motion, the meeting adjourned for a short recess. Chairman Molé invited everyone in attendance to enjoy refreshments in the lobby served by the Delaware County Dairy Princess and her Ambassadors.

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 133

**TITLE: CONTROL OF SNOW AND ICE ON COUNTY HIGHWAYS
BY TOWN FORCES SECTION 135-A OF THE HIGHWAY LAW
DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED that pursuant to Section 135-a of the Highway Law, the Board of Supervisors of Delaware County hereby authorizes the Delaware County Commissioner of Public Works to enter into an agreement with the Town Highway Superintendents of the Towns of Colchester, Harpersfield, Kortright, Masonville, Middletown, Roxbury, Stamford and Tompkins for the performance, by the Towns, of the work of control of snow and ice on the County Roads within the boundaries of the County, upon terms and regulations as are contained in such agreements for a five-year period from September 1, 2018 – August 31, 2023.

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

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

RESOLUTION NO. 134

**TITLE: CONTROL OF SNOW AND ICE ON NEW YORK CITY ROADS
BY TOWN FORCES
DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED that pursuant to an agreement between New York City and the County of Delaware, and by Resolution No. 46 of 1991, Delaware County hereby authorizes the Delaware County Commissioner of Public Works to enter into agreements with the Town Highway Superintendents of the Towns of Andes, Colchester, Middletown, Roxbury, Tompkins and Walton for the performance, by the Towns, of the work of control of snow and ice on the New York City Roads within the boundaries of the County, upon terms and regulations as are contained such agreements for a five-year period from September 1, 2018 – August 31, 2023.

BE IT FURTHER RESOLVED that if the City at any time does not renew its contract with the County, the County’s contracts with the Towns for the plowing of the City roads will also be terminated.

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

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

RESOLUTION NO. 135

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 136

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss the proposed acquisition, sale or lease of real property.

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

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 137

**TITLE: AUTHORIZATION TO INITIATE THE EMINENT DOMAIN PROCEDURE
PROCESS ON SITE NO. 11
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 69 of 2018 authorized the Public Works Committee to proceed with the Hybrid Option for the reconstruction of the DPW facility; and

WHEREAS, the Public Works Committee had requested the County Attorney's Office to obtain an appraisal of Site No. 11 which includes Town of Hamden tax map parcels numbered: 254.-1-11.41, 254.-1-9, and 254.-1-11.2 and said combined parcels appraised for \$400,000; and

WHEREAS, the County Attorney's Office has contacted the owners attorney and made an offer for the purchase of the parcels and the offer was not accepted; and

WHEREAS, the Attorney for the owners has indicated that the sale price for the property is set at \$1,200,000 and an option for the purchase of the property which will allow the Department to perform the onsite investigations in order to satisfy SEQRA is an additional \$120,000 per year; and

WHEREAS, the County Attorney has encouraged the owners attorney to have the owners obtain their own appraisal to be used as a point of negotiations however the owners have denied to pursue a second appraisal; and

WHEREAS, the County Attorney has advised the Public Works Committee that it is not prudent or acceptable to pay such a significant amount over the appraised value; and

WHEREAS, the Public Works Committee has authorized the County Attorney to obtain a second appraisal to ensure that the offered price is fair and reasonable but the owners have not agreed to a time when the second appraiser can visit their property; and

WHEREAS, the Eminent Domain Procedure Law is clear that law cannot be used to acquire any more than just the required amount of property necessary to complete the proposed property; and

WHEREAS, the minimum amount of property cannot be identified until the necessary environmental and onsite investigations into geotechnical and storm water studies can be performed; and

WHEREAS, the Eminent Domain Procedure Law does allow for the municipality to access the property after the required notification for the required investigations while ensuring that any damage done has to be repaired; and

WHEREAS, the SEQRA process for the entire option cannot be started without being able to identify the issues at Site No. 11 it is imperative that the investigation work proceed ahead.

NOW, THEREFORE, BE IT RESOLVED that the Public Works Committee and the County Attorney are herewith granted authorization to proceed under the Eminent Domain Procedure Law to perform the necessary onsite investigations for Site No. 11.

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 2175, Noes 2066 (Gladstone, Molé, Merrill, Axtell, Marshfield, Vernold, Eisel, Spaccaformo, Davis, Hynes, Layton), Absent 0, Vacant 558 (Walton).

Upon a motion, the meeting adjourned at 7:00 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

**INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED
AGRICULTURAL DISTRICTS DURING THE 2018 THIRTY-DAY PERIOD FOR
ANNUAL DISTRICT REVIEW**

JULY 25, 2018

The Delaware County Board of Supervisors held a Public Hearing concerning the inclusion of land(s) into Agricultural District No. 17 in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 3:45 p.m. on Wednesday, July 25, 2018, Chairman Tina B. Molé presiding.

Chairman Molé 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 2018 THIRTY-DAY PERIOD FOR
ANNUAL DISTRICT REVIEW**

PLEASE TAKE NOTICE that the Delaware County Board of Supervisors will hold a Public Hearing on Wednesday, July 25, 2018, at 3:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY, concerning the inclusion of land(s) into Agricultural District No. 17. 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:

Davenport: Agricultural District No. 17

Tax ID #23.-1-19.1 (12.11 ac) Dutch Hill Road

Tax ID #24.-1-34.14 (8.6 ac) Dutch Hill Road

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, 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 at (607) 832-5110.

Dated: July 13, 2018

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé 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 Molé declared the hearing adjourned at 3:50 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JULY 25, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 25, 2018 at 4:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Marshfield and Mr. Eisel.

Mr. Pigford offered the invocation.

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

Chairman Molé introduced and welcomed newly appointed Town of Walton Supervisor Joseph M. Cetta to the Board.

The minutes of the previous meeting were accepted as presented.

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

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

RESOLUTION NO. 138

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING
DELIVERY SYSTEM REFORM INCENTIVE PAYMENT PROGRAM (DSRIP)
WORKFORCE DEVELOPMENT
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, professional workforce recruitment is a priority objective for the Mental Health Clinic; and

WHEREAS, DSRIP through the Care Compass Network recognizes the urgent need for licensed mental health professionals and is willing to support these efforts in Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended as follows:

INCREASE REVENUES:

10-14310-41163107	DSRIP	\$10,000.00
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INCREASE APPROPRIATIONS:

10-14310-54105020	Advertising Recruitment	\$10,000.00
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The resolution was seconded by Mr. Triolo and adopted by the following vote:
Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 139

**TITLE: 2018 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 2018 Budget be amended as follows:

INCREASE REVENUE:

10-16010-44482002	Summer Youth Employment	\$115,597.00
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INCREASE APPROPRIATION:

10-16010-54665002	Summer Youth Employment	\$115,597.00
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 140

**TITLE: 2018 BUDGET AMENDMENT
WATERSHED ENVIRONMENTAL ASSISTANCE PROGRAM
STEELE BROOK STREAMBANK STABILIZATION PROJECT
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, Delaware County has been awarded a \$440,000 Watershed Environmental Assistance Program grant from the U.S. Army Corp. of Engineers to implement the Steele Brook Streambank Stabilization project to continue the implementation of the Delaware County Action Plan over a three-year period; and

WHEREAS, the required match is identified and committed by the New York City Department of Environmental Protection Stream Management Program at the Delaware County Soil and Water Conservation District in the amount of \$150,000.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby authorizes the Chairman of the Board to enter into a contract, known 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 the Delaware County Soil and Water Conservation District; and

BE IT FURTHER RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUE:

10 18741 44498900 8740043 900	Army Corp. of Engineers	\$440,000.00
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INCREASE APPROPRIATIONS:

10 18741 54327200 8740043 900	Contractual	\$440,000.00
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The resolution was seconded by Mr. Valente and Mr. Tuthill.

In response to Mr. Triolo, Assistant to the Commissioner of Watershed Affairs Molly Oliver explained that the U.S. Army Corp. of Engineers has been generous in their funding to Delaware County because our projects are so well thought out and organized. This funding is for the stream bank stabilization on the upper part of the Steele Brook streambank in Delhi.

The resolution was adopted by the following vote: Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 141

**TITLE: 2018 BUDGET AMENDMENT
APPROPRIATION OF SURPLUS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Chemical and Contracted Services Town Snow lines in the snow removal budget are at 91 and 92 percent respectively; and

WHEREAS, that is well above the 75 percent that the Department generally anticipates at this time of the year; and

WHEREAS, there are basically three months of snow season remaining for the year.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

DECREASE FUND BALANCE:

24-00000-34915000	Assigned Unappropriated Fund Balance	\$725,000.00
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INCREASE APPROPRIATION:

24-15142-54160000	Chemicals	\$649,000.00
24-15142-54200060	Contracted Services Town Snow	76,000.00

The resolution was seconded by Mr. Davis and adopted by the following vote:
Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 142

**TITLE: CHANGE ORDER NO. 5 OF PROPOSAL NO. 31-17
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 53 of 2017 authorized the award of Proposal No. 31-17, Replacement of County Route 26 Bridge over Telford Hollow Brook, PIN 9753.00, BIN 3351950, Town of Colchester to Sullivan County Paving & Construction Inc., 420 Bernas Road, Cohecton, NY 12726 for the bid amount of \$1,987,598.51; and

WHEREAS, Resolution No. 199 of 2017 authorized the execution of Change Orders No. 1 and 2 at no change in the contract amount; and

WHEREAS, Resolution No. 9 of 2018 authorized the execution of Change Order No. 3 at no change in the contract amount; and

WHEREAS, Resolution No. 117 of 2018 authorized the execution of Change Order No. 4 at no change in the contract amount; and

WHEREAS, during the course of the construction the quantities of items 304.12, 402.198903, 407.0102, 551.14, 552.2201, 552.230201, 603.9824, 605.1603, 606.1, 606.63, 610.1402, 610.1403, 610.1601, 619.1701, 625.04, 640.1, 640.11, 645.81, 646.22 exceeded the contract quantities resulting in a cost increase for those items equal to \$14,197.84; and

WHEREAS, during the course of the construction it became evident that there was no need for items 571.03, 607.3301, 607.4040, 607.97-08, 619.1703, 619.1812, 619.27, 620.04, 621.03 so they will be removed from the contract resulting in a cost reduction of \$42,275.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 5 for Proposal No. 31-17 adjusting the contract items as referenced above at a net reduction in the total contract value of \$28,077.16 and reducing the total contract cost to \$1,959,521.35.

The resolution was seconded by Mr. Davis and adopted by the following vote:
Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 143

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 37-17
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 50 of 2018 authorized the award of Proposal No. 37-17, Delaware County Bridge Structural Steel Preservation Project, PIN 9754.32, D035654 to Rover Contracting Inc., 2424 Route 52, Suite 2F, Hopewell Junction, NY 12533 for the bid amount of \$272,800; and

WHEREAS, there was additional time needed for curing of the silicone sealant in conjunction with steel repairs shown in addendum No. 1 of the Proposal; and

WHEREAS, this caused the contractor to be unable to complete the project by the contract completion date.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 37-17 extending the contract completion date until June 29, 2018 at no change in the contract amount of \$272,800.

The resolution was seconded by Mr. Spaccaformo and adopted by the following vote: Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 144

TITLE: IN MEMORY OF ROBERT A. HOMOVICH

WHEREAS, former Town of Colchester Supervisor Robert A. Homovich passed away on June 28, 2018; and

WHEREAS, he served as Town of Colchester Supervisor from 1986 until 1995 and again from 2006 until 2011; and

WHEREAS, he also served as Delaware County Budget Director from October 28, 2009 until December 31, 2011; and

WHEREAS, he will be remembered with distinction for his hard work, distinguished service and dedication 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 Robert A. Homovich and recognizes with gratitude his contributions to this County, his Town and neighbors.

The resolution was seconded by Mr. Valente.

Mr. Merrill shared that in addition to serving in the above mentioned capacities, Mr. Homovich served as a Town of Colchester police officer for 12 years, as a member of the Town Board for 16 years and as a member of the fire department for 53 years.

Ms. Molé noted that she grew up knowing Mr. Homovich and was honored to eventually serve with him on the Board of Supervisors. He was very committed to his town and the county.

Chairman Molé 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. 145

**TITLE: SALE OF TAX ACQUIRED PROPERTY
TREASURER'S OFFICE**

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.

AND16TX.022

ASSESSED To:

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

ACREAGE:

CONVEYED To:

CASH CONSIDERATION:

TAX DEFICIT:

ROBERT ETHERIDGE

122000:ANDES

260.-1-32

122002:ANDES

1.50A ACRES

FINEST CONTRACTING INC

C/O TODD HILLKEWICZ

99 WESTWOOD RD NORTH

MASSAPEQUA PARK NY 11762

\$52,000.00

\$7,392.25

COL13TX.018A

ASSESSED To:

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

ACREAGE:

CONVEYED To:

CASH CONSIDERATION:

TAX DEFICIT:

ROBERT C KNORR AND WAYNE KNORR

122400:COLCHESTER

358.2-4-3.1

122401:DOWNSVILLE

3.84A ACRES

JAMES M CHRISTIE & CYNTHIA L CHRISTIE

98 TANNERY RD, PO Box 344

DOWNSVILLE NY 13755

\$25,000.00

\$17,453.05

COL14TX.024B

ASSESSED To:

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

ACREAGE:

CONVEYED To:

CASH CONSIDERATION:

TAX DEFICIT:

WAYNE KNORR

122400:COLCHESTER

358.2-4-3.2

122401:DOWNSVILLE

0.36 ACRES

GREG BARNES & CANDICE L BARNES

PO Box 451

DOWNSVILLE NY 13755

\$7,000.00

\$29,971.59

DELL16TX.004

ASSESSED To:

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

ACREAGE:

CONVEYED To:

CASH CONSIDERATION:

TAX DEFICIT:

RICHARD BABCOCK

122801:DELHI

171.7-8-12

122801:DELAWARE ACADEMY

117'F x 146.15'D ACRES

STEPHEN G & MELISSA J WAKIN-MOSTERT

124 WATERMAN RD

DELHI NY 13753

\$11,000.00

VILLAGE SHARE\$3,630.00

COUNTY SHARE \$7,370.00

\$9,906.83

FRA16TX.005

ASSESSED To:

TOWN OF:

TAX MAP NO:

SCHOOL DISTRICT:

ACREAGE:

CONVEYED To:

CASH CONSIDERATION:

TAX DEFICIT:

CONSTANTINE BRUNO AND MARJORIE ELLEN BRUNO

123289:FRANKLIN

146.-1-16

122801:DELAWARE ACADEMY

5.23A ACRES

VISIONS OF HOME, LLC

101 SPRUCE STREET

ONEONTA NY 13820

\$4,000.00

\$915.36

FRA16TX.012A

ASSESSED To:

TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED TO:

CASH CONSIDERATION:
TAX DEFICIT:

ALLAN EADY

123289:FRANKLIN
77.-1-28
123201:FRANKLIN
20.60A ACRES
ROBERT THOMAS JOHNS IV AND JULIEMIE A JOHNS
245 FRED OTTAWAY RD
COOPERSTOWN NY 13326

\$14,000.00
\$5,538.27

FRA16TX.034

ASSESSED To:

TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED TO:

CASH CONSIDERATION:
TAX DEFICIT:

JAMES L THOMAS IV

123289:FRANKLIN
44.-1-29.12
123201:FRANKLIN
3.00A ACRES
DAVID AND LAURIE GRANT
561 GAY BROOK RD
ONEONTA NY 13820

\$3,000.00
\$1,156.91

HAM16TX.005

ASSESSED To:

TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED TO:

CASH CONSIDERATION:
TAX DEFICIT:

DIVERSIFIED AMPHIL CORP

123400:HAMDEN
146.-4-9
122801:DELAWARE ACADEMY
13.12A ACRES
ROGER CASAS
31116 STATE HIGHWAY 10
WALTON NY 13856

\$16,000.00
\$4,565.92

HAM16TX.009

ASSESSED To:

TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED TO:

CASH CONSIDERATION:
TAX DEFICIT:

ADELINE GILLICH ESTATE

123400:HAMDEN
167.-7-4
125601:WALTON
15.64A ACRES
MOUNTAIN LIVING LLC
3634 HAMDEN HILL RD
HAMDEN NY 13782

\$11,000.00
\$5,484.52

HAN16TX.020A

ASSESSED To:

TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED TO:

CASH CONSIDERATION:
TAX DEFICIT:

INDIA CONKLING

123689:HANCOCK
457.-1-22
123606:HANCOCK
260'F x 110'D: 1.21A ACRES
FRANK A GALLO AND TAMMY GALLO
134 BUCKET LANE
LEVITTOWN NY 11756

\$4,000.00
\$3,325.85

ASSESSED TO:

EDWIN R DEVINE

ASSESSED TO:

EDWIN R DEVINE

ASSESSED To:

MARIE I DUCHON

ASSESSED TO:

FRANK A GALLIPANI AND TRACY C GALLIPANI

ASSESSED TO:

RAUL D PARDO AND LINDA A PARDO

HAN16TX.093

ASSESSED To:

RAUL D PARDO AND LINDA A PARDO

TOWN OF:	123689:HANCOCK
TAX MAP NO:	463.-4-11
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	5.39A ACRES
CONVEYED TO:	WILLIAM R ROSS 323 MASSAPEQUA AVE MASSAPEQUA NY 11758
CASH CONSIDERATION:	\$1,000.00
TAX DEFICIT:	\$1,682.10

HAN16TX.094

ASSESSED To:

DONNA PERILLO

TOWN OF:	123601:HANCOCK
TAX MAP NO:	429.17-2-40
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	70'F X 155'D: 0.25A ACRES
CONVEYED TO:	ASHRAF SHENODA 287 BROAD ST CARLSTADT NJ 07072
CASH CONSIDERATION:	\$1,000.00 VILLAGE SHARE \$300.00 COUNTY SHARE \$700.00
TAX DEFICIT:	\$5,014.90

HAN16TX.095

ASSESSED To:

DOMINICK PERILLO AND DONNA PERILLO

TOWN OF:	123601:HANCOCK
TAX MAP NO:	429.18-1-17
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	63'F X 148.5'D: 0.13A ACRES
CONVEYED TO:	ZAKARIA MEGGALI 9 ST JOHN ST WALTON NY 13856
CASH CONSIDERATION:	\$500.00 VILLAGE SHARE \$150.00 COUNTY SHARE \$350.00
TAX DEFICIT:	\$3,854.06

HAN16TX.109

ASSESSED To:

ALLEN S ROPER AND MICHELLE L WRIGHT

TOWN OF:	123689:HANCOCK
TAX MAP NO:	434.-5-38
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	5.54A ACRES
CONVEYED TO:	THOMAS H HORMEL 105 5 TH AVE KINGS PARK NY 11754
CASH CONSIDERATION:	\$9,000.00
TAX DEFICIT:	\$2,181.42

HAN16TX.117

ASSESSED To:

FRANK P SCARPINITO

TOWN OF:	123689:HANCOCK
TAX MAP NO:	456.-3-2 & 456.-3-3
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	1.65A & 1.70A ACRES
CONVEYED TO:	EUGENE SENESE, LYNN MCCARTHY AND TORE MCCARTHY 470 GARDEN BLVD GARDEN CITY NY 11530

CASH CONSIDERATION:	\$41,000.00
TAX DEFICIT:	\$12,554.26

	HAN16TX.115
<u>ASSESSED To:</u>	<u>FRANK P SCARPINTO</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	456.-3-7 & 456.-3-8
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	1.80A & 2.60A ACRES
CONVEYED To:	BRIAN DORSEY 76 OVERTON STREET DEER PARK NY 11729
CASH CONSIDERATION:	\$6,500.00
TAX DEFICIT:	\$1,586.24

	HAN12TX.117
<u>ASSESSED To:</u>	<u>WINFORD E TOLER</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	429.-2-2
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	50.21A ACRES
CONVEYED To:	TERRACE AND ORCHARD LLC 51 HAWLEY AVE PORT CHESTER NY 10573
CASH CONSIDERATION:	\$88,000.00
TAX DEFICIT:	\$35,025.85

	HAN16TX.135
<u>ASSESSED To:</u>	<u>GRIGORY TYLES AND SURA TYLES</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	431.-1-48.4
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	4.50A ACRES
CONVEYED To:	FULL CIRCLE INVESTORS LLC 291 E 4 TH STREET NEW YORK NY 10009
CASH CONSIDERATION:	\$10,000.00
TAX DEFICIT:	\$13,879.02

