

ORGANIZATIONAL MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
JANUARY 2, 2019

The Organizational Meeting of the Delaware County Board of Supervisors was held Wednesday, January 2, 2019 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 2, 2019 at 1:00 p.m.

The meeting is called for the purpose of organizing for the year 2019, including election of a Chairman, Vice Chairman, Clerk of the Board, 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
Jerry Vernold	140 East Main Street	Hancock
James E. Eisel, Sr.	22 Wilcox Road	Harpersfield
George Haynes, Jr.	51971 State Hwy 10, Bloomville	Kortright
Michael Spaccaformo	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
Joseph Cetta	129 North Street	Walton

Mr. Marshfield offered the invocation.

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

The Clerk requested nominations for Chairman. Mr. Merrill 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 the staff and employees of Delaware County and commented that the Supervisors would not be able to do their jobs without the staff and referenced when the

National Academy of Science met with most Supervisors two weeks ago regarding watershed issues. Chairman Molé expressed she was impressed and felt pride for our County and for being a part of the team that runs Delaware County. The presentations that were made by the Highway Commissioner and her staff, the Planning Commissioner and her staff, and Soil and Water were remarkable. She told the Academy Board members who were present that she wished she could be a fly on the wall driving home with them because it was impressive on how advanced Delaware County is in tending to our own watershed. It was a great experience and the Chairman thanked the Supervisors who were able to attend that meeting.

Chairman Molé talked about some of the accomplishments the Board has achieved over the last year which included paving the parking lots at the 99 and 111 Main Street locations. The County closed on the Main Street property for the new Mental Health Facility in Walton which will allow consolidation of the current three separate units with construction to begin this year. Another big accomplishment the Board made with help of department heads and outside agencies was the creation of central security for County employees and constituents. That happened rather quickly as security was in place within the first couple of months of the year. Security also monitors other county-owned buildings. We also completed five new communication towers which will be operational in the spring of this year. For the second year in a row with the help of our Budget Director, the Finance Committee and many others, we were able to hold the tax cap to less than 2 percent this year. Again, these accomplishments would not be completed without the help of all the Supervisors and staff and she looks forward to 2019.

One thing to be accomplished this year is the County Board will come to a consensus on a location for a new Highway Facility. There is no question that all are in agreement that this is very much needed and has been needed for many years and this year we will come to a consensus and begin that construction. Another big item that has been discussed for several years is to investigate and present to the Legislative Committee is to open a public defender's office. We spend almost \$1,000,000 a year on indigent defense and every year the state mandates more and more. Now is the time to be looking into having that kind of office and agency for the County. Another insignificant but much needed challenge is a new elevator for the Office for the Aging facility. We have been in that building for a year and a half now and having more office space available to relocate other departments is something that is on the agenda for this year. Also ahead is the construction finally of the new Mental Health Facility. We have challenges but with this Board and with our staff I think this is what we will accomplish this year.

Upon a nomination by Mr. Spaccaforo, seconded by Ms. Molé, Mark Tuthill was unanimously re-elected as Vice Chairman.

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

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

Chairman Molé made the following committee appointments:

2019 COMMITTEE APPOINTMENTS

AGRICULTURAL AND FARMLAND PROTECTION BOARD

4-year term ending December 31, 2022

Reappoint:

Brian Haynes

COMMUNITY SERVICES BOARD

4-year term ending December 31, 2022

Reappoint:

Walter Keller

Michael Krusinski

MaryAnn Geraghty

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

3-year term ending December 31, 2021

Reappoint:

George Bergleitner

Michael O'Brien

SOIL & WATER CONSERVATION DISTRICT BOARD

1-year term ending December 31, 2019

Reappoint:

Supervisor James Ellis

Supervisor Jeffrey Taggart

3-year term ending December 31, 2021

Reappoint:

Bruce Dolph

Jerry Fraine

Chairman Molé noted that all oversight committees would remain the same until the January 23 Board Meeting.

Chairman Molé adjourned the Organizational Meeting at 1:15 p.m.

A Public Hearing was held on a Local Law 1 of 2019 to Waive Residency Requirement for the Office of Commissioner of Public Works.

The meeting reconvened in regular session with all Supervisors present.

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 Acting Commissioner of Public Works Sue McIntyre who handed out requests for benefits rates and hourly employee rates that will be used for part of the CHIPS reimbursement information and to the extent that some of our towns plow county roads, those labor rates as well. She impressed upon the Supervisors that the rate surveys must be completed and returned by February 4.

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 2019 to publish local laws and notices.

The resolution was seconded by Mr. Marshfield 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 2019 to publish local laws and notices.

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4667, Noes 132 (Marshfield), Absent 0.

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

RESOLUTION NO. 3

TITLE: RE-APPOINTMENT COMMISSIONER BOARD OF ELECTIONS DEMOCRAT

BE IT RESOLVED that Judith Garrison is hereby reappointed as the Democratic Commissioner of Elections for a term of two years effective January 1, 2019 and ending December 31, 2020 at the salary contained in the budget.

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. 4

TITLE: RE-APPOINTMENT DIRECTOR OF EMERGENCY SERVICES

BE IT RESOLVED that Stephen Hood is hereby reappointed as Director of Emergency Services for a term of four years effective January 1, 2019 and ending December 31, 2022 at the salary contained in the budget.

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

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

RESOLUTION NO. 5

TITLE: RE-APPOINTMENT DIRECTOR OF INFORMATION TECHNOLOGY

BE IT RESOLVED that Joseph deMauro is hereby reappointed as Director of Information Technology for a term of four years effective January 1, 2019 and ending December 31, 2022 at the salary contained in the budget.

The resolution was seconded by Mr. Eisel.

In answer to Mr. Marshfield regarding the resolution referring to the salary contained in the budget, Clerk of the Board Christa Schafer stated that there will be a local law for the positions that have salaries changed mid-term once the CSEA contract is settled and a decision has been made as to what the raises will be. Once the contract is finalized then local laws for Department Heads will be introduced for increases in salaries.

The resolution was unanimously adopted.

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

RESOLUTION NO. 6

TITLE: RE-APPOINTMENT OF DIRECTOR OFFICE FOR THE AGING

BE IT RESOLVED that Wayne Shepard is hereby reappointed as Director Office for the Aging for a term of two years effective January 1, 2019 and ending December 31, 2020 at the salary contained in the budget.

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

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

RESOLUTION NO. 7

TITLE: RE-APPOINTMENT OF STOP DWI COORDINATOR

BE IT RESOLVED that Scott Glueckert is hereby reappointed as Stop DWI Coordinator for a term of two years effective January 1, 2019 and ending December 31, 2020 at the salary contained in the budget.

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

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

RESOLUTION NO. 8

TITLE: RE-APPOINTMENT DIRECTOR OF VETERANS SERVICE AGENCY

BE IT RESOLVED that in accordance with Section 357 of the Executive Law, the re-appointment of Charles Piper by the Chairman of the Board as Director of Veterans Service Agency for a term of office of two years effective January 1, 2019 and ending December 31, 2020 at the salary contained in the budget is hereby approved; and.

BE IT FURTHER RESOLVED that in accordance with Section 148 of the General Municipal Law, Charles Piper is hereby designated as the person to oversee the burial of members of the Armed Forces of the United States and their families who do not have sufficient means to defray their funeral expenses.

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

Mr. Spaccaforo thanked Mr. Piper for doing a great job. He stated that Mr. Piper has been a most active and informative director for the County.

The resolution was unanimously adopted.

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

RESOLUTION NO. 9

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, 2019 and ending December 31, 2019.

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

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

RESOLUTION NO. 10

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 bank 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	\$75,000,000.00
The Delaware National Bank of Delhi	\$40,000,000.00
The Delaware National Bank of Delhi (Court and Trust Fund Designated by NYS Comptroller)	\$1,000,000.00
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.

In answer to Mr. Marshfield as to whether there is a Key Bank located in Delaware County, Treasurer Bev Shields stated there is not, however, it is a Social Services account.

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

Mr. Spaccaforo introduced Local Law 1 of 2019 to Waive Residency Requirement for the Office of Commissioner of Public Works.

The Local Law was seconded by Mr. Davis.

In answer to Mr. Marshfield asking what the difference is between this and the residency requirements for our Planning Director as she also lives out of the County, Mr. Davis said the job title of commissioner determines this requirement. Personnel Officer Linda Pinner stated that because the specific job title of Planning Director is not named in the Public Officer's Law, the residency does not apply.

The Local Law 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. Haynes offered the following resolution and moved its adoption:

RESOLUTION NO. 11

TITLE: APPOINTMENT OF COMMISSIONER OF PUBLIC WORKS

BE IT RESOLVED that Susan McIntyre is hereby appointed as Commissioner of Public Works for a term of four years effective January 1, 2019 and ending December 31, 2022 at the salary contained in the budget.

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

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

RESOLUTION NO. 12

TITLE: 2019 BUDGET AMENDMENT DESIGNATION OF DELAWARE COUNTY AS LOCAL SPONSOR FOR SNOWMOBILE GRANT PLANNING DEPARTMENT

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

WHEREAS, applications for grants for such development and/or maintenance of snowmobile trails require a local government sponsor; and

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

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

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

INCREASE REVENUES:

10-17989-43388900/7989001/908	State Otr Culture & Recreation	\$103,200.00
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INCREASE APPROPRIATIONS:

10-17989-54555000/7989001/908	Recreation Snowmobile Grant	\$103,200.00
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The resolution was seconded by Mr. Ellis and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 13

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

WHEREAS, a Project for the Delaware County Bridge Maintenance Program (2018), PIN 9754.33 (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 \$347,000 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. Spaccaforno and Mr. Davis.

In answer to Mr. Marshfield as to where this project is located, Mr. Haynes stated that the project is for Bridge 44-1 located just below East Sidney Dam and Meddlar Road.

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. 14

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 2019.

The resolution seconded 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. 15

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,140,704.87 were hereby presented to the Finance Committee for approval for payment on December 26, 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	\$665,300.78
OET	\$20,013.23
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$200,273.58
Machinery	\$46,706.84
Capital Road & Bridge	\$141,569.37
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$66,841.07

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$227,555.61 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	\$175,526.73
OET	\$5,883.96
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Road	\$639.76
Machinery	\$30,493.65
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$15,011.51

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

Chairman Molé stated that a Legislative Committee meeting would be held directly after today’s Board Meeting.

Upon a motion, the meeting was adjourned at 1:35 p.m.

PUBLIC HEARING
DELAWARE COUNTY BOARD OF SUPERVISORS
WAIVE RESIDENCY REQUIREMENT FOR THE OFFICE OF
COMMISSIONER OF PUBLIC WORKS

JANUARY 2, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. No. 1 of 2018 in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 1:15 p.m. on Wednesday, January 2, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

TITLE: WAIVE RESIDENCY REQUIREMENT FOR THE OFFICE OF
COMMISSIONER OF PUBLIC WORKS

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, January 2, 2019, at 1:15 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning Delaware County Local Law Intro. No. 1 of 2018 entitled *Waive Residency Requirement for the Office of Commissioner of Public Works*.

All persons interested in speaking concerning the proposed local law will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: December 26, 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 1:20 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
JANUARY 23, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, January 23, 2019 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. Axtell 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 the appropriate committees for review.

Chairman Molé granted privilege of the floor to Mr. Triolo. Mr. Triolo introduced Director of Economic Development Glenn Nealis to discuss upcoming changes to the Occupancy Tax Law.

Mr. Nealis stated that one of the items before the Board is the introduction of a Local Law to extend the Delaware County Occupancy Tax. It's been three years, the tax expires at the end of February, and this would extend the tax for an additional three years. In addition, this provides an opportunity to propose amendments to the law to address some issues. A summary of the proposed changes was distributed to the Supervisors. One minor change is the reference from "hotel/motel" to "lodging establishments and short-term rentals." Short-term rentals have always been subject to the tax but this will clarify the term. One of the big changes being proposed is the addition of the definition of property manager to the law. There will be certain corresponding responsibilities required of someone operating as a property manager. Property managers will be required to register with the Treasurer's Office, submit an annual report detailing which lodging establishments and short-term rentals they are providing services for, and adds them to a host of responsibilities that operators and owners have under the Occupancy Tax. Changes also include the creation of penalties for failure of property owners, operators, and property managers to comply with certain aspects of the law including registering with the Treasurer's Office, submitting required returns and reports either at all or on time, as well as failure to notify the Treasurer if there is a change or cessation of business and some other requirements.

Changes also address identified potential conflicts regarding confidentiality that are contained in the past Law. These change will explicitly state that any returns containing financial information of property subject to the Law and businesses are confidential. Changes will enable the Treasurer's Office to also keep confidential certain information of registrants for the Occupancy Tax that if shared publicly would potentially lead to harm to the business, person, or property and will enable the Treasurer to share information with the public pertaining to people registered for the Occupancy Tax, in particular the information contained on the Certificate of Authority. Changes will enable Town Supervisors and municipal officials to obtain certain information regarding the properties registered for the Occupancy Tax when such information is necessary for them to carry out their official duties. Proposed changes include a variety of clarifying languages in terms of the occupancy rate, different fees that are included, and specifying that owners/operators are legally responsible whether or not they use the services of a property manager. Also addressed is a number of wording and typo corrections from the last version of the law. Most importantly, this extends the occupancy tax until February 28, 2022.

In answer to Chairman Molé's question for the reason of three-year increments in the law or if this could be made permanent, Mr. Nealis stated that Home Rule approval was sought with the first proposal for the tax, however, it was granted for three years. The Law can only be renewed for a three-year period. The County can make changes as necessary in terms of wording, rates, etc. but it can only be for a three-year period unless the County goes through the process of asking for Home Rule legislation to make it permanent. There is still some thought that it's in the testing phase so to speak; the committee felt that three years is probably warranted and a permanent law can be considered in the future or remain at every three years.

In response to Mr. Gladstone, Mr. Nealis said the Treasurer's Office has done a great job in terms of tracking rental owners and getting them registered. He replied that although not at a 100%, he believes there is a mid- to high 90% of owners registered.

Referring to Local Law Intro. No. 2 Section 2 (c) Mr. Merrill asked what is the definition of 'regularly.' Mr. Nealis stated the term is the same as the previous law in that the law enables the Treasurer to implement and administer the law according to her discretion so 'regularly' would mean 'as usual.'

Mr. Valente opined that the wording would include some type of assertive advertising campaign or that type of activity which indicates ongoing availability. Mr. Nealis stated that once a year would not constitute regularly. In answer to Mr. Valente, Treasurer Beverly Shields

stated that advertisements are searched every day and their office is able to find B&Bs, etc. and will continue to search as part of their normal procedure.

County Attorney Amy Merklen stated there were issues when this law was first implemented, and to be clear, the law is subject to FOIL even though there are confidentiality requirements within the law itself, these things are still subject to FOIL requests.

In answer to Supervisor Eisel, Mrs. Merklen stated income is not included for FOIL.

There were no standing committee reports.

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

RESOLUTION NO. 16

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF STATE LAW ENFORCEMENT TERRORISM
PREVENTION PROGRAM
SHERIFF'S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the DHSES (Division of Homeland Security and Emergency Services) in an amount not to exceed \$24,993.00; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of buying a speed trailer with already attached license plate readers to enhance Counter Terrorism capabilities at a price not to exceed \$24,993.00 during the period commencing on September 1, 2018 and ending on August 31, 2021, unless extended; and

THEREFORE, BE IT RESOLVED that the 2019 Budget be amended as follows:

ESTIMATED REVENUES:

10-13110-43308900/3110058/907	Grant Funding State	\$24,993.00
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ESTIMATED APPROPRIATIONS:

10-13110-52200001/3110058/907	Equipment Grant	\$24,993.00
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The resolution was seconded by Mr. Spaccaforno 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. 17

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF 2018 BULLETPROOF VEST PARTNERSHIP GRANT
SHERIFF'S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the US Department of Justice and administered by the Bulletproof Vest Partnership ("BVP") in an amount not to exceed \$4,212.00; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of reimbursing Delaware County 50% of the cost of purchasing Bullet Proof Vests at a price not to exceed \$4,212.00 during the period commencing on April 1, 2018 and ending on August 31, 2020, unless extended.

THEREFORE, BE IT RESOLVED that the 2019 Budget be amended as follows:

ESTIMATED REVENUES:

10-13110-44432000/3110059/907	Federal Crime Control	\$4,212.00
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ESTIMATED APPROPRIATIONS:

10-13110-52200001/3110059/907	Equipment Grant-Bulletproof Vests	\$4,212.00
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The resolution was seconded by Mr. Davis 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. 18

**TITLE: 2019 BUDGET AMENDMENT
WATERSHED ENVIRONMENTAL ASSISTANCE PROGRAM
SOUTH STREET BANK RESTORATION PROJECT – TOWN OF WALTON
DEPARTMENT OF PLANNING AND WATERSHED AFFAIRS**

WHEREAS, Delaware County has been awarded a \$543,000 Watershed Environmental Assistance Program grant from the U.S. Army Corp. of Engineers to implement the South Street Bank Restoration project in the Town of Walton to continue the implementation of the Delaware County Action Plan over a two-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 \$185,000.

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 estimated 2019 Budget be amended as follows:

ESTIMATED REVENUE:

10-18741-44498900-8740044-900	Army Corp. of Engineers	\$543,000.00
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APPROPRIATIONS:

10-18741-54327200-8740044-900	Contractual	\$543,000.00
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The resolution was seconded by Mr. Ellis.

In answer to Mr. Marshfield, Chief Planner Kent Manual stated that the \$543,000 award does not necessarily require a one-on-one match. The amount of \$185,000 from Delaware County Soil and Water Conservation District is an in-kind match and \$543,000 is directly from the U.S. Army Corp. of Engineers.

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

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

RESOLUTION NO. 19

**TITLE: AUTHORIZING THE IMPLEMENTATION AND FUNDING 100%
OF THE COSTS OF A TRANSPORTATION PROJECT WHICH
MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR
REIMBURSEMENT FROM BRIDGE NY FUNDS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, a Project for the replacement of BIN 3352080, Knox Avenue over Wilson Hollow Brook, PIN 9754.77 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

WHEREAS, the County of Delaware will design, let and construct the Project, and

WHEREAS, the County of Delaware desires to advance the project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

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 100% of the cost of the Preliminary Engineering/Design and Right-of-Way Incidentals work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal-aid, State-aid or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of \$135,000 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that the Delaware County Board of Supervisors hereby agrees that the County of Delaware shall be responsible for all costs of the Project which exceed the amount of Federal-aid, State-aid or BY Bridge funding awarded to the County of Delaware; and it is further

RESOLVED, that in the event the Project costs not covered by Federal-aid, State-aid or NY Bridge funding exceed 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 County of Delaware hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; 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 on behalf of the County of Delaware all necessary agreements, certifications or reimbursement requests for Federal-aid and/or State-aid 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 County of Delaware’s 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. Spaccaforno and Mr. Vernold.

In answer to Mr. Marshfield, Mr. Merrill confirmed that this project is in the town of Colchester.

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. 20

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

	DAV16TX.040
<u>ASSESSED TO:</u>	<u>H GURNEY HAM, ROSE MARIE HAM AND</u>
	<u>THOMAS C POTTER</u>
TOWN OF:	122600:DAVENPORT
TAX MAP NO:	23.-1-52.2
SCHOOL DISTRICT:	122601:CHARLOTTE VALLEY
ACREAGE:	1.00A ACRES
CONVEYED TO:	PENSCO TRUST FBO DANIEL A LIDDLE IRA
	PO Box 173859
	DENVER CO 80217
CASH CONSIDERATION:	\$42,500.00
TAX DEFICIT:	\$10,470.67

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

Mr. Triolo introduced Local Law 2 of 2019 entitled Delaware County Occupancy Tax Law for Lodging Establishments and Short-Term Rental.

The Local Law Intro. was seconded by Mr. Valente and Mr. Eisel.

LOCAL LAW INTRO. NO. 2 OF 2019

**TITLE: DELAWARE COUNTY OCCUPANCY TAX LAW
FOR LODGING ESTABLISHMENTS AND SHORT-TERM RENTALS**

BE IT ENACTED by the Board of Supervisors of the County of Delaware, State of New York, as follows:

Section 1. Title & Statement of Intent; Priority

This local law shall be known as the Delaware County Occupancy Tax Law. The intent of this local law shall be to promote tourism in Delaware County.

Section 2. Definitions.

When used in this local law, the following terms shall mean:

- (a) County - Delaware County, New York.
- (b) Effective Date - the date set forth in Section 28 of this local law.
- (c) Lodging Establishments and Short-Term Rentals - Any facility or portion thereof which is regularly used and made available for the lodging of guests. A facility comes within the definition of a lodging establishment or short-term if, among other factors:
 - i. sleeping accommodations are provided for the lodging of paying occupants on a regular basis;
 - ii. the typical occupant is a transient or public traveler;
 - iii. the relationship between the operator of the establishment and the occupant of the

- accommodations is that of an innkeeper and guest and not of a landlord and tenant; and,
- iv. the occupant does not have an exclusive right or privilege with respect to any particular room or rooms, but instead merely has an agreement for the use or possession of a particular room or rooms.
- (d) Occupancy - The use of possession, or the right to the use or possession, of any room in a lodging establishment or short-term rental.
 - (e) Occupant - A person who, for a charge or any consideration, uses, possesses, or has the right to use or possess, any room in a lodging establishment or short-term rental under any lease, concession, permit, right, license, agreement, or otherwise.
 - (f) Operator - Any person operating a lodging establishment or short-term rental in Delaware County including but not limited to the owner, proprietor, lessee, sub-lessee, mortgagee in possession, licensee, or any other person otherwise operating such lodging establishment or short-term rental.
 - (g) Permanent Resident - Any person occupying any room or rooms in a lodging establishment or short-term rental for at least thirty-two (32) consecutive nights.
 - (h) Person - An individual, partnership, society, association, joint stock company, corporation, limited liability company, general or limited or limited liability partnership, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and/or any combination of the foregoing.
 - (i) Property Manager – a person, as defined within this Law, who provides services relating to the management of a lodging establishment or short-term rental including, but not limited to, such services; as the taking of reservations, the collection of rents and/or fees, the marketing of a lodging establishment or short-term rental, the keeping of financial records or the filing of returns, when such services are being provided on behalf of an operator to aid or assist in the management of such facility, regardless of whether or not such services are provided for a fee.
 - (j) Rent - The charge and/or consideration received for occupancy valued in money, whether received in money or otherwise, including any fees related to such occupancy including, but not limited to, fees and/or charges for registration, cleaning, linens, and pets.
 - (k) Return - Any return filed or required to be filed as herein provided that contains financial information of the operator or property manager.
 - (l) Room - Any room or rooms of any kind in any part or portion of a lodging establishment or short-term, which is available for, rented or otherwise, let out for the lodging of guests.
 - (m) Tax Imposition Date - the date set forth in Section 3 of this local law.
 - (n) Tourism Advisory Board – a committee, comprised of elected and/or public officials and appointed members, who are charged with the decision making process and reporting requirements regarding the manner in which Occupancy Tax revenues are utilized in the promotion and development of the tourism industry in Delaware County.
 - (o) Treasurer - The Delaware County Treasurer or the Treasurer’s designee.

Section 3. Imposition of Tax.

On and after the first day of March in the year two thousand and nineteen, there is hereby imposed and there shall be paid a tax of two percent (2%) of the per diem rental rate for each room or rooms in a lodging establishment or short-term rental located within the County, except that such tax shall not be applicable to a permanent resident of a lodging establishment or short-term rental.

Section 4. Exempt organizations.

Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law:

- (a) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada), improvement district or

other political subdivision of the state;

(b) The United States of America, insofar as it is immune from taxation; and

(c) Any corporation or association, or trust, or community chest, fund or foundation, organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

Section 5. Territorial limitations.

The tax imposed by this local law shall apply only within the territorial limits of Delaware County.

Section 6. Registration of Operator.

(a) Any existing operator who is not currently registered shall file with the Treasurer a registration application in a form prescribed by the Treasurer within three (3) days after the effective date of this local law. In the case of an operator commencing business after such effective date every operator shall file with the Treasurer a registration application in a form prescribed by the Treasurer within three (3) days after such commencement or opening. Failure to register as an operator in a timely manner will result in the imposition of a \$100 penalty.

(b) The Treasurer shall within ten (10) days after receipt of a registration application issue without charge to the operator a certificate of authority empowering such operator to collect the tax from the occupant and duplicate thereof, for each additional lodging establishment or short-term rental of such operators.

(c) Each certificate shall state the lodging establishment or short-term rental to which it is applicable.

(d) Each certificate of authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and person seeking occupancy.

(e) Certificates shall not be assignable or transferable, and shall be surrendered immediately to the Treasurer upon the cessation of business at, or upon the sale or conveyance of the lodging establishment or short-term rental named in such certificate(s).

(f) Thirty days prior to the cessation of business or sale or conveyance of a lodging establishment or short-term rental the certificate holder shall notify the Treasurer regarding the date of such cessation, sale or conveyance. Failure to make such notification on a timely basis shall result in the imposition of a penalty of \$100, in addition to any amount of tax, penalty and or interest due from such certificate holder.

Section 7. Property Manager

(a) Within twenty (20) days after the effective date of this local law, or in the case of a property manager commencing the provision of services to an operator after such effective date, within three (3) days after such commencement, every property manager shall file with the Treasurer a registration application in a form prescribed by the Treasurer. Failure to register as a property manager in a timely manner will result in the imposition of a \$100 penalty.

(b) Property managers are required to notify the Treasurer of any new clients within ten (10) days of commencement of any services for such client or clients which, in the discretion of the Treasurer, establishes them as a property manager under this Law. Failure to provide such notice in a timely manner will result in the imposition of a \$50 penalty per such newly acquired client or clients.

(c) Property managers are required to submit an annual report as of December 31st of each year to the Treasurer, to be submitted by January 20th of the following year. The annual report shall be in a form prescribed by the Treasurer, and at a minimum shall detail all of the lodging establishments and/or short-term rentals to whom they have provided services during such applicable year. Failure to provide such report in a timely manner will result in the imposition of a graduated penalty based upon the number of lodging establishments and/or short-term rentals to whom they have provided services during such applicable year, as set forth below:

- i. For property managers providing services to less than 10 lodging establishments and/or short-term rentals, the penalty shall be \$100.
- ii. For property managers providing services to 10 to 30 lodging establishments and/or short-term rentals, the penalty shall be \$500.
- iii. For property managers providing services to more than 30 lodging establishments and/or short-term rentals, the penalty shall be \$1,000.

Section 8. *Administration and collection.*

(a) The tax imposed by this local law shall be administered and collected by the Treasurer, or such other employees of the County as the Treasurer may designate, by such means and in such manner as are other taxes which are now collected and administered or as is otherwise provided by this local law.

(b) The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy issued or delivered by the operator, and the tax shall be paid by the occupant to the operator as trustee for and on account of the County, and the operator shall be liable for the collection thereof and for the tax. The operator shall be ultimately liable for the accuracy and collection of a tax due, whether or not such operator utilizes the services of a property manager for such tasks.

(c) The operator, any officer of any corporate operator and a property manager (as applicable) shall be personally liable for the tax collected or required to be collected under this local law, and the operator or property manager shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant as if the tax were part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he may have in the event of non-payment of rent by the occupant; provided, however, that the Treasurer shall be joined as a party in any action or proceeding brought by the operator or property manager to collect or enforce collection of the tax.

(d) The Treasurer may, whenever he or she deems it necessary for the proper enforcement of this local law, provide by order that the occupant shall file returns and pay directly to the Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made by the operator or property manager.

(e) The tax imposed by this local law shall be paid upon any occupancy on and after the tax imposition date, although if such occupancy was pursuant to a contract, lease or other arrangement made prior to such date; and where rent is paid, charged, billed or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after the tax imposition date.

(f) Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Treasurer may by order provide for credit and/or refund of the amount of such tax upon application therefore as provided in section fourteen of this local law.

(g) For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator, property manager and/or occupant.

(h) Where an occupant claims exemption(s) from the tax under the provisions of section five of this local law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a properly completed, executed and certified Exemption Certificate from taxes imposed pursuant to Articles 28 and 29 of the New York Tax Law, such certificate to be in the form and to contain the content approved and required by the New York State Department of Taxation.

Section 9. *Records to be kept.*

(a) Every operator, and where applicable as determined by the Treasurer, every property manager shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Treasurer may by regulation or order require.

(b) All records shall be available for inspection and examination at any time upon demand by the Treasurer, or the Treasurer's duly authorized agent or employee, and shall be preserved for a period of not less than three (3) years, except that the Treasurer may consent in writing to their destruction within that period or may in writing require that such records be kept and maintained for a specified period in excess of three (3) years.

Section 10. Returns.

(a) After the date set forth in Section 3 of this local law, and except as provided in subdivision (b) of this section, every operator or property manager (as applicable) shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon, for the same quarterly periods and on the same dates as returns for New York State sales and use taxes are filed or to be filed.

(b) Notwithstanding the provisions of paragraph (a) of this section, the Treasurer may permit or require returns to be made by other periods and upon such other dates as the Treasurer may specify by rule or order so as to carry out the purposes of this local law.

(c) All returns shall be filed with the Treasurer within twenty (20) days from the expiration of the period covered thereby.

(d) The forms of returns shall be prescribed by the Treasurer and shall contain such information as the Treasurer may deem necessary for the proper administration of this local law.

(e) The Treasurer may require amended returns to be filed within twenty (20) days after notice of such requirement to file an amended return is given to such filer and to contain the information specified in the notice.

(f) If a return required by this local law is not filed, or if a return when filed is incorrect or insufficient on its face or otherwise, the Treasurer shall take the necessary steps to enforce the filing of a properly completed and sufficient return or of a corrected return.

(g) Any operator required to file a return under this Law shall be allowed a credit against the taxes required to be reported on, and paid with, such return when such person files the return on or before the filing due date and pays or pays over with such return the full amount shown on such return. The amount of the credit authorized by this paragraph shall be five percent of the amount of taxes (but not including any penalty or interest thereon) required to be reported on, and paid or paid over with such return, but not more than fifty dollars.

Section 11. Payment of Tax.

(a) Any tax imposed by this local law shall be paid by the occupant to the operator or property manager (as applicable) of the lodging establishment or short-term rental room occupied or to the person entitled to be paid the rent or charge for the lodging establishment or short-term rental room occupied for and on account of the County, and such operator, property manager or person entitled to be paid the rent or charge shall be liable for the collection and payment of tax to the County.

(b) The owner of the lodging establishment or short-term rental room or the person entitled to be paid the rent or charge for the lodging establishment or short-term rental room shall have the same right in respect to collecting the tax from the occupant, or in respect to non-payment of the tax by the occupant, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge. In any action or proceeding brought by an owner or a person entitled to be paid the rent or charge for the purpose of collecting the rent or charge, or the tax imposed by this local law, the Treasurer shall be joined as a party.

(c) At the time of filing a return of occupancy and of rents, each operator or property manager (as applicable) shall pay to the Treasurer the taxes imposed by this local law upon the rents required to be included in such return, as well as all other moneys collected by the operator or property manager acting or purporting to act under the provisions of this local law.

(d) All taxes and other moneys required to be paid under and pursuant to this local law shall be due from the operator or property manager (as applicable) and paid to the Treasurer on the date limited for the filing of the return for such period, without regard to whether a return is filed, or whether the return which is filed correctly shows the amount of rents and taxes due thereon.

Section 12. Bonds & Security for Payment of Tax.

Where the Treasurer, in the exercise of the Treasurer's discretion, deems it necessary to protect revenues to be obtained under this local law, the Treasurer may by rule or order require any operator or property manager required to collect the tax imposed by this local law to file with the Treasurer a bond to secure the payment of any tax and/or penalties and interest due or which may become due from such operator.

Section 13. *Determination of tax.*

(a) Upon the filing of a return, the Treasurer shall determine and verify the amount of tax due under and pursuant to this local law.

(b) If a return required by this local law is not filed, or if a return when filed is incorrect or insufficient as to the amount of tax due, the amount of tax due under and pursuant to this local law shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors.

(c) Notice of a determination under subdivision (b) of this section shall be furnished in writing to the person liable for the collection and/or payment of the tax.

(d) Any determination by the Treasurer under subdivision (b) of this section shall finally and irrevocably fix the tax, unless

- (1) within thirty (30) days after the issuance of the notice of such determination the person against whom it is assessed shall apply in writing to the Treasurer for a hearing, or
- (2) the Treasurer shall, in the Treasurer's sole discretion, reconsider and re-determine the amount of tax due.

(e) Within fifteen (15) days after the conclusion of a hearing conducted pursuant to subdivision (d) (1) of this section, the Treasurer shall give written notice of the Treasurer's determination to the person against whom the tax is assessed.