	HAR15TX.006A
<u>ASSESSED To:</u>	<u>BRIDGE POINT REALTY LLC</u>
TOWN OF:	123889:HARPERSFIELD
TAX MAP NO:	11.-1-12.2
SCHOOL DISTRICT:	122601:CHARLOTTE VALLEY
ACREAGE:	1.00A ACRES
CONVEYED To:	MARVIN F JESTER AND EVELYN M JESTER 477 SOUTH WORCESTER HILL RD JEFFERSON NY 12093
CASH CONSIDERATION:	\$3,000.00
TAX DEFICIT:	\$12,046.17

	HAR16TX.0014
<u>ASSESSED To:</u>	<u>JEAN PELLEGRINO</u>
TOWN OF:	123889:HARPERSFIELD
TAX MAP NO:	28.-1-45
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	150'F X 240'D: 0.75A ACRES
CONVEYED To:	TERRY CULP PO Box 249 STAMFORD NY 12167
CASH CONSIDERATION:	\$3,000.00
TAX DEFICIT:	\$6,697.43

ASSESSED TO:

EVARISTO C RODRIGUEZ

ASSESSED TO:

KOR16TX.006

MICHAEL BURKE

ASSESSED TO:

KOR16TX.024

JOSEPH PARISI

ASSESSED TO:

KOR16TX.029

DENISE SERRAPICA

ASSESSED To:

KOR16TX.030A

EDWARD D SIMEONE AND MARIE RITA SIMEONE

124000:KORTRIGHT
65.-2-25
125202:SOUTH KORTRIGHT
3.00A ACRES
FRANK HILLEWICZ
32 SALT BOX PATH
AMITTYVILLE NY 11701
\$16,500.00
\$6,775.83

MAS16TX.006

ASSESSED To:

TOWN OF:
TAX MAP NO:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

JASON CUNNINGHAM
MASONVILLE
162.-2-43.22
125001:SIDNEY
1.00A ACRES
THOMAS WOLCOTT
25 GRAND ST
SIDNEY NY 13838

\$100.00
\$2,610.02

MAS16TX.015

ASSESSED To:

TOWN OF:
TAX MAP NO:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

MANUEL DEJESUS ALBA MILLET
MASONVILLE
186.-4-21
125001:SIDNEY
5.10A ACRES
DOMINICK S MILILLO AND ANGELO F MILILLO
12 MARLBORO RD
VALLEY STREAM NY 11581

\$1,000.00
\$873.80

MAS16TX.014

ASSESSED To:

TOWN OF:
TAX MAP NO:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

RAMAZAN RAPUSH LATIFI
MASONVILLE
160.-1-60.4
125001:SIDNEY
5.00A ACRES
GLENN JOHNSON
18237 St HWY 8
SIDNEY NY 13838

\$11,000.00
\$1,878.77

MAS15TX.021

ASSESSED To:

TOWN OF:
TAX MAP NO:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

HARRY J YOUNG III AND SANDRA J YOUNG
124200:MASONVILLE
226.-2-5.2
125601:WALTON
1.00A ACRES
HARRY J YOUNG III AND SANDRA J YOUNG
52 W HANOVER ST
GETTYSBURG PA 17325

\$14,148.21
\$8,105.62

MID16TX.006A

ASSESSED To:

TOWN OF:
TAX MAP NO:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

MELISSA BEVINS AND JEANETTE BUSH
124689:MIDDLETOWN
306.-2-21.1
124601:MARGARETVILLE
0.28A ACRES
NATHANIEL HENDRICKS
1075 SOUTHSIDE ROAD
MARGARETVILLE NY 12455

\$1,100.00
\$ 4,707.58

MID16TX.006B

<u>ASSESSED To:</u>	<u>MELISSA BEVINS AND JEANETTE BUSH</u>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	306.-2-20
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	0.70A ACRES
CONVEYED To:	MOUNTAIN LIVING LLC 3634 HAMDEN HILL RD HAMDEN NY 13782
CASH CONSIDERATION:	\$3,300.00
TAX DEFICIT:	\$5,753.71

MID16TX.007

<u>ASSESSED To:</u>	<u>SIXTO BOBADILLA AND JUAN F VARGAS</u>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	242.-3-4
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	6.23A ACRES
CONVEYED To:	BLUESTONE UPSTATE PROPERTIES LLC 367 HIDDEN WATERS DR MARGARETVILLE NY 12455
CASH CONSIDERATION:	\$22,000.00
TAX DEFICIT:	\$2,060.92

MID15TX.026

<u>ASSESSED To:</u>	<u>KELLY CURLESS, BONNIE BOUTON AND JEFFREY BOUTON</u>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	286.16-2-1
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	0.07A ACRES
CONVEYED To:	WARREN J SLAVIN PO Box 277 FLEISCHMANN'S NY 12430
CASH CONSIDERATION:	\$11,272.83
TAX DEFICIT:	\$8,547.90

MID15TX.050

<u>ASSESSED To:</u>	<u>MARIA F McADAMS</u>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	263.-2-24 & 263.-2-26
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	0.69A & 1.60A ACRES
CONVEYED To:	DOVE M KARN 115 UNION STREET COBLESKILL NY 12043
CASH CONSIDERATION:	\$20,000.00
TAX DEFICIT:	\$14,894.74

MID16TX.058

<u>ASSESSED To:</u>	<u>STEPHEN H MOORE AND JOANN MOORE, WAYNE A BUSBY AND SUSAN BUSBY, WILLIAM H BAIN III & THOMAS C BAIN, JOHN J BURKE III AND CATHERINE BURKE, GARY A SMITH AND LINDA WILKERSON</u>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	305.-1-4.6
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	2.80 ACRES
CONVEYED To:	BRAD LEE WILSON 223 W ISLIP RD WEST ISLIP NY 11795
CASH CONSIDERATION:	\$3,500.00

TAX DEFICIT: \$3,079.95

ROX16TX.018

<u>ASSESSED TO:</u>	<u>MARGARET M HANSEN</u>
TOWN OF:	124800:ROXBURY
TAX MAP NO:	155.3-1-50 & 155.3-1-51
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	103'F x 110'D: 0.34A & 93'F x 166'D: 0.38A ACRES
CONVEYED TO:	LASZLO VAJTAY 53962 ST HWY 30 ROXBURY NY 12474
CASH CONSIDERATION:	\$5,500.00
TAX DEFICIT:	\$73.37

ROX16TX.022

<u>ASSESSED TO:</u>	<u>JONES HOLLOW MANAGEMENT CO INC</u>
TOWN OF:	124800:ROXBURY
TAX MAP NO:	155.3-1-14
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	155'F x 260'D: 0.50A ACRES
CONVEYED TO:	LASZLO VAJTAY 53962 ST HWY 30 ROXBUEY NY 12474
CASH CONSIDERATION:	\$2,500.00
TAX DEFICIT:	\$53.39

ROX16TX.026

<u>ASSESSED TO:</u>	<u>WILLIAM LALOSH AND KARYN J LALOSH</u>
TOWN OF:	124800:ROXBURY
TAX MAP NO:	200.-1-75.1
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	1.00A ACRES
CONVEYED TO:	FINEST CONTRACTING INC C/O TODD HILLKEWICZ 99 WESTWOOD RD NORTH MASSAPEQUA PARK NY 11762
CASH CONSIDERATION:	\$21,000.00
TAX DEFICIT:	\$8,274.92

ROX15TX.030

<u>SESSED TO:</u>	<u>WILLIAM SANFORD AND ANTHONY H HITCHCOCK</u>
TOWN OF:	124800:ROXBURY
TAX MAP NO:	91.2-8-11 & 91.2-8-12
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	75.00'F x 180.00'D: 0.33A 100.00'F x 175.00'D: 0.38A ACRES
CONVEYED TO:	JACK SZARAPKA AND HARADA-SZARAPKA P0 Box 749 CATSKILL NY 12414
CASH CONSIDERATION:	\$1,750.00
TAX DEFICIT:	\$15,336.12

SID14TX.002

<u>ASSESSED TO:</u>	<u>ELISEO M ADORNO</u>
TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.15-3-20
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	0.25 ACRES
CONVEYED TO:	MARK BIRMINGHAM 18 RAMAPO AVE STATEN ISLAND NY 10309

CASH CONSIDERATION:	\$3,000.00
	VILLAGE SHARE \$1,080.00
	COUNTY SHARE \$1,920.00
TAX DEFICIT:	\$6,361.62

SID16TX.003

<u>ASSESSED To:</u>	<u>NICHOLAS G AUSTIN AND JOAN AUSTIN</u>
TOWN OF:	125089:SIDNEY
TAX MAP No:	96.-1-43
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	1.80A ACRES
CONVEYED To:	JENNIFER A MCNEILLY 1566 GIBSON HILL RD FRANKLIN NY 13775
CASH CONSIDERATION:	\$2,000.00
TAX DEFICIT:	\$5,728.06

SID16TX.033

<u>ASSESSED To:</u>	<u>ROGER LAMBRECHT</u>
TOWN OF:	125089:SIDNEY
TAX MAP No:	117.-1-35.2 & 117.-1-36
SCHOOL DISTRICT:	364801:UNATEGO
ACREAGE:	2.00A & 45.99'F x 78'D: 0.32A ACRES
CONVEYED To:	CHRISTOPHER J SHAVER 162 KNAPP-SHAVER RD UNADILLA NY 13849
CASH CONSIDERATION:	\$5,000.00
TAX DEFICIT:	\$1,612.72

SID14TX.055

<u>ASSESSED To:</u>	<u>JACOB M PEAKE</u>
TOWN OF:	125089:SIDNEY
TAX MAP No:	119.-1-11
SCHOOL DISTRICT:	364801:UNATEGO
ACREAGE:	13.40 ACRES
CONVEYED To:	MOUNTAIN LIVING LLC 3634 HAMDEN HILL RD HAMDEN NY 13782
CASH CONSIDERATION:	\$15,000.00
TAX DEFICIT:	\$14,603.67

SID16TX.022

<u>ASSESSED To:</u>	<u>ESTATE OF JOHN A POPE AND ESTATE OF SUSAN B POPE</u>
TOWN OF:	125001:SIDNEY
TAX MAP No:	115.11-4-8
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	40'F x 155'D: 0.14A ACRES
CONVEYED To:	MARK BIRMINGHAM 18 RAMAPO AVE STATEN ISLAND NY 10309
CASH CONSIDERATION:	\$1,000.00
	VILLAGE SHARE \$470.00
	COUNTY SHARE \$530.00
TAX DEFICIT:	\$3,120.19

SID12TX.047

<u>ASSESSED To:</u>	<u>DONALD L ULMER</u>
TOWN OF:	125001:SIDNEY
TAX MAP No:	115.15-2-12
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	74.00'F x 66.00'D: 0.13A ACRES
CONVEYED To:	BOGUSLAW MAZURCZYK, MISAELA VIVAR MAZURCZYK AND MAREK MAZURCZYK

	39 OAK AVE SIDNEY NY 13838
CASH CONSIDERATION:	\$2,000.00 VILLAGE SHARE \$680.00 COUNTY SHARE \$1,320.00
TAX DEFICIT:	\$6,479.71
	STA16TX.045
<u>ASSESSED To:</u>	<u>CAROLYN K RIFENBARK</u>
TOWN OF:	125203:STAMFORD
TAX MAP NO:	54.10-7-22
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	60'F x 137'D ACRES
CONVEYED To:	VISIONS OF HOME, LLC 101 SPRUCE STREET ONEONTA NY 13820
CASH CONSIDERATION:	\$14,000.00 VILLAGE SHARE \$7,420.00 COUNTY SHARE \$6,580.00
TAX DEFICIT:	\$5,523.16
	STA16TX.052
<u>ASSESSED To:</u>	<u>THOMAS WALSH AND CAROL WALSH</u>
TOWN OF:	125289:STAMFORD
TAX MAP NO:	131.-3-7
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	6.15A ACRES
CONVEYED To:	NOAH LEON 427 ROUTE 6 APT B MAHOPAC NY 10541
CASH CONSIDERATION:	\$10,500.00
TAX DEFICIT:	\$1,667.36
	WAL16TX.039A
<u>ASSESSED To:</u>	<u>JOHN A ROBINSON</u>
TOWN OF:	125689:WALTON
TAX MAP NO:	187.-4-6
SCHOOL DISTRICT:	125601:WALTON
ACREAGE:	5.01A ACRES
CONVEYED To:	MISTY PHOENIX 2372 LOOMIS BK RD WALTON NY 13856
CASH CONSIDERATION:	\$27,500.00
TAX DEFICIT:	\$13,305.02
	WAL16TX.040A
<u>ASSESSED To:</u>	<u>JOHN A ROBINSON</u>
TOWN OF:	125689:WALTON
TAX MAP NO:	272.-2-28
SCHOOL DISTRICT:	125601:WALTON
ACREAGE:	4.60A ACRES
CONVEYED To:	DIKEMAN REALTY GROUP 72 UNION ST BROOKLYN NY 11231
CASH CONSIDERATION:	\$3,000.00
TAX DEFICIT:	\$2,069.48
	WAL16TX.044
<u>ASSESSED To:</u>	<u>DARREN J TAYLOR</u>
TOWN OF:	125689:WALTON
TAX MAP NO:	231.-1-27.1
SCHOOL DISTRICT:	125601:WALTON

ACREAGE:	1.40A ACRES
CONVEYED TO:	ROBERT PARKER 90 DUNK HILL RD WALTON NY 13856
CASH CONSIDERATION:	\$14,500.00
TAX DEFICIT:	\$5,717.80

The resolution was seconded by Mr. Tuthill and adopted by the following vote:
Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 146

**TITLE: AMENDMENT TO RESOLUTION NO. 76-18
SALE OF COUNTY OWNED PROPERTY
TREASURER’S OFFICE**

WHEREAS, the former buyer defaulted on his contract of sale.

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.

<u>ASSESSED TO:</u>	HAN13TX.080 <u>FRANK SCARPINTO</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	456.-3-7
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	1.80A ACRES
CONVEYED TO:	BERRIED TREASURES LLC 248 BEAVERKILL MOUNTAIN ROAD ROSCOE NY 12776-3001
CASH CONSIDERATION:	\$50,000.00
TAX DEFICIT:	\$28,861.61

The resolution was seconded by Mr. Gladstone and adopted by the following vote:
Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 147

**TITLE: JOIN CLASS ACTION AND COMMENCE LITIGATION AGAINST
PHARMACEUTICAL COMPANIES – OPIOID EPIDEMIC**

WHEREAS, various states and counties across the country have begun filing lawsuits against both pharmaceutical companies and distributors who have created the nationwide opioid epidemic for the fraudulent and negligent marketing and distribution of opioid pain medications; and

WHEREAS, New York State has been one of the hardest hit states in the nation, with the rate of prescription and heroin overdoses exceeding almost every other state in the country; and

WHEREAS, the law firm of Napoli Shkolnik PLLC has been investigating potential claims on behalf of both individuals and governmental entities against these pharmaceutical manufacturers and distributors, have been working with physicians, pharmacists and addiction specialists, have filed numerous actions in New York State on behalf of various counties, and have recently been named co-lead counsel in the coordinated opioid litigation; and

WHEREAS, the law firm of Napoli Shkolnik PLLC has recommended that claims for deceptive acts and practices, false advertising, public nuisance, fraud, unjust enrichment, as well

as other state specific violations be brought against the largest manufacturers and marketers of opioid pain medications, such as Purdue Pharmaceuticals, Teva Pharmaceutical Industries, Inc., Johnson and Johnson, and Endo Pharmaceuticals, as well as the largest distributors of these drugs, including McKesson Corp., Cardinal Health Inc. and AmerisourceBergen Corp; and

WHEREAS, the goal of the proposed litigation would be to fully compensate the County of Delaware for unnecessary costs incurred as a result of prescription opioid abuse, including workplace costs relative to loss of productivity, healthcare costs such as abuse treatment and criminal justice cost; and

WHEREAS, the Delaware County Board of Supervisors recognizes the importance of seeking accountability from those companies that engaged in fraudulent and negligent practices which caused immeasurable harm to Delaware County residents and taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors authorizes the County Attorney to retain the law firm of Napoli Shkolnik PLLC, upon such terms as are reasonable and standard, for the purpose of commencing litigation against whatever parties are recommended in connection with the ever increasing opioid litigation in New York State, including manufacturers and distributors of prescription opiates.

The resolution was seconded by Mr. Ellis.

Chairman Molé granted Mr. Triolo’s request to abstain from voting on this matter as he has a financial interest in one of the companies.

Chairman Molé stated that she is not in favor of this resolution. She does not believe the problem stems from the pharmaceutical companies and therefore will be voting against the resolution.

The resolution failed by the following vote: Ayes 1808, Noes 2474 (Gladstone, Mole, Merrill, Taggart, Vernold, Davis, Pigford, Cetta), Abstain 227 (Triolo), Absent 290 (Marshfield, Eisel).

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

RESOLUTION NO. 148

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$956,839.87 were hereby presented to the Finance Committee for approval for payment on July 20, 2018 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	\$890,929.47
OET	\$9,650.81
Public Safety Comm System	\$3,392.52
Capital 97 Main	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$512.23
Road	\$170.51
Machinery	\$31,388.47
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$20,795.86

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,656,370.36 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	\$492,356.98
OET	\$31,433.29
Public Safety Comm System	\$231,315.64
Capital 97 Main	\$0.00
Insurance Risk Retention	\$1,750.00
Highway Audits, as Follows:	
Weights and Measures	\$805.90
Road	\$60,219.48
Machinery	\$95,227.75
Capital Road & Bridge	\$655,634.34
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$87,626.98

The resolution was seconded by Mr. Valente and adopted by the following vote:
Ayes 4509, Noes 0, Absent 290 (Marshfield, Eisel).

Chairman Molé made the following committee appointments:

HEALTH SERVICES ADVISORY BOARD

2-year term ending December 31, 2019

Appoint:

Heather Warner

Kyra Shew

Edward Bartos

Chairman Molé recommended Jason Wadler to the Olympic Regional Development Agency Board (ORDA) for appointment by the Governor per Town of Middletown Supervisor Davis.

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

RESOLUTION NO. 149

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss the proposed acquisition, sale or lease of real property.

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

The meeting reconvened in regular session with all Supervisors present.

Chairman Molé announced there will be a public comment period on the eminent domain proceeding on the Bishop property Monday, August 6 at 6:00 p.m. at the Public Safety Building.

Upon a motion, the meeting adjourned at 4:50 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

AUGUST 22, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 22, 2018 at 4:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé 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 stated that she is in receipt of a resolution passed by the Town of Davenport requesting that the Board of Supervisors give serious consideration to setting guidelines allowing for a “Public Comment” period as a regular part of all County Board Meetings.

All other communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Mr. Hynes. Mr. Hynes introduced Roxbury Arts Group Executive Director Jenny Rosenzweig and Grants and Community Coordinator Solveig Comer.

Ms. Rosenzweig stated that she has served as Executive Director since 2011 and explained that the Roxbury Arts Group is a non-profit multi-arts organization founded in 1979. The organization is dedicated to making the arts an integral part of the life of all segments of our Catskill communities.

She noted that the Roxbury Arts Group is the administrator of the Decentralization Grant Program (DGP) in Delaware County. The DGP is a state-wide re-grant program of the New York State Council on the Arts that provides funding to non-profit organizations and artists within Delaware County for special projects and programs. She proudly stated that in 2018, thirteen grants were awarded through the DGP offering programs and events throughout the County. To provide further information, she introduced Grants and Community Coordinator Solveig Comer.

Ms. Comer explained that the DGP provides funding for art projects and programs on a local level. There are three categories of grants through this program; Community Arts, Arts Education and Individual Artist. All require that projects exhibit artistic merit and community benefit. The applicant must also demonstrate the ability to manage their project appropriately if funded. A total of \$37,800 of funding is available to Delaware County for 2019. The grant deadline is Friday, November 2. There are grant information sessions scheduled and one-on-one consultations available by appointment.

Additional information is available by contacting Ms. Comer at 607-326-7908 or at community@roxburyartsgrup.org. Complete guidelines and links to the application can be found at the Roxbury Arts Group website www.roxburyartsgroup.org.

Mr. Merrill stated that in 2015 the Town of Colchester received grant funding from the DGP for the Eagle Streetscape Art Project in the Hamlet of Downsville. The project was favorably received and has spurred ongoing projects.

For standing committee reports, Chairman of the Social Services Committee Wayne Marshfield shared that the County passed a resolution recognizing the third Friday in September as National POW/MIA Day in the United States. He introduced the Director of Veterans Service Agency Charles Piper.

Mr. Piper shared that in 2015 the County passed Resolution No. 162 entitled: POW/MIA Recognition Day. The resolution joins the federal government in designating the third Friday of September and every third Friday of September thereafter as a day to honor these soldiers and their families who have made significant sacrifices for their country. The Defense POW/MIA Accounting Agency uses their funding to find, return and identify the remains of missing military members. On Aug. 1, 2018, carry teams moved the remains of 55 military members lost in the Korean War. Knowing a loved one has been returned home brings closure and is of great importance to the family. He encouraged everyone to take a few minutes on September 21 to reflect on the sacrifices made by these dedicated men and woman.

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

RESOLUTION NO. 150

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
PERSONNEL OFFICE**

WHEREAS, the New York State contract for computer equipment was changed due to unavailability; and

WHEREAS, the quoted amount budgeted is not sufficient for the purchase necessitating a transfer of funds.

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

<u>FROM:</u>		
10-11430-54105020	Advertising	\$57.80
<u>TO:</u>		
10-11430-52200000	Equipment	\$57.80

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

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

RESOLUTION NO. 151

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
SHERIFF'S OFFICE**

WHEREAS, funds are needed to complete the purchase of two replacement scanners that unexpectedly stopped working in the Jail; and

WHEREAS, these scanners are needed in the daily operations of the Jail; and

WHEREAS, a transfer of funds is necessary for the purchase.

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

<u>FROM:</u>		
10-13150-54310000	Jail - Food Line	\$1,568.02
<u>TO:</u>		
10-13150-52200000	Jail - Equipment	\$1,568.02

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

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

RESOLUTION NO. 152

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

WHEREAS, Resolution No. 37 of 2018 authorized the Chairman of the Board to enter into an agreement with NYS DOT for the preliminary engineering and design phase of a Federal Aid and State project to paint two County bridges; and

WHEREAS, Resolution No. 34 of 2018 authorized the Department of Public Works to award McFarland Johnson Engineers a contract for the preliminary engineering and design phase

of the project for a maximum amount payable of \$22,893.08; and

WHEREAS, McFarland Johnson has completed the preliminary engineering and design plans and the project is ready to go to bid; and

WHEREAS, the DPW anticipates that the County will receive a supplemental agreement from the NYS DOT for the construction phase of the project; and

WHEREAS, the DPW has negotiated with McFarland Johnson Engineers for the construction inspection phase of the project.

NOW, THEREFORE, BE IT RESOLVED that the DPW is authorized to make award to McFarland Johnson Engineers, 49 Court Street, Binghamton, NY 13902 for construction phase services for the project.

Proposal Fee: Maximum Amount Payable \$64,000.00

The resolution was seconded by Mr. Spaccaforo.

In reply to Mr. Marshfield, Commissioner of Public Works Wayne Reynolds stated the bridges represented are 44-1 located in the Town of Sidney and the Charles Meddler Bridge located in the Town of Hancock.

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

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

RESOLUTION NO. 153

TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. 37-17 DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 50 of 2018 authorized the award of Proposal No. 37-17, “Delaware County Bridge Structural Steel Preservation Project, PIN 9754.32, D035654” to Rover Contracting Inc., 2424 Route 52, Suite 2F, Hopewell Junction, NY 12533 for the bid amount of \$272,800.00; and

WHEREAS, Resolution No. 143 of 2018 authorized the execution of Change Order No. 1 of Proposal No. 37-17 extending the contract completion date until June 29, 2018; and

WHEREAS, the consulting engineering firm that has been performing the construction inspection has been working with the contractor to reach an agreement on the final quantities for the contract; and

WHEREAS, during the course of the construction, the quantities of items 546.100001 and 571.03 exceeded the contract quantities resulting in a cost increase for those items equal to \$14,876.80; and

WHEREAS, during the course of the construction, the quantities of items 570.02, 570.03, 570.04 and 582.05 were less than the contract quantities resulting in a cost decrease for those items equal to \$8,944.85; and

WHEREAS, during the course of the construction it was determined that there was no need for items 637.11, 637.34, 697.03, 698.04, 698.05, 698.06 resulting in a cost decrease of \$22,000; and

WHEREAS, item 571.03 “disposal of hazardous paint waste containing lead” exceeded the contract quantity by more than 25% which resulted in a need to negotiate a new unit price for that portion of the quantity that exceeded 125%; and

WHEREAS, the renegotiated unit price for item 571.03 of \$3.67 per pound was lower than the contract bid price of \$20.00 per pound but resulted in a cost increase of \$18,757.37.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 2 of Proposal No. 37-17 increasing the contract by \$2,689.32 resulting in a final contract amount of \$275,489.32.

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

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

RESOLUTION NO. 154

**TITLE: AUTHORIZATION TO ACCEPT AMENDMENT NO. 1 TO
PRELIMINARY ENGINEERING FOR PHASE II
OF COMPOSTING PLANT AIR HANDLING SYSTEM
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 100 of 2018 authorized the Department of Public Works to enter into a contract with GHD for professional services including the preliminary engineering for Phase II of the Compost Plant air handling system modifications; and

WHEREAS, a portion of System D of the air handling system located in the secondary refining area which was not originally intended to be in the system upgrades, has failed and is in immediate need for replacement; and

WHEREAS, GHD has provided a proposed Amendment No. 1 to the contract that will cover the redesign, preparation of plans and specifications and bidding services required to replace the failed section at hourly rates for a not to exceed cost of \$16,500.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Department of Public Works is authorized to execute Amendment No. 1 with GHD Consulting Services Inc., One Remington Park Drive, Cazenovia, NY 13035 for professional services relating to Phase II of the Composting Plant air handling system at a cost of \$16,500 and increasing the total contract to \$40,500.

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

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

RESOLUTION NO. 155

**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>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial No./VIN</u>
DSS 406	2010 Ford Fusion	3FAHP0GA2AR110214

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

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

RESOLUTION NO. 156

**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 is authorized to sell by trade-in, on-line auction or for scrap the following item and all spare parts:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
DPW 421	2003 International Vacuum Truck	1HTGGAHT33H560375

The resolution was seconded by Mr. Davis.

Mr. Haynes advised that the Department’s new vacuum truck has been received and the 2003 truck will be sold on Auctions International. Any monies recovered will be turned over to the Catskill Watershed Corporation per the agreement.

In answer to Mr. Marshfield, Commissioner Reynolds said that Auctions International has been very effective for the County. Ms. Molé, Mr. Merrill and Mr. Marshfield stated their towns have also been pleased with the exposure and results of Auctions International.

The resolution was unanimously adopted.

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

RESOLUTION NO. 157

**TITLE: RESCINDING OF RESOLUTION NO. 137 OF 2018
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 137 of 2018 authorized the Department of Public Works and the County Attorney to initiate the eminent domain procedure process on Site No. 11; and

WHEREAS, Site No. 11 is owned by Bob and Joyce Bishop and the Bishops initially offered their property, located in the Town of Hamden, to the County for consideration of the siting of the new DPW facility; and

WHEREAS, the Bishops and the County have been unable to successfully negotiate a purchase price; and

WHEREAS, the County Attorney having advised the Board that paying \$1,200,000 for the Bishop property would be a gift of public money; and

WHEREAS, the Board of Supervisors held a public forum to comment on the County’s position on eminent domain and the DPW siting on August 6, 2018 at the Public Safety Building; and

WHEREAS, at the public forum the Bishops made it clear that they no longer wished to have their property considered and selected for the development of the DPW site and were rescinding their offer to sell their property to the County.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 137 of 2018 is herewith rescinded; and

BE IT FURTHER RESOLVED that due to the large disparity between the certified, appraised value and the inflated, non-negotiable asking price for the property and further that the owners no longer wish to have their property considered, that Site No. 11 will no longer be

considered for the proposed Public Works project.

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

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

RESOLUTION NO. 158

**TITLE: MODIFICATION OF RESOLUTION NO. 69 OF 2018
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 69 of 2018 identified the development of a hybrid option for the DPW garage replacement which included Site Nos. 7 and 11; and

WHEREAS, Resolution No. 69 of 2018 authorized DPW to initiate negotiations for an option on Site No. 11 to allow the onsite investigations required to complete the SEQRA investigations; and

WHEREAS, Resolution No. 157 of 2018 terminated negotiations for Site No. 11 and removed the site from further consideration; and

WHEREAS, the hybrid model includes the patrol garage and office building on Site No. 7 and the shop and specialty crews located on a remote site.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 69 of 2018 is herewith modified to remove Site No. 11 from the hybrid model and authorize the Public Works Committee to seek other alternative locations for the companion site to Site No. 7.

The resolution seconded by Mr. Spaccaforno and was adopted by the following vote: Ayes 4266, Noes 533 (Eisel, Davis), Absent 0.

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

RESOLUTION NO. 159

**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, 2018 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 to verify 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, Wednesday, July 25, 2018 at 3:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY to consider the requests and recommendations of the County Agricultural Farmland Protection Board concerning the inclusion of land(s) into Agricultural District No. 17; 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.

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. 17.

Davenport: Agricultural District No. 17:

Tax ID #23.-1-19.1 (12.11 ac) Dutch Hill Rd.

Tax ID #24.-1-34.14 (8.6 ac) Dutch Hill Rd.

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

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

RESOLUTION 160

**TITLE: DELAWARE COUNTY SUPPORTS THE
CATSKILL WATERSHED CORPORATION'S PROPOSAL
TO REVIEW ALL LAND ACQUISITION
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, Delaware County has passed numerous resolutions decrying the New York City Department of Environmental Protection's (NYCDEP) core Land Acquisition Program (LAP) and outlining the many negative impacts this program has on Delaware County, (see Resolution Nos. 185 of 2017, 74 of 2018, 75 of 2018 and 128 of 2018); and

WHEREAS, in a letter to Thomas Snow of the New York State Department of Environmental Conservation (NYSDEC), dated July 13, 2018, regarding community sustainability and the 2010 Water Supply Permit (WSP), the local representation on the Catskill Watershed Corporation (CWC) Board of Directors raised concerns that the 2010 WSP, "does not take into account community sustainability in continuing purchases of land throughout the New York City West of Hudson Watershed..." and

WHEREAS, the past 20 years have demonstrated that despite the vast amount of open space in the watershed lands within Delaware County (due in large part, to topography, climate and general economic and social realities), there is little or no potential for new significant adverse development in the watershed lands within Delaware County (in other words, the threat that the City LAP was designed to address does not exist in the majority of watershed communities within Delaware County); and

WHEREAS, the letter notes that core LAP funds are currently being used to purchase the most developable lands in the watershed, rather than those which are most important for water quality and that a recent proposal to increase the natural features criteria thresholds will not change this; and

WHEREAS, several parcels approved by local planning boards as residential subdivisions and/or common plan developments are being solicited and purchased by New York City, negating proactive planning efforts to control growth and development as per local comprehensive plans and land use laws; and

WHEREAS, *Delaware County 2017 Beyond Land Acquisition Report* concluded and demonstrated that in a substantial number of Delaware County towns the actual amount of developable land remaining is insufficient to "allow existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals" of those communities; and thus the "city's land acquisition goals for those communities did not ensure ... the availability of developable land ... will remain sufficient to accommodate projected growth" and thus the continuation of large tracts of land acquisition could "substantially changing future population patterns.." ; and

WHEREAS, the availability of parcels substantially adjacent to population centers, sewer and water infrastructure and good public road access are necessary for the development of affordable housing, community service projects (i.e. sewer systems, water supply wells, government facilities, etc..), and commercial business growth; and

WHEREAS, an evaluation of available lands that meet this criterion shows a very limited number of parcels in each community that can be used for these essential services that will ensure long term sustainability; and

WHEREAS, the local officials on the CWC Board of Directors are, “extremely concerned that continued land purchases by NYCDEP may have already resulted in development being unable to continue, in future growth being unable to occur, and remaining land will not be sufficient to accommodate any future growth...,” and they are requesting that, “the CWC Board of Directors be provided notice of all City acquisitions prior to contract, and that NYSDEC and NYCDEP accept comments from the CWC Board on all NYCDEP acquisitions, including comments concerning community sustainability.” The Board would review all proposed land acquisitions, in fee or easement, and provide comments.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors shares the concerns of the local officials of the CWC Board of Directors, and strongly supports their request; and

BE IT FURTHER RESOLVED the resolution be forwarded to NYSDEC Coordinator Thomas Snow, Catskill Watershed Corporation Executive Director Alan Rosa, NYS Department of Health Chief Patrick Palmer, US Environmental Protection Agency Regional Administrator Peter Lopez, and NYC Department of Environmental Protection Commissioner Vincent Sapienza.

The resolution was seconded by Mr. Eisel.

Mr. Gladstone, referencing the Watershed Agricultural Council (WAC) Easement Program, shared that he has had a change of heart with regard to his favorable vote on this issue and will be voting against this resolution. He does not believe there needs to be additional community oversight and feels the current notification process to affected communities offers sufficient transparency. He does not believe and is offended by the thought that the easement program is equivalent to an “environmental land grab” as has been stated by members of the Board of Supervisors.

Chairman Molé stated that the concern of the communities is that by the time notification reaches the town level for review the contract has already been signed.

Mr. Taggart, Mr. Marshfield and Mr. Triolo shared that the resolution is seeking to create a process that provides notification prior to the contracts being signed in order to allow the towns an opportunity to review the purchase. Unfortunately, once the contract is signed only fishing, hunting and trapping can be commented on. The concern is that developable land, not related to water quality, is part of the land acquisition. Each felt frustrated that the Board continues to discuss land acquisition issues but has no tools in place to take an action.

Mr. Spaccaforo stated that there are three farmers on the Masonville Town Board who are opposed to conservation easements. The farmers see the easement as a devaluation of land because the land becomes undevelopable and reduces the tax base. The City owns a great amount of land and continues to acquire more. He expressed concern that as the assessment rate on the land changes the tax assessment reduces causing further difficulty to the affected communities

Mr. Gladstone stated in response to Mr. Spaccaforo that the desires of the owner need to be expressed at the time of negotiation. If the owner intends to develop the land in the future this can become part of the easement terms negotiated at the time of the contract.

Mr. Marshfield stated that actions previously taken by the Board of Supervisors and affected communities do not seem to be working. He referenced a situation in the Town of Hamden where New York City intends to purchase a nine lot major subdivision developed by the town. The town strongly opposed the purchase and through the proper channels objected to the purchase but received a letter from the City stating they will be moving forward with the purchase. The town responded to the City with a strong letter of disappointment stating the purchase is a violation of the Memorandum of Agreement.

Mr. Spaccaforo and Mr. Davis expressed concern that many of these sales to the City are being driven by investors who are buying property and selling it at prices only the City can afford to pay.

Mr. Tuthill shared that at the last meeting of the Coalition of Watershed Towns (CWT) there was discussion of the review process and the possibility of creating a reference list for owners to consider prior to negotiating their final easement terms. For example, if land development is a future consideration there needs to be adequate land reserved for setbacks, sewer and water. If these considerations are written into the easement terms at the time of negotiation it would prevent some of the conflicts arising from the lack of stipulations. The CWT members felt the resolution had merit and are in support of it.

Mr. Eisel noted that he supports this resolution and sees it as a tool that allows the affected communities to comment prior to a sale. To his disappointment, the City has also acquired land in the Town of Harpersfield that has no relation to water quality.

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

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

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

RESOLUTION NO. 161

**TITLE: APPROPRIATION OF CAPITAL FUNDS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department has progressed the Controlled Demolition/Asbestos Abatement Project for the Delhi Shop and the Replacement of Culverts on Odell Lake Extension Road in the Town of Harpersfield to the bidding phase; and

WHEREAS, the bids were opened at 11:00 a.m. on August 22, 2018; and

WHEREAS, the Department would like to appropriate the necessary funding directly for these two projects so that award can be made as soon as the bids have been reviewed and approved in order to ensure that they are performed within the 2018 construction season.

NOW, THEREFORE, BE IT RESOLVED that \$600,000 be appropriated from account no. 34-15112-54000000 to cover the cost of these two projects.

The resolution was seconded by Mr. Spaccaforo.

Mr. Haynes stated that the \$600,000 is the total amount of the high bids opened this morning. The bids need to be reviewed and awarded by DPW. The low bid for the demolition of the DPW garage is \$144,000 and the low bid for the Town of Harpersfield project is \$320,000.

Chairman Molé commented that the low bid for the demolition was significantly lower than anticipated.

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. 162

**TITLE: AMENDMENT TO RESOLUTION NO. 146-18
SALE OF COUNTY OWNED PROPERTY
TREASURER'S OFFICE**

WHEREAS, the description was incorrect.

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.149
<u>ASSESSED TO:</u>	<u>SCARPINATO MARIE & FRANK M JR</u>
TOWN OF:	123601:HANCOCK
TAX MAP NO:	429.13-2-31
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	0.13 ACRES
CONVEYED TO:	BERRIED TREASURES LLC 248 BEAVERKILL MOUNTAIN ROAD ROSCOE NY 12776-3001
CASH CONSIDERATION:	\$50,000.00
TAX DEFICIT:	\$28,861.61

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

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

RESOLUTION NO. 163

**TITLE: DESIGNATION OF DELAWARE COUNTY AS LEAD AGENCY
FOR THE PURCHASE OF LANDS AND CONSTRUCTION OF A FACILITY FOR
BEHAVIORAL HEALTH PROGRAMS INCLUDING
DELAWARE COUNTY MENTAL HEALTH SERVICES
AND ALCOHOL AND DRUG ABUSE SERVICES
CAPITAL PROJECTS COMMITTEE**

WHEREAS, Delaware County has recognized the need to consolidate services for behavioral health programs including the mental health clinics for adults and youth and the drug and alcohol abuse services; and

WHEREAS, Delaware County has completed a comprehensive siting assessment for the construction of a new 17,000 square foot facility to be located on Delaware Avenue in Walton, New York; and

WHEREAS, the Delaware County Capital Projects Committee has contracted engineering and facilities development services from C&S Companies out of Syracuse, New York to assist with the engineering and building design, site layout and environmental reviews; and

WHEREAS, extensive studies have been completed at the proposed site including soils analysis, geologic reviews, floodplain analysis, traffic studies and wetland delineations; and

WHEREAS, based on a review of NYCRR Section 617.4, Type I Actions, it has been determined this action is considered an unlisted action for the purposes of the State Environmental Quality Review (SEQR); and

WHEREAS, all studies completed have been used to complete Part 1 of the Full Environmental Assessment Form for Type I and Unlisted Actions;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors declares themselves lead agency for the purchase of property and construction of the Consolidated Facility for Behavioral Health Programs and will coordinate the environmental review with all other involved agencies.

The resolution was seconded by Mr. Spaccaformo.

Mr. Tuthill stated that this resolution brings the project one step closer to issuing a negative declaration on the state environmental review allowing the County to move forward on the design.

The resolution was 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 \$956,839.87 were hereby presented to the Finance Committee for approval for payment on July 25, 2018 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	\$890,929.47
OET	\$9,650.81
Public Safety Comm System	\$3,392.52
Capital 97 Main	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$512.23
Road	\$170.51
Machinery	\$31,388.47
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$20,795.86

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,172,123.88 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	\$388,178.45
OET	\$6,317.11
Public Safety Comm System	\$72,219.36
Capital 97 Main	\$2,623.11
Highway Audits, as Follows:	
Weights and Measures	\$233.91
Road	\$235,852.69
Machinery	\$532,642.79
Capital Road & Bridge	\$728,877.98
Capital Solid Waste	\$70,021.21
Solid Waste/Landfill	\$135,157.27

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

Chairman Molé thanked Director of Veterans Service Agency Charles Piper and his Assistant Director Donna Elderkin for resolving an issue an individual had been struggling to resolve for over two years. The individual came in to the office of the Board of Supervisors in the pouring rain to let Chairman Molé know how grateful he was that Mr. Piper was able to solve his issue.