(f) Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return; provided, however, that

- (1) where no return has been filed as provided by this local law the tax may be assessed at any time; and/or
- (2) where, before expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such additional tax due may be determined at any time within such extended period or any extension(s) thereof.

Section 14. *Refunds.*

(a) In the manner provided in this section the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid provided that written application for such refund shall be made to the Treasurer within one year from the payment thereof.

(b) An application for refund or credit may be made only by the occupant, operator, or other person who has actually paid the tax.

(c) An application for a refund or credit made as herein provided shall not be complete unless the same includes copies of all documentation and evidence upon which the applicant relies in support thereof, but nothing shall prohibit or prevent the Treasurer from receiving any other evidence with respect thereto.

(d) No application for a refund or credit shall be accepted or considered unless such application has been actually received by the Treasurer within one year of the payment by the tax.

(e) The determination to deny or allow a refund or credit shall be made by the Treasurer in writing, stating the reason(s) therefore, and the Treasurer shall give notice of such determination to the applicant.

(f) No refund shall be made to an operator who has collected and paid over such tax to the Treasurer unless and until such operator shall first establish, to the satisfaction of the Treasurer under such regulations as the Treasurer may prescribe, that such operator has repaid to the occupant(s) the amount of tax for which refund is sought.

(g) The Treasurer may, in the Treasurer's discretion and in lieu of the payment of any refund determined to be due, allow credit therefore on and against payments due from the applicant.

Section 15. Disposition of Revenues.

(a) All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited and deposited into a special tourism development and promotion fund under the trust and care of the Treasurer, and thereafter to be allocated for the promotion and development of the tourism industry in Delaware County by a committee hereafter established (section 15, part b) as the Tourism Advisory Board; provided, however, that the County shall have the right to retain up to ten per cent (10%) of the gross revenues to cover the Treasurer's costs for administration and collection; and

(b) The Board of Supervisors shall establish a committee known as the Tourism Advisory Board which shall review and approve proposals for the use of the funds raised from this tax for the promotion and development of the tourism industry in Delaware County. The Tourism Advisory Board shall be comprised of seven (7) persons, to be appointed by the Delaware County Board of Supervisors, for staggered terms of three years. Appointments shall be made upon the recommendation of the Director of Economic Development with effort to ensure geographical representation of the County, per the following:

1. The Director of Economic Development of Delaware County.
2. Two members of the County Board of Supervisors.
3. Four representatives of businesses actively engaged in the tourism industry, at least two of which should be representative of lodging operators.

The Tourism Advisory Board shall report quarterly to the Delaware County Board of Supervisors' Committee on Economic Development with regards to all expenditures, as well as all plans and marketing. Revenues paid from the Treasurer's Office and all expenditures shall be accepted, paid and recorded with the Treasurer's Office of Delaware County.

Section 16. Reserves.

Whenever the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the civil practice law and rules to review a determination adverse to such occupant or operator on such application for refund, the Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

Section 17. Remedies exclusive.

The remedies provided by sections thirteen and fourteen of this local law shall be exclusive remedies available to any person for the review of tax liability imposed by this local law; and no determination or proposed determination of tax or determination on any application for refund or credit shall be enjoined, contested or reviewed by any action or proceeding, except by a proceeding under article seventy-eight of the civil practice law and rules pursuant to section twenty-three of this local law.

Section 18. Proceedings to recover tax.

Whenever any operator or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this local law as herein provided, or whenever any occupant shall fail to pay any such tax, penalty or interest, the County Treasurer may utilize any and all remedies as provided by law to collect such sum, including but not limited to the imposition of a tax lien upon the real property and personal property of the owners or operator. The lien of this tax shall have priority over all other real and personal property liens in the same manner as a real property tax levied pursuant to the New York State Real Property Tax Law.

Section 19. General Powers of the Treasurer.

In addition to the powers granted to the Treasurer by County Law and this local law, the Treasurer is hereby authorized and empowered:

(a) To make, adopt and amend rules and regulations, and to issue orders, appropriate to the carrying out of this local law and the purposes thereof;

(b) To extend for cause shown the time of filing any return for a period not exceeding thirty days; and for cause shown, to remit or waive penalties but not interest; and to compromise disputed claims in connection with the taxes hereby imposed;

(c) To request information from the tax commission of the state of New York or the treasury department of the United States relative to any person; and to afford information to such tax commission or such treasury department relative to any person, any other provision of this local law to the contrary notwithstanding;

(d) To delegate his or her functions hereunder to any employee or employees of the County Treasurer;

(e) To prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;

(f) To require any operator or property manager (as applicable) within the county to keep detailed records of the nature and type of lodging establishment or short-term rental maintained. nature and type of service rendered, the rooms available and rooms occupied daily, lease's or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this local law, and to furnish such information upon request to the County Treasurer;

(g) To assess, determine, revise and readjust the taxes imposed under this local law.

Section 20. Administration of Oaths and Compelling Testimony.

(a) The Treasurer, or the Treasurer's duly designated and authorized employee(s) or agent(s), shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the Treasurer's powers and duties under this local law.

(b) The Treasurer shall have power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this local law, and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before the Treasurer or excused from attendance.

(c) A justice of the Supreme Court, either in court or at chambers, shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this local law.

(d) Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment.

(e) The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided.

(f) The County Sheriff, the Sheriff's duly appointed deputies, and any officer or employee of the Treasurer designated to serve process under this local law, are hereby authorized and empowered to serve any summons, subpoena, order, notice, document, instrument, or other process to enforce or carry out this local law.

Section 21. Reference to tax.

Wherever reference is made in placards or advertisements or in any other publications to this tax such reference shall be substantially in the following form: "Tax on occupancy of lodging establishment and short-term rental rooms"; except that in any bill, receipt, statement or other evidence or memorandum of occupancy or rent charge issued or employed by the operator or property manager, the word "tax" will suffice.

Section 22. Penalties, Interest & Violations.

(a) Any person failing to file a return or to pay or pay over any tax to the Treasurer within the time required by this local law shall be subject to

(1) a penalty of five per centum (5%) of the amount of tax due; plus

(2) interest at the rate of one per centum (1%) of the amount of tax due for each month of delay, except that no interest shall be charged for the first thirty (30) days

immediately after the date such return was required to be filed or such tax became due.

(b) Notwithstanding the provisions of paragraph (a) of this section, the Treasurer may, if satisfied that the delay was excusable, cancel and remit all or part of such penalty, but may not cancel or remit any portion of the interest.

(c) All penalties and interest shall be paid and disposed of in the same manner as other revenues from this local law.

(d) Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

(e) Officers and/or members of an owner or operator which is a corporation, limited liability company, limited liability partnership, or partnership shall be personally liable for the tax collected or required to be collected and paid by such corporation under this local law, and shall also be personally liable for the penalties and interest herein imposed.

(f) In addition to the penalties herein or elsewhere prescribed, any person, whether operator, property manager or other person, found to have committed any of the following acts shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars or imprisonment for not more than one year, or both such fine and imprisonment:

- (1) failing to file a return required by this local law,
- (2) filing or causing to be filed, or making or causing to be made, or giving or causing to be given, any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this local law which is willfully false,
- (3) willfully failing to file a bond required to be filed pursuant to this local law,
- (4) failing to file a registration certificate and such data in connection therewith as the Treasurer may by order, regulation or otherwise require,
- (5) failing to display, or to surrender upon demand of the Treasurer, the certificate of authority as required by this local law,
- (6) assigning or transferring such a certificate of authority,
- (7) willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax separately on any evidence of occupancy and on any bill or statement or receipt of rent issue or employed by the operator,
- (8) willfully failing or refusing to collect any tax imposed by this local law from the occupant, or
- (9) failing to keep or maintain the records required by this local law.

(g) The certificate of the County Treasurer to the effect that a tax has not been paid, that a return, bond or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this local law, shall be presumptive evidence thereof.

Section 23. Judicial Review.

Any final determination of the amount of any tax payable pursuant to this local law, as well as any final determination on an application for refund or credit under section 14 of this local law, shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law-and rules shall not be instituted unless:

(a) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law or regulation shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(b) At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to any tax imposed pursuant to this section shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the proper fiscal officer or officers, and such officer or officers shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

Section 24. Returns to be confidential.

- (a) Except in accordance with proper judicial order, or as otherwise provided by law,
- (1) it shall be unlawful for the Treasurer or any agent, employee or designee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of an operator contained in any return required under this local law; and
 - (2) the officers charged with the custody of such returns shall not be required to produce any of such returns or evidence of anything contained therein in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of this local law, or on behalf of any party to any action or proceeding under the provisions of this local law when the returns or facts shown thereby are directly involved in such action or proceeding, provided that in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more.
- (b) Notwithstanding the provisions of paragraph (a) of this section, nothing herein shall be construed to prohibit
- (1) the delivery to a taxpayer or such taxpayer's duly authorized representative of a copy of any return filed in connection with this local law, or
 - (2) the provision of statistics, so classified as to prevent the identification of particular returns and items thereof, to the Director of Economic Development when such information to be provided shall be utilized solely for the purpose of the development and/or promotion of the tourism industry or
 - (3) the inspection by the county attorney or other legal representatives of the county, or by the district attorney of any county, of the return(s) of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty.
- (c) Returns shall be preserved by the Treasurer for not less than three (3) years or for such longer period of time as the Treasurer determines.
- (d) Any violation of paragraph (a) of this section shall be punishable by a fine not exceeding one thousand dollars, and if the offender be an officer or employee of the county such officer or employee shall be subject to appropriate discipline.

Section 25 Confidentiality of Registrant Information

- (a) Except in accordance with proper judicial order, or as otherwise provided by law,
- (1) The Treasurer may keep certain information of operators and property managers confidential when making such information to the public would potentially lead to harm of the business, person and/or the real or personal property of the same.
 - (2) the officers charged with the custody of such information shall not be required to produce any of such information in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of this

local law, or on behalf of any party to any action or proceeding under the provisions of this local law when the information shown thereby are directly involved in such action or proceeding, provided that in either of which events the court may require the production of, and may admit in evidence, so much of said information, as are pertinent to the action or proceeding.

(b) Notwithstanding the provisions of paragraph (a) of this section, nothing herein shall be construed to prohibit

- (1) the provision of any information contained on the certificate of authority, in the case of an operator, and/or the information contained on the registration form, in the case of a property manager, to a person requesting such information, when such person attests in writing that such information will not be used for the purpose of solicitation, or
- (2) the provision of certain information of owners, operators and/or property managers registered under this Law, upon request, when such information is being provided to a Town Supervisor or a municipal official for the purpose of enabling them to carry out their official duties within their jurisdiction. Such information shall include, but is not limited to; the name of the operator, property manager and other contact, the contact information of the same (including address), business name, contact information of the business (including contact name and address), property location, date of registration, date of notice of cessation of business, sale or conveyance.

Section 26. Notices and Limitations of Time.

(a) Any notice authorized or required under the provisions of this local law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed pursuant to the provisions of this local law, or in any application made by such person, or if no return has been filed or application made then to such address as may be obtainable.

(b) The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed.

(c) Any period of time which is determined according to the provisions of this local law by the giving of notice shall commence to run from the date of mailing of such notice.

(d) The provisions of the civil practice law and rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the county to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this local law.

Section 27. Limitation of Effect of Local Law.

This local law shall remain in full force and effect for a period of three (3) years from the date of enactment by the Board of Supervisors; except that nothing shall prohibit or prevent the adoption and enactment of subsequent local laws continuing or imposing the tax authorized hereby after the expiration of this local law.

Section 28. Separability.

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 29. Effective Date.

This local law shall take effect upon March 1, 2019.

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

RESOLUTION NO. 21

**TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 2 OF 2019
DELAWARE COUNTY OCCUPANCY TAX LAW
FOR LODGING ESTABLISHMENTS AND SHORT TERM RENTALS
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, a proposed Local Law imposing an occupancy tax for lodging establishments and short term rentals in Delaware County has been offered for adoption by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on the 27th day of February 2019 at 12:45 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 reiterated that a public hearing will be held before the next Board meeting, February 27 at 12:45 p.m. in the Board Room.

The resolution was unanimously adopted.

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

RESOLUTION NO. 22

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

BE IT RESOLVED, that the following appointments be made to the Delaware County Fire Advisory Board in accordance with 225-a of the County Law for year 2019:

Chairman: Dale Downin, Franklin
Vice Chairman: Greg Peck, Sr., Sidney
Secretary: David Briggs, East Meredith

Voting Departments:

Andes - Chief Dale Tait	Hobart – Chief Ken Muthig
Arena - Chief Mike Sarrubi	Margaretville – Chief Nelson Delameter
Arkville - Chief Robert Sweeney	Masonville – Chief Gary Mott
Bloomville - Chief Mike Pietrantonio	Pindars Corners – Chief Matt Rittlinger
Bovina - Chief Robert Burgin	Sidney - Chief Ray Baker
Delhi - Chief Timothy Murray	Sidney Center – Chief Dave Gill
East Meredith – Chief David Briggs	Stamford – Chief AJ Vamosy
Fleischmanns – Chief Bob VanValkenburgh	Treadwell – Chief Anthony DeDominicis
Franklin – Chief Tom Worden	Trout Creek – Chief Chris Kinney
Grand Gorge – Chief DJ Speenburgh	Walton – Chief Frank Wood
Hancock – Rolland Bojo, Jr.	

Alternate Departments

Cooks Falls – Chief Chris Jaindl	East Branch – Chief Rod Keesler
Davenport – Chief Fred Utter	Halcottsville – Chief Jeff Slauson
Deposit – Chief Shaun Rynearson	Meridale – Chief Brad Hitchcock
Downsville – Chief Mike Cazzolla	Roxbury – Chief Ken Davie
	South Kortright – Chief William Benkert

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

The resolution was seconded by Mr. Vernold and Mr. Spaccafino and unanimously adopted.

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

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

RESOLUTION NO. 23
TITLE: 2019 BUDGET ADMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH SERVICES

WHEREAS, NYS Vaccine for Children Program (VFC) has determined there is a need to replace a refrigerator used for vaccine storage; and

WHEREAS, Centers for Disease Control (CDC), Vaccine for Children Program (VFC) and New York State VFC guidelines now require that a standalone commercial grade vaccine refrigerator be utilized as a replacement; and

WHEREAS, a transfer of funds is necessary to purchase the necessary equipment

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

FROM:		
10-14012-54183000	Community Outreach & Education	\$4,850.00
TO:		
10-14013-52200000	Equipment	\$4,850.00

The resolution was seconded by Mr. Marshfield and 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. 24
TITLE: CORRECTION OF OMITTED TAX
REAL PROPERTY TAX SERVICES

WHEREAS, the Director of Real Property Tax Services has been presented with a correction of the current tax roll and recommends approval of the following:

WHEREAS, a clerical error was found regarding Resolution No. 222-2018 in the Town of Andes, tax map no. 283.-1-9.2 assessed to Joseph Hennelly:

THEREFORE, BE IT RESOLVED that the correct outstanding amount on the 2019 tax bill shall be changed from \$70,577.93 to \$6,333.99.

The resolution was seconded by Mr. Tuthill and Mr. Marshfield 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. 25
TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s

office in the amount of \$2,917,078.07 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	\$1,681,400.05
OET	\$33,473.35
Public Safety Comm System	\$486,036.07
CAP 97 Main Street	\$2,869.66
CAP MHC	\$1,797.19
Highway Audits, as Follows:	
Weights and Measures	\$370.14
Landfill	\$122,266.99
Road	\$206,716.31
Machinery	\$88,139.32
Capital Road & Bridge	\$292,084.99
Capital Solid Waste	\$1,924.00

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

Chairman Molé made the following committee appointments:

HEALTH SERVICES ADVISORY BOARD

2-year term ending December 31, 2020

Appoint:

Supervisor Mike Triolo

Supervisor Joseph Cetta

Reappoint:

Supervisor Arthur Merrill

Supervisor Wayne Marshfield

Supervisor R. Eugene Pigford

YOUTH BUREAU BOARD

3-year term ending December 31, 2021

Reappoint:

Jasper Koota

Hannah Baxter

Chairman Molé stated that standing committees will remain the same for 2019.

Chairman Molé announced a Legislative meeting and a Shared Services meeting will held be directly following the Board meeting.

Mr. Marshfield asked if Board of Elections Commissioner Maria Kelso would comment on the new deadlines for the submission of petitions. Ms. Kelso stated that the changes have not been signed by the Governor, however, their office is preparing for the change and will have petitions ready.

Chairman Molé commented that because of the change in the primary from September to June, petitions will have to be picked up at the end of February instead of the normal time in early July.

Mr. Marshfield opined that towns will be on a tightened schedule if they have changeovers in offices.

Board of Elections Commissioner Judy Garrison reported that once the Governor signs the bills, their office will make sure that the information will be prominently distributed.

In answer to Mr. Eisel, Ms. Garrison stated petitions will be due by April 1.

Mr. Spaccaforo conveyed his request of Chairman Molé to distribute information and a draft resolution to all Supervisors regarding the elimination of Aid and Incentives for Municipal Funding (AIM). Funding from AIM is a lot of money for the towns. State government is talking about keeping the 2% tax cap permanent and many unfunded mandates are being proposed. Town government needs to be heard in Albany. He asked a lawyer to draft a resolution that each town could use to send to their respective representatives.

Chairman Molé stated the funding is the per capita checks that towns get every year.

Supervisor Eisel noted that it will include CHIPS funding as well.

Mr. Spaccaforo commented that state funding is going more to social programs.

Mr. Valente said that 2% seems to be the magic number. If the AIM payment represents 2% or less of your budget, the state will take it away. In practicality, this will mean that your town will get zero new money in next year's budget. In towns that have union contracts with guaranteed pay raises, this assures we will be forced to override the tax cap limit.

Mr. Marshfield suggested Supervisors get in touch with legislative representatives and let them know their support is needed.

Mr. Ellis asked for a short executive session to discuss personnel matters.

RESOLUTION NO. 26

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss personnel matters.

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

The meeting reconvened in regular session with all Supervisors present.

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

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

TITLE: DELAWARE COUNTY OCCUPANCY TAX LAW FOR LODGING ESTABLISHMENTS AND SHORT-TERM RENTALS

FEBRUARY 27, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. No. 2 of 2019 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, February 27, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

TITLE: DELAWARE COUNTY OCCUPANCY TAX LAW FOR LODGING ESTABLISHMENTS AND SHORT-TERM RENTALS

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, February 27, 2019, at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning Delaware County Local Law Intro. No. 2 of 2019 entitled *Delaware County Occupancy Tax Law for Lodging Establishment and Short-Term Rentals*.

All persons interested in speaking concerning the proposed local law will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: February 13, 2019

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 1:50 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

FEBRUARY 27, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 27, 2019 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. Vernold and Mr. Layton.

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 the appropriate committees for review.

Chairman Molé granted privilege of the floor to Mr. Spaccaforo. Mr. Spaccaforo introduced Town of Windsor Supervisor Carolyn Price who serves as President of Upstate New York Towns Association, Inc.

Ms. Price stressed to the Board the importance that Upstate New York voices need to be heard in Albany regarding the proposed loss of AIM funding to villages and towns in New York State. The funding has been available since 1973 and loss of this funding will heavily affect town budgets. Ms. Price stated that she attended an event on February 11 in Albany where government officials were asked to give comments on the proposed AIM funding changes and she was the only voice representing rural upstate towns. She was encouraged after hearing senators and legislators who are supportive and understand that AIM funding needs to be restored. The Governor's amendments would request the county to pay AIM funding from sales tax out to the towns and villages. With support of the legislators, towns need to continue to push

for restoration of AIM funding in the final state budget.

Ms. Price distributed Upstate New York Towns Association Inc. brochures to the Supervisors in hopes that more towns in Delaware County will join the Association and have more of a voice for upstate towns. The Association has numerous educational programs and lobbies for rural communities. The Association has lobbied for more broadband in rural areas. In another example where towns have to take over cemetery maintenance and have added expenses, the Association has found a not-for-profit organization in western New York called Forest Lawn. If a local association is struggling financially and is not able to maintain a cemetery, the not-for-profit will take over cemeteries which would prevent the expense from falling on the town and its taxpayers.

Ms. Price addressed several questions from the Board and discussed long-term Association goals. One goal is to address the divide in the state for instance one statistic from the NYS Department of Taxation indicates that for every one dollar of gasoline tax paid, thirty cents goes to the MTA in New York. Another big concern is loss of state funding once the 2020 Census is completed and many communities will have a drop in population. Her Association is committed to having state government act responsibly by controlling expenses and to look at their own budget to seek cut backs rather than reaching out to towns for additional revenue.

Chairman Molé thanked Ms. Price for her time and presentation.

Chairman Molé granted privilege of the floor to Mr. Haynes. Mr. Haynes introduced Commissioner of Public Works Susan McIntyre for a presentation on the work that Delaware County Department of Public Works (DPW) does.

Ms. McIntyre stated that in December, DPW along with several other departments gave a presentation to the National Academy of Science (NAS) as part of the County's efforts to provide information to the officers at NAS who are charged with reviewing New York City watershed programs. She made an abbreviated version of the NAS presentation for today's Board meeting.

Ms. McIntyre provided a brief overview of the resources that DPW provides to the community and specifically for the Board, the resources that they rely on in order to be effective in what they do. The most obvious service is highway and bridge maintenance. Less obvious is fleet maintenance services, an engineering division, administration, and solid waste management.

DPW is responsible for 256 center line miles of highway which is only 12% of total road mileage in the County; the lion's share of roads in the County belongs to the towns. By contrast, the County has just shy of 70% of bridges in the County since technically there are no town bridges after the County took over town bridges as part of the 21st Century Bridge Program in the 1990s. Smaller but still very significant structures are culverts greater than 5 feet which represent 20% of all culverts in the County. The department is also in charge of asset maintenance and protection, technical guidance and performance standards, as well as the solid waste management program. Ms. McIntyre stressed that safety is a driving principle behind all efforts at DPW—safety for the public and for the staff.

Ms. McIntyre outlined some of the various operations of the DPW.

- The department's bucket truck is used extensively for roadside tree management.
- The engineering division has two professional engineers on staff.
- A guiderail crew installs guiderails throughout the county including ribbon rail, box rail, as well as cable rail.
- There is a busy line stripping crew since the county switched from oil-based paint to meet federal standards to water based paint which lasts only one season. Line stripping occurs every year now.
- Pipe grouting refers to culverts that can be slip lined for easy replacement as needed without the necessity to tear up the roadway to replace the culvert.

DPW also has a number of specialty areas unique to Delaware County. One specialty is a custom sign shop. All custom signs meet standards and include retro reflectivity made with high

intensity prismatic vinyl sheeting. Signs made in house are more cost effective and this service is extended to the community on an at-cost basis.

County road surfacing happens every 4 years and she credits Delaware North Highway Supervisor Brian Francisco who ensures that all county roads are chip seal paved as needed on the 4-year rotating cycle. In addition, the department has aggressively expanded their safety program and has a dedicated safety officer on staff. Many towns take advantage of safety programs offered in terms of the hearing conservation program and guidance in providing additional support. The Weights and Measures program is also managed by the DPW.

There are two bridge crews who work throughout the off season fabricating bridges to specifications designed in house by their engineering division. These bridges are then assembled in the field using an exceptional marking system for ease of construction. Bridges are repaired, rehabbed, and replaced as necessary with an emphasis on preventive maintenance. The highest standard to meet is there must be enough passage for water to get through. Many bridges that were recently reconstructed were made longer to accommodate a 100-year flood. Routine inspections are performed for structural integrity and to assure bridge abutments are sound. Ms. McIntyre stated that the force of water is unforgiving and the best course of action is to stay clear of flooding.

DPW also provides services to the Department of Emergency Services when an emergency operation center is set up. DPW is a partner and is instrumental in evaluating conditions to help determine response. The department is able to provide analysis for hydraulics and hydrology for response in emergencies.

DPW has done extensive internal education as a result of flooding over the past two decades. The engineering division and crews are becoming masters at understanding design standards and hydraulic analysis and use CAD programming to create custom designs. The department utilizes natural features to stabilize stream banks and works closely with Delaware County Soil and Water Conservation District.

In conclusion, Ms. McIntyre stated the department has an online presence to provide current information to the community at large. Their website is being revised with additional information for the public and will include a number of permit applications.

Chairman Molé thanked Ms. McIntyre for her informative presentation.

There were no standing committee reports.

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

RESOLUTION NO. 27

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 2019; and

WHEREAS, the County will be entering into an agreement with the NYS DOT for PIN 9754.34, D036260, BIN 3352210, BIN 3353340 and BIN 3353350, Delaware County Bridge Preventive Maintenance Program, three 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 an 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 \$36,849.00

The resolution was seconded by Mr. Davis.

In answer to Mr. Pigford, Ms. McIntyre stated that with this particular resolution for engineering services as part of bridge painting and maintenance contract with the Local Design Services Agreement (LDSA) program is not put out to bid in the conventional manner. The design phase is negotiated as a professional services contract. The hourly rates are preset through the state. The next series of resolutions for annual contracts are put up for award. The first preference is to award to the lowest bid, however, the Board is not locked in to the lowest bid. The bids are ranked so if the lowest bid doesn't work, then the next ranking will get the award.

The resolution was adopted by the following vote: Ayes 4352, Noes 0, Absent 447 (Vernold, Layton).

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

RESOLUTION NO. 28

TITLE: AUTHORIZATION FOR AWARDS DEPARTMENT OF PUBLIC WORKS

LETTING OF JANUARY 24, 2019

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. 1-19	Rental of Construction Equipment to: Abele Tractor & Equipment Co., Inc., 72 Everett Road, Albany, NY 12205; Admar Supply Co., Inc., 449 Commerce Road, Vestal, NY 13850; Anderson Equipment Company, 720 East Franklin Street, Endicott, NY 13760; 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; 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 Box 450, 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; Oneonta Equipment Rental and Sales, 532 Co. Hwy. 58, Oneonta, NY 13820; Pawlikowski's Excavating, 1215 Hamden Hill Rd., Delhi, NY 13753; Schulz's Trucking, 1838 Swantak Road, Bloomville, NY 13739; Stephenson Equipment Inc., 6018 Drott Drive, East Syracuse, NY 13057; Suit-Kote Corp., 1911 Loring's Crossing Rd., Cortland, N.Y. 13045; Sullivan County Paving & Construction Inc., 420 Bernas Road, Cohecton, NY 13726; Tri-Town Development Corp., 10 Winkler Road, Sidney, NY 13838; Tracey Road Equipment, 6803 Manlius Center Rd., East Syracuse, NY 13057; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Vantage Equipment, LLC, 5985 Court Street Road, Syracuse, NY 13206; Vestal Asphalt Inc., 201 Stage Road, Vestal, NY 13850.
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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. Davis and unanimously adopted.

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

RESOLUTION NO. 29

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

LETTING OF JANUARY 30, 2019

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. 2-19 Asphalt Concrete & Related work to: Cobleskill Stone Products,
Inc., P.O. Box 220 Cobleskill, N.Y. 12043

Bid Price: See Summary Sheet

PROPOSAL NO. 3-19 Asphalt Concrete & Related Work for Parking Lots, Sidewalks &
Misc. Small Jobs to: Broome Bituminous Products Inc., 416
Prentice Road, Vestal, NY 13850; Cobleskill Stone Products, Inc.,
P.O. Box 220 Cobleskill, N.Y. 12043

Bid Price: See Summary Sheet

PROPOSAL NO. 4-19 Hot Mix Asphalt, Vendor Delivered, Municipally Placed to: Tri-
City Highway Products, Inc., 145 Podpadic Rd., Richmondville,
NY 12149.

Bid Price: See Summary Sheet

PROPOSAL NO. 5-19 Hot Mix Asphalt, FOB Supplier's Plant to: Broome Bituminous
Products Inc., 416 Prentice Road, Vestal, NY 13850; Cobleskill
Stone Products, Inc., P.O. Box 220 Cobleskill, N.Y. 12043; Tri-
City Highway Products, Inc., 145 Podpadic Rd., Richmondville,
NY 12149.

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. Davis and unanimously adopted.

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

RESOLUTION NO. 30

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

LETTING OF JANUARY 31, 2019

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. 6-19 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, NY 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. Davis and unanimously adopted.

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

RESOLUTION NO. 31

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

LETTING OF FEBRUARY 6, 2019

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. 7-19 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; Cranesville Block Co., 1250 River Front Center, Amsterdam, NY 12010; 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; J&A Sand & Gravel Inc., 8756 State Hwy 30, Downsville, NY 13755; LaFever Sand & gravel, LLC, 3135 Co Hwy 6, Bovina Center, NY 13740; 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. 8-19 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. Davis and unanimously adopted.

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, 2019

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. 9-19 Transit Mixed Concrete to: Cranesville Block Co., 1250 River Front Center, Amsterdam, NY 12010; 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.

Bid Price: See Summary Sheet

PROPOSAL NO. 11-19 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. 13-19 Steel Reinforcing Bars to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827.

Bid Price: See Summary Sheet

PROPOSAL NO. 14-19 Epoxy Coated Steel Reinforcing Bars to: Steel Sales Inc., PO Box 539, Sherburne, NY 13460; Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827.

Bid Price: See Summary Sheet

PROPOSAL NO. 16-19 Gabions to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902;

Bid Price: See Summary Sheet

PROPOSAL NO. 17-19	Pressure Treated Timbers to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820
	Bid Price: See Summary Sheet
PROPOSAL NO. 18-19	Plain Elastomeric Bridge Bearing Material to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.
	Bid Price: See Summary Sheet
PROPOSAL NO. 19-19	Bridge Deck Membrane to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.
	Bid Price: See Summary Sheet
PROPOSAL NO. 20-19	Steel Sign Posts to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902
	Bid Price: See Summary Sheet
PROPOSAL NO. 23-19	Portland Cement to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820
	Bid Price: See Summary Sheet
PROPOSAL NO. 24-19	LP Gas, Storage Tanks 7 Piping to: Mirabito Holdings/Mirabito Energy Products, PO Box 5306, Binghamton, NY 13902
	Bid Price: See Summary Sheet
PROPOSAL NO. 25-19	Welding Gasses to: Airgas USA, LLC, 6074 State Hwy 23, Oneonta, NY 13820
	Bid Price: See Summary Sheet
PROPOSAL NO. 26-19	Elastomeric Concrete to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.
	Bid Price: See Summary Sheet

Towns may participate in these bids with the exception of Prop. 24-19 and 25-19.

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 and unanimously adopted.

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

RESOLUTION NO. 33

**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 & Structural Steel Preservation Program (2019), PIN 9754.34 (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. Davis.

In answer to Mr. Marshfield, Mr. Haynes stated there are 3 projects that include Bridge 16-1 in Treadwell, 69 Cornell Avenue in Hobart, and Bridge 89 on River Street in Hobart.

The resolution was adopted by the following vote: Ayes 4352, Noes 0, Absent 447 (Vernold, Layton).

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

RESOLUTION NO. 34

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 17, 2019; 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. Triolo and unanimously adopted.

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

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

RESOLUTION NO. 35

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,400,838.74 were hereby presented to the Finance Committee for approval for payment on February 27, 2019 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	\$1,724,113.03
OET	\$4,777.20
Public Safety Comm System	\$606,295.99
CAP 97 Main Street	\$91.92
CAP MHC	\$56.60
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$461.95
Machinery	\$55,841.09
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$9,200.96

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,757,432.63 are hereby presented to the Board of Supervisors for approval of payment;

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

General Fund	\$784,693.49
OET	\$19,079.75
Public Safety Comm System	\$0.00
CAP 97 Main Street	\$212.48
Highway Audits, as Follows:	
Weights and Measures	\$118.31
Road	\$472,768.58
Machinery	\$175,908.01
Capital Road & Bridge	\$69,177.08
Capital Solid Waste	\$92,487.26
Solid Waste/Landfill	\$142,987.67

The resolution was seconded by Mr. Taggart and was adopted by the following vote: Ayes 4352, Noes 0, Absent 447 (Vernold, Layton).

Chairman Molé made the following committee appointments:

COOPERATIVE EXTENSION SERVICE

1-year term ending December 31, 2019

Reappoint:

Supervisor Wayland Gladstone

Supervisor Dennis Valente

DELAWARE COUNTY PLANNING BOARD

3-year term ending December 31, 2021

Reappoint:

Art Edel

Patricia Miele

HEALTH SERVICES ADVISORY BOARD

2-year term ending December 31, 2020

Reappoint:

Dr. Rohan Jayasena, Medical Director

Dr. Riaz Lone, Medical Advisor

TOURISM ADVISORY BOARD

1-year term ending December 31, 2019

Reappoint:

Supervisor Art Merrill

3-year term ending December 31, 2021

Appoint:

Michael Argiros, Hancock

Reappoint:

Glenn Nealis

YOUTH BUREAU BOARD

3-year term ending December 31, 2021

Appoint:

Heather McAdams

Dennis McKenna

Reappoint:

Jasper Koota

Hannah Baxter

Mr. Triolo recalled Local Law 2 of 2019 entitled *Delaware County Occupancy Tax Law for Lodging Establishments and Short-Term Rentals*.