Chairman Molé thanked Director of Emergency Services Steve Hood for his early

morning text message notifying her of a train derailment and flooding in the Town of Deposit on Tuesday, August 14. His initial text was followed by updates and assessments that kept her well briefed of the situation. She shared that she received a call from Broome County Executive Jason Garner and as a result of Mr. Hood's communications she was prepared to discuss the situation. After the situation was resolved, Mr. Garner called to let her know that Mr. Hood did an outstanding job and worked with his coordinator as if they had been best friends for years.

It is very nice to hear good things especially when a situation is not so good at the time.

In answer to Mr. Marshfield, Mr. Hood said that as a result of the recent inclement weather and heavy rain the County is looking at filing its 25th federal disaster declaration.

In answer to Chairman Molé, Mr. Hood noted that southern part of the County Andes, Deposit, Hancock and Roxbury were most affected.

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

RESOLUTION NO. 165

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss proposed, pending or current litigation.

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

The meeting reconvened in regular session with all Supervisors present.

Upon a motion, the meeting adjourned at 6:08 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

SEPTEMBER 26, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, September 26, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Axtell.

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 noted that all communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Mr. Triolo who introduced Jessica Vecchione of VeccBrown Productions.

Ms. Vecchione shared that at the time the documentary SMACKED! Heroin Addiction and Recovery in Rural America, produced by Lillian Browne and Jessica Vecchione, was being worked on neither had any idea of the impact the film would have. This award winning film features participants primarily located in Delaware and Otsego Counties and provides a behind the scenes look at the life of an addict, their relapses, struggles and recovery. It also looks at how law enforcement tackles illicit drugs and what the medical community has done to both contribute to and help resolve the issue. The film has been well received by law enforcement, the health care community, educators and the public.

Ms. Vecchione, on behalf of VeccBrown Productions, thanked County employees for their participation in the documentary and the Board of Supervisors for inviting her to present the film.

Chairman Molé thanked VeccBrown Production for pursuing the creation and development of this very important film.

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

RESOLUTION NO. 166

**TITLE: 2018 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 Police 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 \$13,328 to be used to pay the salaries of the road patrol deputies participating in this program as well as to purchase a new radar unit to assist deputies in their enforcement. Said program runs from October 1, 2018 through September 30, 2019.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended as follows:

INCREASE REVENUES:

10-13310-43338900/3310002/907	State OTR Public Safety	\$13,328.00
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INCREASE APPROPRIATIONS:

10-13310-51327000/3310002/907	Personal Services	\$11,200.00
10-13310-52200001/3310002/907	Grant Equipment	\$2,128.00

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 167

**TITLE: 2018 BUDGET ADMENDMENT
RECEIPT OF OPIOID GRANT FUNDING
PUBLIC HEALTH SERVICES**

WHEREAS, drug overdose is a serious public health concern and opioid-related overdose has increased as a health threat;

WHEREAS, Delaware County is considered a high burden area of the state in the opioid crisis;

WHEREAS, Delaware County is one of twenty-four local health departments to receive opioid grant funding;

WHEREAS, New York State is providing funding to accelerate and enhance current and proposed activities to allow recipients to surge their response to the opioid crisis by obtaining high quality and timely data, evidence-based response strategies at the local level, improving support to medical providers and health systems, and improving linkages to care.

WHEREAS, local health departments are funded to implement and expand evidence-based interventions utilizing a harm reduction and trauma-informed care approach; and

WHEREAS, the Opioid Crisis work plan funding encompasses 5 strategy areas; Engaging providers to improve local availability of Medication for Addiction Treatment (MAT), developing and implementing a Countywide peer response team, naloxone access expansion efforts, improving quality and timeliness of overdose data and improving communication on substance abuse prevention efforts.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended as follows:

INCREASE REVENUES:

10-14012-43345001/4012017/906	State PH Grants	\$75,000.00
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INCREASE APPROPRIATIONS:

10-14012-51327000/4012017/906	Personal Services-Grants	\$19,939.00
10-14012-58332700/4012017/906	Social Sec Emplr Cont-Grant	\$6,796.00
10-14012-58932700/4012017/906	Medicare Emplr Contrib-Grant	\$2,265.00
10-14012-54327000/4012017/906	General Grant Related Exp	\$46,000.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 168

**TITLE: 2018 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, one bulletproof vest and three tactical rifles need to be supplied to members of the Special Response Team so that they are fully equipped so when needed to respond to special tasks they are prepared;

WHEREAS, one bulletproof vest being equal to those worn by other members of the SRT team are needed to similarly equip all members; and

WHEREAS, three tactical rifles are needed to upgrade the old equipment so that the SRT Team is equipped with proper equipment for specialized entries and warrant executions.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended to reflect the purchase of said supplemental items, as follows:

INCREASE REVENUES:

10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff's Office	\$11,422.96
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INCREASE APPROPRIATIONS:

10-13110-52200000	Equipment	\$11,422.96
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The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 169

**TITLE: 2018 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, there was an unexpected cost with the equipment that was installed in the vehicles, as the cost was not allocated in the budget.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended as follows:

INCREASE REVENUES:

10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff’s Office	\$4,000.00
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INCREASE APPROPRIATIONS:

10-13110-52200000	Equipment	\$4,000.00
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The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 170

**TITLE: DETERMINATION OF NO SIGNIFICANCE FOR THE 2018-2019
NYSOPRHP SNOWMOBILE GRANT APPLICATION
PLANNING DEPARTMENT**

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

WHEREAS, the Delaware County Board of Supervisors has been declared as the local government sponsor; and

WHEREAS, the Delaware County snowmobile clubs combined have proposed the development of 4 miles of new and/or changed snowmobile trails in Delaware County; and

WHEREAS, the application for funding requires a review under the NYS Environmental Quality Review Act Part 617; and

WHEREAS, the Delaware County Board of Supervisors has determined this action to be unlisted; and

WHEREAS, Delaware County has evaluated and mitigated all potential adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors issues a negative declaration for the application to the NYSOPRHP for the purpose of creating and maintaining snowmobile trails in Delaware County.

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

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

RESOLUTION NO. 171

**TITLE: EMERGENCY SERVICES COMMUNICATIONS TOWERS
CAPITAL PROJECT BUDGET
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Resolution No. 174 adopted on October 11, 2017 authorized the issuance of bonds in the amount of \$6,000,000 for the construction of emergency communications towers in Delaware County; and

WHEREAS, proceeds from the bond have been received and it is necessary to appropriate said funding.

NOW, THEREFORE, BE IT RESOLVED that funding be appropriated and the 2018 Budget amendment be authorized as follows:

INCREASE REVENUES:

38-13640-46573000	Bond Anticipation Note Proceeds	\$6,000,000.00
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INCREASE APPROPRIATIONS:

38-13640-54000000	Contractual Expense	\$6,000,000.00
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The resolution was seconded by Mr. Marshfield.

In answer to Chairman Molé, Director of Emergency Services Steve Hood advised that the system is expected to be complete and live in about six months.

Mr. Davis stated the reason for the delay is to insure the system is properly tested before going live. Neighboring counties have shared that their desire to go live before appropriate testing did not go well. The department will begin testing in mid-January or early February with the expectation of being live by the end of first quarter 2019.

In answer to Mr. Taggart, Mr. Hood said the towers are all built to accommodate cellular providers.

Mr. Spaccaforo noted that the Town of Masonville has been seeking cell phone providers for their towers for nine years without success.

The resolution was adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 172

**TITLE: MENTAL HEALTH FACILITY
CAPITAL PROJECT BUDGET
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, it has been determined that there is a need to construct a new Mental Health Facility in the Town of Walton; and

WHEREAS, it is necessary to appropriate funding and establish a Capital Project entitled Mental Health Facility.

NOW, THEREFORE, BE IT RESOLVED that funding be appropriated from the General Fund Unassigned Reserve and the 2018 Budget amendments be authorized as follows:

TRANSFER FROM:

10-00000-34917000	Unassigned Fund Balance	\$1,200,000.00
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TRANSFER TO:
10-19950-59990400 Operating Transfer Out Cap Mental Health Facility \$1,200,000.00

To Establish Capital Project – Mental Health Facility

ESTABLISH REVENUE ACCOUNT:
40-14310-45503100 Interfund Transfer Other \$1,200,000.00

ESTABLISH EXPENSE ACCOUNT:
40-14310-52000000 Equipment & Capital Outlay \$1,200,000.00

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:
Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 173

TITLE: ADOPTION OF STATE ADVISORY EQUALIZATION RATES

BE IT RESOLVED that the following State Equalization Rates be adopted for the apportionment of the 2019 County Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law:

ANDES	100.00
BOVINA	23.00
COLCHESTER	2.97
DAVENPORT	75.25
DELHI	61.00
DEPOSIT	4.16
FRANKLIN	90.50
HAMDEN	18.00
HANCOCK	11.71
HARPERSFIELD	28.50
KORTRIGHT	100.00
MASONVILLE	100.00
MEREDITH	100.00
MIDDLETOWN	102.00
ROXBURY	100.00
SIDNEY	85.50
STAMFORD	26.00
TOMPKINS	4.03
WALTON	100.00

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

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

RESOLUTION NO. 174

TITLE: NEGATIVE DECLARATION FOR THE PURCHASE OF LANDS AND CONSTRUCTION OF A FACILITY FOR BEHAVIORAL HEALTH PROGRAMS INCLUDING DELAWARE COUNTY MENTAL HEALTH SERVICES AND ALCOHOL AND DRUG ABUSE SERVICES CAPITAL PROJECTS COMMITTEE DEPARTMENT OF MENTAL HEALTH

WHEREAS, the Delaware County Board of Supervisors is planning the development and construction of a consolidated Behavioral Health Facility at 243 Delaware Street in the Village of Walton; and

WHEREAS, the Delaware County Board of Supervisors declared itself Lead Agency after completing an environmental review per Section 617.6(b)(2) for purposes of compliance with the State Environmental Quality Review Act; and

WHEREAS, as Lead Agency the Delaware County Board of Supervisors has received letters of compliance from all other involved regional, state and federal agencies; and

WHEREAS, the Delaware County Board of Supervisors acknowledges the need to comply with all required agencies and secure all necessary permits associated with the project prior to the construction of the facility; and

WHEREAS, after review of the Long Environmental Assessment Form, the Delaware County Board of Supervisors has determined that there will be no large or significant adverse impacts, which cannot be appropriately mitigated, on the environment as a result of the project;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors issue a Negative Declaration in accordance with Section 617.7 of the State Environmental Quality Review Act for the purchase of lands and subsequent development and construction of the Delaware County Behavioral Health Facility.

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

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

RESOLUTION NO. 175

TITLE: CONTINUITY OF TAX DATA RECEIVED FROM ASSESSORS AND THE INSTITUTION OF A PENALTY FOR NONCOMPLIANCE REAL PROPERTY TAX SERVICES

WHEREAS, the Delaware County Real Property Tax Services Office (RPTS) provides services to the taxing entities of Delaware County. These taxing entities include the towns, villages, school districts and special districts contained within Delaware County; and

WHEREAS, it is the obligation of the RPTS to maintain the main file for all tax rolls and provide any and all services to the taxing entities to achieve this obligation; and

WHEREAS, the assessors of said taxing entities must submit all property data information to the RPTS and the data must be submitted by the deadlines as set forth by the RPTS; and

WHEREAS, it shall be understood that each assessor, assessing entity or jurisdiction shall enter and maintain inventory, sale and all other parcel-related data on each parcel in their jurisdiction to the extent of their training and the electronic access permissions granted to them by RPTS, whether such program is the Real Property Tax Services (RPS) program currently in use and supported by the New York State Department of Taxation and Finance (DTF), or any other program provided in the future by DTF which may replace or otherwise modify the DTF-supported program currently in use.

WHEREAS, it shall be understood that immediate compliance of maintaining electronic property records in the DTF-supported program is required.

WHEREAS, immediate compliance refers specifically to the time period between the date of this signed resolution and the upcoming (town and county) tax billing cycle, such that no assessor, assessing entity or jurisdiction can cause any disruption or delay in any billing cycle or any other matter which requires or uses the support and/or services of the RPTS. Failure to comply with the immediate use of the afore-mentioned program or its successor, and/or providing RPTS with property data as described, will result in a one thousand dollar (\$1,000.00) per day penalty, along with twelve percent (12%) interest, to be levied by the Delaware County Board of Supervisors against any town whose assessor employee, temporary employee, and/or independent contractor of the like is determined not to be in compliance.

WHEREAS, it shall be understood that all parcel inventory and information collected in the DTF-supported program previously described, shall be visible and viewable at all times by RPTS and that no assessor, assessing entity or jurisdiction shall remove, erase or cause to be erased, any and all inventory, sale and parcel-related data in the RPS or successor program at any time, such that such parcel information is not readily viewable by RPTS. In short, this is to mean that such parcel information in the RPS or successor program shall not be removed, erased or deleted by any assessor, assessing entity or jurisdiction between billing cycles and that such removal will be considered to be in violation of this resolution and thereby subjecting that assessing unit to the aforementioned fine.

NOW, THEREFORE, BE IT RESOLVED that effective immediately, in an effort to promote continuity, system integrity, data classification, security and efficiency for the taxpayers of Delaware County, all assessors of said taxing entities within Delaware County shall provide the RPTS with their property data by remote, direct entry into the County's computer system, which access level is determined at the discretion of the RPTS Director, or manually on a RPTS designated paper form. All paper changes are to be submitted to the RPTS office at a minimum of the first Wednesday of each month. Data entry in the months of August and December is to cease at the end of the first week of those months. Methods and deadlines can be changed at the discretion of the RPTS Director with advanced approval from the RPTS oversight committee and then to the Board of Supervisors for final approval.

BE IT FURTHER RESOLVED Resolution No. 181 adopted on October 25, 2017, is hereby rescinded and replaced with said resolution.

The resolution was seconded by Mr. Valente.

Mr. Pigford shared a communication from the Town of Sidney assessor offering her thoughts regarding this resolution. Her concern is the untimely manner in which information regarding sales, address changes and other clerical matters are communicated to the assessors. The untimely receipt of this information might impede the assessor's ability to comply. If this matter were addressed and satisfied the resolution would be acceptable.

Mr. Valente stated that the County is mandated to report tax data electronically and the process does not work if the data is not provided to the County in a usable form. This resolution is similar to Resolution No. 181 passed in October of 2017 seeking voluntary compliance from the taxing entities. This significant change is voluntary compliance did not work and as a result it was a struggle this year to get the real property taxes out on time and the school taxes did not go out on time. The County has the authority to require that information received from the taxing entities be in the form the County uses. He supports this resolution wholeheartedly adding that we have to respect and enforce the direction of the County Tax Director.

Mr. Pigford, referring to his assessor's concern, stated that the resolution had no formalized verbiage to protect the taxing entities.

Mr. Taggart suggested that the resolution be withdrawn at this time for further discussion with the County and assessors. He felt additional verbiage would help alleviate his concerns. He did not support the resolution as written.

Mr. Davis noted that he agrees with the need to refine the process, however, he

referenced with concern to the sentence “Methods and deadlines can be changed at the discretion of the RPTS Director, with advanced approval from the RPTS oversight committee.” If there were going to be changes to the process, he felt that the Board of Supervisors should have prior knowledge.

Real Property Tax Director Mike Sabansky stated there is a meeting of the assessors held at the County Office Building the first Wednesday of the month. Any information and all changes are discussed and approved by the majority of the assessors. He added that he had no issue with bringing any changes to the full Board of Supervisors.

County Attorney Amy Merklen suggested amending the sentence as follows “Methods and deadlines can be changed at the discretion of the RPTS Director, with advanced approval from the RPTS oversight committee and then to the Board of Supervisors for final approval.” to address Mr. Davis’ concern. (The resolution was amended to reflect the change.)

Mr. Marshfield noted that he and the Town of Hamden assessor are very much in support of this resolution. The County has been dealing with this issue for well over ten years and it is time the County has a tool in place to address this.

Chairman Molé stated that this has been an ongoing issue for far too long. The County has done its part to resolve this issue with no success. The resolution is a tool to prevent further disruption of the tax process.

In response to Chairman Molé, Mr. Sabansky explained that the majority of time, unless there are specific issues, information is sent to the assessors on a monthly basis. However, there have been times the County has been unable to provide information in a timely manner due to the data received.

The resolution was adopted by the following vote: Ayes 4065, Noes 563 (Taggart, Vernold), Absent 171 (Axtell).

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

RESOLUTION NO. 176

TITLE: DESIGNATION OF DELAWARE COUNTY CHAMBER OF COMMERCE AS TOURISM PROMOTION AGENCY FOR DELAWARE COUNTY

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 2019 program.

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

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

RESOLUTION NO. 177

TITLE: AMENDMENT OF THE RULES OF THE DELAWARE COUNTY BOARD OF SUPERVISORS

WHEREAS, the authority to propose changes, and/or amendments to the Board Rules is vested in the Legislative Committee; and

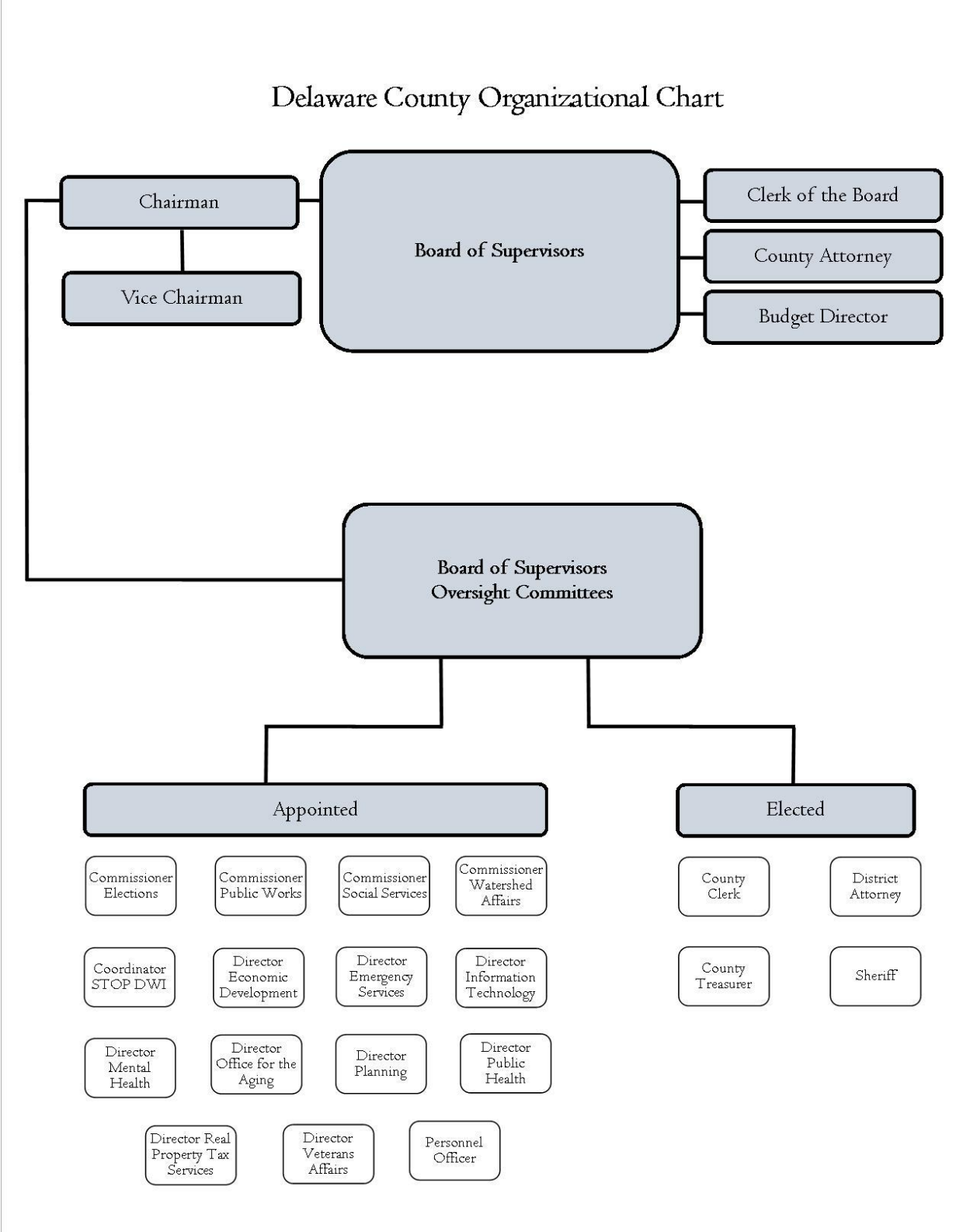
WHEREAS, Rule 1 currently reads: “The members of the Board of Supervisors shall organize the Board and select a Chairman and a Vice Chairman on or before the 8th day of January in each year in accordance with the provisions of Section 151 of the County Law and other applicable provisions thereof.”; and

WHEREAS, the Legislative Committee desires to insert the following at the end of Rule 1, The Delaware County Organizational Chart is annexed hereto and made part hereof; a copy of which is attached to said resolution; and

WHEREAS, Rule 8 currently reads: “The Chairman of the Board of Supervisors shall possess the power and perform the duties usually performed by a presiding officer; such as: To preserve order and decorum, decide all questions of order subject to appeal to the Board, appoint all committees except where the Board shall otherwise order. In the absence of the Chairman from any meeting, the Vice Chairman shall possess all of the powers and duties of the Chairman with respect to the conduct of the meeting.”; and

WHEREAS, the Legislative Committee desires to insert before the last sentence of Rule 8, *In the event that at least two committees of the Board have met and cannot resolve an issue between them and are at impasse, the Chairman of the Board will be the final arbiter except as the law otherwise permits.*

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby adopts the amended Rules as presented.