The Local Law was seconded by Mr. Davis and Mr. Eisel and adopted by the following vote: Ayes 4352, Noes 0, Absent 447 (Vernold, Layton).

Chairman Molé stated that a Legislative Committee meeting would be held immediately following today's Board Meeting.

Upon a motion, the meeting was adjourned at 2:12 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 13, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 13, 2019 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. Spaccaforno.

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 the appropriate committees for review.

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

RESOLUTION NO. 36
TITLE: 2019 BUDGET ADMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH SERVICES

WHEREAS, Public Health Services vehicle 101, a 2019 Chevrolet Malibu, was totaled in a motor vehicle accident; and

WHEREAS, the insurance carrier reimbursed the County for the loss; and

WHEREAS, it is necessary for Public Health Services to appropriate the funding needed to purchase a replacement vehicle.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-14012-42268000	Insurance Recoveries	\$16,722.00
<u>INCREASE APPROPRIATION:</u>		
10-14012-52200000	Equipment	\$16,722.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 37
TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF PUBLIC WORKS

WHEREAS, the cost for the Engineering Autocad Licenses came in higher than anticipated; and

WHEREAS, four-year renewal saves the County over \$7,000; and

WHEREAS, there are funds available in road maintenance line.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

<u>DECREASE APPROPRIATION:</u>		
24-15110-54000000	Road Maintenance - Contractual	\$3,550.00
<u>INCREASE APPROPRIATION:</u>		
24-15020-54580000	Road Engineering - Software	\$3,550.00

The resolution was seconded by Mr. Davis.

In answer to Mr. Marshfield, Mr. Haynes stated the total licensing cost is \$23,547; the amount budgeted was \$20,000.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforno).

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

RESOLUTION NO. 38

**TITLE: 2019 BUDGET AMENDMENT
UNEMPLOYMENT BENEFITS
PERSONNEL OFFICE**

WHEREAS, the 2019 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	\$404.00
10-11165-58500000	District Attorney	1,290.00
10-11185-58500000	Medical Examiner	107.00
10-11325-58500000	Treasurer	665.00
10-11327-58500000	Fiscal Affairs	587.00
10-11340-58500000	Budget Director	42.00
10-11355-58500000	Real Property Tax	685.00
10-11364-58500000	Tax Acquired Prop	128.00
10-11410-58500000	County Clerk	1,673.00
10-11412-58500000	Records Management	93.00
10-11420-58500000	County Attorney	1,434.00
10-11430-58500000	Personnel	633.00
10-11450-58500000	Elections	497.00
10-11620-58500000	Buildings	1,940.00
10-11680-58500000	Information Technology	1,868.00
10-13020-58500000	Public Safety - 911	1,179.00
10-13110-58500000	Sheriff - Law Enforcement	3,303.00
10-13140-58500000	Probation	1,590.00
10-13145-58500000	Raise the Age – Probation	107.00
10-13150-58500000	Sheriff Jail	7,528.00
10-13315-58500000	Stop DWI	10.00
10-13620-58500000	Safety Inspections	143.00
10-13640-58500000	Emergency Services	417.00
10-14012-58500000	Public Health	1,796.00
10-14059-58500000	Early Intervention	548.00
10-14060-58500000	Edu Physically Handicapped	397.00
10-14310-58500000	Mental Health Clinic	3,841.00
10-14311-58500000	Community Support	196.00
10-14312-58500000	MH Crisis Serv Prog	137.00
10-14315-58500000	Enh Childrens Serv	144.00
10-14317-58500000	Alcoholism Clinic	1,272.00
10-14321-58500000	Exp Mental Health	317.00
10-16010-58500000	Social Services	10,963.00

10-16326-58500000	Economic Development	551.00
10-16510-58500000	Veterans	376.00
10-16610-58500000	Sealer of Weights and Measures	123.00
10-16772-58500000	Office for the Aging	1,203.00
10-17310-58500000	Youth Bureau	1,531.00
10-18020-58500000	Planning	1,416.00
10-18740-58500000	Watershed Affairs	500.00
22-18160-58500000	Landfill Solid Waste	3,538.00
24-19050-58500000	Public Works	12,430.00
62-11710-58500000	Workers Compensation	106.00
	Total	\$67,708.00

TO:

10-19000-42280100	Interfund Revenue	\$67,708.00
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INCREASE REVENUE:

10-19000-42280100	Interfund Revenue	\$67,708.00
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INCREASE APPROPRIATION:

10-19050-58500000	Unemployment Insurance	\$67,708.00
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The resolution was seconded by Mr. Tuthill and adopted by the following vote:
Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 39

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

LETTING OF FEBRUARY 28, 2019

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. 27-19 Purchase of Boom Mower to: Stephenson Equipment Inc.,
3 Industry Drive, Waterford, NY 12188

Bid Price: \$56,959.00

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. Davis.

In answer to Mr. Gladstone, Mr. Haynes stated this is for the boom only as the tractor was purchased last year.

Mr. Davis added this is a second arm attachment for the tractor.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 40

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

LETTING OF FEBRUARY 28, 2019

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. 28-19 Purchase of Self-Propelled Brooms to: Tracey Road Equipment,
1523 Route 11 N, Kirkwood, NY 13795

Bid Price: \$110,988 (\$55,494.00 each)

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.

In answer to Mr. Marshfield, Mr. Haynes said the department has four sweepers and this is a replacement for two.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaformo).

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

RESOLUTION NO. 41

**TITLE: AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE
CATSKILL WATERSHED CORPORATION FOR MAINTENANCE
OF THE VACUUM TRUCK
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 91 of 2017 authorized the Chairman of the Board of Supervisors to enter into an agreement with the Catskill Watershed Corporation (CWC) for the purchase of a Vacuum Truck; and

WHEREAS, CWC has developed a program to provide for maintenance funding for capital investments made with Stormwater Retrofit funds.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors is herewith authorized to enter into an agreement with CWC for Maintenance of Stormwater Retrofit Measures Funded by the West of Hudson Stormwater Retrofit Program.

The resolution was seconded by Mr. Davis.

In answer to Mr. Marshfield, Mr. Triolo stated that the Catskill Watershed Corporation funds 17.6% of maintenance on the vacuum truck.

Mr. Haynes said \$78,628 is the dollar amount in maintenance funding.

The resolution was unanimously adopted.

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

RESOLUTION NO. 42

**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 or online auction or dispose of as unserviceable the following items:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
SHF 69	2013 Chevy Impala	2G1WD5E31D1186522

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

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

RESOLUTION NO. 43

TITLE: ESTABLISHING THE OFFICE OF THE PUBLIC DEFENDER

BE IT RESOLVED that pursuant to the authority granted by Section 204 of the County Law, there is hereby established a department to be known as the Delaware County Office of the Public Defender.

BE IT FURTHER RESOLVED that the head and chief executive officer of such department shall be known as the Public Defender. The term of office of the Public Defender shall be set at the time of appointment.

BE IT FURTHER RESOLVED that the Public Defender shall, under the direction and authorization of the Board of Supervisors, function as the personal, confidential representative of the Board of Supervisors in a wide variety of matters involving Indigent Legal Defense in Delaware County and shall perform such other duties as may from time to time be assigned by the Board of Supervisors and the Board Committee having oversight responsibility for the Public Defender, currently the Legislative Committee.

BE IT FURTHER RESOLVED that the Public Defender may within the budgetary limitations provided therefore and pursuant to applicable laws, appoint and remove such deputies and other personnel necessary and proper to carry out the activities of the Department; and

BE IT FURTHER RESOLVED that authorization is hereby given for the creation of four (4) support positions in the Office of the Public Defender. The titles and rate of pay for said positions to be determined by the Personnel Office.

BE IT FURTHER RESOLVED that the Delaware County Personnel Office is hereby requested to apply to the New York State Civil Service Commission to have the position of Public Defender, and such support position(s) deemed appropriate, approved in other than the competitive class.

The resolution was seconded by Mr. Valente.

County Attorney Amy Merklen stated that establishment of the Public Defender’s Office comes about due to changes at the state requiring counsel at first appearance and there are requirements now for Raise the Age. The County is looking to offer better services for indigents who require assigned legal counsel or require counsel when they cannot afford it.

The establishment of a Public Defender’s Office will cover both criminal court and family court defense and hopefully will improve the quality of defense that is given to indigents within the county. There was also an increase of the poverty level of which people qualify for

indigent services which will increase the number of people who will be eligible for services. A Public Defender's Office will go a long way to meet all these requirements.

In answer to Mr. Marshfield, Mrs. Merklen stated that the County has received two streams of funding. One source is through the Hurrell-Harring case which was a landmark decision in the state that requires counsel at first appearance along with other quality controls of indigent services. The County is required to meet these state standards and provide these services. The County also receives distributions from the state that go towards indigent legal services which will also be used to fund the Office of the Public Defender.

Chairman Molé indicated that Mrs. Merklen, Mrs. Schafer, Mr. Merrill, members of the Legislative Committee as well as herself have been working closely with the state on the establishment of the Public Defender's Office. The Office will be at 97 Main Street on the second floor. The state has already approved much of the requested funding for the new office.

Mr. Taggart stated that the County already pays out close to a million dollars a year on indigent legal aid and the new office will also cover these expenses in the future. Chairman Molé specified that the million dollars was before the increase in the poverty level.

In response to Mr. Pigford, Mrs. Merklen stated that ideally the budget will come in under what is currently spent. That's yet to be seen as planning is still in the preliminary stages.

In answer to Mr. Cetta on the number of staff for the new office, Mrs. Merklen responded that the potential public defender may have a different idea than what is proposed. A comparison of the County Attorney's Office and the District Attorney's Office would indicate approximately four attorneys with support staff of approximately four. Once a public defender is hired, that person will put together a staff to suit their needs in order to provide this defense.

Mr. Valente opined that the majority of Delaware County residents qualify for these services. He went on to say that the County has been looking at establishing a Public Defender's Office for years. Now the County has additional funding for this office with one source being for five years and renewable. Another source is eight years' worth of funding the County has banked.

In response to Mr. Cetta about a specific timeline, Mrs. Merklen stated that this resolution will allow for the County to go forward with advertising to hire a public defender and someone to help them put the office together. Ideally, by the end of the year, an office will be substantially established but not to say that the office would be taking cases by the end of the year. Some counties take cases incrementally by taking on one town at a time to see what the needs are and then go from there to see how best to proceed. Here the process will be moved along but most important, has to be set up properly.

In answer to Chairman Molé, District Attorney John Hubbard commented that this office is a good idea. Going forward, professionalization of a Public Defender's Office will provide for savings and efficiencies when there is staff dedicated to deal with indigent legal services.

In reply to Mr. Gladstone, Mrs. Merklen confirmed that additional costs for extra employees is included in the setup of the new office.

Chairman Molé stated that timing is very good right now. The County has put the office off for a few years but currently with the new mandates, the state is providing funding.

Mr. Valente stated that the state is being very helpful in giving specific recommendations in the process.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 44

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,554,743.79 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	\$1,222,247.49
OET	\$5,706.63
Public Safety Comm System	\$66,978.55
CAP MHC	\$10,000.00
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Landfill	\$47,714.57
Road	\$138,220.53
Machinery	\$63,876.02
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Gladstone and Mr. Taggart and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforno).

Chairman Molé announced a Finance Committee meeting will be held directly following the Board meeting.

Upon a motion, the meeting was adjourned at 1:21 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 27, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 27, 2019 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. Marshfield and Mr. Spaccaforno.

Mr. Pigford offered the invocation.

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

Chairman Molé read a message addressed to the Board from Supervisor Michael Spaccaforno thanking the Board for their well wishes and prayers.

The minutes of the previous meeting were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Eugene Pigford. Mr. Pigford introduced Deyanira Cisneros who serves as the Community Engagement Coordinator for Advancing Tobacco Free Communities of Delaware, Otsego and Schoharie Counties. Ms. Cisneros introduced Program Director Linda Wegner and Reality Check Youth Engagement Coordinator Bonnie Peck.

The initiative of Advancing Tobacco Free Communities (ATFC) is covered through the New York State Department of Health which is a grant-funded program through the Bureau of Tobacco Control (BTC) with 25 grantees throughout New York State. This program specifically targets Delaware, Otsego and Schoharie Counties (DOS). The AFTC DOS program focuses on educating decision makers, municipalities and other stakeholders about tobacco use and how it impacts the community.

Tobacco use is still the leading cause of preventable death and disability in the United States. The program helps promote local actions to help prevent or reduce the impact of tobacco use including the exposure to secondhand smoke. There is no safe level of exposure to secondhand smoke as it is known to cause stroke, lung cancer, and coronary heart disease.

The AFTC DOS advocates for the following tobacco-free policies:

- Tobacco-free litter. Tobacco litter greatly impacts the environment. This litter pollutes the land and water and is highly toxic and dangerous to children, domestic animals, and wildlife. This litter also negatively impacts the overall image of the facility.
- Reduction of fire risks. Combustible cigarette products that are discarded on the ground near flammable structures can cause severe fires. Property was destroyed in a nearby county facility as a result of a discarded cigarette.
- Smoking cessation. Cessation is available for those who are willing to change their habit. Tobacco use is an addiction similar to opioids, alcohol, or any other illicit substance.
- Financial burden. Tobacco use is a financial burden in our communities especially for employers. Tobacco-related illness decreases employee productivity when these employees cannot work. Employees who smoke miss on average 6.2 days of work due to sickness. Health care premiums are higher for employees who are tobacco users. Life and disability insurance costs are also considerably higher for those individuals. Employers pay an estimated \$6,000 more for an employee who uses tobacco compared to a non-smoking employee.

Ms. Cisneros stated that the ones who are most impacted by tobacco use are disparity groups such as low socio-economic, low education and those who are social determinates of health. These are the individuals who are being serviced in our communities particularly by local health departments, social services, and other social service agencies.

Ms. Cisneros reaffirmed their mission to prevent and reduce tobacco use and stated they would like to be a resource to the County and asked the Board to take advantage of their services to reduce local health and economic burdens. Tobacco use still needs to be reduced among disparity groups, particularly mental health. About 27% of mental health recipients are using some form of tobacco which directly impacts their health even further when they mix their psychotropic medication along with tobacco products.

In answer to Mr. Valente, Ms. Cisneros stated that there is no Constitutional right that people have to smoke or are allowed to smoke and nothing speaks constitutionally that a person has a right to smoke. Employers do have the right to set their own code of conduct and they also must protect the rights of nonsmokers.

Mr. Pigford opined that a no smoking policy is acceptable; however, a policy against smokers constitutes a form of discrimination. In response to Mr. Pigford, County Attorney Amy Merklen concurred that employers cannot have a policy stating they do not hire smokers. An acceptable policy would state that smoking is not allowed at the place of business. Employers cannot discriminate against employees because they smoke. Ms. Cisneros added that during an interview, employers legally cannot specifically ask a potential employee if they are a smoker. She stated that the focus of this program is not on the individual who smokes; their focus is on the smoke.

In response to Mr. Gladstone, Program Director Linda Wegner referenced the handout materials which include copies of two policies that were adopted in neighboring counties. AFTC DOS can help develop a policy language and provide education as well as various forms of signage. A policy should incorporate all tobacco products including emerging electronic nicotine devices (ENDS).

In answer to Mr. Taggart, Ms. Peck explained that all Juul pods contain nicotine and ninety-eight percent of all other electronic tobacco products contain varying amounts of nicotine. The use of Juuls is a major problem that schools are dealing with. Ms. Cisneros pointed out that one Juul pod contains as much nicotine as one pack of cigarettes. Youth who smoke five Juul pods a day in essence are smoking an equivalent of five packs of cigarettes a day. Juuls are addictive and they contain about 7,000 toxic chemicals similar to those found in traditional combustible cigarettes including formaldehyde.

Chairman Molé commented that she would not seek to take away the right of individuals to smoke. A designated area must be provided for employees who want to smoke. Mr. Taggart stated that a designated area should be enforced. Ms. Wegner added that as of June 18, individuals will not be allowed to smoke within 100 feet of public and private libraries in the State of New York.

Mr. Taggart stressed the overall importance of educating youth. Ms. Cisneros concurred and stressed that nurturing the efforts would make the program effective. Education would not be effective unless the effort is supported by the community. To improve community health as a whole, everyone is held to the same standards. Ms. Cisneros thanked the Board and Ms. Walsh for bringing them in for today's presentation.

Chairman Molé granted privilege of the floor to Mr. Pigford. Mr. Pigford introduced Public Health Services Director Mandy Walsh.

Ms. Walsh presented the annual Delaware County Public Health Services Corporate Compliance Program to the Supervisors who must be certified every year. Each Supervisor received the 18 NYCRR 521 Regulation Compliance Program Training Booklet. This training must include certain elements of compliance in order to have effective Medicaid billing and be in compliance as required by the Office of the Medicaid Inspector General. Today's compliance program also covers Office for the Aging and Mental Health services.

Every year she is required to certify members of the Board of Supervisors. Requirements include staff training, certifying that they are following the code of ethics and following policies for billing as well as following privacy standards.

The New York State Social Services Law was expanded to include Article 28, Article 36, Mental Health Departments and any office that bills or deals with Medicaid in a financial capacity. The compliance program serves as an umbrella of protection and applies to billing, payments, mandatory reporting, credentialing, ethical behavior and all compliance conduct.

Ms. Walsh discussed the eight elements of compliance. She stated the core values of public health include collaboration, equity, excellence, innovation, integrity, respect, and science. Other departments may have slightly different variations. Policies include the program overview, code of conduct, compliance officer designation, risk audit and self-evaluation, as well as a reporting and resolution policy.

Every year each department has to certify that staff is certified, that policies are up to date and reviewed on an annual basis and file the report with the Office of the Medicaid Inspector General. The report has to be completed by December 31 of each year. Ms. Walsh asked that Supervisors complete, sign and return the compliance program attestation forms.

Ms. Walsh reported that a resolution will be introduced later in the meeting for recognition of National Public Health Week. The tobacco-free group earlier spoke about healthy environments which is one piece that Public Health Services advocates for in our rural communities. The theme this year is "Creating the Healthiest Nation for Science, Action and Health."

Public Health Services is also in the process of completing the community health assessment which is done every three to four years. The assessment is a large collaboration with the Office for the Aging, Office of Mental Health, Emergency Services, hospitals and many other health services. The assessment will be ready to present to the public in December.

Chairman Molé granted privilege of the floor to Mr. Triolo. Mr. Triolo introduced President of the Delaware County Chamber of Commerce Ray Pucci to give an update on the use of the occupancy tax funds.

Mr. Pucci introduced Lisa Wisely, owner of Blue Spark Creative Services who along with her team manages much of the tourism promotion program. Some of the programs funded with the TPA block grant funds include Family Farm Day, [EscapeMaker.com](https://www.escape-maker.com), Great Western Catskills rebranding, as well as New York Best Adventures. The presentation focused on four programs, namely, the new [GreatWesternCatskills.com](https://www.GreatWesternCatskills.com) website that is the tourism facing site along with an initiative to develop websites for lodging establishments and bringing them to the web as well as Ask a Local Campaign and other video projects that will be released over the next few weeks.

The new [GreatWesternCatskills.com](https://www.GreatWesternCatskills.com) website is built on WordPress which allows for ease of updates and has a lot of flexibility to present new and updated content. The site is built to expand and grow and will be continuously updated. The previous platform did not allow for changes and that was not efficient in the tourism industry. The new site allows the user to sort by town when search for lodging options. The site is compatible with mobile devices and has mapping capabilities that are responsive to where the user is while searching. Another highlight of the new site is that each listing has its own mini site with their address, phone number, links, email address and site location with directions on the map. The Chamber encourages property owners to collaborate and add package deals and create specials for the packages.

The site launched in early September 2018 and has had a great response. There have been over 81,000 page views through over 16,000 users and over 19,000 sessions. Almost 60% of the traffic has been on mobile devices.

In October 2017, the Chamber launched the Delaware County Lodging website program which offered to produce low cost websites for lodging businesses with 50% of the cost of the site being covered by the lodging business and the balance to be covered by the tax occupancy grant. The original budget included enough funds to create 25 sites. About 16 sites have been produced to date and the program is ongoing. The only criteria in place was that the lodging establishment needed to be registered with the Treasurer's Office for the occupancy tax program. These are simple sites that work and are driving visitors to the area.

Ask a Local Campaign started in 2018 when Blue Spark began interviewing charismatic locals who own or run tourism related businesses. The Chamber is using long-form and short-form video to give tourists inside information on what's happening in Delaware County. Short-form videos are about one minute and are played on YouTube as a pre-roll to featured videos. The level of sophistication allows for specific targeting and would require viewers to watch one of these pre-rolls ahead of their target video.

These videos allow the Chamber to showcase the best of our business culture and the authentic experience available to tourists. The images and videos are genuine Delaware County landscape and Delaware County people. Ask a Local also includes a section that has the participant's favorite things to do in Delaware County as downloadable print pieces.

Recently, the Chamber followed avid hikers and licensed guides and created a number of hiking videos to show the variety of hiking experiences that are offered in our area. Motorcycle riding is hugely popular as a recreational activity in the Catskills. In conjunction with Blue Spark Creative Services, the Chamber is producing videos that focus on motorcycle experiences in Delaware County. They shot five different routes in the county and this series will be launched this spring. These videos have spectacular views. These motorcycle enthusiasts eat in our restaurants, take advantage of our lodging establishments, and are spending real dollars here.

Another program underway is the production of event videos to showcase major draw events such as the Ice Harvest Festival which takes place at the Hanford Mills Museum every February.

Tourism Economics reporting on traveler spending shows that spending in Delaware County increased 11.6% to \$111,908,000 in 2017 generating \$6,154,310 in state taxes and \$6,689,199 in local taxes in Delaware County.

In answer to Mr. Valente, Mr. Pucci said the Chamber works closely with neighbors in the Catskill Region for Visit the Catskills which has built a new website over the past few years and is getting more attraction. The Chamber also works closely with the I Love New York campaign. Ms. Wisley stated that Visit the Catskills is their number one referral and the leading way that people visit their website. She said they also get a lot of traffic from paid search words through Google Ads.

Responding to Mr. Valente, Mr. Pucci said they are able to do more promotion with more money. Delaware County tourism dollars are very small compared to our competitive neighboring county dollars. For example, Ulster County and Greene County each have a budget specifically for tourism of over \$1,000,000. Sullivan County is anticipating next year's tourism promotion budget to be between \$2.5 and \$3 million. Ms. Wisely stated that digital promotion has been cost effective because people really do engage with videos. They watch and share videos which has helped bring traffic to the site.

In reply to Mr. Valente, Mr. Pucci confirmed that local businesses are on board with promotion on the website. Property owners are able to upload their own information to the site which is creating shared responsibility. The Chamber reviews and edits information before it goes live to assure quality viewing.

This year the Chamber is cataloging a town-by-town assessment of various attractions and outdoor activities which will be included with the popular map printed in the travel guide. The new travel guide will be available early May. Anyone can submit an event or listing by going to GreatWesternCatskills.com and selecting the Event tab.

Mr. Merrill opined that training may be needed for people at these establishments who don't know how to use the technology. In addition, there has been discussion at Travel Advisory Board meetings of groups asking for vendors to their events which often are scheduled at the same time and there aren't that many vendors. It would be ideal to coordinate a calendar and help guide groups to empty spots on the calendar as opposed to everyone planning events on the same weekend.

Mr. Eisel stated that a hugely popular event is coming up in Arkville this summer. Mr. Pucci confirmed that Thomas the Tank Engine will return to the Delaware and Ulster Railroad twice this summer.

Mr. Davis stated that the Catskill 3500 Club would be a great resource to discover secret spots in the Catskills. This hiking group is largely familiar with 35 peaks in the Catskill Mountains over 3,500 feet and this group knows where the best kept secrets are in the Catskills. Mr. Pucci stated that a couple of those peaks are located here in Delaware County.

Mr. Davis commented that he still performs fire inspections at the fire tower on top of Balsam Mountain. Hikers come every weekend starting in early April and they want to continue hiking into the fall. However, volunteers don't like to stay at the tower in the colder weather when there's no heat. Recently the state passed a rule that wood fires are allowed if a fire inspection is done. Mr. Davis suggested that towns get the fire inspection done to get more visitors and maintain a longer season. He believes a lot of local people have never hiked to the tops of these mountains to see what Delaware County has for these best kept secrets.

Mr. Valente said this reinforces the effort to go town by town and involve local governments to participate and pool resources for great sites. Mr. Pucci said they have always followed a team approach. They would appreciate and enjoy participation at the town level as well.

Delaware County is a spectacular place to live and a great product to promote. Mr. Pucci thanked the Board for their support through occupancy tax dollars and the budget to support this very important part of our local economy.

There were no standing committee reports.

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

RESOLUTION NO. 45

**TITLE: 2019 BUDGET ADMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH SERVICES**

WHEREAS, Public Health Services has been awarded opioid grant funding;

WHEREAS, one of the objectives of the Opioid Crisis work plan is improving quality and timeliness of overdose data;

WHEREAS, the opioid grant has approved the purchase of laptops for Delaware County medical examiners to utilize the Electronic Death Registration System (EDRS) to achieve this objective;

WHEREAS, a transfer of funds is necessary to complete this purchase;

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE APPROPRIATIONS:

10-14012-52200001/4012017/906	Equipment-Grants	\$1,744.00
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DECREASE APPROPRIATIONS:

10-14012-54327000/4012017/906	General Grant Related Exp	\$1,744.00
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The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 4535, Noes 0, Absent 264 (Marshfield, Spaccaforno).

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

RESOLUTION NO. 46

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY INSURANCE**

WHEREAS, it is necessary to fund the County Insurance account to cover premiums on purchased policies for 2019 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	\$6,765.00
10-11040-54350200	Clerk of the Board	2,075.00
10-11165-54350200	District Attorney	3,235.00
10-11325-54350200	County Treasurer	3,895.00
10-11327-54350200	Fiscal Affairs	1,930.00
10-11355-54350200	Real Property Tax Services	2,570.00
10-11410-54350200	County Clerk	9,710.00
10-11420-54350200	County Attorney	3,000.00
10-11430-54350200	Personnel	2,500.00
10-11450-54350200	Board of Elections	1,780.00
10-11620-54350200	Buildings	18,265.00
10-11670-54350200	Printing	55.00
10-11680-54350200	Information Technology	16,805.00
10-11185-54350200	Medical Examiner	\$715.00
10-13110-54350200	Sheriff	41,051.00
10-13140-54350200	Probation	17,810.00

10-13150-54350200	Jail	85,840.00
10-13620-54350200	Code Enforcement	550.00
10-13640-54350200	Emergency Services	12,215.00
10-14012-54350200	Public Health Services	13,385.00
10-14310-54350200	Mental Health Clinic	28,240.00
10-14317-54350200	Alcoholism	13,410.00
10-14321-54350200	Expanded Mental Health Programs	1,195.00
10-16010-54350200	Social Services	60,345.00
10-16326-54350200	Economic Development	2,600.00
10-16510-54350200	Veteran's Service Agency	1,905.00
10-16610-54350200	Sealer of Weights & Measures	810.00
10-16772-54350200	Office for Aging	7,370.00
10-17510-54350200	County Historian	145.00
10-18020-54350200	Planning Department	3,685.00
10-18740-54350200	Watershed Affairs	2,300.00
22-18160-54350200	Solid Waste	73,210.00
26-15130-54350200	Highway Department	<u>143,850.00</u>
		Total: \$583,216.00

TO:

10-19000-42280100	Interfund Revenue Insurance	\$583,216.00
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INCREASE REVENUE:

10-19000-42280100	Interfund Revenue Insurance	\$583, 216.00
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INCREASE APPROPRIATION:

10-11910-54350200	Unallocated County Insurance	\$583,216.00
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BE IT FURTHER RESOLVED, that any unexpended year-end balance in account 10-11910-54350200 Unallocated County Insurance be transferred to 10-19901-59990200 Operating Transfer (out) for transfer to the Insurance Reserve Fund.

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 4535, Noes 0, Absent 264 (Marshfield, Spaccaforno).

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

RESOLUTION NO. 47

**TITLE: DELAWARE COUNTY PUBLIC HEALTH SERVICES CELEBRATES
NATIONAL PUBLIC HEALTH WEEK
APRIL 1 – APRIL 7, 2019**

WHEREAS, the week of April 1-7, 2019, is National Public Health Week; with a theme of “Creating the Healthiest Nation: For Science. For Action. For Health.”

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, rural communities face a range of health disparities from higher burdens of chronic disease to limited access to primary care and prevention services. Rural Americans face a greater risk of heart disease, cancer, unintentional injury, chronic lower respiratory disease and stroke. Suicide rates are higher in rural areas and rural residents face social determinants such as poverty, transportation barriers and lack of higher paying jobs, which negatively impacts health. We must remove barriers and utilize new technology and approaches to improving health. Everyone has the right to good health; and

WHEREAS, our health is connected to our environments; our food system should provide affordable food with nutritious ingredients, free from harmful contaminants. 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, people’s health, longevity and well-being are connected to their communities. 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, we can’t do it all on our own. We must expand our partnerships to collaborate with planners, education officials, public, private and community agencies – 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 1-7, 2019 as Public Health Week.

The resolution was seconded by Mr. Eisel and 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. 48

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF GRANT
DEPARTMENT OF EMERGENCY SERVICES E911**

WHEREAS, the Emergency Services Department applied for and was awarded a grant from New York State Division of Homeland Security and Emergency Services Statewide Interoperable Communications Grant (SICG) which shall allow 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 \$497,400.00 to Delaware County.

THEREFORE, BE IT RESOLVED that the Emergency Services Office is authorized to accept this grant funding and the 2019 Emergency Services budget be amended as follows:

REVENUE ACCOUNT:

38-13640-43338900/3640391/911	State Civil Defense	\$497,400.00
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APPROPRIATION ACCOUNT:

38-13640-52200001/3640391/911	Grant Equipment	\$497,400.00
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The resolution was seconded by Mr. Davis

In answer to Mr. Triolo, Director of Emergency Services Steve Hood stated this grant will be used to purchase portable radios for all the officers in each fire department. The type of radio will vary based on the communications capability at each fire department.

In response to Chairman Molé, Mr. Hood confirmed that this is additional money that coincides with last year’s funding for the purchase of mobile radios for every fire truck and ambulance in the County. Obtaining this grant will now allow for the purchase of the handheld radios.

In answer to Mr. Davis, Mr. Hood specified that this grant will be used to purchase approximately 500 2-way radios for officers and 1,000 pagers for fire district members. He stated that the radios have 240 channels and are compatible with 4-channel systems and will operate with surrounding county systems.

Mr. Davis stated that the radios will be upgradable and P25 compliant which is what the state and federal governments are requiring of emergency services communication systems. He opined that in the future they may be required to switch to P25 and current communication systems need to ready. With P25 technology, new programming and data can easily be installed simultaneously across the board with all counties and the state.

In answer to Mr. Valente, Mr. Hood stated that the end goal is that all cell towers will be in use by the end of the year.

The resolution was adopted by the following vote: Ayes 4535, Noes 0, Absent 264 (Marshfield, Spaccaforo).

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

RESOLUTION NO. 49

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,388,666.52 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	\$594,419.79
OET	\$5,182.07
Public Safety Comm System	\$7,700.00
CAP 97 Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$881.14
Landfill	\$63,237.02
Road	\$138,433.43
Machinery	\$53,335.50
Capital Road & Bridge	\$114,465.68
Capital Solid Waste	\$411,011.89

The resolution was seconded by Mr. Taggart and Mr. Triolo and adopted by the following vote: Ayes 4535, Noes 0, Absent 264 (Marshfield, Spaccaforo).

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

RESOLUTION NO. 50

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss personnel matters.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Marshfield and Mr. Spaccaforo.

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

RESOLUTION NO. 51

**TITLE: APPROVAL TENTATIVE AGREEMENT
CSEA, LOCAL 1000 AFSCME, AFL-CIO**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County CSEA, Local 1000 AFSCME, AFL-CIO for the terms and conditions of employment for the years 2019, 2020, 2021 and 2022.

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. Gladstone, Mr. Merrill and Mr. Vernold and unanimously adopted.

Upon a motion by Mr. Merrill and seconded by Mr. Taggart, the meeting was adjourned at 3:11 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS

APRIL 10, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 10, 2019 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. Spaccaforno, Mr. Davis and Mr. Pigford.

Mr. Marshfield offered the invocation.

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

Chairman Molé introduced Masonville Deputy Supervisor Betty Scott who is attending in the absence of Mr. Spaccaforno.

The minutes of the previous meeting were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Triolo. Mr. Triolo introduced Jim Gray and Rose Post, Advisors of the Delaware County Junior Holstein Club to talk about the Delaware County Dairy Bowl Team. The team won the state contest in January and earned an opportunity to compete at the national contest in Appleton, Wisconsin, in June. Team members are Randall Reinshagen, Devin Kuhn, Lizette Bishop, and Morgan Kuhn.

Dairy Bowl is an activity designed to encourage our young people to increase their dairy knowledge specifically in dairy nutrition, milk quality, herd health, breeding and genetics, marketing, dairy foods, calf raising, and all cattle breeds. Youth learn life skills such as critical thinking, problem solving, team work, communication skills, and independent thinking.

Mr. Gray is on the Agricultural and Farmland Protection Board and stressed that dairy is still alive in Delaware County. When his father purchased their farm in New Kingston in 1948, there were 52 dairy farms in the Town of Middletown—today there are only 2 operating dairy farms. The Delaware County Junior Holstein Club has 72 junior members who participate in many different agricultural activities including showing dairy cattle at the county fair as well as the state fair and national dairy shows. Mr. Gray said he believes that the more our youth are active on the farm and in this type of activity, the more likely they will stay with farming later in life. Ms. Post said she has learned a lot through the Junior Holstein Club and this knowledge has helped her throughout college and back on the home farm.

The juniors are fundraising to cover expenses for the National Convention which will be held June 24-27. Community support is greatly appreciated. Contributions can be mailed to Delaware County Junior Holstein Club, c/o Jim Gray, PO Box 138, New Kingston, NY 12459.

For standing committee reports, Chairman of the Capital Projects Committee Mark Tuthill announced that he has received the schematic design report on the new mental health facility which will be called the Delaware County Behavioral Health Facility. The next step is to have the plans drafted and put out to bid. The electronic version of the report will be sent to all the supervisors.

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

RESOLUTION NO. 52

**TITLE: 2019 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.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUES:

10-16772-42270607/6772053/977	Grant from Corporations	\$5,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327000/6772053/977	General Grant Related	\$4,000.00
10-16772-54327625/6772053/977	Travel	\$1,000.00

The resolution was seconded by Mr. Merrill and Mr. Eisel.

Mr. Marshfield stated this is a very popular program and there are over 200 people on the waiting list.

The resolution was adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccafino, Davis, Pigford).

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

RESOLUTION NO. 53

**TITLE: 2019 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 \$7,000.00 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.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUES:

10-16772-42270603/6772054/977	Grant from Local Sources	\$7,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327000/6772054/977	General Grant Related	\$4,400.00
10-16772-54327625/6772054/977	Grant Related Travel	2,600.00

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccafino, Davis, Pigford).

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

RESOLUTION NO. 54

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MEDICAL TRANSPORTATION
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$20,000.00 from Rural Health Network 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 to increase the number of non-emergency medical transportation trips for the county's older population; and

WHEREAS, the non-emergency medical transportation program utilizes volunteer drivers to provide the transportation; and

WHEREAS, there is an inadequate number of volunteers available to handle an increased number of transportation services; and

WHEREAS, no additional staff will be hired to operate this program; and

WHEREAS, funding received is to compensate for personnel time involved with processing an increased number of transportation requests; and

WHEREAS, funding received is to compensate for advertising expenses for volunteer recruitment and for general program promotional expenses; and

WHEREAS, the grant is awarded to specifically cover personnel costs incurred from screening and processing additional medical transportation requests, and with no additional staff being hired to run the program, existing budgeted personnel monies will be available to spend on actual medical transportation services by transferring these monies to the additional Contracted Services Transportation budget line.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUES:

10-16772-42270602/6772055/977	Grants from Nonprofit	\$20,000.00
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INCREASE APPROPRIATIONS:

10-16772-51327000/6772055/977	Personal Services Grant Related	\$19,066.00
10-16772-54327105/6772055/977	Grant Advertising	\$934.00

TRANSFER FROM:

10-16772-51000000	Personal Services	\$19,066.00
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TRANSFER TO:

10-16772-54200032	Contracted Services Transportation	\$19,066.00
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The resolution was seconded by Mr. Triolo

Mr. Marshfield stated this resolution allows Office for the Aging to reimburse mileage to volunteers. Director of Office for the Aging Wayne Shepard added that this funding expands non-emergency medical transportation to take Delaware County seniors to medical appointments.

In answer to Mr. Merrill, Mr. Shepard said the grant advertising is used to promote for more volunteers.

The resolution was adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccaforno, Davis, Pigford).

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

RESOLUTION NO. 55
TITLE: 2019 BUDGET AMENDMENT
PAYMENT OF BOND ANTICIPATION NOTE
TREASURER’S OFFICE

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 communication towers in Delaware County; and

WHEREAS, a Bond Anticipation Note (BAN) was issued in the amount of \$6,000,000 which is payable; and

WHEREAS, in order to save the County money, it was determined to only issue \$4,995,000 in serial bonds; and

WHEREAS, the payment for the interest of the BAN was included in the 2019 Budget; and

WHEREAS, the proceeds from the Bond and a transfer from the General Fund reserve is necessary to pay the principal of the BAN.

NOW, THEREFORE, BE IT RESOLVED that the 2019 Budget be amended as follows:

<u>DECREASE FUND BALANCE:</u>		
10-00000-34917000	Unassigned Fund Balance	\$1,005,000.00
<u>INCREASE APPROPRIATION:</u>		
10-19730-56630000	BAN Principal	\$1,005,000.00
<u>INCREASE REVENUE:</u>		
10-19710-45571000	Serial Bond	\$4,995,000.00
<u>INCREASE APPROPRIATION:</u>		
10-19730-56630000	BAN Principal	\$4,995,000.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccaforno, Davis, Pigford).

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

RESOLUTION NO. 56
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 60 proposals for use of occupancy tax revenues under the tourism promotion and development grant program and has

recommended 44 proposals totaling \$104,831.70 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 2019.

The resolution was seconded by Mr. Valente.

Mr. Triolo referenced the list of suggested proposals from the Tourism Advisory Board and said considerable time went into the selections.

Mr. Merrill added that there were a lot more proposals than available funding.

The resolution was adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccaferno, Davis, Pigford).

Mr. Ellis introduced Local Laws 3 through 20 of 2019 which were seconded by Mr. Eisel.

LOCAL LAW INTRO NO. 3

TITLE: SALARY INCREASE COUNTY ATTORNEY

Section 1. The salary of Amy Merklen, County Attorney shall be One hundred-nine thousand, nine hundred forty-two dollars [\$109,942] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 4

TITLE: SALARY INCREASE DIRECTOR COMMUNITY MENTAL HEALTH SERVICES

Section 1. The salary of Cynthia Heaney, Director Community Mental Health Services shall be Ninety-seven thousand, six hundred twenty-one dollars [\$97,621] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 5

TITLE: SALARY INCREASE ELECTION COMMISSIONER

Section 1. The salary of Maria Kelso, Election Commissioner shall be Twenty-three thousand, seven hundred seventy-eight dollars [\$23,778] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 6

TITLE: SALARY INCREASE ELECTION COMMISSIONER

Section 1. The salary of Judith Garrison, Election Commissioner shall be Twenty-three thousand, seven hundred seventy-eight dollars [\$23,778] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 7

TITLE: SALARY INCREASE DIRECTOR REAL PROPERTY TAX SERVICES II

Section 1. The salary of Michael Sabansky, Director of Real Property Tax Services II shall be Sixty-five thousand, eight hundred seventy-five dollars [\$65,875] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 8

TITLE: SALARY INCREASE PERSONNEL OFFICER

Section 1. The salary of Linda Pinner, Personnel Officer shall be Seventy thousand dollars [\$70,000] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 9

TITLE: SALARY INCREASE DIRECTOR ECONOMIC DEVELOPMENT

Section 1. The salary of Glenn Nealis, Director Economic Development shall be Eighty-two thousand, six hundred eighty-three dollars [\$82,683] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 10

TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be Eighty-three thousand, nine hundred forty-four dollars [\$83,944] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 11

TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES

Section 1. The salary of Stephen Hood, Director of Emergency Services shall be Sixty-two thousand, five hundred ninety-one dollars [\$62,591] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 12

TITLE: SALARY INCREASE COMMISSIONER OF SOCIAL SERVICES

Section 1. The salary of Dana Scuderi-Hunter, Commissioner of Social Services shall be Ninety-six thousand, two hundred fifty-four dollars [\$96,254] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 13

TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS

Section 1. The salary of Susan McIntyre, Commissioner of Public Works shall be Ninety-two, thousand, one hundred fifty-seven dollars [\$92,157] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 14

TITLE: SALARY INCREASE PUBLIC HEALTH DIRECTOR

Section 1. The salary of Amanda Walsh, Public Health Director shall be Eighty-nine thousand, seven hundred thirteen dollars [\$89,713] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 15

TITLE: SALARY INCREASE COUNTY PLANNING DIRECTOR

Section 1. The salary of Shelly Johnson-Bennett, County Planning Director shall be Seventy-nine thousand, three hundred fifty-eight dollars [\$79,358] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 16

TITLE: SALARY INCREASE DIRECTOR OFFICE FOR THE AGING

Section 1. The salary of Wayne Shepard, Director Office of the Aging shall be Seventy-three thousand, eight hundred twenty-three dollars [\$73,823] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 17

TITLE: SALARY INCREASE DIRECTOR VETERANS SERVICE AGENCY

Section 1. The salary of Charles Piper, Director Veterans Service Agency shall be Forty-eight thousand three hundred fifty-nine dollars [\$48,359] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 18

TITLE: SALARY INCREASE COUNTY TREASURER

Section 1. The salary of Beverly Shields, County Treasurer shall be Sixty-eight thousand, six hundred fourteen dollars [\$68,614] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 19

TITLE: SALARY INCREASE DELAWARE COUNTY SHERIFF

Section 1. The salary of Sheriff Craig DuMond shall be Seventy-six thousand, eight hundred seven dollars [\$76,807] per annum effective January 1, 2019.

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

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

LOCAL LAW INTRO NO. 20

TITLE: SALARY INCREASE COUNTY CLERK

Section 1. The salary of Debra Goodrich, County Clerk shall be Sixty-eight thousand, six hundred fourteen dollars [\$68,614] per annum effective January 1, 2019.

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

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

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

RESOLUTION NO. 57

TITLE: PUBLIC HEARING LOCAL LAW INTRO. NOS. 3 THROUGH 20 OF 2019

WHEREAS, Local Law Intro. Nos. 3 through 20 have been introduced to increase the 2019 salaries of:

Non-Elected: Amy Merklen, County Attorney; Cynthia Heaney, Director Community Mental Health Services; Maria Kelso, Commissioner Board of Elections; Judith Garrison, Commissioner Board of Elections; Michael Sabansky, Director Real Property Tax Services II; Linda Pinner, Personnel Officer; Glenn Nealis, Director Economic Development; Joseph deMauro, Director of Information Technology; Stephen Hood, Director of Emergency Services; Dana Scuderi-Hunter, Commissioner Department of Social Services; Susan McIntyre, Commissioner of Public Works; Amanda Walsh, Public Health Director; Shelly Johnson-Bennett, County Planning Director; Wayne Shepard, Director Office for the Aging; Charles Piper, Director Veterans Service Agency.

Elected: Beverly Shields, Treasurer; Craig DuMond, County Sheriff; Debra Goodrich, County Clerk.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro. Nos. 3 through 20 on the 24th day of April 2019 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. Tuthill and unanimously adopted.

Chairman Molé reminded the Board that the Public Hearing will be held before the next Board meeting, April 24, at 12:45 p.m.

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

RESOLUTION NO. 58

TITLE: OPPOSITION TO NY SENATE BILL S2837 TO ENACT THE FARMWORKERS FAIR LABOR PRACTICES ACT DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, Senate bill S2837 has been introduced by Senator Jessica Ramos, 13th District, Chair of the Committee of Fair Labor; and

WHEREAS; Senate bill S2837 is currently in committee for the 2019-2020 session; and

WHEREAS, Senate bill S2837 proposes to enact the farmworkers fair labor practices act, granting collective bargaining rights, workers' compensation and unemployment benefits to farmworkers; and

WHEREAS, Senate bill S2837 includes provisions for collective bargaining rights, requires 24 hours of consecutive rest each week, provides for an 8-hour work day, requires overtime rate at one and one-half times normal rate, applies provisions of unemployment insurance law and sanitary code for migrant workers, and requires workers compensation benefits and claims for all farm laborers; and

WHEREAS, Senate bill S2837 applies to all agricultural operations regardless of scale and size, number of employees without a provision for exemption for small scale, family farms; and

WHEREAS, the Delaware County Agriculture & Farmland Protection Board and the Delaware County Farm Bureau have expressed concern over the impacts of the proposed legislations on the already struggling agricultural industry within Delaware County and rural NY State; and

WHEREAS, agriculture is a primary economic driver in Delaware County, experiencing a transition of farm operations, what commodities are being produced and how commodities are being marketed, often with marginal returns on investment as these transitions take place; and

WHEREAS, agriculture, unlike other industries, is driven by weather, season and availability of resources to gain the greatest value for production. These factors drive the length of the work day, the amount of hired labor needed and the duration of production periods; and

WHEREAS, smaller family-operated farms have traditionally been a source of seasonal income for local residents, migrant workers and our youth, providing much needed supplemental household income; and

WHEREAS, the legislation as proposed does not consider the unique characteristics of farming, the limitations of growing seasons, and the overall impact on the local economy as a result of onerous labor laws that will jeopardize the already fragile agricultural economy in New York State.

THEREFORE, BE IT RESOLVED that Delaware County Board of Supervisors officially opposes the consideration of Senate Bill S2837 in its current form.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors forward copies of this resolution to Senator James L. Seward, Senator Fred Akshar, II, Senator Jen Metzger, Assemblyman Clifford W. Crouch, Assemblyman Brian D. Miller, and Assemblyman Chris Tague.

The resolution was seconded by Mr. Taggart.

Supervisor Marshfield said he strongly opposes this legislation. He stated that he is well aware of the difficulties farmers have had for decades and this legislation will devastate our farmers and we will continue to run the cycle of losing farms. Being raised on a dairy farm he knows all too well that Mother Nature governs the work day. Bad weather makes for a short day and the next day means a longer day to make up for the short day. In addition, equipment breakdowns, animal birthing or sickness, supply shortages, and family issues all make for an erratic workday—workdays that are one way or another altered in length.

There will be risk of farmworkers leaving the state if they are restricted to a specific workday of 40 hours at minimum wage. Farmworkers may be forced to go to other states that allow them to work unlimited hours for more pay. New York farmers will not be able to compete nationally or globally with this law. Downstate legislatures don't understand the reality of the situation.

He noted that with this law in effect, a Farm Credit East report estimates that vegetable growers will experience a 43% increase in costs, nursery operations will experience a 58% increase, fruit growers a 74% increase and dairy farms will experience a 101% increase in costs. Imagine dealing with this law in a time when dairy farmers' costs already outweigh the pitiful milk prices. End result, we lose more dairy farms and our county economy suffers yet another blow. He urged Board members to oppose this legislation and let our representatives know this is wrong and not appropriate for Delaware County.

Mr. Gladstone agreed with Mr. Marshfield in that this legislation will help promote choking farming to death.

Chairman Molé said this resolution will be sent to our state legislators. She announced that Senator Metzger is conducting a listening tour specifically on this bill. Senator Metzger chairs the Senate Agriculture Committee and is very interested to hear thoughts on this proposed legislation.

Mr. Taggart opined that more regulations put on farmers continues to hurt their bottom line. Many farmers don't take a weekly salary and are left with very little after expenses are paid. This regulation is more of starving out agriculture. The biggest problem between agriculture and consumers is there is no connection anymore. Consumers believe that as long as

food is on the shelf, then there’s no problem. There is a problem. There are roughly 90 farms in the County and without these farms our tax base will disappear and we will become a tourist county.

Mr. Marshfield pointed out that this legislation is coming out of a labor committee and not from the ag committee. The legislator who proposed this legislation is from Queens with labor committee members from Staten Island, Long Island, Manhattan, White Plains, Brooklyn, Valley Stream and New York City. These downstate Senators simply do not understand agriculture or the dairy industry. There is an attitude that the stores are full so we don’t need farms.

Mr. Triolo restated that this legislation will affect all of agriculture. It is unfortunate that some of our downstate legislatures think that we are corporate farms but this will seriously affect our small farms.

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. 59
TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, the net sum of \$204,663.39 received by the Hotel Occupancy Tax activity during 2018 was set aside and placed into the Restricted Fund Balance as of 12/31/2018 for the purpose of promotion and development of the tourism industry in Delaware County; and

WHEREAS, by Resolution No. 56 of 2019 the Board of Supervisors approved the list of tourism promotion and development grant projects to be funded with the 2018 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 2019 Budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-00000-34899000	Restricted Fund Balance Hotel Occupancy Tax	\$104,831.70
<u>INCREASE APPROPRIATION:</u>		
10-16410-54614000	Tourism Development Promotion	\$104,831.70

The resolution was seconded by Mr. Merrill and Mr. Taggart and adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccaforno, Davis, Pigford).

Supervisor Taggart thanked the Economic Development Committee, Mr. Triolo, Mr. Merrill and Mr. Ploutz for their efforts and time on this endeavor to support the economy in Delaware County.

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

RESOLUTION No. 60

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

	HAN16TX.021
<u>ASSESSED TO:</u>	<u>JAMES J COSTOLNICK</u>
TOWN OF:	123601:HANCOCK
TAX MAP No:	429.17-2-23
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	49.5'F X 125'D: 0.13A ACRES
CONVEYED TO:	JACKIE PARK ALBAUM AND JASON ALBAUM 26 LOWELL TERRACE BLOOMFIELD NJ 07003
CASH CONSIDERATION:	\$16,758.55 EXPENSE-COMMISSION \$1,500.00 VILLAGE SHARE \$2,700.00 COUNTY SHARE \$10,800.00
TAX DEFICIT:	\$10,551.75

	HAN16TX.036
<u>ASSESSED TO:</u>	<u>THEODORE J FATTA AND KATHLEEN A CANAPE</u>
TOWN OF:	123601:HANCOCK
TAX MAP No:	428.16-2-3
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	195'F X 278'D: 0.25A ACRES
CONVEYED TO:	JOSEPH KLIMCHOK 3261 FRENCH WOOD ROAD HANCOCK NY 13783
CASH CONSIDERATION:	\$11,905.18 VILLAGE SHARE \$2,500.00 COUNTY SHARE \$7,500.00
TAX DEFICIT:	\$13,045.81

The resolution was seconded by Mr. Gladstone and adopted by the following vote:
Ayes 3715, Noes 0, Absent 1084 (Spaccaforno, Davis, Pigford).

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

RESOLUTION NO. 61

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,689,251.31 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	\$1,972,087.11
OET	\$48,331.83
Public Safety Comm System	\$77,197.63
CAP 97 Main Street	\$0.00

Highway Audits, as Follows:

Weights and Measures	\$0.00
Landfill	\$118,927.81
Road	\$23,135.81
Machinery	\$374,571.12
Capital Road & Bridge	\$75,000.00
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3715, Noes 0, Absent 1084 (Spaccaforno, Davis, Pigford).

Chairman Molé announced that a Legislative Committee meeting would be held directly after today's Board Meeting.

Supervisor Vernold questioned why the County phone numbers are not included in the Hancock phone directory and noted they are not listed in the Walton phone directory either. Ms. Schafer confirmed there are issues with the County phone numbers being incorrectly listed in local phone books and said it has been an ongoing problem.

Mr. Marshfield announced that all Supervisors received a handout from the Youth Bureau regarding the 2019 Summer Youth Employment program. Participation questionnaire forms need to be completed and submitted to Lara Yambor at the Youth Bureau before April 26.

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

RESOLUTION NO. 62

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss personnel matters.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Spaccaforno, Mr. Davis and Mr. Pigford.

Upon a motion by Mr. Merrill and seconded by Mr. Gladstone, the meeting was adjourned at 2:35 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

LOCAL LAW INTRO. NOS. 3 THROUGH 20 OF 2019 SALARIES DELAWARE COUNTY OFFICERS

APRIL 24, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. Nos. 3 through 20 of 2019 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 24, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

LOCAL LAWS INTRO. NOS. 3 THROUGH 20 of 2019 SALARIES DELAWARE COUNTY OFFICERS

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, April 24, 2019 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning proposed Local Laws as follows:

Introductory No. 3 to set the salary of Amy Merklen, County Attorney at \$109,942 per annum; No. 4 to set the salary of Cynthia Heaney, Director Community Mental Health Services at \$97,621 per annum; No. 5 to set the salary of Maria Kelso, Election Commissioner at \$23,778 per annum; No. 6 to set the salary of Judith Garrison, Election Commissioner at \$23,778 per annum; No. 7 to set the salary of Michael Sabansky, Director of Real Property Tax Services II at \$65,875 per annum; No. 8 to set the salary of Linda Pinner, Personnel Officer at \$70,000 per annum; No. 9 to set the salary of Glenn Nealis, Director Economic Development at \$82,683 per annum; No. 10 to set the salary of Joseph deMauro, Director of Information Technology at \$83,944 per annum; No. 11 to set the salary of Stephen Hood, Director of Emergency Services at \$62,591 per annum; No. 12 to set the salary of Dana Scuderi-Hunter, Commissioner of Social Services at \$96,254 per annum; No. 13 to set the salary of Susan McIntyre, Commissioner of Public Works at \$92,157 per annum; No. 14 to set the salary of Amanda Walsh, Director of Public Health Services at \$89,713 per annum; No. 15 to set the salary of Shelly Johnson-Bennett, Director of County Planning at \$79,358 per annum; No. 16 to set the salary of Wayne Shepard, Director of Office for the Aging at \$73,823 per annum; No. 17 to set the salary of Charles Piper, Director of Veterans Service Agency at \$48,359 per annum; No. 18 to set the salary of Beverly Shields, County Treasurer at \$68,614 per annum; No. 19 to set the salary of Craig DuMond, Sheriff at \$76,807 per annum; No. 20 to set the salary of Debra Goodrich, County Clerk at \$68,614 per annum.

All persons interested in speaking concerning the proposed local laws will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: April 19, 2019

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 24, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 24, 2019 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. Spaccaforno and Mr. Triolo.

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 the appropriate committees for review.

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

RESOLUTION NO. 63

**TITLE: CHANGE ORDER NO. 1 PROPOSAL 35-18
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 188 of 2018 authorized the award of 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 for the bid amount of \$283,000.00; and

WHEREAS, the late date of award combined with inclement weather caused the work to be paused for winter; 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. 35-18 extending the Contract completion date until May 10, 2019 at no change in the contract amount of \$283,000.00.

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

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

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

RESOLUTION NO. 64

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,923,549.13 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	\$661,163.49
OET	\$19,567.04
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$276.47
Landfill	\$45,524.69
Road	\$39,066.96
Machinery	\$1,116,130.63
Capital Road & Bridge	\$40,973.85
Capital Solid Waste	\$846.00

The resolution was seconded by Mr. Gladstone and Mr. Taggart and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 3 to set the salary of Amy Merklen, County Attorney at \$109,942. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 4 to set the salary of Cynthia Heaney, Director Community Mental Health Services at \$97,621. The local law was seconded by Mr. Tuthill and Mr. Eisel and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 5 to set the salary of Maria Kelso, Election Commissioner at \$23,778. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 6 to set the salary of Judith Garrison, Election Commissioner at \$23,778. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 7 to set the salary of Michael Sabansky, Director of Real Property Tax Services II at \$65,875. The local law was seconded by Mr. Davis and failed by the following vote: Ayes 1674, Noes 2766 (Gladstone, Molé, Merrill, Tuthill, Axtell, Taggart, Vernold, Eisel, Ellis, Hynes, Cetta), Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 8 to set the salary of Linda Pinner, Personnel Officer at \$70,000. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 9 to set the salary of Glenn Nealis, Director Economic Development at \$82,683. The local law was seconded by Mr. Eisel and Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 10 to set the salary of Joseph deMauro, Director of Information Technology at \$83,944. The local law was seconded by Mr. Haynes and Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 11 to set the salary of Stephen Hood, Director of Emergency Services at \$62,591. The local law was seconded by Mr. Axtell and adopted by the following vote: Ayes 4232, Noes 208 (Merrill), Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 12 to set the salary of Dana Scuderi-Hunter, Commissioner of Social Services at \$96,254. The local law was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 13 to set the salary of Susan McIntyre, Commissioner of Public Works at \$92,157. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 14 to set the salary of Amanda Walsh, Public Health Director at \$89,713. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 15 to set the salary of Shelly Johnson-Bennett, County Planning Director at \$79,358. The local law was seconded by Mr. Gladstone and Mr. Hynes and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccaforo, Triolo).

Mr. Ellis recalled Local Law Intro. No. 16 to set the salary of Wayne Shepard, Director Office of the Aging at \$73,823. The local law was seconded by Mr. Merrill and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccafino, Triolo).

Mr. Ellis recalled Local Law Intro. No. 17 to set the salary of Charles Piper, Director Veterans Service Agency at \$48,359. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccafino, Triolo).

Mr. Ellis recalled Local Law Intro. No. 18 to set the salary of Beverly Shields, County Treasurer at \$68,614. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccafino, Triolo).

Mr. Ellis recalled Local Law Intro. No. 19 to set the salary of Craig DuMond, County Sheriff at \$76,807. The local law was seconded by Mr. Axtell and Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccafino, Triolo).

Mr. Ellis recalled Local Law Intro. No. 20 to set the salary of Debra Goodrich, County Clerk at \$68,614. The local law was seconded by Mr. Merrill and Mr. Davis and adopted by the following vote: Ayes 4440, Noes 0, Absent 359 (Spaccafino, Triolo).

Chairman Molé announced that a Legislative Committee meeting would be held following today's Board meeting.

Upon a motion the meeting was adjourned at 1:18 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 8, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 8, 2019 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. Spaccafino.

Mr. Marshfield offered the invocation.

Mr. Davis 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 the appropriate committees for review.

Chairman Molé granted privilege of the floor to Mr. Marshfield. Mr. Marshfield introduced Director of Veterans Service Agency Charles Piper to discuss the VA MISSION Act of 2018.

Mr. Piper stated that the VA MISSION Act of 2018 set the foundation for the new community care program that will be initiated in June. He said that through the VA MISSION Act, veterans can expect a variety of improvements to community care. Eligibility criteria will be different, a new urgent care benefit will be provided, and customer service will be better.

Under the VA MISSION Act, the US Department of Veterans Affairs is establishing a new Community Care Network (CCN). The CCN will serve as a high-performing network of community providers. The CCN will streamline the existing CHOICE program, the current care program and non-VA care into a single community care program. The CCN will give veterans greater choices over their health care and customer service will improve. Local healthcare providers will need to join the CCN to partner with the VA in order to provide care for veterans.

The new urgent care benefit will provide eligible veterans with access to non-emergency care for certain conditions in the VA network of community providers. Veterans will be able to go to any urgent care or walk-in care provider in the VA's network without prior authorization as long as they have used VA healthcare services within the last 24 months. There will be no copay for the first two visits for urgent care. Details about the new urgent care benefit are still being finalized.

In addition, VA is modernizing its information technology (IT) systems. Once in place, the new IT systems will speed up all aspects of community care—eligibility, authorizations, appointments, care coordination, claims, payments—while improving overall communication between veterans, community providers, and VA staff members.

The new community care program is expected to become effective June 6, 2019, at which time the VA's traditional community care program and the Veterans CHOICE program will end. A complete rollout of all six regions of the Community Care Network is expected by 2020.

In answer to Mr. Eisel, Mr. Piper confirmed that if a veteran is located more than 30 miles from the VA, the veteran will be allowed to see a local physician as long as that provider is in the CCN and the veteran has prior VA approval.

Mr. Marshfield said the Veterans Service Agency offers a great service to individuals who need to understand the MISSION Act or has questions about the administrative changes.

In response to Mr. Cetta, Mr. Piper said that in general veterans understand the VA processes but are mostly challenged with the paperwork necessary to receive services.

Chairman Molé thanked Mr. Piper for his presentation to the Board.

Chairman Molé granted privilege of the floor to Mr. Marshfield. Mr. Marshfield introduced Commissioner of Social Services Dana Scuderi-Hunter to discuss the Child Advocacy Mobile Center relative to upcoming Resolution 65.

Mrs. Scuderi-Hunter thanked Chairman Molé, the Board, and the Social Services Committee for support in their work to improve the lives of our most vulnerable neighbors. The Delaware County Department of Social Services first began planning the development of a child advocacy center in 2009. The department revived this effort in 2017 and began a search for county-owned available office space to create a child advocacy center. The goal has always been to provide quality services while being fiscally responsible. The work in developing this necessary service will ultimately ease the suffering of abused children and their non-offending caregivers in addition to supporting the prosecution and conviction of an offender. When the suffering of one life is reduced, the cycle of abuse is broken and life is improved for generations to come.

A multi-disciplinary team of professionals was established and began meeting in January 2018 and have met consistently since on a monthly basis to collaborate regarding investigation of child sexual and physical abuse. Mrs. Scuderi-Hunter introduced the members of the multi-disciplinary team who were present: District Attorney John Hubbard, Delaware Opportunities Executive Director Dr. Shelly Bartow, Director of Safe Against Violence from Delaware Opportunities Stacy Osborn, Huntington Family Centers Executive Director Mary Lou Sales, Bassett Healthcare Sexual Assault Nurse Examiner Joan Pyle, Delaware County Department of Social Services Director of Services Tatiana Amadon, and New York State Police Investigators Erick McLaughlin and Brian Dengler.

In August 2018, the New York State Office of Children and Family Services informed the department that Delaware County is one of seven counties being awarded a custom-built, fully equipped mobile child advocacy center due to the county's geographical size. Together with their long-standing partner, Delaware Opportunities, the department will bring the center to fruition, removing barriers to transportation and providing vital services to suffering children and their families.

Mrs. Scuderi-Hunter introduced Staff Development Coordinator Trish Tyrell to describe the purpose of the child advocacy center and a multi-disciplinary team (MDT), why this service is necessary, and how they are able to provide it all to Delaware County at no additional cost.

Ms. Tyrell thanked the MDT and said that members of the MDT represent the core disciplines which are child protective services, law enforcement, district attorney, medical, victim advocacy, and mental health. The purpose of this presentation is to show how the Delaware County mobile child advocacy center is a tool to be used to investigate child sexual and physical abuse.

A mobile child advocacy center is a trauma informed approach to investigating abuse. Understanding trauma will help in understanding of how this center will be an effective tool. Simply defined, trauma is an event or series of events that overwhelms an individual's ability to use normal coping mechanisms to adapt to a situation and disrupts an individual's frame of reference. Adverse childhood experiences (ACEs) include sexual abuse, physical abuse, emotional abuse, neglect, domestic violence, incarcerated parent(s), or parent(s) with severe mental illness or substance abuse issues. The more ACEs a child has, the more likely they will experience significant issues into adulthood. This is why it is so important to employ a trauma informed method of care. The five principles of trauma informed care are safety, choice, collaboration, trustworthiness, and empowerment. These principles are used to help avoid re-traumatizing youth or individuals. Unfortunately, the current systems used to help victims allows for ways to unintentionally re-traumatize people, most commonly when victims are forced to tell their story over and over. This results in a lot of negative outcomes for the child as well as for the investigation.

Having the ability to offer a child the opportunity to tell their story only once, especially where it may be the most horrible experience that could ever happen to a child, and understanding that they are talking to complete strangers with regards to this experience would be why it is optimal to have them only tell their story once through a video recorded forensic interview. A child advocacy center (CAC) provides a safe, child friendly and neutral location where law enforcement and child protective services can conduct an interview. Also, it is a place where the child and family can be offered supportive services such as victim advocacy, medical examination, mental health, and other services. The CAC is a trauma informed tool in the investigation.

Without a CAC, individuals are left to navigate systems that they are completely unfamiliar with. This could include the Department of Social Services, victim advocacy, getting appropriate medical treatment, or going through the court system. With a CAC, all of these services can be brought to the child and family right from the onset. The center's MDT will be guiding them through the process from the very beginning in order to assist the victim and begin the healing process.

Ms. Tyrell explained that the mobile child advocacy center is meant to be a supplement of services and used to help get to people when those people cannot get to services. The mobile center is a white unmarked mobile unit custom designed with interview, observation, and waiting areas. She explained that the mobile center will be titled to Delaware County Department of Social Services and Delaware Opportunities will insure and register the vehicle with the County named as an additional insured. There will be no liability to the County for the unit. Use of the mobile CAC will provide greater efficiency in conducting forensic interviews, providing services, and prosecution of criminal cases. The mobile unit will be driven by Delaware Opportunities employees and housed there when not in use.