The resolution was seconded by Mr. Eisel.

Mr. Spaccaforo stated this resolution is to designate an arbiter when there is an impasse between two committees. The Chairman of the Board is the Chief Executive Officer and therefore this responsibility should fall on the position of Chairman.

Mr. Valente noted that issues are usually settled in committee. If that process is impeded, there needs to be clarification of how unresolved issues are brought before the Board of Supervisors.

Mr. Cetta expressed concern that a resolution like this has to be brought before the Board after so many years of being able to work together for the good of the County. He stated that he supports the resolution.

Mr. Marshfield stated that he is opposed to the resolution and explained that the Chairman of the Board of Supervisors has the same powers and responsibilities as all of the other Supervisors. This Board utilizes a strong committee system. The committees of this Board are delegated with policy direction and oversight of the County Departments. He felt designating the Chairman of the Board divests this Board of its function, power and duties. He felt a unilateral decision could possibly be influenced by personal feelings or favoritism. He felt a committee impasse should be brought before the full Board of Supervisors for direction. He opined that "Chairman of the Board" in the final WHEREAS statement should be replaced with the Board of Supervisors.

Mr. Spaccaforo explained that there have been several instances where two committees have been at an impasse and as a result there is no completion to the matter. When an impasse arises, the Chief Executive Officer is the position that should arbitrate.

Mr. Eisel noted that issues concerning salaries or personnel are not matters that are brought up on the Board floor. The Chairman of the Board is the position in charge of all the day to day decisions and in his opinion is the appropriate position to be the final arbiter.

Mr. Marshfield felt depending upon the issue the Board could go into executive session or before the full Board for transparency to the public. He maintained that the responsibility belongs to the Board of Supervisors.

Mr. Merrill stated there have been unresolved matters due to committee impasse. With this resolution in place at least the Chairman of the Board has the opportunity to make the choice of solving the matter or bringing the matter before the Board. He did not see the resolution as a carte blanche to make a decision but a process to move matters forward.

Mr. Ellis noted that the minutes of all the committee meetings are provided to the Supervisors by the Clerk of the Board. These minutes reflect the committee issues and the opinions of the committee members and should keep the Supervisors well informed. He did not feel assigning the Chairman of the Board this duty divested any of his power as a Supervisor.

Mr. Davis said the Chairman of the Board is the position that assigns the committees and is most familiar with the goings on in the County. We would hope that the Chairman we elect has the best interest of the County and its committee system in mind.

The resolution was adopted by the following vote: Ayes 4366, Noes 262 (Gladstone, Marshfield), Absent 171 (Axtell).

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

RESOLUTION NO. 178

TITLE: 2018 CORNELL COOPERATIVE EXTENSION WEEK & NATIONAL 4-H WEEK

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

WHEREAS, Cornell Cooperative Extension represents a statewide system of

partnerships working with federal, state and county governments; and

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

WHEREAS, Cornell Cooperative Extension has served Delaware County for 105 years since 1913; and

WHEREAS, Cornell Cooperative Extension is proud of the 91 years of youth camping programs at 4-H Camp Shankitunk and the 10th 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, energy, 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, energy efficient communities, safe housing, active living, confident youth, profitable agriculture, productive businesses, healthy families and communities.

NOW, THEREFORE, BE RESOLVED that the Delaware County Board of Supervisors hereby designates the week of October 7-13, 2018 as Cornell Cooperative Extension Week and National 4-H Week in Delaware County.

The resolution was seconded by Mr. Ellis.

Chairman Molé noted that Director of Cornell Cooperative Extension Jeannie Darling will be providing a presentation at the October 24th Board of Supervisors meeting.

The resolution was unanimously adopted.

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

RESOLUTION NO. 179

TITLE: IN MEMORY OF CHARLES H. SMITH

WHEREAS, Charles H. Smith passed away on September 11, 2018, having served as the Town of Kortright Supervisor from 1970 until 1978; and

WHEREAS, he is recognized for his distinguished service and dedication to the Town of Kortright and to Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors extend their sincere sympathy to his family and recognizes with gratitude his years of loyal service and contributions to the Delaware County Board of Supervisors and the many residents of this County.

The resolution was seconded Mr. Spaccaforo.

Mr. Hynes commented that Mr. Smith was a fine gentleman.

The resolution was unanimously adopted.

Chairman Molé 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. 180

**TITLE: DELAWARE COUNTY SUPPORTS THE
FRIENDS OF THE UPPER DELAWARE RIVER'S APPLICATION FOR FUNDING
FROM THE DELAWARE RIVER BASIN RESTORATION PROGRAM
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, the comprehensive Stream Corridor Management Plan (SCMP) for the Upper Delaware River (UDR) Tailwaters is a non-regulatory resource management plan and is designed to be used by a wide range of watershed practitioners and the public to ensure that the watershed is managed through progressive approaches based on sound science; and

WHEREAS, the SCMP includes recommendations on innovative stream management methods and approaches to help maintain and enhance water quality, protect and restore aquatic habitat, improve recreational opportunities for public access, and assist with flood mitigation in the UDR watershed; and

WHEREAS, the SCMP was developed by the Upper Delaware River Tailwaters Coalition (UDRTC), a collaborative group of local governments, businesses, and conservation non-profit organizations and was formed in 2014; and

WHEREAS, the Delaware River Basin Conservation Act was signed into federal law in 2016, and the U.S. Fish and Wildlife Service and the National Fish and Wildlife Foundation on August 7, 2018 announced the Delaware Watershed Conservation Fund, which is a competitive grant and technical assistance program of \$4.3 million that will provide new support for the protection, restoration and conservation of fish and wildlife habitats in the Delaware River; and

WHEREAS, Friends of the Upper Delaware River (FUDR) is submitting a grant proposal on behalf of the UDRTC; and

WHEREAS, FUDR's proposal seeks funding for three projects as part of the implementation of the SCMP and the implementation of these projects will help secure additional funding and resources to further operationalize the SCMP in the UDR watershed, and

WHEREAS, through the collaboration and partnership of the UDRTC, FUDR, TU, Delaware County, and watershed stakeholders in the UDR, the importance of protecting this unique natural resource is becoming increasingly understood. Our efforts are making an important contribution to water quality in this region and the entire Delaware River watershed.

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors strongly supports "Implementing the Integrated Restoration Objectives of the UDR Stream Corridor Management Plan" grant proposal.

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

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

RESOLUTION NO. 181

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,236,397.55 were hereby presented to the Finance Committee for approval for payment on September 12, 2018 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	\$1,454,526.96
OET	\$15,158.51
Public Safety Comm System	\$387,210.52
Capital 97 Main	\$3,844.27

Highway Audits, as Follows:

Weights & Measures	\$16.17
Road	\$713,111.90
Machinery	\$42,901.68
Capital Road & Bridge	\$510,922.63
Capital Solid Waste	\$33,205.34
Solid Waste/Landfill	\$75,499.60

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,856,232.02 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	\$824,310.56
OET	\$9,214.89
Public Safety Comm System	\$1,378,797.56
Capital 97 Main	0.00

Highway Audits, as Follows:

Weights and Measures	\$292.79
Road	\$241,942.66
Machinery	\$67,232.19
Capital Road & Bridge	\$238,574.24
Capital Solid Waste	\$11,269.26
Solid Waste/Landfill	\$84,597.87

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4628, Noes 0, Absent 171(Axtell).

Upon a motion, the meeting adjourned at 3:05 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
OCTOBER 10, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 10, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Taggart.

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 noted that all communications received have been referred to their respective committees for review.

For standing committee reports Chairman of the Public Works Committee George Haynes announced that Commissioner of Public Works Wayne Reynolds has retired.

Mr. Haynes stated that he is proud to have worked with Mr. Reynolds and to have witnessed the accomplishments under his leadership. Under his direction the Department has implemented substantial and unprecedented reconstruction of County bridges, supported efficiencies in road resurfacing and year round maintenance of our highways, provided assistance to other departments and municipalities within the County, revitalized the solid waste program to long-term viability and provided rapid response and reconstruction following storms and flooding. It is in no small part due to Mr. Reynolds' leadership and the commitment of a dedicated staff that the County can stand proudly on the strength of its public infrastructure.

The Public Works Committee and the Department endorse a transition plan that will appoint Director of Solid Waste Management Susan McIntyre as the next Commissioner of Public Works at the 2019 Board of Supervisors Organizational meeting. Until that time, the Department will temporarily operate under the legal authority of Deputy Commissioner Jared Boice along with a support team of individuals, including Senior Civil Engineer Daniel Sanford, Assistant to the Commissioner Lisa Henderson and Solid Waste Management Director Susan McIntyre.

Chairman Molé thanked Mr. Haynes for his fitting comments about Mr. Reynolds and expressed confidence in the transition plan.

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

RESOLUTION NO. 182

TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF NYS OFFICE OF MENTAL HEALTH FUNDING
ANTI-STIGMA REDUCTION
DEPARTMENT OF MENTAL HEALTH

WHEREAS, the New York State Office of Mental Health has made available funding for projects to promote stigma reduction; and

WHEREAS, this funding is made available through the NYS Tax checkoff program to promote anti-stigma in mental illness; and

WHEREAS, the Mental Health Clinic applied and was awarded funding.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended as

follows:

<u>INCREASE REVENUES:</u>		
10-14310-43349015/4310002/976	State MH Grant	\$5,000.00

<u>INCREASE APPROPRIATIONS:</u>		
10-14310-54327000/4310002/976	General Grant Related Exp	\$5,000.00

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4558, Noes 0, Absent 241(Taggart).

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

RESOLUTION NO. 183

**TITLE: ACCEPTANCE OF GRANT MONEY FROM THE
A. LINDSAY AND OLIVE B. O’CONNOR FOUNDATION, INC.
FOR THE DELAWARE COUNTY PLANNING BOARD’S
TPAS LEGAL DEFENSE FUND
PLANNING DEPARTMENT**

WHEREAS, the Planning Advisory Service Trust Fund (TPAS Legal Fund) was established by the Board of Supervisors Resolution No. 101 of 1975 and maintained as a continuing balance since; and

WHEREAS, Delaware County has received funding from the A. Lindsay and Olive B. O’Connor Foundation, Inc. for the Delaware County Planning Board’s Legal Defense Fund.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

<u>INCREASE REVENUES:</u>		
10-18020-42270604/8020012/908	O’Connor TPAS Legal Defense Fund	\$28,000.00

<u>INCREASE APPROPRIATIONS:</u>		
10-18020-54327005/8020012/908	O’Connor TPAS Legal Defense Fund	\$28,000.00

The resolution was seconded by Mr. Ellis.

In answer to Mr. Triolo, Planning Director Shelly Johnson-Bennett explained the money in the TPAS Legal Fund is used to help municipalities in need of funding to pursue legal services when issues arise.

The resolution was adopted by the following vote: Ayes 4558, Noes 0, Absent 241(Taggart).

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

RESOLUTION NO. 184

**TITLE: CHANGE ORDER TO PROPOSAL NO. DSS1-G-18
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, Resolution No. 99 of 2018 authorized the award of Proposal No. DSS1-G-18, Authorization for Awards, Department of Social Services to Tweedie Construction Services, Inc., 90 Crystal Creek Road, Walton, NY 13856 for the bid amount of \$41,800; and

WHEREAS, during the course of construction it was determined that the fire place needed to be supported separately from the new wall and a support for the fire place would increase the cost of the project by \$589.

NOW, THEREFORE, BE IT RESOLVED that the Department is herewith authorized to execute Change Order No. 1 for Proposal No. DSS1-G-18 increasing the contract by \$589 resulting in a final contract amount of \$42,389.

The resolution was seconded by Mr. Hynes.

In response to Mr. Merrill, Mr. Marshfield stated that the change order is to complete repairs on a County owned foster home in the Town of Stamford.

The resolution was adopted by the following vote: Ayes 4558, Noes 0, Absent 241(Taggart).

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

RESOLUTION NO. 185

**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 and all spare parts.

<u>Dept Vehicle No.</u>	<u>Description</u>	<u>Serial No./Vehicle ID No.:</u>
DPW 907	1992 Forklift	A21E24814
DPW 952	1969 Vermeer Stump Grinder	1611
DPW SW 898	2000 Bomag Compactor	101570521067
DPW SW 899	2001 Kobelco Excavator	YQ07U0723

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

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

RESOLUTION NO. 186

**TITLE: PROCEDURE FOR THE COUNTY TO PURCHASE OR OTHERWISE
ACQUIRE PROPERTIES, EASEMENTS OR RIGHT-OF-WAYS**

WHEREAS, there are over 20 separate Departments within Delaware County; and

WHEREAS, many Departments within Delaware County must purchase property and/or buildings, easements or right-of-ways in the ordinary course of their business and these purchases are made in the name of Delaware County; and

WHEREAS, prior to this resolution there was no procedure to guide the Departments when purchasing properties, easements or right-of-ways and notifying the Board of Supervisors of said purchases. Delaware County has purchasing procedures in place for when Departments buy anything else, such as office supplies, furniture and the like; and

WHEREAS, there is significant liability and cost attached to the purchase and ownership of property by Delaware County and should be done with consistency from Department to Department and with oversight of the Board.

NOW, THEREFORE, BE IT RESOLVED effective immediately, any purchase of real property, shall be approved first by a Department’s oversight committee, then the Finance Committee and then, finally, with the approval of the entire Board of Supervisors; and

BE IT FURTHER RESOLVED prior to any approval to purchase, a Department must use their due diligence to investigate the potential purchase. This shall include contacting the

Department of Building and Grounds and getting that Department to do an inspection and a written recommendation in the event there is a structure located on the property. Once a property is acquired, it shall be the Department of Building and Grounds determination as to maintenance and repairs of said structure. Any and all charges accrued and certified by the Department of Buildings and Grounds shall be billed back to the requesting Department.

BE IT FURTHER RESOLVED that once the property is purchased, the Department purchasing shall without delay cause the property to be insured by contacting the Clerk of the Board. Also, the Department purchasing shall ensure that the buildings are not occupied, or if occupied, seller must ensure that occupants are vacated prior to closing unless other arrangements are made.

BE IT FURTHER RESOLVED that the aforesaid resolution does not apply to purchases through the flood buyout program or the Treasurer's tax foreclosure actions.

The resolution was seconded by Mr. Ellis.

In answer to Mr. Marshfield, Mr. Spaccaformo explained that the resolution is to establish a procedure that will allow for a complete and accurate accounting of all properties that are in the County system and to ensure that they are maintained properly. Prior to obtaining a building, the Department of Building and Maintenance will report on whether there are any improvements or construction required to bring the building and/or property up to code.

Mr. Marshfield further commented that it is unclear to him if the resolution includes procedures for properties willed or otherwise obtained by the County and pointed out what appeared to be an inconsistency in a resolution seeking consistency.

Mr. Valente stated that the County does not have to accept bequeaths. The Town of Davenport was bequeathed a piece of property for the expressed purpose of a playground. The town refused the bequeath. For clarification purposes he suggested amending the resolution title to include or properties otherwise acquired.

Mr. Marshfield stated that about 25 years ago a family from the Town of Hamden wanting to help foster children willed their home to the Department of Social Services. The house makes a nice home and has worked extremely well for the County.

In response to Mr. Marshfield's concern of inconsistency within the resolution, County Attorney Amy Merklen stated that the omission of the flood buyout program is because it is covered by a grant program and the omission of the Treasurer's tax foreclosure actions is because there is an existing procedure in place.

The resolution was unanimously adopted.

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

RESOLUTION NO. 187

TITLE: RATIFICATION OF BAGS LANDFILL BUDGET FOR 2019

BE IT RESOLVED that the 2019 budget for the BAGS Landfill in the total amount of \$11,294.00 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 4558, Noes 0, Absent 241 (Taggart).

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

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

RESOLUTION NO. 188

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

LETTING OF OCTOBER 3, 2018

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. 35-18 Delaware County Bridge Structural Steel Preservation Project, PIN 9754.33 D035907 to: AMSTAR of Western New York, Inc., 825 Rein Rd, Cheektowaga, NY 14225

Purchase Price: \$283,000.00

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. Spaccaforo.

In answer to Mr. Merrill, Mr. Haynes stated this project is for two bridges, 44-1 located in the Town of Sidney and the Charles Meddler Bridge located in the Town of Hancock.

The resolution was adopted by the following vote: Ayes 4558, Noes 0, Absent 241 (Taggart).

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

RESOLUTION NO. 189

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,913,542.57 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	\$923,053.60
OET	\$16,449.25
Public Safety Comm System	\$74,565.80
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$222.28
Landfill	\$64,833.19
Road	\$4,448.50
Machinery	\$130,234.12
Capital Road & Bridge	\$698,896.83
Capital Solid Waste	\$839.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4558, Noes 0, Absent 241 (Taggart).

Upon a motion, the meeting adjourned 1:25 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
OCTOBER 24, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 24, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Mr. Ellis who introduced ProAct Representative Kayse Diamond.

Ms. Diamond stated that Delaware County implemented the ProAct Pharmacy Benefit Management Program in 2009. Since that time, residents in the County have saved \$2.8 million representing an average savings of 51 percent on their full-priced prescriptions. There is no fee associated with the ProAct Pharmacy Benefit Management Program. The benefit card is most beneficial to the uninsured and/or under insured though the card will also help fully insured residents faced with paying the full-price of a prescription not covered by their insurance.

She noted that the Program benefits have been expanded and include discounts on advanced diagnostic imaging, diabetic supplies, fitness/safety/medical supplies, gym memberships, hearing tests, lab testing and vision Lasik contacts. Dental plans are available for an additional fee.

Supervisors were provided with an informational packet and encouraged to contact Ms. Diamond to discuss any of the ProAct programs further. Informational materials were available for those in attendance.

In answer to Mr. Valente, Ms. Diamond said that she would be happy to supply posters and plan materials to any town requesting them.

In reply to Mr. Eisel, Chairman Molé stated that Ms. Diamond has provided the office of the Clerk of the Board with a large quantity of Delaware County Prescription Savings Cards that will be made available to Supervisors, County departments and the public.

Chairman Molé thanked Ms. Diamond for her overview and update of this very beneficial program.

Chairman Molé granted privilege of the floor to Mr. Hynes who introduced Delaware County Cornell Cooperative Extension Executive Director Jeanne Darling.

Ms. Darling thanked the Board of Supervisors for the opportunity to share a bit about the unique programs and partnerships of Cornell Cooperative Extension (CCE). She introduced 4-H Camp Director Corrine Tompkins, Sr. Resource Educator Farm Business Management Specialist Mariane Kiraly, Subject Educator III Horticulture & Natural Resources Carla Hegeman Crim and Sr. Team Leader Watershed Agriculture Program Nutrient Management Dale Dewing.

A PowerPoint focusing on innovative programs designed to support the diversity of small farms and local food production in our County was presented.

Ms. Kiraly highlighted CCE's 2018 agricultural farm tourism programs and noted that in the County there are 90 productive dairy farms, 200 farmers growing beef, goats, sheep, poultry or producing maple and honey. The annual Family Farm Day and the Dairy Tour were two very successful events that brought many visitors to the area. CCE's educational programming on agritourism and marketing programs are helping farmers participate in this field by developing authentic experiences and risk management plans when bringing visitors to their farm.