Ms. Tyrell opened the floor to the Supervisors with questions for the MDT panel. Through many questions and much discussion, the consensus among the supervisors is that a physical location would be ideal. A mobile center is only a bridge on the way to a permanent solution and this amount of funding would be better spent on a physical location. Mr. Marshfield stated that the committee has looked for a permanent site for years.

Several supervisors expressed their concern that anonymity will be nonexistent with a mobile unit anytime it travels through any given town. The panel stated that the mobile unit will remain unmarked for confidentiality and will never be parked at a home but rather in a discreet

or inconspicuous area in or near the town or perhaps even in an adjacent town. In the winter months, the mobile unit will be parked and used at Delaware Opportunities.

In answer to Chairman Molé, Ms. Tyrell stated that the most challenging issues of using a neighboring CAC is the distance and availability of that center. Naturally, other counties give priority to their own cases.

Mr. Triolo commented that child advocacy is after the fact. It’s a cure—not the prevention noting that we haven’t figured out how to stop the abuse.

Mr. Marshfield thanked the panel for attending today’s meeting and for sharing their expertise and for their service to the County.

Chairman Molé thanked the panel.

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

RESOLUTION NO. 65
TITLE: 2019 BUDGET AMENDMENT
MOBILE CHILD ADVOCACY CENTER
DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Delaware County Department of Social Services is the designated local agency responsible for investigating allegations of child abuse and neglect; and

WHEREAS, the use of a Multi-Disciplinary Team and Child Advocacy Center is considered a best practice ensuring a less traumatic experience for child victims of abuse; and

WHEREAS, the Delaware County Department of Social Services is a member of the Delaware County Multi-Disciplinary Team responsible for investigating child abuse in collaboration with the District Attorney, Law Enforcement, Medical Professionals, Victim Advocacy Specialists and other supportive services; and

WHEREAS, the Delaware County Department of Social Services has been one of seven New York State counties identified and awarded a Mobile Child Advocacy Center valued at \$250,000 by the New York State Office of Child and Family Services; and

WHEREAS, the State of New York is providing 100% of the funding to purchase the Mobile Child Advocacy Center; and

WHEREAS, the State of New York is providing \$50,000 for each of the next three years to maintain the Mobile Child Advocacy Center.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors agrees to accept the total amount of funding for the Mobile Child Advocacy Center on behalf of the people of Delaware County and that the 2019 Budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-16010-43361000	State Social Services Admin	\$300,000.00
<u>INCREASE APPROPRIATION:</u>		
10-16010-52200001	Equipment-Grant	\$247,716.00
10-16010-54200056	Child Advocacy	\$52,284.00

The resolution was seconded by Mr. Taggart and Mr. Hynes and adopted by the following vote: Ayes 2902, Noes 1765 (Molé, Merrill, Tuthill, Axtell, Eisel, Ellis, Davis, Layton), Absent 132 (Spaccaforno).

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

RESOLUTION NO. 66

**TITLE: INCREASING THE PETTY CASH FUND
DEPARTMENT OF PUBLIC WORKS – SOLID WASTE DIVISION**

WHEREAS, a petty cash fund for the Solid Waste Division improves the efficiency of the operation of the landfill; and

WHEREAS, Resolution No. 157 of 1990 established a petty cash fund in the amount of \$150.00 in accordance with Section 371 of County Law; and

WHEREAS, Resolution No. 115 of 2001 increased this amount to \$250.00; and

WHEREAS, both inflation and an increase in the total amount of fee based waste going into the landfill necessitates an increase in the petty cash fund amount.

NOW, THEREFORE, BE IT RESOLVED that the petty cash fund established under Resolution No. 157 of 1990 and increased by Resolution No. 115 of 2001 be increased to \$500.00 in accordance with Section 371 of County Law.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 67

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 April 29, 2019.

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	\$16,727.23	\$16,727.23	
Bovina	\$9,106.13	\$9,106.13	
Colchester	\$14,077.57	\$14,077.57	
Davenport	\$18,400.70	\$18,400.70	
Delhi	\$23,268.17	\$19,819.61	\$3,448.56
Deposit	\$6,895.83	\$2,371.29	\$4,524.54
Franklin	\$12,633.09	\$12,085.38	\$547.71
Hamden	\$7,584.61	\$7,584.61	
Hancock	\$14,215.02	\$12,984.34	\$1,230.68

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Harpersfield	\$10,122.31	\$9,066.64	\$1,055.67
Kortright	\$12,466.07	\$12,466.07	
Masonville	\$11,856.27	\$11,856.27	
Meredith	\$14,491.44	\$14,491.44	
Middletown	\$37,281.37	\$33,858.98 FL	\$1,009.22
		MV	\$2,413.17
Roxbury	\$32,679.71	\$32,679.71	
Sidney	\$27,929.81	\$19,981.24	\$7,948.57
Stamford	\$9,489.01	\$7,358.07 ST	\$873.44
		HO	\$1,257.50
Tompkins	\$6,513.95	\$6,513.95	
Walton	\$21,872.10	\$17,936.61	\$3,935.49
Totals ...	\$307,610.39	\$279,365.84	\$28,244.55

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4667, Noes 0, Absent 132 (Spaccaformo).

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

RESOLUTION NO. 68

TITLE: REAPPOINTMENT PERSONNEL OFFICER

BE IT RESOLVED that pursuant to Article 2, Section 15 of the Civil Service Law, Linda Pinner is hereby reappointed as Delaware County Personnel Officer for a six-year term effective April 28, 2019 and ending April 27, 2025 at the salary contained in the budget.

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

Mr. Ellis introduced Local Law Intro. No. 21 which was seconded by Mr. Davis.

LOCAL LAW INTRO NO. 21

TITLE: SALARY INCREASE DISTRICT ATTORNEY

Section 1. The salary of John Hubbard, District Attorney shall be Two hundred thousand, four hundred dollars [\$200,400] per annum effective April 1, 2019, pursuant to Judiciary Law §183-a.

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

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

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

RESOLUTION NO. 69

TITLE: PUBLIC HEARING LOCAL LAW INTRO. NO. 21 OF 2019 SALARY INCREASE FOR DISTRICT ATTORNEY

WHEREAS, Local Law Intro. No. 21 has been introduced to increase the 2019 salary of District Attorney John Hubbard.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro. No. 21 on the 22nd day of May 2019 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. Vernold.

Chairman Molé reminded the Board that the Public Hearing will be held before the next Board of Supervisors meeting, May 22 at 12:45 p.m.

Mr. Valente remarked that the state mandates this salary for the District Attorney.

The resolution was unanimously adopted.

Mr. Ellis introduced Local Law Intro. No. 22 which was seconded by Mr. Davis.

LOCAL LAW INTRO NO. 22

TITLE: ESTABLISHMENT OF THE DELAWARE COUNTY PUBLIC DEFENDER'S OFFICE

BE IT ENACTED by the Board of Supervisors of the County of Delaware in accordance with County Law, as follows:

Section I. There is hereby established the Office of Public Defender.

Section II. The head and chief executive officer of said department shall be known as the Public Defender. The term of office shall be set at two (2) years. The salary for said position shall be set by the Board of Supervisors.

Section III. This local law shall take effect immediately.

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

RESOLUTION NO. 70

TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 22 OF 2019 ESTABLISHMENT OF THE DELAWARE COUNTY PUBLIC DEFENDER'S OFFICE

WHEREAS, a proposed Local Law to establish the Delaware County Public Defender's Office has been offered for adoption by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro. No. 22 on the 22nd day of May 2019 at 12:50 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

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

Chairman Molé stated that the public hearing will be held immediately following the public hearing for Local Law Intro. No. 21, District Attorney salary increase on May 22.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 71
TITLE: IN MEMORY OF DONALD SMITH

WHEREAS, Donald Smith passed away on Sunday, May 5, 2019, having served as Town of Franklin Supervisor from 1991 until 2013; and

WHEREAS, he served with distinction and will be remembered for his dedication and hard work.

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

The resolution was seconded by Mr. Marshfield, Mr. Vernold, and Mr. Eisel.

Mr. Taggart said he has worked with Don since 1996 as a member of the Franklin Town Board. Don was his neighbor who lived only 4 miles down the road. Don was a good man and a community man. He lived by three Fs: Family, Farm, and Franklin.

Mr. Marshfield said he served with Don for 19 years on this Board. He noted that Don really never said a lot but he always thought things through. He was a gentleman. He said that he noticed when something didn’t quite strike his fancy, Don would get a little red and have a scowl on his face but that’s all you’d get out of him. He was a great guy.

Ms. Molé stated that Mr. Smith was very well respected.

Mr. Eisel said Don was a great guy. He was very much down to earth. Having served with Don for many years, Mr. Eisel said he could always depend on Don’s support. He really enjoyed working with Don and said he and the Board will greatly miss him.

The resolution was unanimously adopted.

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

RESOLUTION NO. 72
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 20	2007 Ford Expedition	1FMFU16567LA47769

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

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

RESOLUTION NO. 73

TITLE: A RESOLUTION TO ADOPT AN AFFIRMATIVE ACTION PLAN AS REQUIRED UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM PLANNING DEPARTMENT

WHEREAS, Delaware County is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Governor's Office of Storm Recovery (GOSR) of the New York State Housing Trust Fund Corporation (HTFC) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and

WHEREAS, participation in the New York State CDBG-DR Program requires the adoption and implementation of an Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and other program policies; and

WHEREAS, the purpose of this plan is to prohibit workplace employment discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

NOW, THEREFORE, BE IT RESOLVED by the Delaware County Board of Supervisors that the following Affirmative Action Plan be hereby officially adopted for implementation in the Delaware County Flood Buyout New York State CDBG-DR Program.

DELAWARE COUNTY NEW YORK STATE GOVERNOR'S OFFICE OF STORM RECOVERY (GOSR) COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

AFFIRMATIVE ACTION PLAN

The Delaware County Board of Supervisors has adopted the following Affirmative Action Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and the program policies of the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program. Executive Order 11246 prohibits federal contractors and subcontractors from engaging in workplace employment discrimination on the basis of age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.

- 1) Delaware County is committed to equal employment opportunity and as part of its Affirmative Action Plan shall:
 - a) Recruit, hire, upgrade, train, and promote in all job classifications, without regard to age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.
 - b) Base employment decisions on the principles of equal employment opportunity, and with the intent to further Delaware County's commitment to affirmative action;
 - c) Ensure that all terms and conditions of employment such as compensation, benefits, layoff, return from layoff, training, educational tuition assistance, and social and recreation programs, shall be administered without regard to age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.
 - d) Ensure that promotion decisions will be made in accordance with the principles of affirmative action by imposing only valid requirements for promotional opportunities;

- e) Take action to prevent harassment or intimidation of all employees, particularly those encompassed by Delaware County's affirmative action efforts.
- 2) Delaware County will post the federal EEO Poster in a conspicuous location.
- 3) In all solicitations or advertisements for employment Delaware County shall state that all qualified applicants will receive consideration for employment without regard to age, race, color, religion, gender, creed, national origin, physical or mental disability, marital status, veteran status, disabled veteran status, or status as a member of any other protected group or activity.
- 4) Delaware County will maintain written employment records to demonstrate compliance with Executive Order 11246.
- 5) Delaware County will pursue opportunities to recruit and develop qualified job candidates to avoid employment barriers and to ensure equal opportunity for candidates.
- 6) Delaware County's Affirmative Action Plan will be posted on the Human Resources Office web page at www.co.delaware.ny.us
- 7) The Delaware County Personnel Officer has been assigned responsibility for the implementation and administration of this Affirmative Action Plan

The resolution was seconded by Mr. Ellis.

In response to Chairman Molé, Director of Planning Shelly Johnson-Bennett confirmed that all three resolutions are required for Delaware County to get reimbursement under the Community Development Block Grant Flood Buyout program.

The resolution was unanimously adopted.

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

RESOLUTION NO. 74

TITLE: A RESOLUTION ADOPTING THE FOLLOWING SECTION 504 POLICIES AND GRIEVANCE PROCEDURES FOR DELAWARE COUNTY PLANNING DEPARTMENT

SECTION 504 RESOLUTION/DELAWARE COUNTY

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD; and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures; and

WHEREAS, it is the policy of Delaware County not to discriminate against any individual, person, or group on the basis of disability and the intent of Delaware County to address any complaints that may arise pursuant to Section 504.

NOW, THEREFORE, BE IT RESOLVED that Delaware County does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that Delaware County does hereby designate the Delaware County Personnel Officer as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that Delaware County will place its employee, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the official Delaware County newspaper(s), posting of notices in the Delaware County Personnel offices and facilities, placing notices in all appropriate Delaware County publications, and/or distribution of memoranda or other written communications subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the Personnel Office for review and dissemination, and (4) adding language to federal program brochures to insure all potential program beneficiaries are aware of Delaware County's adopted grievance procedures.

BACKGROUND: Section 504 of the Rehabilitation Act of 1973 (the "Act") as amended prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program funded by HUD, administered by the Governor's Office of Storm Recovery (GOSR), and under which Delaware County has received financial assistance. The Act specifically provides that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) established provisions for assuring equality of opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

SECTION 504 POLICY/COMPLIANCE: Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires the adoption and notice/publication of ADA grievance procedures for municipalities with 15 or more employees, Sections 8.53 and 8.54, respectively. Therefore, be it known that it is the policy of Delaware County not to discriminate on the basis of disability. Towards that end, Delaware County has adopted by resolution an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law and implementing regulations may be examined in the Personnel office. The Delaware County Personnel Officer Delaware County has been designated to coordinate the efforts of Delaware County with respect to Section 504 compliance. This information can also be accessed on the Internet at the following address: http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504. The Personnel Officer is located at 1 Courthouse Square, Suite 2, Delhi, NY. The Section 504 Coordinator can be reached at (607) 832-5678.

GRIEVANCE PROCEDURE: Any person who believes he or she has been subjected to discrimination on the basis of disability may file a grievance under the procedure adopted by the Delaware County Board of Supervisors outlined below.

- Grievances must be submitted to the Section 504 Coordinator within 60 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of Delaware County relating to such grievances.

- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.

- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Delaware County Board of Supervisors within 15 days of receiving the Section 504 Coordinator's decision. The Delaware County Board of Supervisors shall issue a written decision in response to the appeal no later than 30 days after its filing.

- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

Delaware County will make appropriate arrangements to ensure that disabled persons are provided accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

It is against the law for Delaware County to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

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

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

RESOLUTION NO. 75

TITLE: A RESOLUTION TO ADOPT A CITIZEN PARTICIPATION PLAN AS REQUIRED UNDER THE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM PLANNING DEPARTMENT

WHEREAS, Delaware County is a subrecipient receiving New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) funds, as administered by the Governor's Office of Storm Recovery (GOSR) of the New York State Housing Trust Fund Corporation (HTFC) to assist in addressing unmet needs from either Hurricane Irene, Tropical Storm Lee, or Superstorm Sandy; and

WHEREAS, participation in the New York State CDBG-DR Program requires the adoption and implementation of a Citizen Participation Plan to meet the Equal Employment Opportunity (EEO) requirements of Executive Order 11246 and other program policies; and

WHEREAS, the purpose of this plan is to ensure the full and total involvement of all residents of the community in the composition, implementation, and assessment of its Community Development Block Grant-Disaster Recovery (CDBG-DR) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income (LMI), residents of slum and blighted areas, and of areas in which funds are proposed to be used.

NOW, THEREFORE, BE IT RESOLVED by the Delaware County Board of Supervisors that the attached Citizen Participation Plan be hereby officially adopted for implementation in the Delaware County Flood Buyout New York State CDBG-DR Program.

**DELAWARE COUNTY
NEW YORK STATE
GOVERNOR'S OFFICE OF STORM RECOVERY (GOSR)
COMMUNITY DEVELOPMENT BLOCK GRANT
DISASTER RECOVERY PROGRAM

CITIZEN PARTICIPATION PLAN**

The Delaware County Board of Supervisors has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended, and the program policies of the New York State Community Development Block Grant-Disaster Recovery (CDBG-DR) Program.

Delaware County is committed through adoption of this plan to the full and total involvement of all residents of the community in the composition, implementation, and assessment of its Community Development Block Grant-Disaster Recovery (CDBG-DR) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income (LMI), residents of slum and blighted areas, and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, Delaware County shall:

- 1) Provide citizens with reasonable and timely access to local meetings, information, and records relating to the State's proposed method of distribution, as required by the Secretary of Housing and Urban Development, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- 2) When applicable, provide for public hearings and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five (5) calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;
- 3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income and residents of slum and blighted areas as well as those affected by the proposed project;
- 4) Provide technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
- 5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
- 6) Provide for a formal written procedure that will accommodate a timely written response, within fifteen (15) days where practicable, to written complaints and grievances.

I. PUBLIC HEARINGS

If a public hearing is held to obtain citizen input, notices informing citizens of any public hearings will appear in the official newspaper or in a newspaper having general circulation within the municipality, of Delaware County a minimum of five (5) calendar days prior to the hearing. In addition, notices will also be posted publicly in municipal office buildings and the hearing will be publicized through local community organizations, and/or posting of information in LMI areas. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible, these hearings will be held within or near the LMI areas, at times affording participation by the most affected residents.

Written minutes of the hearings and an attendance roster will be maintained by the Delaware County Board of Supervisors Clerk of the Board.

II. APPLICATION

1. Seven (7) calendar days, at a minimum, prior to the scheduled submittal of the application for project funding through the NY Rising Community Reconstruction Program or Infrastructure Program, a notice shall appear in the official newspaper, if applicable, or in a newspaper having general circulation within the municipality, informing the citizens of the following:
 - a. Proposed submittal date of the application;
 - b. Proposed objectives;
 - c. Proposed activities;
 - d. Location of proposed activities;
 - e. Dollar amount of proposed activities; and
 - f. Location and hours the application is available for review.

In addition, the notice shall state "all citizens, particularly persons of low and moderate income and residents of slum and blighted areas as well as those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:

The Delaware County Board of Supervisors
111 Main Street
Delhi, NY 13753

2. The public notice will also state that the following information is available:
 - a. The amount of funds, including program income, available for proposed community development disaster recovery activities for the current fiscal year;
 - b. The range of CDBG-DR activities that may be undertaken,
 - c. The estimated amount of CDBG-DR funds proposed to be used for activities that will meet the national objective of benefitting low and moderate income persons; and
 - d. The plan(s) designated for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by Delaware County to persons actually displaced as a result of such activities.
3. In addition, the application will be published on Delaware County's website.

Comments received, along with the response, will be incorporated in the application to the New York State Governor's Office of Storm Recovery (GOSR) or the application will be withdrawn if necessary.

III. AMENDMENTS

Program amendments, which substantially alter the CDBG-DR project from that approved in the original application, shall not be submitted to the State without publication of notice in the official newspaper, if applicable, or in a newspaper having general circulation within the municipality, informing citizens of the following:

- a. Proposed submittal date of the amendment;
- b. Proposed objectives;

- c. Proposed activities;
- d. Location of proposed activities;
- e. Dollar amount of proposed activities; and
- f. Location and hours the application is available for review.

In addition, the notice shall state "all citizens, particularly persons of low and moderate income and residents of slum and blighted areas as well as those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:

The Delaware County Board of Supervisors
111 Main Street
Delhi, NY 13753

Any comments received including the responses will be submitted with the request for the amendment.

Citizens may, at any time, contact GOSR directly to register comments, objections, or complaints concerning the subrecipient's CDBG-DR application(s), amendment(s), and/or performance. Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting GOSR.

IV. CONSIDERATION OF OBJECTION TO APPLICATION OR AMENDMENT

Persons wishing to object to approval of an application or amendment by the State may make such objection known to:

New York State
Governor's Office of Storm Recovery
25 Beaver Street
Post Office Box 230
New York, New York 10004
Email: citizenparticipation@stormrecovery.ny.gov

V. LIMITED ENGLISH PROFICIENCY

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, Delaware County will provide an interpreter for dissemination of information to them provided Delaware County is given sufficient notification of three (3) calendar day(s). Documents will be available in the appropriate languages for the geographic area served by Delaware County.

VI. TECHNICAL ASSISTANCE

Technical assistance may be provided directly by Delaware County to any citizen, particularly to low and moderate income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the CDBG-DR Program. Local officials will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by Delaware County with at least a one (1) week notification. The persons who conduct the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

VII. TIMELY ACCESS AND ADEQUATE INFORMATION

Delaware County shall provide timely disclosure of records, information and documents related to the CDBG-DR program activities. Documents will be made available for copying upon request at the Delaware County Board Offices, Monday thru Friday, 9:00 a.m. thru 5:00 p.m. Such documents may include the following:

- 1. All meetings and promotional materials;
- 2. Records of hearings and meetings;

3. All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications;
4. Copies of the regulations concerning the program; and,
5. Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions, and Environmental Procedures.

VIII. CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of Delaware County to review all complaints received.

SECTION 2

The following procedures will be followed on all complaints received by Delaware County:

1. The complainant shall notify the Clerk of the Board of Supervisors of the complaint. The initial complaint may be expressed orally or by written correspondence.
2. The Clerk of the Board will notify the Chief Elected Official or designated representative of the complaint within three (3) working days.
3. The Chief Elected Official or designated representative will investigate the complaint and will report the findings to the Clerk of the Board within five (5) working days.
4. The Clerk of the Board will notify the complainant of the findings of the Chief Elected Official or designated representative in writing or by telephone within five (5) working days.
5. If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the Clerk of the Board who will forward the complaint and all actions taken by the Chief Elected Official or designated representative to the appropriate committee for its review. This will be accomplished within thirty (30) working days of receipt of the written complaint.
6. The appropriate oversight committee will have fifteen (15) working days to review the complaint and forward its decision to the complainant in writing.
7. If the complainant is aggrieved with the decision of the committee, he must notify the Clerk of the Board in writing that he desires to be afforded a hearing by the Legislative Committee. The complainant will be placed on the next regularly scheduled agenda. The Clerk of the Board will notify the complainant in writing of the date of the hearing.
8. The complainant must bring all relevant data, witnesses, etc., to the hearing. The Legislative Committee, at the hearing, will review the complaint and forward within fifteen (15) days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the Clerk of the Board will inform complainant of an appropriate date to expect a response. Within five (5) working days of reaching a decision, the complainant will be notified in writing of the decision.

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Fair Housing Complaints
New York State
Office of the Attorney General
Civil Rights Bureau
120 Broadway
New York, New York 10271
(212) 416-8250 (Voice)
(800) 788-9898 (TDD)
Email: civil.rights@ag.ny.gov
Website: www.ag.ny.gov

Complaints of Discrimination
New York State
Division of Human Rights
One Fordham Plaza, 4th Floor
Bronx, New York 10458
(718) 741-8300 (Voice & TDD)
Website: www.dhr.state.ny.us

SECTION 4
Delaware County will maintain a file for the purpose of keeping reports of complaints.

SECTION 5
This policy does not invalidate nor supersede the personnel or other policies of Delaware County which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6
This policy may be amended by a majority vote at any of the Delaware County Board of Supervisor’s regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan was adopted by the Delaware County Board of Supervisors in regular session on the 8th day of May, 2019, under Resolution No. 75.

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

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

RESOLUTION NO. 76

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$576,161.09 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	\$283,912.14
OET	\$3,647.48
Public Safety Comm System	\$17,496.07
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Landfill	\$67,064.58
Road	\$19,348.08
Machinery	\$46,905.24
Capital Road & Bridge	\$136,535.00
Capital Solid Waste	\$1,252.50

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Marshfield announced that Supervisors have received their summer youth employment packets. If anyone has any questions, please see Lara Yambor from the Youth Bureau who is in attendance.

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

RESOLUTION NO. 77

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss personnel matters.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Spaccaforo.

Upon a motion by Mr. Taggart and seconded by Mr. Marshfield, the meeting was adjourned at 3:45 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

**LOCAL LAW INTRO. NO. 21 OF 2019
SALARY INCREASE DISTRICT ATTORNEY**

MAY 22, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. No. 21 of 2019 in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, at 12:50 p.m. on Wednesday, May 22, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

LOCAL LAW INTRO. NOS. 21 THROUGH 22 OF 2019

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, May 22, 2019 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning proposed Local Laws as follows:

Introductory No. 21 - To set the salary of John Hubbard, District Attorney at \$200,400 per annum;

Introductory No. 22 - Establishment of the Delaware County Public Defender's Office.

All persons interested in speaking concerning the proposed local laws will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: May 17, 2019

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.

Manly Shults of Meredith stated that Mr. Hubbard's salary has increased by a little over 5% which is above the 2.75% increase of most employees and questioned why this salary was increased more than the cost of living allowance.

Chairman Molé stated that the county does not set the salary; the salary is set by the state.

Mr. Shults remarked that maybe it's time to push back to the state.

In answer to Mr. Taggart, District Attorney John Hubbard reported that state funding is \$73,000.

County Attorney Amy Merklen indicated that the District Attorney (DA) salary is connected to the salary of the County Judge. The DA gets the same salary as the County Judge. She stated that the Office of Court Administration (OCA) has recently pushed for salary increases for judges and since Mr. Hubbard's salary is tied to the judge's salary, he received the same salary increase as well.

Since no one else wished to speak, Chairman Molé declared the hearing adjourned at 12:55 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

LOCAL LAW INTRO. NO 22 OF 2019

ESTABLISHMENT OF THE DELAWARE COUNTY PUBLIC DEFENDER'S OFFICE

MAY 22, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. No. 22 of 2019 in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, at 12:55 p.m. on Wednesday, May 22, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

NOTICE OF PUBLIC HEARING

LOCAL LAW INTRO. NOS. 21 THROUGH 22 OF 2019

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, May 22, 2019 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning proposed Local Laws as follows:

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Dated: May 17, 2019

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 12:58 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
MAY 22, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 22, 2019 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. Spaccaforno and Mr. Davis.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

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

RESOLUTION NO. 78
TITLE: AUTHORIZATION FOR AWARDS
PUBLIC HEALTH SERVICES

WHEREAS, a request for bids (#2019-001) Delaware County Early Intervention and Preschool Special Education Program Transportation for the period September 1, 2019 through August 31, 2020 has been made and bids received; and

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED that the County Department of Public Health Services is authorized to make awards to the lowest bidders meeting specifications as follows:

Bid Sheet 1: Program Cluster 1 (Binghamton Area) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 608.89	\$194.79
Round Trip	\$ 457.69	

Bid Sheet 2: Program Cluster 2 (Cobleskill Area) – Birnie Bus Service, Inc

	Vehicle Category – Sm Bus	Vehicle Category - Van	1on1 Aide
Full Day			\$ 50.00
Round Trip	\$ 544.65	\$544.65	

Bid Sheet 3: Program Cluster 3 (Delhi Area) – Rolling V Bus Corp

	Vehicle Category – Sm Bus	Vehicle Category - Van	1on1 Aide
Full Day	\$ 465.00	\$ 478.00	\$ 179.27
Round Trip	\$ 425.79	\$ 434.79	

Bid Sheet 4: Program Cluster 4 (All of Greene County) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 597.00	\$ 194.79
Round Trip	\$ 505.63	

Bid Sheet 5: Program Cluster 5 (Kingston Area) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 640.84	\$ 179.23
Round Trip	\$ 489.64	

Bid Sheet 6: Program Cluster 6 (Monticello Area) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day		\$ 179.27
Round Trip	\$ 596.79	

Bid Sheet 7: Program Cluster 7 (Norwich Area)- Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 478.00	\$ 179.27
Round Trip	\$ 427.93	

Bid Sheet 8: Program Cluster 8 (Oneonta Area) – Birnie Bus Service Inc

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 497.99	\$ 50.00
Round Trip	\$ 468.48	

The resolution was seconded by Mr. Marshfield.

In response to Ms. Molé, Director of Public Health Services Amanda Walsh confirmed that the company BMC is part of the bidding process. For another level of cost savings, this bid proposal is for one year in order to align with Otsego County bids for cutting costs.

In answer to Mr. Taggart, Ms. Walsh confirmed that transportation is necessary to all eight areas based on special needs with some children needing multiple services.

In response to Mr. Eisel and Mr. Gladstone, Ms. Walsh stated that approximately 25 to 30 children utilize the transportation program each day.

The resolution was adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Spaccaforno, Davis).

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

RESOLUTION NO. 79

**TITLE: CHANGE ORDER NO. 2 PROP NO. 35-18
DELAWARE COUNTY BRIDGE STRUCTURAL STEEL PRESERVATION PROJECT
PIN 9754.33, D035907
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 188 of 2018 authorized the award of 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 for the bid amount of \$283,000.00; and

WHEREAS, Resolution No. 63 of 2019 authorized the execution of Change Order No. 1 of Proposal No. 35-18 extending the contract completion date until May 10, 2019; and

WHEREAS, the consulting engineering firm that has been performing the construction inspection has been working with the contractor to reach agreement on the final quantities for the contract; and

WHEREAS, the final quantities have been determined resulting in a net decrease of \$21,439.99.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal No. 35-18 decreasing the contract by \$21,439.99 resulting in a final contract amount of \$261,560.01.

The resolution was seconded by Mr. Eisel.

In response to Mr. Eisel, Ms. Molé commented that a decrease does not occur very often.

The resolution was adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Spaccaforno, Davis).

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

RESOLUTION NO. 80

TITLE: APPOINTMENT OF PUBLIC DEFENDER PUBLIC DEFENDER'S OFFICE

BE IT RESOLVED that Joseph A. Ermeti is hereby appointed as Delaware County's Public Defender for a term of office to run from August 1, 2019 to December 31, 2020 at an annual salary of \$105,000; and

BE IT FURTHER RESOLVED that the Public Defender shall function under the authorization of the Board of Supervisors and shall perform such other duties as may from time to time be assigned by the Board of Supervisors and the Board Committee having oversight responsibility for the Public Defender's Office currently the Legislative Committee; and

BE IT FURTHER RESOLVED that the Public Defender may within the budgetary limitations provided therefore and pursuant to applicable laws notwithstanding Civil Service Law, appoint and remove such deputies and other personnel necessary and proper to carry out the activities of the department.

The resolution was seconded by Mr. Ellis 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. 81

TITLE: SALE OF COUNTY-OWNED PROPERTY OFFICE OF THE COUNTY ATTORNEY

WHEREAS the County published a notice to sell the county-owned property located at 38 Franklin Depot Street, Sidney Center, NY by sealed bid; and

WHEREAS the notice to sell was published in all three (3) official papers, and

WHEREAS Colin Frost and Christina Lawes submitted a sealed bid of \$10,010.00 for said property.

BE IT RESOLVED that the Office of the County Attorney is authorized to make award to the following sealed bid proposal to purchase 38 Franklin Depot Road, Sidney Center, NY:

Sold to: Colin Frost
Christina Lawes

Sealed Bid Price: \$10,010.00

RESOLVED that the county-owned property be sold to the parties indicated for the price herein stated and the County Attorney is authorized to take all steps necessary to finalize the sale of said property.

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4292, Noes 0, Absent 507 (Spaccafino, Davis).

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

RESOLUTION NO. 82

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,840,652.86 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	\$1,790,796.86
OET	\$40,048.74
Public Safety Comm System	\$38,740.00
CAP 97 Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$292.38
Landfill	\$187,728.47
Road	\$44,447.03
Machinery	\$106,247.01
Capital Road & Bridge	\$632,352.37
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4292, Noes 0, Absent 507 (Spaccafino, Davis).

Mr. Eisel recalled Local Law Intro. No. 21 to increase the salary of the District Attorney. The local law was seconded by Mr. Vernold.

In response to Mr. Taggart, County Attorney Amy Merklen stated that the verbage ‘pursuant to Judiciary Law §183-a’ indicates that the state mandates the salary.

Supervisor Pigford expressed his concern that every town and village Supervisor deals with a two percent tax ceiling every year and conscientiously seeks to abide by that. He believes it is not unreasonable to make a request on the state level that their salary increments be kept to that level. He proposed this as a statement from this Board.

The local law was unanimously adopted.

Mr. Eisel recalled Local Law Intro. No. 22 for establishment of the Delaware County Public Defender’s Office. The local law was seconded by Mr. Ellis and unanimously adopted.

Supervisor Vernold told the Board about a special Town Board meeting he held at the Hancock High School for Grades 9-12. He spoke to the students about how town government works and he expressed that students have great questions. He urged Supervisors to consider a similar program in their towns to engage youth because someday, these students may very well be involved in local government.

Chairman Molé pointed out that a class from Andes Central School will be visiting in June to learn about town and county government.

Supervisor Cetta reminded all in attendance to be mindful of the reason for the upcoming holiday weekend, particularly Memorial Day.

Supervisor Marshfield stated that the County Board needs to address the proposed state legalization of marijuana and a resolution needs to be brought forward as to where the Board stands on the issue.

Chairman Molé indicated that the issue will be addressed at the next Board meeting.

Upon a motion, the meeting was adjourned at 1:25 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JUNE 26, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 26, 2019 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. Spaccaforno.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

Chairman Molé granted privilege of the floor to Mr. Taggart who introduced the 2019 Delaware County Dairy Princess Theresa Cerosaletti. Ms. Cerosaletti is the 17-year old daughter of Paul and Amy Cerosaletti of Davenport Center and her family has roots in the dairy industry here in Delaware County.

Miss Cerosaletti thanked the Board of Supervisors for the opportunity to speak about the dairy industry. In the short time of being Dairy Princess she has already done several school programs teaching young children about the dairy industry where she explains that dairy farmers take good care of their cows and take care of the environment. She has attended Dairy Day at the State Capitol as well as local events such as the Meredith Dairy Fest and the Harpersfield Grange.

We have long known and promoted that milks grows healthy bodies by providing nine essential nutrients including calcium for healthy bones and teeth and protein that builds strong muscles. While this is true, there are more newly discovered health benefits of dairy—specifically dairy with higher milk fat content. Studies have found that higher consumption of dairy, especially higher fat dairy, is associated with reduced risk of cardiovascular disease and can be beneficial in preventing obesity and type 2 diabetes and is also beneficial for the growing brains of children.

Producing this nutritious and high quality milk starts with comfortable, healthy, and happy cows. Dairy farms everywhere continually adopt practices that keep their cows comfortable and healthy. Farmers use tunnel ventilation, sand-bedded stalls, and specialized calf housing in which calves can be kept clean and dry and provided plenty of fresh air. In addition, farmers and their cattle nutrition advisors develop precisely balanced rations for cows to keep them healthy and productive. Farmers are also involved in proactive disease prevention by regularly vaccinating their animals, working with veterinarians, following herd health protocols, and participating in animal health and wellness programs like the New York State Cattle Health Assurance Program.

Our dairy farmers are working proactively to produce not only healthy milk but also clean water and healthy environments. Delaware County is a leader in New York State in the development and adoption of innovative environmental management programs such as the Watershed Agricultural Council in the New York City Watershed and the New York State Agricultural Environmental Management Program in the Susquehanna and Delaware River Watersheds. Our dairy farmers recognize the importance of participating in these programs as evidenced in an over 90% participation level. Farmers are adopting practices such as reduced- and no-till planting and cover crops which build healthy and productive soils that are more resilient in extreme weather conditions, reduce runoff or flooding, and sequester more carbon.

Dairy farms are the backbone of the agricultural economy in Delaware County. Our dairy farms, as a natural resource-based industry, creates economic activity by taking natural resources such as sunlight, soil and water and turning them into milk which helps sustain local communities by bringing dollars from outside Delaware County into our communities. This economic impact is huge. Milk sales bring twenty-five million dollars into Delaware County each year and is the county’s largest agricultural industry. To put this in perspective, the next largest agricultural industry in Delaware County is cattle that is sold for beef which generates six million dollars each year and a significant portion of that money comes from cull dairy cattle which are sold for beef.

Miss Cerosaletti thanked the Board of Supervisors for the opportunity to speak and she invited all in attendance to enjoy milk punch and cheese and crackers in the lobby at the conclusion of the meeting.

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

RESOLUTION NO. 83

**TITLE: 2019 BUDGET ADMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH SERVICES**

WHEREAS, Public Health Services has been awarded opioid grant funding which includes the purchase of laptops for Delaware County medical examiners; and

WHEREAS, the laptops purchased were more expensive than originally quoted; and

WHEREAS, a transfer of funds is necessary to complete this purchase.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

<u>INCREASE APPROPRIATIONS:</u>		
10-14012-52200001/4012017/906	Equipment-Grants	\$524.80
<u>DECREASE APPROPRIATIONS:</u>		
10-14012-54327000/4012017/906	General Grant Related Exp	\$524.80

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 84

**TITLE: APPROPRIATION OF SURPLUS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there have been unanticipated expenses added to the contractual line of the Road Fund after the budget was approved; and

WHEREAS, the estimated cost of the work that must be done in the road maintenance line exceeds the budgeted amount by \$425,150.00; and

WHEREAS, the work needs to be done to maintain the integrity of our roads;

NOW, THEREFORE, BE IT RESOLVED that the 2019 County Budget be amended as follows:

DECREASE FUND BALANCE:

24-00000-34915000	Assigned Unappropriated Fund Balance	\$425,150.00
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INCREASE APPROPRIATION:

24-15110-54000000	Contractual Expenses	\$425,150.00
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The resolution was seconded by Mr. Vernold.

Supervisor Haynes stated this resolution is needed as County Route 44 and County Route 2 true and level repairs were more extensive than anticipated.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforno).

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

RESOLUTION NO. 85

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

LETTING OF JUNE 6, 2019

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. 29-19	Oxbow Salt Storage Building New Lean-To and New Metal Roof and Delhi salt Storage Building New Metal Roof to: Park Lane Construction & Development Corp., 10269 Old Route 31 West, Clyde, NY 14433
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Bid Price:	*\$179,150.00
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*An estimated amount of materials was used for the basis of the award. The actual amount paid will be based on the final agreed upon quantities.

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.

In response to Mr. Marshfield, DPW Commissioner Susan McIntyre stated that Alpine Metal Roofing of Sidney did not submit a bid. Mr. Marshfield commented that his town is bidding out a metal roof for their town hall and Alpine makes sheets in any length.

In answer to Mr. Taggart, Ms. McIntyre confirmed that only one bid was received on this proposal.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 86

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

LETTING OF JUNE 4, 2019

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. SW1-19 Purchase of Tandem Axle Roll-Off Truck to: Tracey Road
Equipment, 6803 Manlius Center Rd, East Syracuse, NY 13057

Purchase Price: \$156,232.00 each (\$312,464.00)

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. Vernold and Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 87

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

WHEREAS, a Project for the replacement of BIN 3352240, Arbor Hill Road over Little Delaware River, P.I.N. 9754.97 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Right-of-Way Incidentals 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 Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$10,000 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. Tuthill.

In response to Mr. Marshfield, DPW Commissioner Susan McIntyre confirmed that this project is by the golf course in Delhi.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforno).

Mr. Ellis introduced Local Law No. 22 of 2019 which was seconded by Mr. Merrill.

INTRO. LOCAL LAW NO. 22 OF 2019
TITLE: A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1991 OF THE
DELAWARE COUNTY SELF INSURANCE PLAN

BE IT ENACTED by the Board of Supervisors of the County of Delaware that Local Law No. 2 of 1991, which amended Local Law No. 1 of 1956, be amended as follows:

1. The Plan of self-insurance provided for in Article 5 of the Workers' Compensation Law is hereby established and shall be known by the name of "Delaware County Self-Insurance Plan."
2. The Plan of mutual self-insurance heretofore adopted pursuant to former Subdivision 3-a of Section 50 of the Workers' Compensation Law is hereby continued.
3. The Plan of self-insurance hereby established shall be under the supervision of a committee of at least three [3] members of the Delaware County Board of Supervisors, who shall be appointed annually by the Chairman at the organizational meeting of the Board of Supervisors.
4. The Committee in charge of said Plan shall appoint an administrator of said Plan. Such administrator may hold another position in the county government and perform the duties of administrator in addition to such other position.
5. The County of Delaware shall be a participant in the Plan, the Delaware County Soil Conservation District, the towns, villages, and fire districts may elect to become participants

of said Plan. Any municipality or district electing to become a participant shall file a certified copy of a resolution or ordinance of its governing body electing to become a participant on or before the 15th day of August in any year, with membership to be effective on the 1st day of January following such election. Any participant may withdraw from said Plan by filing a certified copy of a resolution or ordinance of its governing body electing to withdraw upon the condition that it agrees to pay its proportionate share of the estimated liabilities of said Plan at the time of withdrawal, payment of such liability may be either in a lump sum or as they accrue.

6. The annual estimate of expense shall be apportioned among the participants in the proportion that the full valuation of each participant bears to the aggregate full valuation of all the participants.
7. All participants in the Plan shall cooperate fully with the committee in the administration of the Plan, shall render reports as may be requested and/or required by law or regulation, and shall promptly furnish all pertinent information relative to any claim, and aid in the investigation of any claim. If the requested paperwork is not filed timely and the New York State Workers' Compensation Board penalizes the Plan, it is the responsibility of the participant to reimburse said Plan within thirty (30) days from the date of notification by the Plan. If payment is not received within thirty (30) days, the participant may be discharged from said Plan by the Administrator.
8. The amount due from each participating village as its share of the annual estimate of the Plan shall be paid to the County Treasurer within thirty days after the commencement of such participant's fiscal year. The amount due from each town and fire district in the Plan shall be included in the next succeeding tax levy against property taxable by the participant responsible therefor.
9. The violation of any of the provisions of the foregoing sections by any participant shall be grounds for the expulsion of such participant from the Plan, at the discretion of the Administrator.
10. A self-insurance reserve, with a minimum sum of \$500,000, is hereby established for the Plan. Any balance remaining at the close of the fiscal year may be transferred to the reserve hereby created. The specific amount of said reserve shall, from time to time, be determined by the Administrator and the Committee.
11. The Committee, subject to the approval of the Board of Supervisors, may purchase employers' liability and/or excess or catastrophe insurance, the cost thereof to be paid from the funds of the Plan.
12. The County Treasurer shall pay to the claimants Workers' Compensation benefits as provided in Section 25 and medical expenses as provided in Section 13 of the Workers' Compensation Law upon submission by the Administrator. Insofar as benefits may be payable for volunteer firemen, references to Workers' Compensation Law shall be deemed to mean the similar sections of the Volunteer Firemen's Benefit Law. Other payments of the Plan shall be made by the County Treasurer upon vouchers duly audited by the Committee appointed to supervise the Plan.
13. The Committee of the Board of Supervisors appointed to supervise the Plan shall have general supervision of the Plan; shall appoint the administrator and other employees of the Plan; within the limits of the appropriation therefor shall audit all bills or claims against the Plan before payment: [except such sums as may be payable under Workers' Compensation Law, Section 25 and Section 13 and awards of the Workers' Compensation Board's shall have the power to make the necessary rules and regulations to provide for the administration of the Plan; shall have the authority to do any matter in the settlement of any case. The administrator and other employees of the Plan shall receive such salary or other remuneration, payable from the moneys of the Plan, as shall be fixed by the Board of Supervisors.
14. The administrator, including without limitation the administrator's designee or third-party administrator, shall perform such duties as may be necessary to operate the Plan in accordance with the Workers' Compensation Law; shall have the power to authorize necessary medical

care which appears from medical reports and information to be justifiable; shall have the authority to purchase supplies, stationery, forms, books, equipment as may be necessary for the operation of said Plan within the limits of the appropriation and subject to the rules of the Board of Supervisors.

15. This Local Law shall take effect immediately.

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

RESOLUTION NO. 88

TITLE: RESOLUTION CALLING FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW INTRO. NO. 22 OF 2019

WHEREAS, a proposed Local Law amending Local Law No. 2 of 1991 of the Delaware County Self Insurance Plan has been offered for adoption by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on the 24th day of July 2019 at 12:45 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Merrill and 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. 89

TITLE: NOTICE OF LEAD AGENCY FOR SEQR REVIEW PRIOR TO PURCHASE DEPARTMENT OF PUBLIC WORKS – SOLID WASTE DIVISION

WHEREAS, the property at 64 Neale Road has gone back to the bank after foreclosure proceedings; and

WHEREAS, the Neale Road property containing 2.2 acres identified as Town of Walton Tax Map #275.-2-25 is contiguous to the Solid Waste Management Center; and

WHEREAS, pursuant to Resolution No. 221 of 2017 the Delaware County Board of Supervisors adopted *Final Delaware County Solid Waste Management Plan 2018-2027 and Long-Term Expansion of the Solid Waste Management Center* calls for the continuation of the Solid Waste Management Center at its current location; and

WHEREAS, the Public Works Committee believes that the purchase of this property is consistent with the long term solid waste service goals for the County and is in the best interest of the Department; and

WHEREAS, based on a review of NYCRR Section 617.4, it has been determined this action is considered an unlisted action for the purposes of the State Environmental Quality Review (SEQR); and

WHEREAS, Delaware County was the designated lead agent for SEQR review for the development and adoption of the Local Solid Waste Management Plan (2018 to 2027);

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors declares themselves lead agency for the purchase of property at 64 Neale Rd.

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

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

RESOLUTION NO. 90

TITLE: AUTHORIZATION TO ENTER INTO AN AGREEMENT PURCHASE PROPERTY DEPARTMENT OF PUBLIC WORKS – SOLID WASTE DIVISION

WHEREAS, the property at 64 Neale Road has gone back to the bank after foreclosure proceedings; and

WHEREAS, the Neale Road property containing 2.2 acres identified as Town of Walton Tax Map #275.-2-25 is directly adjacent to the Solid Waste Management Center; and

WHEREAS, the Public Works Committee believes that the purchase of this property is in the best interest of the Department; and

WHEREAS, an environmental review shall be performed before assuming ownership of the property;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is hereby authorized to enter into an agreement with Fannie Mae to purchase the property at a price not to exceed \$48,000.00, contingent upon clear title and completion of SEQR review.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4109, Noes 558 (Cetta), Absent 132 (Spaccaforno).

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

RESOLUTION NO. 91

TITLE: PUBLIC HEARING FOR THE INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED AGRICULTURAL DISTRICTS DURING THE DESIGNATED THIRTY- DAY PERIOD FOR ANNUAL DISTRICT REVIEW

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, 2019 and closing April 30, 2019 during 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; 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 Districts Nos. 6 & 12.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Wednesday, July 24, 2019 at 12:50 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

Town of Sidney: Agricultural District No. 12

Tax Map ID# 116.-1-34.2 (3.6 ac.) County Route 23. Hops production/processing.

Town of Hancock: Agricultural District No. 6

Tax Map ID# 458.-1-11.1 (145.21 ac.), 458.-1-11.2 (2 ac.) & 458.-1-11.3 (2 ac.) Hoolihan Brook. Hay.

Town of Colchester: Agricultural District No. 6

Tax Map ID# 298.-3-4.11 (56.58 ac.) County Route 26. Hay, Berries.

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

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

RESOLUTION NO. 92

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,022,938.70 were hereby presented to the Finance Committee for approval for payment on June 26, 2019 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	\$959,053.57
OET	\$15,019.10
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$379.29
Machinery	\$35,898.22
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$12,588.52

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,433,770.77 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	\$525,279.81
OET	\$19,907.37
Public Safety Comm System	\$148,322.10
CAP 97 Main Street	\$0.00
CAP MHC	\$806.65
Highway Audits, as Follows:	
Weights and Measures	\$82.52
Road	\$154,395.52
Machinery	\$210,200.55
Capital Road & Bridge	\$194,068.26
Capital Solid Waste	\$2,081.49
Solid Waste/Landfill	\$178,626.50

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Chairman Molé called for a short recess so Supervisors could enjoy the reception and refreshments that Dairy Princess Theresa Cerosaletti offered to the Board.

The meeting reconvened in regular session with all Supervisors present except Mr. Spaccaforo.

Supervisor Ellis requested a confidential meeting regarding a personnel matter which was seconded by Supervisor Merrill. A private and confidential meeting was conducted with the County’s attorneys in accordance with the Open Meetings Law section 108(3).

The meeting reconvened in regular session with all Supervisors present.

Upon a motion, the meeting was adjourned at 3:20 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

LOCAL LAW INTRO. NO. 22 OF 2019

**LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1991 OF THE
DELAWARE COUNTY SELF INSURANCE PLAN**

JULY 24, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. No. 22 of 2019 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, July 24, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

NOTICE OF PUBLIC HEARING

LOCAL LAW INTRO. NO. 22 OF 2019

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Wednesday, July 24, 2019 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning Delaware County Local Law Intro. No. 22 of 2019 entitled Delaware County Self Insurance Plan.

All persons interested in speaking concerning the proposed local law will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: July 17, 2019

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

**INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED
AGRICULTURAL DISTRICTS DURING THE 2019 THIRTY-DAY PERIOD FOR
ANNUAL DISTRICT REVIEW**

JULY 24, 2019

The Delaware County Board of Supervisors held a Public Hearing concerning the inclusion of land(s) into Agricultural District No. 6 and Agricultural District No. 12 in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, at 12:50 p.m. on Wednesday, July 24, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

NOTICE OF PUBLIC HEARING

INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2019 THIRTY-DAY PERIOD FOR ANNUAL DISTRICT REVIEW

PLEASE TAKE NOTICE that the Delaware County Board of Supervisors will hold a Public Hearing, Wednesday, July 24th 2019 at 12:50 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. 6 and Agricultural District No. 12. 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:

Town of Sidney: Agricultural District No. 12

Tax Map ID# 116.-1-34.2 (3.6 ac.) County Route 23. Hops production/processing

Town of Hancock: Agricultural District No. 6

Tax Map ID# 458.-1-11.1 (145.21 ac.), 458.-1-11.2 (2 ac.) & 458.-1-11.3 (2 ac.) Hoolihan Brook. Hay

Town of Colchester: Agricultural District No. 6

Tax Map ID# 298.-3-4.11 (56.58 ac.) County Route 26. Hay, Berries

A map and list of properties is available for inspection in 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: July 17, 2019

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.

Howard Finch from County Highway 23 in the Town of Sidney stated that he lives next to the property owned by the Woods who are asking for inclusion into the agricultural district. He stated he has no objections to them growing hops, however, he does have objection to their belief that their property being in the ag district would give them the right to operate a farm brewery under the protection of the Right to Farm Law. They believe that this would give them the right not to obey the town law on zoning and the need for a site plan and review process. Being in an ag district should not equate to an unrestricted commercial activity. Mr. Finch stressed that he intends to continue to protect his adjacent residential property from this large-scale, outside recreational activity and the serious health and safety issues that this commercial activity has presented.

Mariane Kiraly from Cornell Cooperative Extension stated that she received some information from Bob Somers of New York State Department of Ag and Markets which may be helpful to town supervisors. She distributed copies of *Guideline for Review of Local Laws Affecting Farm Operations Which Produce, Prepare and Market Crops for Wine, Beer, Cider and Distilled Spirits*. The state has put forth and promoted the on-farm brewery. The brewery may or may not receive the protection for on-farm breweries if it is not classified as such. That kind of classification occurs when more than 51% of the product coming off that brewery must be from the farm's own production.

Ms. Kiraly stated that the Agricultural and Farmland Protection Board met on this issue and forwarded the issue to this County Board, and ultimately, New York State Ag and Markets will have the final say. Mr. Somers had indicated that this issue has come up in other areas of the state and a decision by Ag & Markets is still in flux.

Ms. Kiraly noted that Cooperative Extension has two agri-tourism series of workshops for people who are getting into agri-tourism and one of the first items on the agenda is to interface with towns and counties with zoning.

Since no one else wished to speak, Chairman Molé declared the hearing adjourned at 12:58 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JULY 24, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 24, 2019 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. Merrill, Mr. Marshfield, and Mr. Spaccaforo.

Mr. Pigford offered the invocation.

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

Chairman Molé identified former County Attorney Richard Spinney as a guest at today's board meeting.

The minutes of the previous meeting were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Axtell. Mr. Axtell introduced Director of Emergency Services Steve Hood to discuss Emergency Medical Services coverage in the County.

Mr. Hood thanked the Board for the opportunity to present the status of this issue and introduced Emergency Medical Services Coordinator Margaret Wilson who also serves as Deputy Director of Emergency Services to give a PowerPoint presentation. He stated that Emergency Services Coordinator is a position outlined under Article 6 of Public Health Law, and part of that job is the provision and upkeep of the county's emergency medical services and mutual aid plan which is becoming increasingly difficult as the situation with EMS in the County is rapidly approaching a crisis stage.

Ms. Wilson explained that Emergency Medical Services (EMS) refers to medical professionals who respond and treat people in crisis health situations in the pre-hospital environment. EMS professionals deliver treatments that once were only available in a hospital. EMS treat patients with a wide variety of life-threatening situations from car accidents, drownings, cardiac arrest, strokes, overdose, traumas and mass casualty incidents. The system at this time is made up of ambulances and first responders. Agencies that have ambulances have the ability to transport where first responders do not have that capability.

EMS has become an expected public service, however, there is no legal mandate for its provision like there is for fire protection and law enforcement. EMS has been expected and has for the most part in Delaware County been provided along with fire protection, thus a portion of fire protection tax has gone to providing ambulance service.

There is no national authority that oversees EMS and no dedicated funding streams for that service. At the state level, there are also problems with funding and reimbursement as well as a lack of a standardized system. Each county approaches EMS in a different way. The current system design for Delaware County is made up primarily of fire districts also known as

fire-based which are volunteer agencies. People volunteer their time to take the training; they volunteer their time to maintain their certification; and they volunteer their time to run on the ambulance. Delaware County has one hospital-based ambulance which is a paid service. The people who ride on the ambulance receive a paycheck for their time. Our system also includes paid agencies including not-for-profit, commercial, and municipal agencies.

An ambulance is a transporting unit equipped to meet the standards set forth by New York State Department of Public Health. Ambulances have minimum staffing requirements of an Emergency Medical Technician (EMT) and a driver. They have minimum equipment requirements which leads to operation costs. Ambulances also have a set area in which they can provide EMS care. This area is known as a Certificate of Need (CON). This CON is determined by the New York State Bureau of EMS and Trauma Services and states where an ambulance can provide primary EMS response. Any response outside the CON is termed mutual aid and should be limited to those times the CON holder is unavailable to respond.

First Responders are non-transporting units and are also governed by the New York State Bureau of EMS and Trauma Services. They have minimum staffing and equipment requirements and a primary response area (CON). First responders are required to contract with another EMS agency in order to provide transport to the hospital. Three levels of EMS Responders are Certified First Responder (CFR), Basic Life Support (BLS) which includes EMT, and Advance Life Support (ALS) which includes (Advanced Emergency Medical Technician (AEMT), critical care, or paramedic. Becoming an EMT requires training that takes on average 6 months or 140-160 classroom hours. A paramedic is advanced life support and involves 1 to 2 years of rigorous schooling.

EMS in Delaware County is covered primarily by fire-based EMS volunteer agencies. Fire protection is an essential service and EMS is provided as part of that service. These agencies provide emergency medical services to their local communities for a fraction of the cost of a paid system. Ambulance availability is dependent on the volunteers available to staff the ambulance.

Agencies that provide emergency medical services are struggling all across New York State. Agencies are closing every day in the state. People in need of emergency medical assistance expect that EMS will arrive when needed, 24 hours a day/7 days a week, which means volunteers are asked to be available 24 hours a day/7 days a week to help meet this demand. Most people are not aware that the current system is actually failing. There have already been situations where this expectation has not been met and ambulances do not arrive in a timely fashion. In our current system in Delaware County, some people have had to wait up to an hour for an ambulance. The situation is very critical at this point. The system is failing because of increased demands on the system. A lot more people are calling the ambulance and not just in life threatening situations. With the lack of primary care, people utilize ambulance and the emergency room as their doctor's office. To get to the emergency room faster, they call the ambulance. In addition, there are longer transport times because new rules and regulations require ambulances to take patients to hospitals out of the area such as Albany, Wilson, and Bassett and now volunteers must spend even more time on ambulance calls. Another reason the system is failing is a lack of volunteers. People working multiple jobs, an aging population in Delaware County, and people working out of the community prevent them from volunteering. Large employers no longer release employees to allow them to cover emergency calls. In addition, the educational requirements for basic EMS of 140 to 160 hours is a large demand in itself.

Delaware County currently has 16 transporting agencies dispatched by Delaware 911 and 6 BLS first response agencies. Of the 16 transporting agencies, 4 agencies have paid staff and 12 agencies are volunteer. The volunteer agencies have on average 6 people who are certified for that ambulance—some agencies in Delaware County have only 1 certified person left on their ambulance. With that average, in order to provide 24 hour-a-day/7 day-a-week coverage, a volunteer would need to commit to covering 28 hours a week; essentially another part-time position uncompensated. Local EMS agencies are not able to meet the 24 hour-a-day/7 day-a-week demand. This pushes the calls onto other districts and agencies (mutual aid) causing prolonged response time and taking ambulances away from their primary response zone.

Some fire districts have decided to stop providing EMS care altogether. It is not required that they do so; it is just historically expected. The districts can stop providing the service without any consequences.

In answer to Chairman Molé, Ms. Wilson confirmed that in Delaware County this has already taken place in Stamford. The Stamford Fire District decided a year ago that they would no longer provide ambulance coverage. Stamford Fire Department started a first response and signed a contract with the prior Cooperstown Medical Transport which has now become AMR. That contract is “as available” and as soon as AMR is not available, then the call will go to mutual aid from three counties.

In New York State, fire districts by law are not allowed to bill for services to help cover operating costs. Any other type of ambulance service can bill for services—fire districts cannot. All the costs of response calls fall back on the taxpayer of the primary fire district.

To bridge the gap, some volunteer agencies have tried to supplement their gaps in coverage by the use of paid ambulance services. The Town of Sidney and the Town of Hancock went to paid ambulance services. Some fire districts signed contracts with commercial agencies, however, most of those contracts are on an “as available” basis. There is no monetary exchange but the contracts do not stipulate service markers and these types of contracts can lead to prolonged response times and inconsistent levels of care.

New York State General Municipal Law indicates political subdivisions of county, town, city, or village may provide prehospital emergency medical care but does not indicate that they must or that they shall. This leads back to whose responsibility is it to make sure somebody in need is going to get an ambulance. Legally, it’s no one’s responsibility. Article 30 of Public Health Law grants the ability for an agency to provide EMS services by issuing an operating certificate (CON). This allows an agency to provide care inside a specific geopolitical boundary.

In answer to Chairman Molé, Ms. Wilson explained that the Sidney EMS is not tax based and there is no contract with the Town of Sidney. Sidney is successful in that they have 2 ambulances on the road most days. However, staffing is a problem. Finding people who want to work on an ambulance is a huge problem. The Town of Sidney is able to bill for services because they have a high call volume. Sidney has a hospital there that they do inter-facility transports, plus they have a higher call volume, and they do a lot of mutual aid. They have higher call numbers to be able to bill from. A rural community does not have the call volume. The New York State guidance indicates that in order for a service to be able to pay for itself, there needs to be 1,000 calls.

Supervisor Pigford noted that the ambulance service in Sidney depends very much on the transport reimbursement rather than the first responders.

Ms. Wilson expressed that people need to understand the dire situation in Delaware County with emergency medical services. People need to understand what EMS is and what services they provide and how important it is to the residents of Delaware County. Everyone needs to work together towards a common goal—that goal being timely and quality emergency services to the residents of Delaware County. Collaborative efforts are needed from each municipality to work towards this common goal. This problem is facing Delaware County as a whole. Who will step up and accept responsibility to provide this service and what is this service worth to the taxpayers? While this is not viewed by the State of New York as an essential service, it is very essential to someone whose life is on the line.

In reply to Mr. Taggart, Ms. Wilson stated that commercial agencies provide 911 response as a courtesy—they make their profit from providing facility transports. When they respond in emergency situations, they are helping support the system as a whole.

Supervisor Triolo stressed that this is not a new problem. He had tried to find someone at the County to recognize the entire situation. In the Stamford area, Mr. Eisel, Mr. Haynes and he looked at the problem. His simple question from a year ago of how many calls are in that area has gone unanswered. He asked how they are to plan without information about the calls. Director of Emergency Services Steve Hood stated there is a problem getting information out of

the system, but that shouldn't prevent the planning process from beginning. He is of the opinion that the township area of Stamford, Harpersfield, and Kortright does not have enough calls for ambulance service. Collaboration is key. The whole northern end of Delaware County needs to get together and start planning this process. EMS is not a money-making venture. Anyone who thinks they will make money providing EMS is sadly mistaken. Eventually, somebody's not going to get an ambulance in Delaware County.

In answer to Mr. Cetta, Ms. Wilson confirmed that if a call comes in for an ambulance, an ambulance must respond regardless of the type of medical issue. Many of the agencies are stressed because of receiving many nonemergency calls.

In reply to Mr. Eisel, Ms. Wilson stated that Cooperstown Medical Transport (CMT) no longer exists; they are now American Medical Response (AMR) and they are not dedicated to Delaware County. They are a private commercial agency with their own CON and they are not committed to anybody. Their CON says they bought CMT which says Delaware, Otsego, and Chenango Counties but they cover much more of the state than that. They are covering huge portions with the same number of ambulances that CMT had. Response times and availability are now expanded over a greater distance. In addition, there are not a lot of people who are certified to provide that service in Delaware County. All agencies are pulling from the same number of qualified people.

In response to Mr. Pigford, Ms. Wilson explained that LifeNet very rarely responds to a scene where there isn't some type of ambulance transport. When it's necessary to utilize a service like LifeNet, the patient is loaded into an ambulance and transported to meet the helicopter.

In answer to Mr. Hynes, Ms. Wilson confirmed that there has not been any movement on the legislative bill that would change the ruling and allow billing. She stated that the bill has been brought before the legislature for many years and every year it gets voted down.

In response to Mr. Davis, Ms. Wilson agreed that small towns in Delaware County do not have a large enough population to afford an ambulance. A solution will require building upon the existing system.

In reply to Mr. Hynes, Ms. Wilson acknowledged how much time and effort is required by EMT volunteers. In addition, the state raises the standards every year for what they require volunteers to do and as to what skills are required.

Mr. Hood advised the Board that current fire departments are where EMS was ten years ago. Basic fire training is the same as basic EMS training.

Supervisor Layton opined that there are too many rules and regulations. When he was on the Trout Creek Fire Emergency Squad over 40 years ago, and when a call came in, the ambulance responded and they brought the patient to the hospital. The service was fast and efficient.

In answer to Mr. Davis, Ms. Wilson stated that other counties have managed to address this situation, however, not a lot of counties are like Delaware County. We are very unique in our emergency medical services. We need to determine what the towns are willing to spend on the system and just how long is acceptable to wait for an ambulance.

Supervisor Triolo commented that he was quoted \$250,000 for one dedicated ambulance. Ms. Wilson reported that the cost of a BLS level ambulance for the Town of Delhi is \$350,000 staffed 24 hours a day, 7 days a week. These amounts triple the fire budget. Volunteers cost very little and provide a service that essentially saves up to \$350,000 a year.

Mr. Hood indicated that currently 10% or less of fire district funds go to EMS services.

In response to Mr. Davis, Ms. Wilson indicated that Delaware County as a whole can apply for a CON as a municipality and have the primary operating area be all of Delaware County. A town can apply for a CON and have that primary response area be all of that town.

There are legal fees for the application and the CON is only good for two years, then you have to show that you did a good job in those two years and then you can keep the CON.

Mr. Hynes opined that even with the best system in the world, you still need people to run it.

Ms. Wilson stated that Delaware County has a training center and has the ability to train for EMT, CFR and AEMT certification.

Chairman Molé thanked Ms. Wilson for the informative presentation.

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

RESOLUTION NO. 93
TITLE: 2019 BUDGET AMENDMENT
STATE FUNDING HURRELL-HARRING
OFFICE OF THE PUBLIC DEFENDER

WHEREAS, Local Law No. 3 of 2019 created the Office of the Public Defender and a budget needs to be established to fund the office; and

WHEREAS, the County has been allocated funding for the next five years from the statewide expansion of the Hurrell-Harring settlement. These funds are distributed to counties to assist with providing indigent legal services.

THEREFORE, BE IT RESOLVED that a budget be established for the Office of the Public Defender using the first year of Hurrell-Harring funds as follows:

ESTABLISH REVENUE ACCOUNT NO.

10-11171-43302500	State Aid – Indigent Legal Serv. Fund	\$173,122.82
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ESTABLISH APPROPRIATION ACCOUNT NOS.

10-11171-51000000	Personnel Services	\$71,600.00
10-11171-52200000	Equipment	\$55,467.74
10-11171-54000000	Contractual Expense	\$5,243.08
10-11171-58000000	Fringe Benefits	\$40,812.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

Chairman Molé stated that the new public defender will be starting August 1.