Ms. Hegeman Crim spoke about CCE's natural resource programs and noted that CCE offers a wealth of information to our County farmers and home gardeners. The County boasts rich soils and abundant clean water but the seasons are short. CCE provides assistance to farmers utilizing season extension tools, offers free pH testing and comprehensive soil analysis and have connected new growers with funding sources. CCE supports honey and maple producers by providing state experts offering advice and marketing tips for the development of value-added products. CCE offers educational programs specific to home gardeners and is in the process of training a team of master gardeners to aid in CCE's mission of delivering education and advice.

Mr. Dewing spoke of CCE's role in helping farmers balance profitable, productive farming practices with water quality protection. CCE's educators partnering with the Watershed Agricultural Program maintain Manure Nutrient Management Plans on almost 250 farms qualifying those farms for grant funding incentives. The Precision Feed Management efforts continue to support 45 farmers and has helped increase milk production, sales and homegrown food. CCE continues to promote the use of cover crops and the benefit of soil health. Healthy soils are more productive, more resilient and less prone to leach nutrients to the water.

Ms. Darling shared about the success of local Farmers' Markets noting that there are 10 in the County. Three of those markets are sponsored by CCE and located in Walton, Sidney and Deposit. Two pilot Fruit and Vegetable Prescription Programs designed to improve access to local food thereby bettering the health of clients identified by hospital dietitians were the result of this year's Facilitate Farmers' Market meetings. These pilots were successful partnerships with Delaware Valley Hospital and the South Central Food and Health Network and the Bassett Healthcare Network.

Concluding, Ms. Darling stated that on each Supervisors' desk is a copy of the *2018 Annual Report of the Delaware County Cornell Cooperative Extension* and an invitation to attend the annual meeting and harvest dinner to be held at the Delaware County FoodWorks+ in Andes, NY on Wednesday, November 7. She thanked the Board of Supervisors for their interest and financial support in keeping small farms sustainable in our County and invited everyone in attendance to enjoy local foods harvested from CCE's community garden and local farms in the lobby following the meeting.

Chairman Molé thanked Ms. Darling and her staff for an informative presentation.

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

RESOLUTION NO. 190

TITLE: 2018 BUDGET AMENDMENT ACCEPTANCE OF 2018 DRUG ABUSE ABATEMENT GRANT SHERIFF'S OFFICE

WHEREAS, Delaware County is the recipient of a grant awarded by the DCJS (Division of Criminal Justice Services) and administered by Senator Seward's office in an amount not to exceed \$25,000; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of buying equipment for the Criminal Investigations Division at a price not to exceed \$25,000 during the period commencing on October 1, 2018 and ending on September 30, 2019, unless extended.

NOW, THEREFORE, BE IT RESOLVED that the 2018 budget be amended as follows:

INCREASE REVENUES:

10-13110-43308900/3110057/907 Grant Funding State \$25,000.00

INCREASE APPROPRIATIONS:

10-13110-52200001/3110057/907 Equipment Grant \$25,000.00

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

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

RESOLUTION NO. 191

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

LETTING OF OCTOBER 17, 2018

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. SW2-18 Duct Replacement Project – Delaware County Co-Compost Facility – Ventilation System D to: Southerntier Custom Fabricators Inc., 1322 College Ave., Elmira Heights, NY 14901

Purchase Price: \$71,634.00

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. Spaccaforno.

Mr. Haynes stated that two bids were received but only one was a qualified bid. The Department went with the qualified bidder because it fell within 4 percent of what the engineers estimated.

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. 192

**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;

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>Serial No./Vehicle ID No.</u>
SHF 70	2013 Chevrolet Impala	2G1WD5E31D1186813
SHF 73	2013 Chevrolet Impala	2G1WD5E30D1248699

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

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

RESOLUTION NO. 193

**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>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial No./Vehicle ID No.</u>
DSS 395	2007 Chevrolet Malibu	1G1ZS57F77F272876
DSS 408	2010 Ford Fusion	3FAHP0GA0AR110213

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

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

RESOLUTION NO. 194

**TITLE: POLICY ON SNOW PLOWING HOURS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department of Public Works (DPW) is responsible for keeping County Roads free of ice and snow during the winter season; and

WHEREAS, due to budget and other constraints it is not feasible to keep the roads passable on a twenty-four-hour basis; and

WHEREAS, experience has proven that in order to plow and apply deicing and/or abrasive materials prior to school buses traveling County roads, the trucks need to be ready to start winter maintenance between the hours of 4:00 and 5:00 a.m. as necessary; and

WHEREAS, it has been the policy of DPW to continue plowing and applying abrasives to the roads when necessary until 8:00 p.m.

NOW, THEREFORE, BE IT RESOLVED that the general winter maintenance hours for the Delaware County Department of Public Works are herewith set to begin between 4:00 and 5:00 a.m. and continue until 8:00 p.m., as necessary in the opinion of the responsible road foreman; and

BE IT FURTHER RESOLVED that when contacted by the Delaware County Emergency Dispatch Center, DPW will call out the appropriate snow plow crew outside of the general hours in the event of an emergency such as an accident or fire where the emergency response personnel are on scene and requesting service.

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

Mr. Haynes stated that this has been the policy for a number of years.

The resolution was unanimously adopted.

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

RESOLUTION NO. 195

**TITLE: AUTHORIZATION TO PROCEED WITH PHASE II OF THE
DELAWARE COUNTY BEHAVIORAL HEALTH FACILITY
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, the Board of Supervisors having now approved the purchase of the property for the future site of the new Behavioral Health Facility, Phase I is near completion; and

WHEREAS, SEQR having been completed and the Board of Supervisors, the lead agency, having issued a Negative Declaration; and

WHEREAS, Phase II of this project consists of the schematic design, design development, construction documents, bidding and construction phases with a cost estimate of \$470,654.00; and

WHEREAS, the Capital Projects Committee and the Mental Health Committee will work collaboratively with C&S Companies as well as other County departments in order to complete Phase II of the project.

NOW, THEREFORE, BE IT RESOLVED that the Capital Projects Committee and the Mental Health Committee are hereby authorized to proceed with Phase II of the new Behavioral Health Facility and the Chairman of the Board is authorized to sign any and all documents, after they are approved by the County Attorney, to assist in this process.

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

Chairman Molé advised that the County should be closing on the property by the end of the week.

The resolution was unanimously adopted.

Chairman Molé 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. 196

**TITLE: 2018 BUDGET AMENDMENT
NEW YORK STATE’S PUBLIC SAFETY ANSWERING POINTS OPERATIONS
GRANT PROGRAM (2018-2019 PSAP)
DEPARTMENT OF EMERGENCY SERVICES E911**

WHEREAS, the Department of Emergency Services applied for and was awarded a grant from New York State’s 2018-2019 Public Safety Answering Points Operations Grant Program (2018-2019 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, PSAP equipment and equipment maintenance; and

WHEREAS, this grant was awarded in the amount of \$168,096 to Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

<u>INCREASE REVENUES:</u>		
10-13020-43330500/3020004/911	State Civil Defense	\$168,096.00
<u>INCREASE APPROPRIATIONS:</u>		
10-13020-51327000/3020004/911	Grant Personnel Services	\$68,096.00
10-13020-52200001/3020004/911	Grant Equipment	\$50,000.00
10-13020-54327415/3020004/911	Grant Maintenance & Repair	\$50,000.00

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Director of Emergency Services Steve Hood stated that the funding must be used for E-911.

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. 197

**TITLE: 2018 BUDGET AMENDMENT
STATE HOMELAND SECURITY PROGRAM
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY
SERVICES (WM2018 SHSP)
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 (WM2018 SHSP); and

WHEREAS, this grant was awarded in the amount of \$74,978 for the purpose of security enhancements at the public safety tower locations with surveillance cameras and related equipment and for upgrades to the emergency operations center technology with interactive whiteboards and related items.

NOW, THEREFORE, BE IT RESOLVED that 2018 Budget be amended as follows:

INCREASE REVENUES:

10-13640-43398900/3640057/911 State Homeland Security \$74,978.00

INCREASE APPROPRIATION:

10-13640-52200001/3640057/911 Equipment Grant \$74,978.00

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

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

RESOLUTION NO. 198

**TITLE: SALE OF TAX ACQUIRED PROPERTY
TREASURER’S OFFICE**

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.

ASSESSED TO:

TOWN OF:	DEP15TX.013A
TAX MAP NO:	<u>ANTHONY ZAPPOLA</u>
SCHOOL DISTRICT:	123001:DEPOSIT
ACREAGE:	349.17-3-11
CONVEYED TO:	034201:DEPOSIT
	94.00'F x 215.00'D: 0.13A ACRES
	H. HARUTYUNYAN
	20542 COLUMBUS CIRCLE STA
	NEW YORK NY 10023-9991
CASH CONSIDERATION:	\$1,500.00
	VILLAGE SHARE \$ 585.00
	COUNTY SHARE \$ 915.00
TAX DEFICIT:	\$9,344.89

ASSESSED TO:

TOWN OF:	MAS16TX.003
	<u>BRITTANY BONACCI</u>
	124200:MASONVILLE

TAX MAP NO:	204.-1-16.3
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	1.00A ACRES
CONVEYED TO:	JOSHUA FRANK WOODY SHEK 82 PEARL STREET WEST SIDNEY NY 13838
CASH CONSIDERATION:	\$1,259.99
TAX DEFICIT:	\$1,062.55

	SID16TX.010
<u>ASSESSED TO:</u>	<u>KEVIN BUTLER</u>
TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.11-2-8
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	55'F x 121'D: 0.18A ACRES
CONVEYED TO:	H. HARUTYUNYAN 20542 COLUMBUS CIRCLE STA NEW YORK NY 10023-9991
CASH CONSIDERATION:	\$1,500.00 VILLAGE SHARE\$ 510.00 COUNTY SHARE \$ 990.00
TAX DEFICIT:	\$4,877.83

	WAL16TX.042
<u>ASSESSED TO:</u>	<u>ERNEST SMITH</u>
TOWN OF:	125689:WALTON
TAX MAP NO:	253.-2-1.6
SCHOOL DISTRICT:	125601:WALTON
ACREAGE:	1.00A ACRES
CONVEYED TO:	AMY YOUNG 1851 COUNTY HIGHWAY 22 WALTON NY 13856
CASH CONSIDERATION:	\$3,000.00
TAX DEFICIT:	\$2,670.11

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

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

RESOLUTION NO. 199

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,230,490.40 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	\$465,487.49
OET	\$13,004.21
Public Safety Comm System	\$401,571.22
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$16.17
Landfill	\$92,521.17
Road	\$1,469.86
Machinery	\$70,177.87
Capital Road & Bridge	\$182,538.41
Capital Solid Waste	\$3,704.00

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

Upon a motion, the meeting adjourned for a short recess. Chairman Molé invited everyone in attendance to enjoy locally grown and prepared refreshments in the lobby hosted by members of Delaware County Cornell Cooperative Extension.

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 200

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 201

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss a pending criminal investigation.

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

The meeting reconvened in regular session with all Supervisors present.

Upon a motion, the meeting adjourned 3:37 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

NOVEMBER 14, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 14, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Tuthill and Mr. Hynes.

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 read a thank you note from Maureen Smith expressing her appreciation for Resolution No. 179 in memory of her late husband and former Town of Kortright Supervisor Charles H. Smith passed by the Board of Supervisors on September 26, 2018.

The Clerk noted that all other communications received have been referred to their respective committees for review.

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

RESOLUTION NO. 202

**TITLE: 2018 BUDGET AMENDMENT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the equipment rental line in the maintenance budget remains well above the 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 2018 Budget be amended as follows:

<u>DECREASE APPROPRIATION:</u>		
24-1110-55000000	Equipment Rental	\$240,000.00
<u>DECREASE REVENUE:</u>		
24-15110-45503100	Transfer from General Fund	\$240,000.00
<u>DECREASE APPROPRIATION:</u>		
10-19901-59990240	Operating Transfer out to Road	\$240,000.00
<u>INCREASE APPROPRIATION:</u>		
34-15112-55000000	Equipment Rental	\$240,000.00
<u>INCREASE REVENUE:</u>		
34-15112-45503100	Transfer from General Fund	\$240,000.00
<u>INCREASE APPROPRIATION:</u>		
10-19901-59990310	Operating Transfer Out to Cap Rd & Br	\$240,000.00

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:
Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 203

**TITLE: CHANGE ORDER NO. 1 TO LETTING OF APRIL 17, 2018
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Resolution No. 81 of 2018 authorized the award for radio tower site development to Sky Climber Tower Solutions, LLC, 1800 Pittsburgh Drive, Delaware, OH 43015 for the bid amount of \$1,220,610; and

WHEREAS, the increased cost of steel for fencing has driven the price upwards; and

WHEREAS, Sky Climber Tower Solutions, LLC had originally quoted the fencing per tower site as \$10,500 but has submitted a change order with an increase of \$2,000 per site, for a total of \$12,500 per tower site.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services is herewith authorized to execute Change Order No. 1 in the amount of \$10,000 raising the total project cost to \$1,230,610.

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:
Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 204

**TITLE: AMENDMENT TO RESOLUTION NO. 198-18
SALE OF COUNTY OWNED PROPERTY
TREASURER’S OFFICE**

WHEREAS, the purchaser of Tax Map No. 253.-2-1.6 located in the Town of Walton was incorrectly listed on Resolution No. 198 of 2018.

NOW, THEREFORE, BE IT RESOVED that Resolution No. 198-18 be corrected conveying said property to:

<u>ASSESSED TO:</u>	WAL16TX.042
TOWN OF:	<u>ERNEST SMITH</u>
TAX MAP NO:	125689:WALTON
SCHOOL DISTRICT:	253.-2-1.6
ACREAGE:	125601:WALTON
CONVEYED TO:	1.00A ACRES
	JOSEPH M KORENYIK AND
	CLARA M KORENYIK
	55007 STATE HIGHWAY 10
	BLOOMVILLE NY 13739
CASH CONSIDERATION:	\$3,000.00
TAX DEFICIT:	\$2,670.11

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 205

**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, 2019 for County employees who are willing to work on a per-hour, as-needed basis in the Personnel Office.

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

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

RESOLUTION NO. 206

TITLE: EXCEPTION TO RESOLUTION NO. 269-1990 SHERIFF'S OFFICE

WHEREAS, Resolution No. 269-1990 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. 269-1990 is hereby temporarily waived until December 31, 2019 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. Gladstone and Mr. Davis and unanimously adopted.

Mr. Axtell withdrew Resolution No. 207 entitled: Four-Day Work Week.

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

RESOLUTION NO. 208

TITLE: APPROVAL OF EXTENSION TO DEFERRED COMPENSATION PLAN PERSONNEL OFFICE

WHEREAS, Resolution No. 328 of 1989 established a Deferred Compensation Plan for County employees pursuant to Section 457 of the Internal Revenue Code; and

WHEREAS, Resolution No. 92 of 2012 approved the continuance of Nationwide Retirement Solutions as the Plan Administrator, Financial Organization and Trustee for Delaware County's Deferred Compensation Plan for a period of five (5) years; and

WHEREAS, the authority for Nationwide Retirement Solutions to serve as Plan Administrator, Financial Organization and Trustee will expire December 31, 2018 unless such authority is extended; and

WHEREAS, Part 9003.5 of the Rules and Regulations of the New York State Deferred Compensation Board allows for the extension of the agreement between Delaware County and Nationwide Retirement Solutions for a duration not to exceed two consecutive one-year periods; and

WHEREAS Nationwide Retirement Solutions, formerly known as PEBSCO, has a twenty-five (25) year history of providing good service to Delaware County in this capacity and the Deferred Compensation Committee and the Delaware County Personnel Officer recommends the extension of this agreement for a one (1) year period or through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors on behalf of the Committee authorizes:

1. The extension of the agreement between Delaware County and Nationwide Retirement Solutions for a one (1) year period.
2. The Chairman of the Board to execute an extension agreement.
3. The Personnel Officer, under the direction of the Human Resource Committee, to continue to act as the County Administrator of the Plan and represent and act on behalf of the County to the extent permitted by the applicable law, rules and regulations including the execution of individual employee participation agreements.

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

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

RESOLUTION NO. 209

TITLE: MODIFICATION OF SEXUAL HARASSMENT POLICY

WHEREAS, sexual discrimination is unlawful pursuant to the New York Human Rights Law §290 et seq., (codified as N.Y. Executive Law, Article 15), and the federal civil Rights Act of 1964, Act of 1964, Title VII (codified as 42 U.S.C. § 2000e et seq.) and applies to all employers in New York State; and

WHEREAS, New York State Department of Labor Law (Section 201-G, Prevention of Sexual Harassment), which was part of the 2018-19 State Budget, requiring all employers to adopt, post and distribute to all employees a sexual harassment prevention policy; and

WHEREAS, the law also requires that all employees complete the training that meets the minimum standards, no later than October 9, 2019, and annually thereafter.

NOW, THEREFORE, BE IT RESOLVED that in compliance with current laws the Sexual Harassment Policy and procedures annexed hereto be adopted as the official policy of Delaware County; and

BE IT FURTHER RESOLVED that the Sexual Harassment Policy and Procedures established by Resolution No. 204 of 1993 be rescinded.

DELAWARE COUNTY SEXUAL HARASSMENT POLICY

Introduction

Delaware County is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Delaware County's commitment to a discrimination-free work environment. Sexual harassment is against the law¹ and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Delaware County. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. Delaware County policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Delaware County. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Delaware County will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected

¹ While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

sexual harassment. Any employee of Delaware County who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees² working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, Department Head, or Personnel Officer. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Delaware County to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. Delaware County will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Delaware County will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Delaware County will provide all employees a complaint form for employees to report harassment and file complaints.
7. Department Heads, managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Personnel Officer.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

² A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor, manager or department head of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. Delaware County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, department head or Personnel Officer. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, department head or Personnel Officer.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors, managers and department heads who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Personnel Officer.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors, managers and department heads will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors, managers and department heads will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Delaware County will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, Personnel Officer will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by Delaware County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Delaware County, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Delaware County does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may

award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

DELAWARE COUNTY PERSONNEL OFFICE
1 COURTHOUSE SQUARE - STE 2, DELHI, NEW YORK 13753
TELEPHONE #: (607) 832-5678
FAX #: (607) 832-6044
HEALTH INSURANCE #: (607) 832-5678

Linda Pinner
Personnel Officer



Nancy Milea,
Brenda Stone,
Frances Ackerly,
Carol Shultis,

Personnel Technician
Sr. Human Resource Clerk I
Human Resource Clerk
Personnel Clerk

Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and Delaware County is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, Delaware County has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, manager, department head or Personnel Officer so we can take action.

Our complete policy may be found:
www.co.delaware.ny.us/departments/pers/employeeinfo

Our Complaint Form may be found:
www.co.delaware.ny.us/departments/pers/employeeinfo

If you have questions and to make a complaint, please contact:

Delaware County Personnel
One Courthouse Square, Suite #2
Delhi, NY 13753
607-832-5678

Delaware County

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Personnel Officer @ One Courthouse Square, Suite#2, Delhi, NY 13753. This form can be submitted in person, electronically to pers@co.delaware.ny.us, or faxed to 607-832-6044. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

COMPLAINANT INFORMATION

Name: _____

Work Address: _____ Work Phone: _____

Job Title: _____ Email: _____

Select Preferred Communication Method: ☐Email ☐Phone ☐In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name: _____

Title: _____

Work Phone: _____ Work Address: _____

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name: _____ Title: _____

Work Address: _____

Work Phone: _____

Relationship to you: ☐Supervisor ☐Subordinate ☐Co-Worker ☐Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? ☐Yes ☐No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

The resolution was seconded by Mr. Spaccaforo.

Mr. Ellis noted that the New York State Department of Labor Law requires that all employers adopt, post and distribute to all employees a Sexual Harassment Prevention Policy and training protocol to be completed by October 9, 2019.

Chairman Molé added that all Towns must pass a similar resolution and all County and Town employees must complete the Sexual Harassment Training by October 9, 2019. Additionally, proof of training is required of any entity doing business with the County or one of its municipalities.