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

RESOLUTION NO. 94
TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF RAISE THE AGE FUNDING
ADOLESCENT TRANSITIONING PROGRAM
PROBATION DEPARTMENT

WHEREAS, on October 1, 2018, the age of criminal responsibility was raised to seventeen years of age and on October 1, 2019, the age of criminal responsibility will be raised to eighteen years of age; and

WHEREAS, one hundred percent of all costs associated with increase in the age of criminal responsibility will be reimbursed by the State of New York; and

WHEREAS, the Probation Department submitted and received approval on a financial application to request the funding necessary for the programs dedicated to this population; and

WHEREAS, the Probation Department has been granted \$75,000.00 in additional funding in excess of the budgeted expectation for Raise the Age programming; and

WHEREAS, this funding will be used to engage adolescents and youth in Delaware County with services intended to assist in transitioning to more independent standards of living.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUES:

10-13145-43331010	State Probation-RTA	\$75,000.00
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INCREASE APPROPRIATIONS:

10-13145-54420000	Maintenance Agreements	\$75,000.00
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The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION NO. 95

**TITLE: 2019 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 2019 Budget be amended as follows:

INCREASE REVENUE:

10-16010-44482002	Summer Youth Employment	\$123,256.00
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INCREASE APPROPRIATION:

10-16010-54665002	Summer Youth Employment	\$123,256.00
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The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION NO. 96

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

LETTING OF JULY 11, 2019

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. 30-19	Replacement of Culvert on Miller Avenue, Town of Bovina, Delaware County to: Delaware Bulldozing Corp., 5700 Co. Hwy. 18, Bloomville, NY 13739
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Bid Price:	\$344,896.17
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All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION NO. 97

**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 has received and reviewed 8 proposals from the Delaware County Chamber of Commerce, operating in its role as Tourism Promotion Agent (TPA) for the County, for the use of occupancy tax revenues under the TPA Block Grant program and has recommended the proposals totaling \$102,331 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 TPA projects to be funded through occupancy tax revenues for 2019.

The resolution was seconded by Mr. Davis.

Supervisor Triolo explained that this resolution is for the second part of the allocation of occupancy tax funds previously approved by the Committee to pay the Delaware County Chamber of Commerce for the promotion of the County.

Mr. Valente commented that it's a nice plan. He complimented the Chamber of Commerce and the Tourism Advisory Board on the plan. He stated that it is very clear that we are being challenged to be a little more involved in the tourism industry and learn how all the various elements are interrelated. The plan does a very nice job of showing the interrelations between promoting agricultural products and that promotion being also tourism. He thanked Economic Development for bringing fresh faces and a little more light on the whole process of distributing the bed tax.

The resolution was adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

Mr. Triolo pulled Resolution 98 to be offered at a later date.

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

RESOLUTION NO. 99

**TITLE: RESOLUTION IN OPPOSITION TO STATE LEGISLATIVE PROPOSALS
THAT COULD UNDERMINE THE CAREFUL BALANCE THAT EXISTS IN STATE
LAW RELATED TO THE TAX FORECLOSURE PROCESS IN NEW YORK STATE
AS PROPOSED IN S.4676/A.4863**

WHEREAS, the current real property tax law process to ensure tax compliance and limit tax foreclosure has been on the books for decades; and

WHEREAS, the real property tax foreclosure process is designed to strike a balance for a strong enforcement mechanism to ensure critical property tax revenues are protected to provide vital state mandated and local services in our communities, while providing property owners important alternatives and additional time to make payments to avoid foreclosure; and

WHEREAS, legislative proposals in S.4676 and A.4863 would eliminate certain tax enforcement fees and penalties, allow for lower interest rates in tax delinquencies, and eliminates the current law “reverse chronological order” of satisfying tax liens; and

WHEREAS, reducing these fee, penalty and interest tax enforcement measures will likely reduce the effectiveness and balance of the current system; and

WHEREAS, eliminating the current law “reverse chronological order” provisions will allow property owners to potentially abuse the system and remain perpetually in arrears on their property taxes, significantly damaging tax compliance; and

WHEREAS, reduced tax compliance can jeopardize the delivery of critical state and local services in the community, and will unfairly shift the burden of these unpaid property taxes to other property owners; and

WHEREAS, county government is the primary governmental unit, along with some cities and other municipalities, charged by the State with ensuring real property tax law compliance and enforcement at the local level; and

WHEREAS, under this charge, counties are required to fully reimburse all school districts and most towns and villages for any property taxes they cannot collect in the first instance, which often requires counties to borrow tens of millions of dollars annually while tax recoupment is commenced, all with the primary goal of ensuring fairness and avoiding tax foreclosure; and

WHEREAS, the real property law provides an extensive notification process for property owners that fall into arrears to help them understand what is happening and their options; and

WHEREAS, the real property tax law also allows installment payment plans for up to 24 months for tax delinquency to ease the burden, and provides special allowances for farm property and military personnel - combined these items can prevent tax foreclosure or extend the timeline for several years; and

WHEREAS, many counties use these statutory allowances to ease the tax foreclosure process and burden, and they also provide additional help including:

- Allowing partial payments, monthly and/or quarterly property tax payments for initial property taxes due to ease the payment burden;
- Encourage property owners to seek legal advice on other options so they can retain their property;
- Engage family members, especially for senior citizens, to allow for family members to receive duplicate copies of property tax bills, delinquency notices and other real property items;
- Guide property owners to local and state programs that may offer them assistance to clear up their delinquent taxes;
- Allow property owners to repurchase their property in cases of tax foreclosure, under specified timelines and parameters.

NOW, THEREFORE, BE IT RESOLVED Delaware County Board of Supervisors opposes state legislation that can undermine the careful balance that exists in state law related to the tax foreclosure process in New York State, including S.4676/A.4863 currently being considered in the State Legislature; and

BE IT FURTHER RESOLVED Delaware County Board of Supervisors is especially concerned of the unintended consequences this legislation may cause by eliminating the current law reverse chronological order for paying tax liens and loosening penalties and interest, that could reduce taxpayer compliance, which can jeopardize the delivery of state and local services, and will unfairly shift the burden of unpaid property taxes to other property owners in the community.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to New York State Governor Andrew M. Cuomo, New York State Senator James L. Seward, New York State Senator Frederick J. Akshar II, New York State Senator Jen Metzger, New York State Assemblyman Clifford W. Crouch, New York State Assemblyman Brian Miller, and New York State Assemblyman Christopher Tague.

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. Tuthill offered the following resolution and moved its adoption:

RESOLUTION NO. 100

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the party indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

	BOV17TX.009
<u>ASSESSED TO:</u>	<u>LEONARD WEST</u>
TOWN OF:	122200:BOVINA
TAX MAP NO:	195.-1-16
SCHOOL DISTRICT:	122801:DELAWARE ACADEMY
ACREAGE:	0.50A ACRES
CONVEYED TO:	TRON ARROW PROPERTIES, LLC 116 FISK ROAD DELHI NY 13753
CASH CONSIDERATION:	\$11,000.00
TAX DEFICIT:	\$3,444.37

	COL17TX.003
<u>ASSESSED TO:</u>	<u>B & B GUN CLUB INC</u>
TOWN OF:	122400:COLCHESTER
TAX MAP NO:	409.-1-2.2
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	1.00A ACRES
CONVEYED TO:	CANDANCE WORTH 147 WEST 22 ND STREET, #8S NEW YORK NY 10011
CASH CONSIDERATION:	\$7,000.00
TAX DEFICIT:	\$2,883.75

	COL17TX.027
<u>ASSESSED TO:</u>	<u>HELEN RULAND AND LINDA RULAND</u>
TOWN OF:	122400:COLCHESTER
TAX MAP NO:	422.-2-1
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	6.00A ACRES
CONVEYED TO:	JOSEPH G CERRONE 449 BATTEY DRIVE MYRTLE BEACH SC 29588

CASH CONSIDERATION: \$10,000.00
TAX DEFICIT: \$806.63

COL17TX.034

ASSESSED TO: **KEVIN WALSH AND DIANE WALSH**
TOWN OF: 122400:COLCHESTER
TAX MAP NO: 321.-1-36
SCHOOL DISTRICT: 122401:DOWNSVILLE
ACREAGE: 9.06A ACRES
CONVEYED TO: TNL PROPERTIES LLC
94 BELLECREST AVE
E. WORTHPORT NY 11731

CASH CONSIDERATION: \$38,000.00
TAX DEFICIT: \$967.96

DAV17TX.013

ASSESSED TO: **ROWENA M GALLAHER**
TOWN OF: 122600:DAVENPORT
TAX MAP NO: 17.-4-2
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 2.57A ACRES
CONVEYED TO: MICHAEL S BARKER AND HEATHER L BARKER
1703 ALBERT STREET
HAINESPORT NJ 08036

CASH CONSIDERATION: \$3,000.00
TAX DEFICIT: \$931.60

DAV17TX.017

ASSESSED TO: **EDWARD A JEFFERS**
TOWN OF: 122600:DAVENPORT
TAX MAP NO: 16.1-2-10
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 64'F x 290'D: 0.47A ACRES
CONVEYED TO: MICHAEL D HUDSON AND VICKIE HUDSON
PO Box 266
DAVENPORT NY 13750

CASH CONSIDERATION: \$2,000.00
TAX DEFICIT: \$6,945.32

DAV17TX.018

ASSESSED TO: **KRUSE FRANCES IRREVOCABLE TRUST**
TOWN OF: 122600:DAVENPORT
TAX MAP NO: 8.-1-2.2
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 2.00A ACRES
CONVEYED TO: JOLENE JOY HITCHCOCK
1813 WEBB HILL RD
PO Box 130
DAVENPORT NY 13750

CASH CONSIDERATION: \$4,000.00
TAX DEFICIT: \$3,040.88

DAV17TX.021

ASSESSED TO: **PHAIR DOROTHY, GRACE V KAISER & CATHERINE M ROBERTSON**
TOWN OF: 122600:DAVENPORT
TAX MAP NO: 24.-2-35
SCHOOL DISTRICT: 122601:CHARLOTTE VALLEY
ACREAGE: 5.00A ACRES
CONVEYED TO:

	RICHARD W SMITH 1310 DUTCH HILL ROAD EAST MEREDITH NY 13757
CASH CONSIDERATION:	\$6,000.00
TAX DEFICIT:	\$1,284.07

	DAV17TX.026
<u>ASSESSED TO:</u>	<u>EDWARD J RADWINSKY AND JANET A RADWINSKY</u>
TOWN OF:	122600:DAVENPORT
TAX MAP No:	10.-3-26.2
SCHOOL DISTRICT:	122601:CHARLOTTE VALLEY
ACREAGE:	6.95A ACRES
CONVEYED TO:	GENCI PRIFTI 26 COLUMBIA TER #4 EDGEWATER NJ 07020
CASH CONSIDERATION:	\$7,000.00
TAX DEFICIT:	\$1,765.28

	DEL17TX.010
<u>ASSESSED TO:</u>	<u>ALAN D KIRBY AND SUSAN J KIRBY</u>
TOWN OF:	122889:DELHI
TAX MAP No:	170.-1-32.2
SCHOOL DISTRICT:	122801:DELAWARE ACADEMY
ACREAGE:	1.00A ACRES
CONVEYED TO:	FINEST CONTRACTING INC C/o TODD HILLKEWICZ 99 WESTWOOD ROAD NORTH MASSAPEQUA PARK NY 11762
CASH CONSIDERATION:	\$10,000.00
TAX DEFICIT:	\$6,636.87

	DEP17TX.003
<u>ASSESSED TO:</u>	<u>JERRY CRAFT</u>
TOWN OF:	123001:DEPOSIT
TAX MAP No:	349.17-2-4
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	50'F X 200'D: 0.25A ACRES
CONVEYED TO:	H. HARUTYUNYAN 20542 COLUMBUS CIRCLE STA NEW YORK NY 10023-9991
CASH CONSIDERATION:	\$2,500.00 VILLAGE SHARE \$0.00 COUNTY SHARE \$2,500.00
TAX DEFICIT:	\$5,643.43

	DEP17TX.007
<u>ASSESSED TO:</u>	<u>RICHARD P MULE</u>
TOWN OF:	123001:DEPOSIT
TAX MAP No:	349.17-7-12 & 349.17-8-13
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	0.13A & 55'F X 37'D ACRES
CONVEYED TO:	ONE OAK STREET LLC 501 FRANKLIN DEPOT ROAD SIDNEY CENTER NY 13839
CASH CONSIDERATION:	\$500.00 VILLAGE SHARE \$185.00 COUNTY SHARE \$315.00
TAX DEFICIT:	\$1,254.65

	DEP17TX.013
<u>ASSESSED TO:</u>	<u>PRAY TO THE LORD FOUNDATION</u>
TOWN OF:	123001:DEPOSIT
TAX MAP No:	349.17-7-6 & 349.17-7-7
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	65'F x 159'D & 30'F x 163'D ACRES
CONVEYED To:	CYNTHIA ALTKIN AND THOMAS TRIPODI 34 SARATOGA ST LIDO BEACH NY 11561
CASH CONSIDERATION:	\$1,000.00 VILLAGE SHARE \$450.00 COUNTY SHARE \$550.00
TAX DEFICIT:	\$9,711.02

	DEP17TX.023
<u>ASSESSED TO:</u>	<u>BARBARA G WILLIAMS</u>
TOWN OF:	123001:DEPOSIT
TAX MAP No:	367.5-1-17.1
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	60'F x 125'D: 0.02A ACRES
CONVEYED To:	JAMES SMITH 1760 HANCOCK ST HEWLETT NY 11557
CASH CONSIDERATION:	\$3,000.00 VILLAGE SHARE \$1,140.00 COUNTY SHARE \$1,860.00
TAX DEFICIT:	\$7,045.20

	HAN17TX.012
<u>ASSESSED TO:</u>	<u>PASQUALE CONTE AND ROSE CONTE</u>
TOWN OF:	123689:HANCOCK
TAX MAP No:	454.-4-13
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	5.00A ACRES
CONVEYED To:	JAMES SMITH 1760 HANCOCK ST HEWLETT NY 11557
CASH CONSIDERATION:	\$3,500.00
TAX DEFICIT:	\$4,332.78

	HAR16TX.002
<u>ASSESSED TO:</u>	<u>KARL R BARBER AND ANDREA B BARBER</u>
TOWN OF:	123801:HARPERSFIELD
TAX MAP No:	54.5-2-8.1 & 54.5-2-8.2
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	107'F x 87'D: 0.15A & 69'F x 202'D: 0.30 ACRES
CONVEYED To:	WILLIAM J SMITH 2459 COUNTY RT 12 EAST MEREDITH NY 13757
CASH CONSIDERATION:	\$1,000.00 VILLAGE SHARE \$220.00 COUNTY SHARE \$780.00
TAX DEFICIT:	\$9,684.45

	HAR16TX.004
<u>ASSESSED TO:</u>	<u>KATHLEEN A BREEN</u>
TOWN OF:	123801:HARPERSFIELD
TAX MAP No:	41.17-4-4
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	100'F x 150'D: 0.13A ACRES
CONVEYED To:	

	KATHLEEN BREEN 1961 SANDY CRIS VIRGINIA BEACH VA 23454
CASH CONSIDERATION:	\$14,182.32
TAX DEFICIT:	\$10,919.19

	HAR17TX.015
<u>ASSESSED TO:</u>	<u>RACHEL LYONS ESTATE, TECUMSEH T SMALL, HENRY SMALL, DANIEL BASIL SMALL, ROSA S REED ESTATE AND JOSEPH C REED ESTATE</u>
TOWN OF:	123889:HARPERSFIELD
TAX MAP No:	11.-1-42
SCHOOL DISTRICT:	122601:CHARLOTTE VALLEY
ACREAGE:	44.00A ACRES
CONVEYED TO:	NICHOLAS J. BARBIERI, WITH AN ADDRESS OF 1738 STREETER HILL ROAD JEFFERSON, NY 12093, A ONE-HALF INTEREST, TO BE HELD AS JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP WITH SALLYANN G. McCARTY AND EDWARD T. McCARTY, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY, WITH AN ADDRESS OF 30 HARVARD TRAIL HOPATCONG, NJ 07843, A ONE-HALF INTEREST, PARTIES OF THE SECOND PART.
CASH CONSIDERATION:	\$44,000.00
TAX DEFICIT:	\$4,273.06

	KOR17TX.003
<u>ASSESSED TO:</u>	<u>MIGUEL APONTE AND ADELINA APONTE</u>
TOWN OF:	124000:KORTRIGHT
TAX MAP No:	68.-3-3
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	5.30A ACRES
CONVEYED TO:	SHAWN R COSTON AND CHASE M BIRDSALL 13 S DELAWARE ST STAMFORD NY 12167
CASH CONSIDERATION:	\$11,000.00
TAX DEFICIT:	\$5,348.35

	KOR17TX.004
<u>ASSESSED TO:</u>	<u>MARLENE A BAGORAZZI AND WILLIAM J BAGORAZZI</u>
TOWN OF:	124000:KORTRIGHT
TAX MAP No:	49.-2-5
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	5.67A ACRES
CONVEYED TO:	LISA ANN LIEBEHENZ 1724 SERPENTINE DR FORKED RIVER NJ 08731
CASH CONSIDERATION:	\$12,000.00
TAX DEFICIT:	\$1,554.44

	KOR17TX.019
<u>ASSESSED TO:</u>	<u>ROSEMARIE SARNO</u>
TOWN OF:	124000:KORTRIGHT
TAX MAP No:	36.-2-30
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	100'F x 200'D ACRES
CONVEYED TO:	SEWARD SAND & GRAVEL INC. 532 Co Hwy 58 ONEONTA NY 13820
CASH CONSIDERATION:	\$2,000.00
TAX DEFICIT:	\$141.32

KOR15TX.032A

ASSESSED To:
TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

VICTOR VILLARREAL
124000:KORTRIGHT
65.-2-32
125202:SOUTH KORTRIGHT
5.10A ACRES
CHRISTOPHER A HEMMETER
698 HART APT 1
BROOKLYN NY 11221

\$9,500.00
\$4,644.47

KOR17TX.022A

ASSESSED To:
TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

JOHANNES WEBB
124000:KORTRIGHT
51.-3-44
125201:STAMFORD
5.27A ACRES
REBECCA T KALFA
4953 ELK CREEK RD
DELHI NY 13753

\$5,000.00
\$2,621.67

MID17TX.020

ASSESSED To:
TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

WAYNE E HANLEY, ELLEN M HANLEY AND JOHN W FORD
124689:MIDDLETOWN
329.-1-20
124601:MARGARETVILLE
1.20A ACRES
FURLOW PROPERTIES LLLP
14401 SWEITZER LA SUITE 200
LAUREL MD 20707

\$9,000.00
\$7,611.03

SID17TX.004A

ASSESSED To:
TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

DANIEL LEWIS BLACKMAN JR
125089:SIDNEY
163.-1-8
125001:SIDNEY
1.50A ACRES
LESLIE JUDSON VANWAGNER & KATHLEEN HELEN RICE
226 MARIAN AVENUE
FANWOOD NJ 07023

\$1,500.00
\$2,016.30

SID17TX.010

ASSESSED To:
TOWN OF:
TAX MAP No:
SCHOOL DISTRICT:
ACREAGE:
CONVEYED To:

CASH CONSIDERATION:
TAX DEFICIT:

MARIN ANKA AND VIORIKA ANKA AND JOSIKA GOJKA AND ANA GOJKA
125089:SIDNEY
119.-2-4
125001:SIDNEY
8.06A ACRES
OSMANLI PROPERTIES LLC
PO Box 73
FRANKLIN NY 13775

\$3,000.00
\$1,410.99

	SID10TX.020
<u>ASSESSED To:</u>	<u>JOHN J HALLIGAN</u>
TOWN OF:	125089:SIDNEY
TAX MAP No:	163.-1-15
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	1.75A ACRES
CONVEYED To:	NICOLE K KROM AND WAYNE D KROM 8892 COUNTY HWY 23 SIDNEY CENTER NY 13839
CASH CONSIDERATION:	\$49,500.00
TAX DEFICIT:	\$30,635.49

	SID17TX.018
<u>ASSESSED To:</u>	<u>DOREEN LOPES</u>
TOWN OF:	125001:SIDNEY
TAX MAP No:	115.16-2-17
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	66'F X 293'D: 0.25A ACRES
CONVEYED To:	58 WEST MAIN ST LLC 18 RAMAPO AVE STATEN ISLAND NY 10309
CASH CONSIDERATION:	\$8,000.00 VILLAGE SHARE \$4,720.00 COUNTY SHARE \$3,280.00
TAX DEFICIT:	\$4,155.48

	SID17TX.023
<u>ASSESSED To:</u>	<u>RICHARD OSTRANDER</u>
TOWN OF:	125089:SIDNEY
TAX MAP No:	163.-1-38
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	10.00A ACRES
CONVEYED To:	CAMBANELLA LLC 7 MAIN ST SIDNEY NY 13838
CASH CONSIDERATION:	\$3,000.00
TAX DEFICIT:	\$1.19

	SID17TX.025
<u>ASSESSED To:</u>	<u>CARL F PETERSON III</u>
TOWN OF:	125001:SIDNEY
TAX MAP No:	116.13-8-15
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	155.34'F x 160.98'D: 0.29A ACRES
CONVEYED To:	CHARLES L CRISELL AND PATRICIA L CRISELL 1762 STATE HWY 7 LOT 12 UNADILLA NY 13849
CASH CONSIDERATION:	\$8,000.00 VILLAGE SHARE \$4,640.00 COUNTY SHARE \$3,360.00
TAX DEFICIT:	\$3,486.90

	SID17TX.027
<u>ASSESSED To:</u>	<u>ABDULHADI A QUADRI</u>
TOWN OF:	125089:SIDNEY
TAX MAP No:	118.-2-12
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	6.09A ACRES
CONVEYED To:	

DAVID E WHITE, KATHLEEN J WHITE,
DAVID E WHITE JR AND DANIEL E WHITE
30 RIDGECREST DRIVE
MILTON NY 12547

CASH CONSIDERATION: \$20,000.00
TAX DEFICIT: \$1,145.84

SID17TX.028

ASSESSED TO: **ABDULHADI A QUADRI**
TOWN OF: 125089:SIDNEY
TAX MAP NO: 119.-2-17
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 7.16A ACRES
CONVEYED TO: OSMANLI PROPERTIES LLC
PO Box 73
FRANKLIN NY 13775

CASH CONSIDERATION: \$9,000.00
TAX DEFICIT: \$1,268.94

SID17TX.031

ASSESSED TO: **RICHARD R SCHRIER**
TOWN OF: 125001:SIDNEY
TAX MAP NO: 115.12-16-9
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 51'F X 126.9'D: 0.15A ACRES
CONVEYED TO: 58 WEST MAIN ST LLC
18 RAMAPO AVE
STATEN ISLAND NY 10309

CASH CONSIDERATION: \$2,500.00
VILLAGE SHARE \$1,725.00
COUNTY SHARE \$775.00

TAX DEFICIT: \$3,584.31

SID16TX.050A

ASSESSED TO: **ROBERTA A STAGE**
TOWN OF: 125001:SIDNEY
TAX MAP NO: 116.13-6-7
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 90'F X 80'D: 0.17A ACRES
CONVEYED TO: HALFWAY HOUSE REALTY
2261 60TH ST
BROOKLYN NY 11204

CASH CONSIDERATION: \$4,000.00
TAX DEFICIT: \$13,201.66

SID11TX.073

ASSESSED TO: **ANGEL M TORRES**
TOWN OF: 125001:SIDNEY
TAX MAP NO: 115.11-6-13 & 115.11-6-14
SCHOOL DISTRICT: 125001:SIDNEY
ACREAGE: 80.00'F X 120.00'D: 0.15A &
50.00'F X 120.00'D: 0.14A ACRES
CONVEYED TO: THOMAS EDWARD WOLCOTT AND KATHERINE CURPIER
25 GRAND ST
SIDNEY NY 13838

CASH CONSIDERATION: \$2,000.00
VILLAGE SHARE \$760.00
COUNTY SHARE \$1,240.00

TAX DEFICIT: \$4,248.38

STA17TX.020

<u>ASSESSED TO:</u>	<u>FLOYD HARMON AND LORRAINE HARMON</u>
TOWN OF:	125203:STAMFORD
TAX MAP NO:	54.9-8-6
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	45'F x 326'D: 0.13A ACRES
CONVEYED TO:	MELISSA A STACHOW 35 RAILROAD AVE STAMFORD NY 12167
CASH CONSIDERATION:	\$10,000.00 VILLAGE SHARE \$2,200.00 COUNTY SHARE \$7,800.00
TAX DEFICIT:	\$4,273.18

STA17TX.027

<u>ASSESSED TO:</u>	<u>NANCY MATTICE</u>
TOWN OF:	125203:STAMFORD
TAX MAP NO:	54.9-7-19
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	113'F x 140'D: 0.25A ACRES
CONVEYED TO:	CHRISTIAN RATTEMAYER 242 TOWNSEND RD BOVINA CENTER NY 13740
CASH CONSIDERATION:	\$1,000.00 VILLAGE SHARE \$490.00 COUNTY SHARE \$510.00
TAX DEFICIT:	\$3,418.54

STA17TX.028B

<u>ASSESSED TO:</u>	<u>KRISTOFER O'BRIEN AND GUADALUPE O'BRIEN</u>
TOWN OF:	125289:STAMFORD
TAX MAP NO:	132.-1-15
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	120'F x 187'D: 0.50A ACRES
CONVEYED TO:	DAVID A HOLSCHER & LINDA J HOLSCHER 781 ROXBURY MOUNTAIN RD HOBART NY 13788
CASH CONSIDERATION:	\$14,500.00
TAX DEFICIT:	\$8,203.32

STA17TX.032

<u>ASSESSED TO:</u>	<u>ERIC ROSSMAN</u>
TOWN OF:	125203:STAMFORD
TAX MAP NO:	54.10-7-31
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	20'F x 66'D: 0.06A ACRES
CONVEYED TO:	KIM L JOHNSON & CLIFFORD HALL 5 So DELAWARE STREET PO Box 250 STAMFORD NY 12167
CASH CONSIDERATION:	\$2,500.00 VILLAGE SHARE \$875.00 COUNTY SHARE \$1,625.00
TAX DEFICIT:	\$2,051.12

STA17TX.038

<u>ASSESSED TO:</u>	<u>HERBERT WADE</u>
TOWN OF:	125203:STAMFORD
TAX MAP NO:	54.6-3-5
SCHOOL DISTRICT:	125201:STAMFORD
ACREAGE:	79.7'F x 178.9'D: 0.31A ACRES

CONVEYED TO:VILLAGE OF STAMFORD
84 MAIN STREET
STAMFORD NY 12167

CASH CONSIDERATION:\$6,199.87

TAX DEFICIT:\$4,976.10

WAL17TX.042

ASSESSED TO:

JOHN A ROBINSON

TOWN OF:125601:WALTON

TAX MAP NO:273.12-2-1

SCHOOL DISTRICT:125601:WALTON

ACREAGE:100'F x 98'D: 0.25A ACRES

CONVEYED TO:CHELSEA LYNN GUY AND JASON JAMES GUY
3937 SPRING VALLEY ROAD
DELHI NY 13753

CASH CONSIDERATION:\$1,250.00
VILLAGE SHARE \$333.32
COUNTY SHARE \$916.68

TAX DEFICIT:\$632.31

The resolution was seconded by Mr. Gladstone.

In response to Mr. Valente, Treasurer Beverly Shields clarified that when there is a surplus over the tax liability, the money is retained by the County and goes into the general fund.

The resolution was adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION No. 101

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the party indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

HAN17TX.039A

ASSESSED TO:

MARIA DIMELE LEASE

TOWN OF:123601:HANCOCK

TAX MAP NO:429.17-2-13

SCHOOL DISTRICT:123606:HANCOCK

ACREAGE:49.50'F x 100.00'D: 0.13A ACRES

CONVEYED TO:POINT MOUNTAIN PARTNERS LLC
C/O JAMES KILGORE
492 PRETTY BROOK ROAD
PRINCETON NJ 08540

CASH CONSIDERATION:\$10,000.00
VILLAGE SHARE \$1,400.00
COUNTY SHARE \$8,600.00

TAX DEFICIT:\$9,315.06

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION NO: 102

**TITLE: 2019 BUDGET AMENDMENT
AMEND FLOOD BUYOUT 2016-2018 AS ESTABLISHED BY RESOLUTION NO. 89 OF
2018 FOR 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 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, 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 expended the initial \$2,000,000.00 for purchases and associated expenses; and

WHEREAS, Delaware County has received reimbursement for all moneys invoiced through the GOSR program within the anticipated 30-day period from receipt of proper invoicing; and

WHEREAS, the grant contract has been extended through April 30, 2020, 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

NOW, THEREFORE, BE IT RESOLVED Delaware County will commit additional funds in the amount of \$4,000,000.00 to be used for purchases and contract payment throughout the duration of the remaining project period; and

BE IT FURTHER RESOLVED that the 2019 Budget be amended as follows:

INCREASE REVENUES:

10-18020-43398901/8020025/908	State OTR Home & Comm Grant	\$4,000,000.00
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INCREASE APROPRIATIONS:

10-18020-54327000/8020025/908	Gen Grant Related Exp	\$4,000,000.00
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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 and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION NO. 103

TITLE: GRANT APPLICATION FOR THE PURPOSE OF EVALUATING HOUSING INVENTORY, VALUE AND NEED IN DELAWARE COUNTY PLANNING DEPARTMENT

WHEREAS, Delaware County has a lack of affordable housing that meets the needs of all persons in the County; and

WHEREAS, Delaware County has seen a rise in second home ownership and AirBNB participation; and

WHEREAS, the New York City Land Acquisition Program has created a competitive market for land that is developable in the New York City watershed communities; and

WHEREAS, flooding in Delaware County has impacted the most affordable housing stock in the most vulnerable communities, leading to a loss of housing to federally funded buyouts and housing that cannot be rebuilt after a disaster; and

WHEREAS, employers and employees have stated a lack of affordable housing is a barrier to business expansion, job creation and retention and cost of living increases to get employees to work in Delaware County businesses; and

WHEREAS, a full study of housing needs, availability and condition has not been conducted in Delaware County; and

WHEREAS, the Delaware County Planning Board is writing the Delaware County Comprehensive Plan and identified housing as an issue for further analysis; and

WHEREAS, New York State has made money available for Strategic Planning and Feasibility in the 2019 Consolidated Funding Application.

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors authorizes Delaware County Planning to prepare a grant application not to exceed \$100,000 to fund a comprehensive housing study and analysis for Delaware County.

The resolution was seconded by Mr. Ellis.

In answer to Mr. Valente, Chief Planner Kent Manuel confirmed this is a housing study to look at shortcoming and needs and to formally document the issues in order to pursue other funding.

The resolution was adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

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

RESOLUTION NO. 104

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$662,425.36 were hereby presented to the Finance Committee for approval for payment on July 24, 2019 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	\$571,481.49
OET	\$19,639.70
Public Safety Comm System	\$0.00
CAP MHC	\$23,770.79
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$97.32
Machinery	\$41,615.43
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$5,820.63

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,647,997.39 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	\$680,516.25
OET	\$9,280.44
Public Safety Comm System	\$176,647.57
CAP 97 Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$1,076.73
Road	\$690,195.50
Machinery	\$291,181.12
Capital Road & Bridge	\$586,399.48
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$212,700.30

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4327, Noes 0, Absent 472 (Merrill, Marshfield, Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 22 to amend Delaware County Self Insurance Plan. The Local Law was seconded by Mr. Gladstone and unanimously adopted.

Chairman Molé reminded the Board that the Supervisors Picnic at Camp Shankitunk will be held following this board meeting. The picnic is scheduled to begin at 3:15 p.m. and will conclude with a chicken barbeque at 4:45 p.m.

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

RESOLUTION NO. 105

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss matters leading to the employment of a particular person.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Merrill, Mr. Marshfield, and Mr. Spaccaforo.

Upon a motion, the meeting was adjourned at 2:49 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS

AUGUST 28, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 28, 2019 at 1:12 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. Spaccaforno.

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 the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Eisel. Mr. Eisel welcomed Madison Wellman from Congressman Delgado's office. Mr. Wellman stated that he is Congressman Antonio Delgado's Regional Representative responsible for Delaware County. His office is located in this building just down the hall from the Board Room. He is in the Delhi office from 10:00 a.m. to 4:00 p.m. Tuesdays and Wednesdays. He is at the disposal of town supervisors should there be an issue that needs the attention of the Congressman or if anyone has a conflict with the federal government or federal agencies.

Chairman Molé granted privilege of the floor to Supervisor Hynes. Mr. Hynes introduced Planning Director Shelly Johnson-Bennett regarding the 2020 Census. Mrs. Johnson-Bennett introduced Katherine Dillon, U.S. Census Regional Representative.