In answer to Mr. Valente, Chairman Molé stated that as soon as the County Attorney is in receipt of all the necessary information a template would be designed to help the municipalities meet the guidelines.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 210

**TITLE: 2018 BUDGET AMENDMENT
DEPARTMENT OF PUBLIC WORKS – SOLID WASTE DIVISION**

WHEREAS, the November health insurance bill is due; and

WHEREAS, the amount budgeted is insufficient; and

WHEREAS, the December bill will also need to be processed.

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

DECREASE APPROPRIATION:

22-18160-54238010	Disposal of C&D	\$95,000.00
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INCREASE APPROPRIATION:

22-18160-58600000	Health Insurance	\$95,000.00
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The resolution was seconded by Mr. Davis.

In reply to Mr. Marshfield, Solid Waste Management Director Sue McIntyre noted that this amount covers November and December and is reflective of an unusually high employee turnover.

The resolution was adopted by the following vote: Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 211

**TITLE: 2018 BUDGET AMENDMENT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, work on the New York City roads has progressed much further than anticipated this year; and

WHEREAS, in order to cover these additional expenses and keep the budget balanced, the Department needs to increase its appropriations and revenues; and

WHEREAS, the City has deposited a total of \$10,138,039.46 in the County's account; and

WHEREAS, the remains a balance of \$2,180,781.72 that has not been appropriated.

NOW, THEREFORE, BE IT RESOLVED that 2018 Budget be amended as follows:

INCREASE APPROPRIATION:

34-15112-54000000	Contractual Expense	\$2,180,781.72
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INCREASE REVENUE:

34-15112-42238900	Misc. Rev Other Govrn. Cap	\$2,180,781.72
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The resolution was seconded by Mr. Spaccaforo and Mr. Davis and adopted by the following vote: Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 212

**TITLE: OMITTED TAXES
TREASURER'S OFFICE**

WHEREAS, Tax Map No. 1.-20-43 assessed to the State of New of New York was omitted from the 2018 tax roll;

NOW, THEREFORE, BE IT RESOLVED that omitted taxes be levied against the State of New York, in the Town of Andes in the amount of \$5,453.51.

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 213

**TITLE: CONVERSION OF FOREST LAND
TREASURER'S OFFICE**

WHEREAS, acreage from property on which a 480A exemption was granted has been converted to other use;

NOW, THEREFORE, BE IT RESOLVED that roll-back taxes be levied as follows:

TOWN OF ANDES: Tax Map No. 283.-1-9.2 formerly assessed to Richard Hennelly, now assessed to Joseph Hennelly \$5,325.14

TOWN OF ANDES: Tax Map No. 283.-1-24 formerly assessed to Richard Hennelly, now assessed to Joseph Hennelly \$75,903.07

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

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

RESOLUTION NO. 214

**TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING FOR CLOSEOUT OF THE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROGRAM
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, Delaware County was awarded an Economic Development Community Development Block Grant in 2016 in the amount of \$151,970; and

WHEREAS, Delaware County made the grant funding through this program available to assist in the growth of a local manufacturing business located in Delaware County; and

WHEREAS, the proposed project has been completed in accordance with the terms of the grant agreement and the grant funding received under the Community Development Block Grant Program has been fully disbursed; and

WHEREAS, the NYS Office of Community Renewal requires that the governing body of the recipient provides opportunities for community engagement and feedback through the hosting of a public hearing to obtain citizen's views.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors for Delaware County will schedule a public hearing to be held on Wednesday, November 28, 2018 at 12:45 p.m. to be held at the Delaware County Office Building located at 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Eisel.

Chairman Molé noted that the public hearing will be held prior to the regularly scheduled meeting on Wednesday, November 28, 2018.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 215
TITLE: PAYMENT OF AUDIT**

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$4,805,851.55 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	\$1,615,206.78
OET	\$0.00
Public Safety Comm System	\$338,662.28
CAP 97-Main Street	\$0.00
CAP MHC	604,137.68
Highway Audits, as Follows:	
Weights and Measures	\$16.23
Landfill	\$49,804.96
Road	\$56,080.57
Machinery	\$69,404.51
Capital Road & Bridge	\$2,038,682.97
Capital Solid Waste	\$33,855.57

The resolution was seconded with Mr. Marshfield and adopted by the following vote: Ayes 4037, Noes 0, Absent 762 (Tuthill, Hynes).

Budget Director Art Merrill presented the Tentative 2019 Budget. He thanked the members of the Finance Committee, Clerk of the Board Christa Schafer and Accountant Joan Chytalo for their help in the preparation process of this budget.

The change in the tax levy from 2018 is 1.560 percent which is under the tax cap.

Chairman Molé thanked Budget Director Merrill, the Finance Committee, Ms. Schafer and her department for their work throughout the budget process.

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

RESOLUTION NO. 216

**TITLE: PUBLIC HEARING
2019 TENTATIVE BUDGET**

BE IT RESOLVED that the budget, with the changes discussed, be adopted as the Tentative 2019 Delaware County Budget and a public hearing be held on the 28th day of November, 2018 at 1:00 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

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

Chairman Molé referenced today's Daily Star article entitled: *Sheriff takes Unadilla teen under his wing*. The article, written by Sarah Eames, is a good read, refreshingly upbeat and a meaningful event in the life of this teen.

Upon a motion, the meeting adjourned 1:25 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT

NOVEMBER 28, 2019

The Delaware County Board of Supervisors held a Public Hearing concerning the New York State Office of Community Renewal's Community Development Block Grant Program and a completed economic development program project which provided financial assistance, in the form of a matching grant to a local business 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 28, 2018 Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

Notice is Hereby Given that the Delaware County Board of Supervisors will hold a public hearing at the Charles Cook County Office Building, located at 111 Main Street, Delhi, NY, on Wednesday, November 28, 2018 at 12:45 PM to seek public input regarding the New York State Office of Community Renewal's Community Development Block Grant Program and a completed economic development program project which provided financial assistance, in the form of a matching grant to a local business. Written comments may be forwarded to the Clerk of the Board at 111 Main Street, Delhi, NY 13753.

Dated: November 21, 2018

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé 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 Molé declared the hearing adjourned at 12:50 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

DELAWARE COUNTY 2019 TENTATIVE BUDGET

NOVEMBER 28, 2018

The Delaware County Board of Supervisors held a Public Hearing concerning the 2019 Tentative Budget in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 1:00 p.m. on Wednesday, November 28, 2018 Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

DELAWARE COUNTY 2019 TENTATIVE BUDGET

PLEASE TAKE NOTICE that the Delaware County Board of Supervisors will hold a public hearing on Wednesday, November 28, 2018 at 1:00 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 2019.

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)	\$12,709
1 Chairman of the Board of Supervisors	\$48,622

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 at (607) 832-5110.

Dated: November 21, 2018

Christa M. Schafer
Clerk of the Board
Delaware County Board of Supervisors

Chairman Molé 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 Molé declared the hearing adjourned at 1:05 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
NOVEMBER 28, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 28, 2018 at 1:05 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Davis and Mr. Pigford.

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.

Clerk of the Board Christa Schafer read a letter from Cornell Cooperative Extension Executive Director Jeanne Darling, Camp Administrator John Hannum and Camp Director Corrine Tompkins expressing appreciation for the opportunity to have an officer again this summer providing overnight security stationed at 4-H Camp Shankitunk. Thanks was extended to the Board of Supervisors, Sheriff Craig DuMond, 1st Sergeant John Lehmann and all of the officers who patrolled the camp this summer.

The Clerk noted that all other communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Environmental Planner Kristin Janke-Schneider to give an update on watershed issues.

The comments and Power-Point presentation shared by Ms. Janke-Schneider were prepared by the Delaware County Core Group partners. The Core Group partners include the Delaware County Board of Supervisors, County Departments of Economic Development, Emergency Services, Planning, Public Works, and Watershed Affairs along with the Delaware County Soil and Water Conservation District and the Cornell Cooperative Extension.

Delaware County's three reservoirs are the Schoharie, the Pepacton and the Cannonsville. The reservoirs are in the Catskill/Delaware Systems which host the largest reservoirs in the entire watershed, providing up to 90 percent of New York City's daily drinking water needs. Watershed stewardship is essential to ensure protection of these reservoirs and Delaware County has proven to be a leader in scientific solutions to watershed management.

The findings of the National Academy of Sciences panel are extremely valuable to Delaware County. It is essential that the watershed programs be scientifically and technically sound. If not, they may not deliver what is needed, may have too many unintended effects on the County, be unreasonably expensive for the County and New York City and make it extremely difficult to gain voluntary cooperation of the local people who are the most important for protection.

The Core Group believes that the continuation of key programs like those sponsored by the Catskill Watershed Corporation and the Watershed Agricultural Council coupled with locally driven programs such as the Local Flood Mitigation program and the Stream Corridor Management program are essential to the continued success of watershed protection. They also believe there is more work to be done to insure the sustainability of the watershed communities. This includes revisiting the land acquisition program and the socio-economic impacts of continuing it in its current form. Socio-economic monitoring is essential to providing long term stewardship. If these things can be accomplished it is felt that the partnership between New York City and the host watershed communities is replicable and proven to be effective for managing high quality water while maintaining successful communities that embrace the watersheds they live in.

For the reasons stated above, an invitation was sent to the National Academy of Sciences panel members inviting them to tour the watershed and key land management aspects on Thursday, December 13 and meet on Friday, December 14 in the Board of Supervisors Room from 9:00 a.m. to noon. The tour and meeting will be co-hosted by the Watershed Agricultural Council, Catskill Watershed Corporation, and Delaware County Board of Supervisors. Supervisors were invited and encouraged to attend.

Chairman Molé thanked Ms. Janke-Schneider for an informative update.

Chairman Molé granted privilege of the floor to Director of Economic Development Glenn Nealis to give an update on the Delaware County Occupancy Tax.

Mr. Nealis shared there are 536 registered lodging establishments in the County and to date \$188,745 has been collected. This amount is three percent higher than the same time last year despite what might be considered a less than desirable spring, summer and fall. He explained revenues derived from the occupancy tax in one year are made available for disbursement the following year. Funds are allocated on a 50/50 split between the two categories, Tourism Promotion & Development Grants and TPA Block Grants and require a dollar to dollar match. Since 2017, the occupancy tax revenues have been utilized to provide over \$260,000 in funding to support 79 projects throughout the County.

The occupancy tax went into effect in March of 2016 and has a sunset provision for February of 2019. The Department of Economic Development is drafting a Local Law to bring to a future meeting of the Board of Supervisors for the continuance of the occupancy tax.

In answer to Mr. Cetta, Mr. Nealis stated that Airbnbs are included in the 536 registered lodging establishments. He further stated that in 2016 the County signed an agreement with Airbnb, Inc. to collect and submit to the County its 2 percent occupancy tax on all rentals booked through their business.

In response to Chairman Molé, Mr. Nealis stated that currently monitoring collections from Airbnb, Inc. is difficult based on security statements within the current contract and is an area that needs to be discussed with the County Attorney moving forward.

County Treasurer Beverly Shields added Airbnb, Inc. tracks their clients by number not by name.

Mr. Nealis stated in reply to Mr. Eisel, that based on the current number of registered lodging establishments he felt the majority of establishments were participating. He credited the Treasurer's Office and employee Tina Westbrook for their diligence.

Mr. Triolo added that the Treasurer's Office works very hard to find these properties. He feels the established system is working well and has been able to level the playing field.

In answer to Mr. Layton, Mr. Nealis explained that Airbnb, Inc. is a service agency that markets and collects taxes for rental properties that are listed with them.

Chairman Molé thanked Mr. Nealis for the update.

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

RESOLUTION NO. 217

TITLE: 2018 BUDGET AMENDMENT ACCEPTANCE OF GRANT FUNDING FOR TAI CHI FOR ARTHRITIS PROJECT OFFICE FOR THE AGING

WHEREAS, the Office for the Aging has been granted \$7,000 from the Delaware County Rural Healthcare Alliance to expand the agency's existing Tai Chi for Arthritis program for the County's older population; and

WHEREAS, this funding will be used to engage in activities to support health promotion and stay healthy wellness programs;

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows:

INCREASE REVENUES:
10-16772-42270602/6772051/977 Grant from Local \$7,000.00

INCREASE APPROPRIATIONS:
10-16772-54327000/6772051/977 Contracted Services \$7,000.00

The resolution was seconded by Mr. Merrill.

In answer to Mr. Marshfield, Director of Office for the Aging Wayne Shepard stated that this program is very desirable and has a waiting list of 165 seniors.

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3717, Noes 0, Absent 1082 (Gladstone, Davis, Pigford).

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

RESOLUTION NO. 218

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MEDICAL TRANSPORTATION
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$2,000 from Rural Health Alliance of South Central New York to expand the agency’s existing non-emergency medical transportation program for the County’s older population; and

WHEREAS, this funding will be used increase the number of non-emergency medical transportation trips for the county’s older population;

NOW, THEREFORE, BE IT RESOLVED that the 2018 Budget be amended as follows.

INCREASE REVENUES:
10-16772-42270602/6772052/977 Grants from Nonprofit \$2,000.00

INCREASE APPROPRIATIONS:
10-16772-54327625/6772052/977 Travel \$2,000.00

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3717, Noes 0, Absent 1082 (Gladstone, Davis, Pigford).

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

RESOLUTION NO. 219

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
PLANNING DEPARTMENT**

WHEREAS, Delaware County Planning in cooperation with Delaware County DPW, Sherriff’s Office and the Emergency Management Office has researched the applicability of using Drone to Map programming as a way to develop efficiency in providing County services; and

WHEREAS, the Planning Department would like to purchase a drone, cameras and the required Drone to Map software to assist in search and rescue missions, accident reconstruction, hazard evaluation, site assessments and long term planning; and

WHEREAS, the Planning Department has researched the cost of all equipment request for the 2019 fiscal year, including the drone and software; and

WHEREAS, the Planning Department has had difficulty filling two vacant positions for more than six months due to a limited number of approved applicants, leaving sufficient funds in the Department's Personal Services account; and

WHEREAS, the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer, have agreed to reduce the budget request for 2019 in lieu of purchasing equipment with these funds in 2018;

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

FROM:

10-18020-51000000	Personal Services	\$35,000.00
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TO:

10-18020-52200000	Equipment	\$35,000.00
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The resolution seconded by Mr. Valente and Mr. Ellis and adopted by the following vote: Ayes 3717, Noes 0, Absent 1082 (Gladstone, Davis, Pigford).

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

RESOLUTION NO. 220

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
DEPARTMENT OF BUILDING 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 Building and Grounds is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Vehicle No.</u>	<u>Description</u>	<u>Vehicle Identification No.</u>
BM 52	2006 Chevy Silverado	1GCHK29U26E262757

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

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

RESOLUTION NO. 221

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
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>Vehicle No.</u>	<u>Description</u>	<u>Vehicle Identification No.</u>
PHS 91	2008 Chevy Impala	2G1WB58N181241866

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

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

RESOLUTION NO. 222

**TITLE: AMENDMENT TO RESOLUTION NO. 213-18
CONVERSION OF FOREST LAND
TREASURER’S OFFICE**

WHEREAS, the amounts stated in Resolution No. 213-2018 were incorrect.

NOW, THEREFORE, BE IT RESOLVED that roll-back taxes be corrected and levied as follows:

TOWN OF ANDES	Tax Map No. 283.-1-9.2 formerly assessed to Richard Hennelly, now assessed to Joseph Hennelly	\$70,577.93
TOWN OF ANDES	Tax Map No. 283.-1-24 formerly assessed to Richard Hennelly, now assessed to Joseph Hennelly	\$5,325.14

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 223

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 \$157,371.94 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 Mr. Vernold and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 224

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2018 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>
Andes	\$3,055.80
Bovina	\$3,927.76
Colchester	\$10,088.71
Davenport	\$2,725.68
Delhi	\$9,775.01
Deposit	\$5,593.93
Franklin	\$9,392.03

Hamden	\$1,389.38
Hancock	\$15,028.68
Harpersfield	\$4,549.46
Kortright	\$7,275.96
Masonville	\$2,907.67
Meredith	\$3,772.23
Middletown	\$18,141.51
Roxbury	\$14,456.33
Sidney	\$14,838.55
Stamford	\$7,714.68
Tompkins	\$3,114.23
Walton	\$5,566.83

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 225

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, 2018.

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	\$10,667.16	\$10,667.16	
Bovina	\$8,096.26	\$8,096.26	
Colchester	\$9,796.38	\$9,796.38	
Davenport	\$40,958.06	\$40,958.06	
Delhi	\$27,507.05	\$23,430.25	\$4,076.80
Deposit	\$9,538.15	\$3,279.91	\$6,258.24
Franklin	\$17,670.76	\$16,904.64	\$766.12
Hamden	\$8,819.50	\$8,819.50	
Hancock	\$22,799.06	\$20,825.22	\$1,973.84

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Harpersfield	\$8,197.72	\$7,342.77	\$854.95
Kortright	\$13,991.24	\$13,991.24	
Masonville	\$7,617.14	\$7,617.14	
Meredith	\$9,177.54	\$9,177.54	
Middletown	\$37,716.88	\$34,254.51 FL	\$1,021.01
		MV	\$2,441.36
Roxbury	\$19,860.60	\$19,860.60	
Sidney	\$21,677.88	\$15,508.55	\$6,169.33
Stamford	\$16,255.54	\$12,605.04 ST	\$1,496.29
		HO	\$2,154.21
Tompkins	\$7,685.75	\$7,685.75	
Walton	\$19,883.10	\$16,305.50	\$3,577.60
Totals	\$317,915.77	\$287,126.02	\$30,789.75

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 226

**TITLE: SUBSTANCE ABUSE PREVENTION TASK FORCE
DEPARTMENT OF PUBLIC HEALTH SERVICES**

WHEREAS, drug overdose and abuse is a serious public health concern and opioid-related overdose has increased as a health threat; and

WHEREAS, Delaware County is considered a high burden area of the state in the opioid crisis; and

WHEREAS, Delaware County shall convene a task force consisting of representation from Public Health, Community Services (Mental Health), Substance Abuse Services, local hospitals, Probation, Emergency Services, Veteran’s Affairs, Department of Social Services, Sheriff’s Department, state and local police, Alcohol and Drug Abuse Council, schools, community agencies and any additional agencies and organizations deemed appropriate; and

WHEREAS, the Task Force’s mission is to ensure that Delaware County and its surrounding partners work together to help reduce opioid, heroin and other substance addiction, prevent overdose deaths, and improve the quality of life in our community; and

WHEREAS, the Task Force will work to identify barriers and develop solutions to issues resulting from the increase in substance abuse in Delaware County with a focus on community education, outreach prevention, educating medical professionals, substance abuse treatment and enforcement response, increasing community collaboration and awareness to create a safe and healthy community.

NOW, THEREFORE, BE IT RESOLVED that Delaware County appoints a Substance Abuse Prevention Task Force to be chaired by Delaware County Public Health Services.

The resolution was seconded by Mr. Vernold and Mr. Triolo adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 227

**TITLE: YEAR-END ACCOUNTING MODIFICATIONS TO THE 2018 BUDGET
DEPARTMENT OF FISCAL AFFAIRS**

WHEREAS, there are many bookkeeping entries that are needed to close out the books for 2018; 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 2018 Budget and to file a written report to the Finance Committee before the books for 2018 are actually closed.

The resolution was seconded by Mr. Tuthill and Mr. Marshfield and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

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

RESOLUTION NO. 228

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 \$1,850,000, 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	5,796,419,957	\$867,334.98
<u>Towns</u>		
Andes	443,065,336	\$66,297.14
Bovina	155,635,748	\$23,288.22
Colchester	843,191,010	\$126,169.10
Davenport	205,680,711	\$30,776.60
Delhi	312,776,867	\$46,801.70
Deposit	328,761,947	\$49,193.60
Franklin	214,128,430	\$32,040.65

Hamden	162,757,361	\$24,353.85
Hancock	450,616,507	\$67,427.04
Harpersfield	143,213,365	\$21,429.43
Kortright	159,309,763	\$23,837.98
Masonville	102,720,674	\$15,370.39
Meredith	141,423,632	\$21,161.62
Middletown	702,861,109	\$105,171.13
Roxbury	431,557,418	\$64,575.18
Sidney	268,740,956	\$40,212.48
Stamford	178,867,338	\$26,764.43
Tompkins	183,173,251	\$27,408.74
Walton	367,938,534	\$55,055.70

Villages

Delhi	92,712,826	\$13,872.89
Deposit	43,126,130	\$6,453.09
Franklin	18,567,215	\$2,778.27
Hancock	78,024,876	\$11,675.09
Stamford (Harpersfield)	29,871,895	\$4,469.82
Stamford (Stamford)	32,928,662	\$4,927.20
Fleischmanns	38,053,391	\$5,694.04
Sidney	152,962,412	\$22,888.21
Hobart	47,407,612	\$7,093.74
Walton	132,407,724	\$19,812.55

Fire Districts

Arena, Hardenburgh	16,903,108	\$2,529.26
Midd.-Hard., Hardenburgh	47,564,393	\$7,117.20
Deposit	40,223,009	\$6,018.68
TOTAL	12,363,593,167	\$1,850,000.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 229

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,528,792.98 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	\$774,069.42
OET	\$38,463.58
Public Safety Comm System	\$343,276.14
CAP 97-Main Street	\$0.00
Risk Retention	588.58
Highway Audits, as Follows:	
Weights and Measures	\$273.81
Landfill	\$156,331.84
Road	\$130,414.83
Machinery	\$52,288.14
Capital Road & Bridge	\$1,032,167.64
Capital Solid Waste	\$919.00

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 230

TITLE: ADOPTION OF 2019 DELAWARE COUNTY BUDGET

WHEREAS, the Tentative Budget for the year 2019 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 2019 be adopted.

The resolution was seconded by Mr. Tuthill.

Budget Director Arthur Merrill stated that the actual Workers’ Compensation assessment figure was less than the estimated figure and reduced the 2019 tax levy to 1.4833 percent.

Chairman Molé stated she felt this was a very good budget.

The resolution was adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 231

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No. 230, dated November 28, 2018, adopted a budget for the fiscal year 2019;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified effective January 1, 2019.

The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

Upon a motion, the meeting adjourned at 1:45 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

DECEMBER 12, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, December 12, 2018 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 Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Pigford.

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 noted that all communications received have been referred to their respective committees for review.

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

RESOLUTION NO. 232

TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 34-18 DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 161 of 2018 appropriated funds for the Replacement of Culverts on Odell Lake Extension Road in the Town of Harpersfield; and

WHEREAS, the bid was subsequently awarded to R. DeVincentis Construction Inc., One Brick Avenue, Binghamton, NY 13901 in the amount of \$321,000.00; and

WHEREAS, the construction work is complete and the final quantities have been calculated and agreed upon between the County and the contractor.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 34-18 adjusting the final quantities and resulting in a reduction of \$21,161.40 which reduces the total contract price from \$321,000.00 to \$299,838.60.

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

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

RESOLUTION NO. 233

TITLE: TERMINATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED REVOLVING LOAN FUNDS DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, on March 29, 2018 the New York State Office of Community Renewal issued a letter to all recipients of Community Development Block Grant (CDBG) funds regarding administrative changes and requirements pertaining to program income generated through the use of CDBG funds awarded after 2001; and

WHEREAS, the administrative changes amend the treatment of funds received through a revolving loan fund program managed by grant recipients (and/or their subrecipients) which

make it impossible to continue the operation of a revolving loan fund established with CDBG funds; and

WHEREAS, Delaware County has received several awards of CDBG funds which were, in whole or part, designated for the purpose of establishing and maintaining a revolving loan fund to support and assist economic development activities within the County; and

WHEREAS, the County (and its subrecipient) will no longer be able to continue the operation of such revolving loan fund programs that were established through the use of CDBG funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for Delaware County hereby terminates the revolving loan funds established through the use of CDBG funds effective December 31, 2018; and

BE IT FURTHER RESOLVED that Delaware County (and its subrecipient) will, and are authorized, to take all actions necessary to expend, commit and/or return, as applicable, the program income derived through the management of the County's revolving loan funds which were established through the use of CDBG funds.

The resolution was seconded by Mr. Eisel.

In answer to Mr. Spaccaforo, Director of Economic Development Glenn Nealis explained that the New York State Office of Community Renewal has made administrative changes that amend the treatment of funds received through a revolving loan fund program managed by grant recipients. The changes no longer allow for the continuation of revolving loan fund programs that the County has established through the use of the CDBG fund.

Mr. Nealis stated in answer to Mr. Gladstone, that this change affects about 20 percent of the funds the Department has available. At this time there is not a plan in place, however, the Department will be working with the businesses involved to come to a close out agreement.

In reply to Mr. Marshfield, Mr. Nealis said that future CDBG grants to municipalities to support business development will not be affected by the administrative changes, as long as the assistance being provided to the business is in the form of a grant. The administrative changes will only impact the County's existing revolving loan fund programs that were established through CDBG funding.

Mr. Davis stated in response to Mr. Marshfield, that the Department is working to develop alternative proposals which will comply with State and Federal regulations for any remaining funds to prevent returning the funds to the state.

The resolution was unanimously adopted.

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

RESOLUTION NO. 234

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.

NOW, THEREFORE, BE IT RESOLVED that subject to approval of the Public Works employees, four-day work schedules for 2019 are hereby approved in the Public Works Department as follows:

- 1.) January 1, 2019 to March 23, 2019: Bridge Crews only.

- 2.) March 24, 2019 to October 19, 2019: 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 17, 2019 to December 31, 2019: Bridge Crews only.

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

Mr. Spaccaforo called up Local Law Intro. No. 1 which was seconded by Mr. Gladstone and Mr. Merrill.

LOCAL LAW INTRO NO. 1

TITLE: WAIVE RESIDENCY REQUIREMENT FOR THE OFFICE OF COMMISSIONER OF PUBLIC WORKS

Section I. In the County of Delaware, the provisions of Section 3 of Public Officers Law of the State of New York requiring a person holding a civil office to be a resident of the political subdivision or municipal corporation of the state for which such person shall be chosen or within which such person's official functions are required to be exercised, shall not prevent a person from holding the office of Commissioner of Public Works in Delaware County, provided, however, that such person performing the duties and functions of Commissioner of Public Works resides in Delaware County or any adjoining county within New York State, unless otherwise provided by an act of the state legislature.

Section II. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

RESOLUTION NO. 235

TITLE: RESOLUTION CALLING FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW INTRO NO. 1 OF 2018

WHEREAS, a proposed Local Law waiving the residency requirement for the Office of Commissioner of Public Works has been offered for adoption by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on the 2nd day of January 2019 at 1:15 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

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

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

RESOLUTION NO. 236

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, 2019;

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	\$669,400.00	\$.00
Deposit	\$364,178.00	\$29,710.00
Franklin	\$342,555.00	\$35,030.00
Hancock	\$820,150.00	\$32,032.00
Harpersfield	\$331,460.00	\$48,901.00
Middletown	\$833,500.00	\$123,654.00
Sidney	\$346,087.00	\$26,560.00
Stamford	\$239,963.00	\$37,652.00
Walton	\$311,950.00	\$69,188.00

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		\$185,495.00
Arena Fire District		\$15,300.88
Andes Light		\$8,000.00
Delinquent Water		\$13,310.00
Delinquent Sewer		\$6,509.80
BOVINA		
Bovina Center Light District		\$1,545.00
Bovina Rural Fire District		\$102,231.00
Bovina Water District		\$39,481.00
Bovina Sewer District		\$10,175.77
COLCHESTER		
Downsville Fire District		\$252,401.86
Beaverkill Valley Fire District		\$961.98
Colchester Fire Protection District		\$12,000.00
Delinquent Cooks Falls Water		\$3,101.50
Delinquent Downsville Water		\$8,136.72
DAVENPORT		
East Meredith Fire District		\$116,113.27
Davenport Fire District		\$49,271.18
Davenport Light District		\$1,600.00
Davenport Center Light District		\$2,225.00
West Davenport Light District		\$1,475.00
Davenport Water		\$6,850.00
Delinquent Water		\$4,150.16
DELHI		
Delhi Rural Fire District		\$232,437.75
DEPOSIT		
Deposit Fire and Ambulance		\$83,611.00
FRANKLIN		
Treadwell Light District		\$3,795.00
Treadwell Water District		\$11,940.00
Franklin-Treadwell Fire District		\$217,526.98

HAMDEN

Hamden Light District	\$3,400.00
DeLancey Light District	\$2,700.00
Delhi Fire District	\$902.79
Walton Fire District	\$18,179.99
Downsville Fire Protection	\$3,500.00
Delhi Rural Fire Protection	\$77,469.35
Downsville Fire District	\$4,305.14
Hamden Sewer District	\$11,540.91
Hamden Delinquent Water	\$4,119.00
DeLancey Delinquent Water	\$4,255.00
Property Maintenance	\$200.00

HANCOCK

Upper Delaware Valley Ambulance District	\$3,107.78
Cadosia Light District	\$3,150.00
East Branch Light District	\$5,300.00
East Branch Fire District	\$99,970.00
Fishs Eddy Light District	\$4,450.00
Hancock Rural Fire District	\$137,551.85
Long Eddy Fire District	\$24,871.87
Hancock Ambulance District	\$239,820.30

HARPERSFIELD

Stamford Fire District	\$85,191.46
Hobart Fire District	\$5,734.70
Davenport Fire District	\$13,673.58
North Harpersfield Fire Protection	\$43,500.00
North Harpersfield Light District	\$1,500.00

KORTRIGHT

Kortright Fire District	\$107,049.80
Bloomville Light District	\$4,000.00
Bloomville Sewer District	\$18,119.76
Stamford Fire District	\$10,434.90
Hobart Rural Fire District	\$10,376.24
East Meredith Fire District	\$3,463.56
Davenport Fire District	\$7,836.24
Delinquent Water	\$5,644.35

MASONVILLE

Masonville Fire District	\$108,960.00
Masonville Light District	\$2,500.00

MEREDITH

East Meredith Light District	\$1,200.00
Delhi Fire District	\$39,442.11
Meredith Square Light District	\$600.00
Franklin-Treadwell Fire District	\$24,567.52
Meridale Rural Fire District	\$53,322.00
East Meredith Fire District	\$18,724.17
Meridale Light District	\$1,080.00

MIDDLETOWN

Halcottsville Light District	\$1,696.00
Arena Fire District	\$14,561.18
Arkville Light District	\$9,980.00
Arkville Water District	\$16,000.00
New Kingston Light District	\$828.00
Arkville Fire District	\$35,006.00
Fire District No. 1	\$74,004.00
Middletown-Hardenburgh Fire District	\$303,003.49

Delinquent Arkville Water	\$43,980.68
Delinquent Halcottsville Water	\$2,805.98
ROXBURY	
Roxbury Fire District	\$179,600.00
Roxbury Light District	\$10,796.00
Roxbury Water District	\$13,280.00
Grand Gorge Fire District	\$150,875.00
Grand Gorge Light District	\$8,897.00
Grand Gorge Water District	\$51,033.00
Middletown/Hardenburgh Fire District	\$5,660.44
Roxbury Run Light District	\$2,199.00
Roxbury Sewer District (unit charge)	\$40,814.73
Denver Sewer District (debt charge)	\$0.00
Denver Sewer District (unit charge)	\$90,496.00
Denver Water District	\$8,120.00
Delinquent Denver Water	\$2,188.91
Delinquent Grand Gorge Water	\$6,625.52
Delinquent Roxbury Water	\$5,000.71
SIDNEY	
Consolidated Health District	\$3,400.00
Sidney Center Light District	\$4,000.00
Sidney Center Fire District	\$82,943.00
Sidney Fire Protection District	\$66,441.00
STAMFORD	
Stamford Fire District	\$42,785.20
South Kortright Fire District	\$4,243.22
Hobart Fire District	\$32,301.06
Kortright Fire District	\$11,291.20
South Kortright Light District	\$1,700.00
South Kortright Sewer	\$4,756.40
TOMPKINS	
Tompkins Fire District	\$118,055.00
Hancock Rural Fire District	\$14,990.15
Sewer District	\$6,286.10
WALTON	
Walton Fire District	\$344,180.01

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	\$679,827.00	\$940,500.00
Bovina	\$290,669.00	\$407,406.00
Colchester	\$952,650.00	\$1,314,400.00
Davenport	\$278,418.00	\$711,499.00
Delhi	\$400,430.32	\$563,764.00
Deposit	\$307,283.00	\$503,481.00
Franklin	\$258,900.00	\$541,550.00

<u>TOWN</u>	<u>TOWN GENERAL</u>	<u>HIGHWAY TOWNWIDE</u>
Hamden	\$202,869.00	\$524,725.00
Hancock	\$497,715.00	\$804,871.00
Harpersfield	\$318,682.00	\$244,951.00
Kortright	\$314,778.00	\$629,985.00
Masonville	\$199,545.00	\$489,500.00
Meredith	\$152,466.00	\$747,013.00
Middletown	\$702,873.00	\$1,133,545.00
Roxbury	\$764,463.00	\$1,246,008.00
Sidney	\$412,242.00	\$300,903.00
Stamford	\$261,713.00	\$291,146.00
Tompkins	\$246,158.00	\$738,104.00
Walton	\$283,372.00	\$610,650.00

The resolution was seconded by Mr. Triolo.

Clerk of the Board Christa Schafer noted the resolution is amended to reflect changes received from the Town of Kortright Bloomville Sewer District and the Town of Stamford South Kortright Sewer District.

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

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

RESOLUTION NO. 237

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

RESOLVED that the sum of \$33,187,189.39 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 28, 2018 the taxes be returnable the first day of April 2019 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 2019 upon the collector's complying with the statute thereto.

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

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

RESOLUTION NO. 238

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. Marshfield and Mr. Spaccaforo and unanimously adopted.

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

RESOLUTION NO. 239

TITLE: CALLING ORGANIZATIONAL MEETING

RESOLVED that pursuant to Section 151 [1] of the County Law and Rule 1 of the Delaware County Board of Supervisors, the organizational meeting of the Board of Supervisors shall be held on Wednesday, January 2, 2019 at 1:00 p.m. in the Supervisors' Room of the County Office Building, Delhi, New York.

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

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

RESOLUTION NO. 240

TITLE: 2019 BOARD OF SUPERVISORS MEETING SCHEDULE

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

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

Wednesday, January 2, 2019	- 1:00 p.m.	Wednesday, January 23, 2019	- 1:00 p.m.
Wednesday, February 27, 2019	- 1:00 p.m.		
Wednesday, March 13, 2019	- 1:00 p.m.	Wednesday, March 27, 2019	- 1:00 p.m.
Wednesday, April 10, 2019	- 1:00 p.m.	Wednesday, April 24, 2019	- 1:00 p.m.
Wednesday, May 8, 2019	- 1:00 p.m.	Wednesday, May 22, 2019	- 1:00 p.m.
Wednesday, June 26, 2019	- 1:00 p.m.		
Wednesday, July 24, 2019	- 1:00 p.m.		
Wednesday, August 28, 2019	- 1:00 p.m.		
Wednesday, September 25, 2019	- 1:00 p.m.		

Wednesday, October 9, 2019 - 1:00 p.m. Wednesday, October 23, 2019 - 1:00 p.m.
Wednesday, November 13, 2019 - 1:00 p.m. Tuesday, November 26, 2019 - 1:00 p.m.
Wednesday, December 11, 2019 - 1:00 p.m.

The resolution was seconded by Mr. Eisel and Mr. Ellis.

Mr. Marshfield objected to the scheduling of all meetings for 1:00 p.m. He stated that it is a hindrance to our employed Supervisors and does not allow for the working public to attend the meetings. He suggested changing the summer meetings back to 4:00 p.m.

Chairman Molé stated that the 1:00 p.m. meeting is better attended than the 4:00 p.m. meeting.

Mr. Merrill opined that holding the meetings later in the evening would be more accommodating to those who are employed.

Mr. Taggart, Mr. Haynes and Mr. Davis also commented that a few evening meetings would be appreciated.

The resolution was adopted by the following vote: Ayes 2782, Noes 1440 (Valente, Taggart, Marshfield, Haynes, Davis, Triolo) Absent 577 (Pigford).

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

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

RESOLUTION NO. 241

TITLE: AUTHORIZATION FOR SUPPLEMENTAL NO. 2 BRIDGE 80 DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 132 of 2013 authorized the Department to enter into an agreement with Modjeski and Masters P.C. for the environmental studies and design of the replacement of County Bridge 80, BIN 3353090, Bridge Street over Bush Kill in the Village of Fleischmanns; and

WHEREAS, Resolution No. 190 of 2013 approved Supplemental No.1 in the amount of \$47,700 bringing the total upset limit to \$288,400; and

WHEREAS, the project is still under review FEMA and the Department continues to incur expenses as they request information and the scope of the project changes.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to accept supplemental No. 2 to the contract in the amount of \$59,275.66 which includes; utility relocation design, additional borings and geotechnical designs and an ESA Phase II study. The new maximum amount payable will be \$347,675.66.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 3981, Noes 241 (Taggart), Absent 577 (Pigford).

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

RESOLUTION NO. 242

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.

	WAL16TX.015A
<u>ASSESSED To:</u>	<u>DEBRA A HOLT</u>
TOWN OF:	125601:WALTON
TAX MAP NO:	273.7-2-20
SCHOOL DISTRICT:	125601:WALTON
ACREAGE:	30.00'F x 82.00'D: 0.13A ACRES
CONVEYED TO:	ANN JONES 20 GARDEN STREET WALTON NY 13856
CASH CONSIDERATION:	\$15,000.00 VILLAGE TAXES \$4,407.67 COUNTY TAXES \$10,592.33
TAX DEFICIT:	\$5,717.26

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

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

RESOLUTION NO. 243

**TITLE: LEVYING OF 2018 - 2019 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	248,342.30	17,383.97	265,726.27
BOVINA	143,042.33	10,012.96	153,055.29
COLCHESTER	280,742.00	19,651.72	300,393.72
DAVENPORT	285,273.25	19,969.13	305,242.38
DELHI	250,524.34	17,536.66	268,061.00
DEPOSIT	384,400.50	26,908.15	411,308.65
FRANKLIN	371,175.96	25,982.44	397,158.40
HAMDEN	190,076.32	13,305.38	203,381.70
HANCOCK	763,052.37	53,413.87	816,466.24
HARPERSFIELD	236,196.44	16,533.80	252,730.24
KORTRIGHT	281,813.45	19,726.92	301,540.37
MASONVILLE	152,184.67	10,652.86	162,837.53
MEREDITH	197,057.52	13,794.02	210,851.54
MIDDLETOWN	596,804.65	41,776.31	638,580.96
ROXBURY	356,428.82	24,950.06	381,378.88
SIDNEY	425,443.56	29,781.09	455,224.65
STAMFORD	270,261.42	18,918.26	289,179.68

TOMPKINS	144,969.57	10,147.91	155,117.48
WALTON	387,994.84	27,159.69	415,154.53
Totals	\$5,965,784.31	\$417,605.20	\$6,383,389.51

The resolution was seconded by Mr. Spaccafino.

Mr. Marshfield noted that the County is responsible for the payment of this levied amount.

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

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

RESOLUTION NO. 244

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,138,069.31 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	\$ 604,060.01
OET	\$4,501.07
Public Safety Comm System	\$118,768.83
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$166.66
Landfill	\$25,230.97
Road	\$170,650.14
Machinery	\$34,415.20
Capital Road & Bridge	\$160,758.40
Capital Solid Waste	\$19,518.03

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

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

RESOLUTION NO. 245

TITLE: EXECUTIVE SESSION

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

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

The meeting reconvened in regular session with all Supervisors present.

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

RESOLUTION NO. 246

**TITLE: APPROVAL TENTATIVE AGREEMENT
BETWEEN DEPUTY SHERIFFS AND DELAWARE COUNTY
PERSONNEL OFFICE**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County Deputy Sheriffs Police Benevolent Association for the terms and conditions of employment for the years 2019, 2020, 2021, 2022 and 2023.

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

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

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

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

RESOLUTION NO. 247

**TITLE: APPROVAL TENTATIVE AGREEMENT
BETWEEN NEW YORK STATE NURSES ASSOCIATION (NYSNA)
AND DELAWARE COUNTY
PERSONNEL OFFICE**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County New York State Nurses Association for the terms and conditions of employment for the years 2019, 2020 and 2021.

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 unanimously adopted.

Chairman Molé thanked County Treasurer Beverly Shields for the platter of homemade Christmas cookies and wished everyone a very happy holiday season.

Upon a motion, the meeting adjourned at 1:40 p.m.