Ms. Dillon thanked the Board and stated that she is a Partnership Specialist and is responsible for public outreach locally for the 2020 Census. She distributed a packet of promotional materials to each Supervisor. The Census Bureau is the nation's leading provider of quality data about American people and the economy. Census results have implications for every community in the country for funding and representation for the next decade. Every household in America will be expected to complete the short census form—there are only ten questions. The decennial census is mandated by Article 1, Section 2 of the U.S. Constitution because it is the official count that determines the distribution of seats in the U.S. House of Representatives. The data also determines local political representation and funding on the state, county, and town levels. Census data is used to allocate over \$675 billion in federal funds every year to states and communities. New York State alone receives \$73 billion a year.

Demographic census has been conducted every 10 years since 1790. Responses are confidential and protected by federal law. Personal information cannot be shared with any government agency or court. Records cannot be subpoenaed and responses cannot be used against you. Aggregate statistical data is all that is published.

The Census will go live in the spring of 2020. There are three ways to self-respond: paper form, telephone, or online. This is the first time online response will be available for the census. In addition, the census will be available in 12 non-English languages. In mid-March, most households in America will receive by mail an invitation to complete the census questionnaire online. Households that do not complete the census online between March and April will receive a paper questionnaire in the mail. For households that do not complete the paper questionnaire, census employees will visit to collect answers in person. Field work will be finished by the end of July. Statistics will be compiled by the end of 2020 and those statistics will be available to the federal government and to the states by early 2021.

The biggest challenge right now is recruiting local census workers. The census offers part-time jobs with flexible hours at a pay rate of \$17.00 per hour. Positions available are recruiting assistants, census takers, and field supervisors. Ms. Dillon stated that they expect to recruit almost 700 residents to fill 200-250 positions.

In answer to Mr. Marshfield, Ms. Dillon confirmed that mileage is reimbursed at \$.58 per mile.

The application for census work is available online at www.2020census.gov/jobs. The application is streamlined and should take about 15 minutes to complete.

The best way that the Census Bureau can get a complete and accurate count next year and overcome obstacles is by working with community leaders to help be messengers. These trusted voices have local knowledge and local insight to help share the message that the census is safe, it is easy, and it's important. Supervisors are in a unique position with their expertise on their towns and know the best ways to reach the people in those towns. Ms. Dillon is available to attend town board meetings and give presentations if needed.

Another initiative in the Partnership Program is developing Complete Count Committees. This is a group of stakeholders who come together and take ownership of the census responses in their own community. Ms. Dillon has been working with the Planning Department about forming a Complete County Committee and that process is underway. Anyone interested in helping with this initiative would be welcome.

In answer to Mr. Taggart, Ms. Dillon explained that the Complete Count Committees help with education and outreach, not necessarily the facilitation of the actual operations of the census. In addition, committee members may be able to help recruit needed workers.

In reply to Mr. Marshfield, Mrs. Johnson-Bennett stated that Delaware Opportunities Executive Director Dr. Shelly Bartow has been approached about sitting on the Complete Count Committee.

Ms. Dillon described a tool referred to as Response Outreach Area Mapper (ROAM) which is a newly developed GIS website that shows every census tract in the county and each tract has an associated demographic profile which includes a predicted non-response rate. ROAM is available to the public at www.census.gov/roam.

In response to Mr. Eisel, Ms. Dillon referred to *Why We Ask*, a flyer in the information packet that lists the ten questions on the census and gives an explanation about each of the questions. She stressed that the population count question is to collect an accurate count of the number of people at each address on Census Day, April 1, 2020.

In answer to Mr. Valente, college students will be counted where they are physically located on April 1 in their respective college town.

Ms. Dillon stated in reply to Mr. Pigford that several operations are in place to work with administrators of institutional residence organizations such as college dorms, jails, and nursing homes to get accurate counts. For more transient populations, usually the last weekend of March, census workers will approach places where people may be staying, including homeless shelters, food pantries, RV parks, or motels. This is done all in one weekend to get the most accurate count.

In response to Mr. Triolo, Ms. Dillon confirmed that the Census Bureau does provide language assistance. They urge the population who prefers to take the census in a language other than English to complete the questionnaire online or over the phone. Those two options will provide the best language assistance. However, in areas that contain a population that speaks another language, the Bureau is recruiting census takers who speak that language.

In response to Mr. Davis in regards to counting second homeowners who account for 50 percent of Middletown's population, Ms. Dillon confirmed that second homeowners who spend half their time or more in Delaware County should absolutely complete the questionnaire to achieve the most accurate count as that data is paramount to town votes.

Chairman Molé thanked Ms. Dillon for her informative presentation.

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

RESOLUTION NO. 106

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF ELECTRONIC POLL BOOK LOCALITIES GRANT
BOARD OF ELECTIONS**

WHEREAS, New York State Law requires the use of E-Poll Books for early voting and at the poll sites; and

WHEREAS, New York State Law requires Early Voting and the use of On Demand Printers to implement Early Voting at our Election Office; and

WHEREAS, the Board of Elections has been awarded the Electronic Poll Book Localities Grant by New York State in the amount of \$15,000.00 to meet this requirement to provide the necessary software licensing and training.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUE:

10-11450-43308000/1450007	State Board of Elections	\$15,000.00
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INCREASE APPROPRIATIONS:

10-11450-54327580/1450007	Grant Software	\$15,000.00
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The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 107

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF ELECTRONIC POLL BOOK CAPITAL GRANT
BOARD OF ELECTIONS**

WHEREAS, New York State Law requires the use of E-Poll Books for early voting and at the poll sites; and

WHEREAS, New York State Law requires Early Voting and the use of On Demand Printers to implement Early Voting at our Election Office; and

WHEREAS, the Board of Elections has been awarded the Electronic Poll Book Capital Grant by New York State in the amount of \$38,935.16 to meet this requirement to provide this necessary equipment, and licensing.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUE:

10-11450-43308000/1450006	State Board of Elections	\$38,935.16
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INCREASE APPROPRIATIONS:

10-11450-52200001/1450006	Equipment	\$33,520.00
10-11450-54327580/1450006	Grant Software	\$5,415.16

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 108

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
BOARD OF ELECTIONS**

WHEREAS, New York State Law requires the use of E-Poll Books for early voting and at the poll sites; and

WHEREAS, New York State Law requires Early Voting and the use of On Demand Printers to implement Early Voting at our Election Office; and

WHEREAS, the two grants from New York State does not cover the full price of the products needed and an additional \$13,482.00 is necessary to comply with the requirements.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

<u>FROM:</u>		
10-11990-54900000	Contingency	\$13,482.00
<u>TO:</u>		
10-11450-54580010	Software & Maintenance	\$13,482.00

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

In response to Mr. Davis, Mr. Eisel said training is not included.

In answer to Mr. Valente, Elections Commissioner Maria Kelso confirmed that there was a \$15,000 reduction in early voting state aid for Delaware County. She indicated that early voting starts October 26 at the Board of Elections office. Early voting special hours, evenings, and weekend times will be published.

Mr. Valente commented that preparing for early voting has been quite a bit of work and is quite different than the blueprint for the process. He thanked the Board of Elections staff for their hard work.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforno).

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

RESOLUTION NO. 109

**TITLE: 2019 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, the SRT Team needs special ammunition for the tactical rifles for training purposes so that they are prepared and equipped accordingly.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended to reflect the purchase of said supplemental items, as follows:

<u>ESTIMATED REVENUES:</u>		
10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff’s Office	\$2,279.50

ESTIMATED APPROPRIATIONS:

10-13110-54615010	Training	\$2,279.50
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The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 110

**TITLE: 2019 BUDGET ADMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH SERVICES**

WHEREAS, Centers for Disease Control (CDC), Vaccine for Children Program (VFC) and New York State VFC guidelines now require that a standalone commercial grade vaccine freezer be utilized for vaccine storage; and

WHEREAS, New York State Immunization Action Plan grant has approved reimbursement for the purchase of a commercial grade vaccine freezer; and

WHEREAS, a transfer of funds is necessary to purchase the necessary equipment.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

FROM:

10-14059-54620000	Transportation	\$4,267.02
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TO:

10-14013-52200001	Equipment Grant	\$4,267.02
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 111

**TITLE: ESTABLISHING A CAPITAL PROJECT FUND FOR THE DPW COMPLEX
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, it has been determined that DPW is in need of a new facility; and

WHEREAS, that process has begun and we want to be as transparent as possible; and

WHEREAS, the Department has been planning for this project since the roof replacement project was denied in 2005 so there are funds in reserve.

NOW, THEREFORE, BE IT RESOLVED that funding for the new Capital Project be appropriated from the Road, Machinery and Capital Bridge Fund Balances and the 2019 budget amendments be authorized as follows:

TRANSFER FROM:

26-00000-34915000	Assigned Unappropriated Fund Balance	\$3,250,000.00
24-00000-34915000	Assigned Unappropriated Fund Balance	\$3,250,000.00
34-00000-34899000	Restricted Fund Balance Other	\$6,500,000.00

TRANSFER TO:

26-15130-59990039	Operating Transfer Out	\$3,250,000.00
24-15110-59990039	Operating Transfer Out	\$3,250,000.00
34-15112-59990039	Operating transfer Out	\$6,500,000.00

ESTABLISH REVENUE ACCOUNT:

41-15112-45503100 Interfund Transfer	\$13,000,000.00
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ESTABLISH EXPENSE ACCOUNTS:

41-15112-51000000	Personal Services	\$25,000.00
41-15112-54000000	Contractual Expense	\$50,000.00
41-15112-55000000	Equipment Rental	\$5,000.00
41-15112-58300000	Social Security Emplr Contrib	\$1,550.00
41-15112-58900000	Medicare Emplr Contrib	\$350.00
41-15112-34899000	Restricted Fund Balance	\$12,918,100.00

The resolution was seconded by Mr. Davis.

In answer to Mr. Marshfield, Mr. Haynes confirmed that \$3,250,000.00 is from the machinery reserve, \$3,250,000.00 is from the road maintenance reserve, and \$6,500,000.00 is from the road and bridge reserve.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 112

**TITLE: CHANGE ORDER NO. 1 PROPOSAL 29-19
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 85 of 2019 authorized the award of Proposal No. 29-19, Oxbow Salt Storage Building New Lean-To and New Metal Roof at Solid Waste Management Center, 32230 State Route 10, Walton, NY 13856, and the Delhi Salt Storage Building New Metal Roof at Page Ave, Delhi, NY 13753 to Park Lane Construction & Development Corp., 10269 Old Route 31 West, Clyde, NY 14433 for the bid amount of \$179,150.00; and

WHEREAS, while the contractor was working on the roof they found damage to the gable ends of the structure; and

WHEREAS, the contractor has agreed to remove and replace 10 sheets of T-1-11 and stain both ends of the building at an additional cost of \$2,900; and

WHEREAS, the award price included \$450.00 for repairs to the roof if necessary; and

WHEREAS, no repairs to the roof were required so there is a decrease of \$450.00.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 29-19 increasing the net total of the contract by \$2,450.00 resulting in a final contract amount of \$181,600.00.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 113

**TITLE: CHANGE ORDER NO. 6 AND 7 (FINAL) 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 \$1,987,598.51.00; 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, Resolution No. 142 of 2018 authorized the execution of Change Order No. 5 decreasing the total cost by \$28,077.16 bringing the contract cost to \$1,959,521.35; and

WHEREAS, the final quantities have been agreed upon, including the addition of a force account item to finish the project, resulting in a net decrease of \$254,609.76 bringing the final contract cost to \$1,704,911.59.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Orders No. 6 and 7 for Proposal No. 31-17, reducing the total contract value by \$254,609.76 and resulting in a total final contract cost of \$1,704,911.59.

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 114

**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;

THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to sell by on-line auction the following item and all spare parts:

<u>Dept.Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
DPW 374	1997 International TA Dump	1HTGGAET0VH444512
DPW 384	2002 International TA Dump	1HTGGAET02H408248
DPW 416	1999 Ford F350	1FDWX36F6XEB59651
DPW 429	2005 International Utility Truck	1HTMLAFMX5H121624
DPW 612	1966 Galion Roller	9PC12G4379
DPW 658	1987 Case IH Tractor w/plow	000B005251
DPW 659	1987 Case IH Tractor	000B019554
DPW 684	1985 John Deere 644 Loader	DW644CB506741
DPW 687	2000 Case Loader	JEE0124647
DPW 719	2005 Gradall	0210017532
DPW 849	1996 Bobcat SkidSteer	512822838
DPW 895	2005 Hyundai Loader	LD0110316
DPW 987	1997 Waldo Sweeper	25488
DPW 988	1999 Waldo Sweeper	27016
SWMC	Four (4) 40 CY Open Top Boxes	N/A
SWMC	Two (2) Garbage Boxes (Octagon)	N/A
SWMC	One (1) Sealand Container	N/A
SWMC	One (1) 40 CY Closed Top Box	N/A

The resolution was seconded by Mr. Davis.

In response to Mr. Valente, Commissioner of Public Works Susan McIntyre stated that the web address for the auction service is www.auctionsinternational.com.

The resolution was unanimously adopted.

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

RESOLUTION NO. 115

**TITLE: EQUIPMENT POLICY
AND RECINDING OF RESOLUTION NO. 178 OF 1998**

WHEREAS, Resolution No. 178 of 1998 established for budget purposes the dollar criteria for inclusion of equipment into the Equipment Accounts; and

WHEREAS, it has been determined that the dollar value of a piece of equipment shall be increased from \$250 to \$500 and that a group purchase of the same equipment item costing a total of \$500 or more shall be included in the Equipment Account.

NOW, THEREFORE, BE IT RESOLVED that the budget Equipment Account shall be comprised of the following:

- 1) An equipment item costing \$500 or more.
- 2) A group purchase of the same equipment item totaling \$500 or more.

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

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

RESOLUTION NO. 116

**TITLE: CERTIFICATION OF FINDINGS ON THE
PROPOSED PURCHASE OF PROPERTY
DEPARTMENT OF PUBLIC WORKS – SOLID WASTE DIVISION**

WHEREAS, Resolution No. 90 of 2019 authorized the Chairman of the Board to enter into an agreement with Fannie Mae to purchase property at 64 Neale Road, Town of Walton, Tax Map #275.-2-25, contingent upon clear title and completion of SEQR review; and

WHEREAS, the County as Lead Agency has completed a coordinated SEQR review and environmental assessment of the proposed real property purchase.

THEREFORE, BE IT RESOLVED that for the reasons set forth in the SEQR - FINDINGS STATEMENT Notice of Determination of Non-Significance, the Delaware County Board of Supervisors, as lead agency, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law, has fully considered the environmental impacts of the proposed purchase of real property at 64 Neale Rd, Walton NY, Tax Map #275.-2-25, and has determined that the proposed action (i) will not have a significant effect on the environment, and (ii) the environmental impacts arising from the project have been adequately addressed in the Board's Findings issued today.

The resolution was seconded by Mr. Davis and adopted by voice vote with one opposed (Cetta).

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

RESOLUTION NO. 117

**TITLE: INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED
AGRICULTURAL DISTRICTS DURING DESIGNATED THIRTY-DAY PERIOD FOR
ANNUAL AGRICULTURAL DISTRICT REVIEW**

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, 2019, during 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 to verified that each parcel proposed is “viable agricultural land”, and meets the eligibility requirements for inclusion into a Certified Agricultural District; and

WHEREAS, the Delaware County Board of Supervisors held a Public Hearing, Wednesday, July 24, 2018 at 12:45 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 Districts Nos. 6 & 12; and

WHEREAS, the Delaware County Board of Supervisors has authorized the preparation of an Agricultural Environmental Assessment form as required by § 303-b of the Agriculture & Markets: Agricultural Districts Law; and

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby adopt the inclusion of the following properties into Agricultural Districts No. 6 & 12.

Town of Sidney: Agricultural District #12

Tax Map ID# 116.-1-34.2 (3.6 ac.) County Route 23. Hops production/processing

Town of Hancock: Agricultural District #6

Tax Map ID# 458.-1-11.1 (145.21 ac.), 458.-1-11.2 (2 ac.) & 458.-1-11.3 (2 ac.) Hoolihan Brook. Hay.

The resolution was seconded by Mr. Ellis and adopted by voice vote with one opposed (Taggart).

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

RESOLUTION NO. 118

TITLE: ENDORSING APPLICATION FOR AN INNOVATIVE READINESS TRAINING (IRT) PROGRAM OF THE UNITED STATES DEPARTMENT OF DEFENSE AND THE SOUTHERN TIER EAST REGIONAL PLANNING AND DEVELOPMENT BOARD (ST8) PLANNING DEPARTMENT

WHEREAS, the United States Department of Defense has assembled civil-military programs which simultaneously serve the training needs of the United States military, as well as the civil needs of underserved communities; and

WHEREAS, the Southern Tier East Regional Planning and Development Board (ST8) has solicited interest from member counties to provide Innovative Readiness Training (IRT) programs to local communities; and

WHEREAS, the IRT program specializes in functional areas of Engineering, Medical/Healthcare/Human Services and Transportation; and

WHEREAS, Delaware County has been earmarked by ST8 as an underserved region that could benefit from these services; and

WHEREAS, ST8 has proposed application for a medical, healthcare and human services IRT program to serve Delaware County in 2021; and

WHEREAS, Delaware County Planning, Emergency Services and Public Health have identified specific needs for an IRT program to serve the Delaware County community; and

WHEREAS, the IRT program is a no cost program that will utilize military personnel, volunteer hours and a county led planning committee;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby endorses the proposal of the ST8 board for the application and execution of an IRT site in Delaware County in 2021.

The resolution was seconded by Mr. Ellis.

At the behest of Mr. Hynes, Director of Planning Shelly Johnson-Bennett explained that this resolution is to enter into a grant application in Southern Tier 8 to apply for Innovative Readiness Training (IRT). Innovative Readiness Training is carried out by the Department of Defense where they set up a MASH unit. It's a two-week deployment for National Guard members so they can get their required training and provide free of charge to community residents medical, vision, dental, and veterinary care. Cortland and Chenango Counties joined together last year for IRT and provided nearly \$1.4 million of free medical and veterinary care for their residents. Chenango County has now completed three IRT sessions.

Mrs. Johnson-Bennett stated that Fair Board is agreeable to have the training at the fairgrounds the first two weeks in July 2021. Delaware Opportunities Executive Director Shelly Bartow will approach the DO Board to consider partnering with the County as the not-for-profit partner. Dr. Bartow has participated in all three Chenango County IRT sessions as a United Way member and feels strongly about this opportunity.

This resolution will allow Southern Tier to submit an application to the Department of Defense by the end of September to carry out the IRT in 2021 for Delaware County residents.

In response to Mr. Triolo, Mrs. Johnson-Bennett gave an example from Chenango County of two dentists who are brothers from Niagara Falls, both in the Reserves. They closed their practice down for two weeks and completed their deployment at the IRT. They are licensed, board-certified dentists. It is the same for optometrists, medical doctors, and veterinarians. Care is provided at no cost to the community regardless of income.

In answer to Ms. Molé, Mrs. Johnson-Bennett said the military will bring and set up all equipment for the event. The County has to provide space and volunteers. The location has to be large enough for parking and has to be handicap accessible. This is why the fairgrounds is attractive for this event. The space also has to allow for troop barracks during the two-week period where mandatory military training will also be conducted by the troops.

Chairman Molé commented that this is a win-win opportunity.

In reply to Mr. Pigford, Mrs. Johnson-Bennett confirmed that medical professionals will write prescriptions as needed and a pharmacist will be on the scene to fill them. She stated they are also proposing to work with hospitals to have local hospital care providers participate should long-term referrals be necessary.

The resolution was unanimously adopted.

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

RESOLUTION NO. 119

TITLE: PERSONNEL ACTION

RESOLVED, that certain charges dated August 15, 2019, against Employee No. 346, pursuant to the New York Civil Service Law § 75, be and the same hereby approved and ratified and the Chairman of the Board of Supervisors is herewith directed to execute the same and is authorized to serve the same upon the Respondent, and to take those actions necessary to

commence the proceeding, and all such actions by the Chairman are ratified and approved, and it is further

RESOLVED, that Alfred T. Riccio of Clifton Park, New York, be and the same is hereby appointed to serve as Hearing Officer in connection with the above referenced Civil Service Law § 75 proceeding at the daily rate of \$750.00 per day plus expenses, and that said Hearing Officer shall conduct the hearing in accordance with the procedures of Civil Service Law § 75, prepare a record and render a Report and Recommendation to the Board of Supervisors in a timely manner, and it is further,

RESOLVED, that Veritext Court Reporting be and is hereby appointed to serve as a court reporter and to provide stenographic services in connection with said hearing at the customary rate, and it is further,

RESOLVED, that Employee No. 346 be and is hereby suspended, with pay, during the pendency of the proceedings above referenced and the prior administrative leave of the employee be and is hereby ratified and approved.

The resolution was seconded by Mr. Merrill.

Mr. Marshfield stated that he opposes this resolution. He said it's time to put an end to these expenses whether they are attorney fees, stenography fees, or hearing officer fees. Right now these expenses are on the backs of the taxpayers, and he is not fond of that, needless to say. Depending on the outcome of this resolution, allow the appropriate committee to issue a resolution of reinstatement and let it go through the reappointment of the term of office which expires at the end of the year.

The resolution was adopted by the following vote: Ayes 3578, Noes 1089 (Gladstone, Marshfield, Hynes, Pigford), Absent 132 (Spaccaforo).

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. 120

TITLE: AUTHORIZATION FOR AWARD SHERIFF'S OFFICE

WHEREAS, Delaware County has been awarded grant funding by the DHSES (Division of Homeland Security and Emergency Services) for equipment; and

WHEREAS, the purchase of a speed trailer was approved in this grant. The grant award was approved in Resolution 16 of 2019.

THEREFORE, BE IT RESOLVED that the Delaware County Sheriff's Office is authorized to make award to the lowest bidder meeting specifications as follows:

Speed Trailer: All Traffic Solutions
12950 Worldgate Drive, Suite 310
Herndon, VA 20170

Bid Price: \$25,000.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 121

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

	ROX17TX.031A
<u>ASSESSED TO:</u>	<u>MARTIN STEFANICHIK</u>
TOWN OF:	124800:ROXBURY
TAX MAP NO:	91.-1-5.1
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	20.30A ACRES
CONVEYED TO:	NOGARD HILL LLC 59159 STATE HWY 30 GRAND GORGE NY 12434
CASH CONSIDERATION:	\$14,000.00
TAX DEFICIT:	\$15,694.82

	SID16TX.058
<u>ASSESSED TO:</u>	<u>JESSIE L WORDEN AND BRETТА LYNN WORDEN</u>
TOWN OF:	125089:SIDNEY
TAX MAP NO:	141.4-3-14.1 & 141.4-3-14.2
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	155'F x 175'D: 0.25A & 90'F x 140' D: .36 A ACRES
CONVEYED TO:	JAMES A RANDOLPH 751 FRONTIER RIDGE TRAIL ZUNI VA 23898
CASH CONSIDERATION:	\$1,000.00
TAX DEFICIT:	\$9,049.59

The resolution was seconded by Mr. Gladstone and Mr. Taggart and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 122

**TITLE: AMENDMENT OF RESOLUTION NO. 100 OF 2019
SALE OF COUNTY-OWNED PROPERTY**

WHEREAS the purchaser has requested a name change after the auction;

THEREFORE, BE IT RESOLVED that the County of Delaware convey this property as follows:

	MID17TX.020
<u>ASSESSED TO:</u>	<u>WAYNE E HANLEY, ELLEN M HANLEY AND JOHN W FORD</u>
TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	329.-1-20
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	1.20A ACRES
CONVEYED TO:	GOULD PROPERTIES LLLP 14401 SWEITZER LA SUITE 200 LAUREL MD 20707
CASH CONSIDERATION:	\$9,000.00
TAX DEFICIT:	\$7,611.03

<u>ASSESSED TO:</u>	<u>KRISTOFER O'BRIEN AND GUADALUPE O'BRIEN</u>
TOWN OF:	125289:STAMFORD
TAX MAP NO:	132.-1-15
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	120'F x 187'D: 0.50A ACRES
CONVEYED TO:	DAVID A HOLSCHER, LINDA J HOLSCHER & REBECCA C HOLSCHER 781 ROXBURY MOUNTAIN RD HOBART NY 13788
CASH CONSIDERATION:	\$14,500.00
TAX DEFICIT:	\$8,203.32

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 123

**TITLE: PROCLAMATION
CHAMBER OF COMMERCE WEEK IN DELAWARE COUNTY**

WHEREAS, more than a dozen chambers of commerce in Delaware County distinguish themselves as the voices of business in our region; and

WHEREAS, the business community, represented through local chambers of commerce, has been a driving force in fostering enhanced educational opportunities, infrastructure improvements, leadership development, the creation of jobs, and a positive vision of the future; and

WHEREAS, the work accomplished by those local chambers has benefitted our county through their economic development, tourism promotion and community development programs; and

WHEREAS, chambers of commerce work with the businesses, merchants, and industry to advance the civic, economic, industrial, professional and cultural life of Delaware County, and

WHEREAS, the chamber of commerce and its members provide citizens with a strong business environment that increases employment, the retail trade and commerce, and industrial growth in order to make Delaware County a better place to live, and

WHEREAS, the chamber of commerce encourages the growth of existing industries, services, and commercial firms and encourages new companies and individuals to locate in Delaware County, and

WHEREAS, the week of September 9, 2019, has been nationally designated as Chamber of Commerce Week and hundreds of municipalities across the country are recognizing the efforts of their community chambers of commerce.

NOW, THEREFORE, BE IT PROCLAIMED that the Delaware County Board of Supervisors proclaims the week of September 9 – 13 as Chamber of Commerce Week in Delaware County.

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

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

RESOLUTION NO. 124

**TITLE: DESIGNATION OF DELAWARE COUNTY CHAMBER OF COMMERCE AS
TOURISM PROMOTION AGENCY FOR DELAWARE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT**

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 2020 program.

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

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

RESOLUTION NO. 125

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,764,493.14 were hereby presented to the Finance Committee for approval for payment on August 14, 2019 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	\$1,361,894.82
OET	\$42,484.67
Public Safety Comm System	\$297,581.31
CAP MHC	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$227.26
Machinery	\$42,927.12
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$19,377.96

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$4,060,394.00 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	\$502,857.56
OET	\$15,017.55
Public Safety Comm System	\$57,052.37
CAP 97 Main Street	\$0.00
CAP MHC	\$72,455.25
Highway Audits, as Follows:	
Weights and Measures	\$116.76
Road	\$863,978.64
Machinery	\$157,927.00
Capital Road & Bridge	\$2,233,397.62
Capital Solid Waste	\$8,608.74
Solid Waste/Landfill	\$148,982.51

The resolution was seconded by Mr. Ellis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Marshfield reported that the Deputy Social Services Commissioner will be on vacation from August 30 to September 13. Tasha Amadon is Acting Deputy Commissioner in her absence.

Upon a motion, the meeting was adjourned at 1:57 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

SEPTEMBER 25, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, September 25, 2019 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. Spaccaforo and Mr. Pigford.

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 the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Tuthill. Mr. Tuthill introduced Managing Architect Eric Witschi of C&S Companies as lead designer for the new mental health building.

Mr. Witschi gave a brief presentation of design progress on the proposed facility to be located in Walton. The Behavioral Health facility is a consolidation of three existing facilities—the adult mental health clinic, the family and children's clinic, and the alcohol and substance abuse clinic.

The facility at 243 Delaware Street will include a 2-story, 19,800 square foot building, a 720 square foot maintenance garage, and 112 parking spaces. The building is designed to allow for future expansion.

In response to Mr. Cetta, Mr. Witschi said they are currently working on construction documents to be completed this fall for County review. They expect to bid out the project this winter and award contracts and begin construction in the spring. Construction is expected to take at least one year for completion in 2021.

In answer to Ms. Molé, Mr. Witschi estimates just over \$8,000,000 for construction costs. He does not have the total project costs available at this point.

Mr. Witschi stated in reply to Mr. Hynes that he has not calculated an estimate for adding on to the second floor. However, the current project design has built-in capability to allow for additional patients and staff. It would be difficult to design the space not knowing how that space would be used.

In response to Mr. Eisel, Mr. Witschi reported that they analyzed current patient volume and future growth potential. Based on demographic trends in the County, they added a few extra consult offices that would allow for additional patient load and staff growth.

Mr. Witschi stated that the site plan development considers the possibility of expanding horizontally. The storm water collection area is close to the building but can be moved around the property should the building be expanded.

Mr. Witschi, in response to Mr. Eisel, stated the entire property is out of the flood plain. The property sticks out like a peninsula in a flood. Long-term flooding has been considered—not just a 100-year flood but for a 500-year flood. The site is high enough that from the field outside the building, you are looking down at the roof of the adjacent property building.

Supervisor Cetta remarked that the grade of the building site is 12 feet above base flood elevation.

In reply to Mr. Taggart, Mr. Witschi said he would work up a cost estimate to put a shell space over the rest of the first floor. He will report that back to the Capital Projects Committee. Structurally, that space is designed to support extra rooms.

Mr. Marshfield opined that the idea to program additional space is because mental health and drug and alcohol services are not typically going to get any less.

Mr. Witschi stated that their analysis does not assume 100% utilization of consult offices. There's always a little bit of wiggle room.

In answer to Mr. Gladstone about bid competition, Mr. Witschi said this project will attract some larger contractors. Right now, a lot of contractors are fairly busy. Winter is generally a good time of the year to go to bid as mid-winter brings more competitive bidding.

Mr. Taggart commented that this design setup on such an odd-shaped lot is a fantastic utilization of space, particularly with parking on both sides of the building.

Mr. Witschi stated that it is a challenging project, however, it's been very helpful working with the committee and the users who are very understanding and cooperative. Mr. Marshfield confirmed that the Mental Health staff has been involved all along in the design process.

Mr. Witschi stated that the big decisions have been made and at this point in the design, they are down to looking at details.

Mr. Marshfield expressed that Mental Health will utilize their existing furniture as best they can.

In answer to Mr. Davis regarding a possibility to expand the building in the future and the need to get rid of the large storm-water basin area, Mr. Witschi stated the basin could be relocated and shifted about the property.

Assenting with Mr. Cetta, Mr. Witschi confirmed the property has very good percolation rates and gets rid of water fairly quickly.

In answer to Mr. Eisel, Mr. Witschi confirmed there is no basement in the building.

Chairman Molé thanked Mr. Witschi for his informative presentation.

Ms. Molé acknowledged Betty Scott, Masonville Deputy Supervisor, who has attended every meeting representing Masonville while Mike Spaccaforno continues treatment. Mrs. Scott stated that Mr. Spaccaforno is responding to treatment and is doing well.

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

RESOLUTION NO. 126

**TITLE: 2019 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 \$11,200 to be used to pay the salaries of the road patrol deputies participating in this program which runs from October 1, 2019 through September 30, 2020.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUE:

10-13310-43338900/3310003/907	State OTR Public Safety	\$11,200.00
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INCREASE APPROPRIATION:

10-13310-51327000/3310003/907	Personal Services	\$11,200.00
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The resolution was seconded by Mr. Davis and Mr. Taggart and adopted by the following vote: Ayes 3919, Noes 0, Absent 880 (Axtell, Spaccaforno, Pigford).

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

RESOLUTION NO. 127

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF UNMET NEEDS FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$41,243.00 from New York State to provide services for the county's older population who have been placed on a waiting list for services; and

WHEREAS, this funding will be used to provide services that will better the lives of the county's older population;

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE REVENUES:

10-16772-43377200/6772057/977	State Program for Aging	\$41,243.00
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INCREASE APPROPRIATIONS:

10-16772-51327000/6772057/977	Personal Services Grant	\$3,813.00
10-16772-58332700/6772057/977	Grant Social Security	237.00
10-16772-58932700/6772057/977	Medicare Emp. Contributions Grant	56.00
10-16772-57632700/6772057/977	Hospital & Medical Insurance Grant	1,903.00
10-16772-58327595/6772057/977	Grant Supplies	119.00
10-16772-54327465/6772057/977	Grant Miscellaneous	3,935.00
10-16772-54327000/6772057/977	General Grant Related Services	31,180.00

The resolution was seconded by Mr. Triolo.

Supervisor Marshfield stated that this resolution is for the Expanded In-Home Services for the Elderly Program (EISEP) which includes in-home care services, the Link to Life program, home delivered meals, and to start up a consumer-directed agency to relieve the elderly for the lack of aides in Delaware County.

The resolution was adopted by the following vote: Ayes 3919, Noes 0, Absent 880 (Axtell, Spaccaforo, Pigford).

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

RESOLUTION NO. 128

**TITLE: 2019 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, the Road Patrol is looking to purchase Simunition (paint ammunition) for active shooter trainings, along with defibrillation pads to ensure Deputies all have updated current pads for AED machines.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended to reflect the purchase of said supplemental items as follows:

<u>TRANSFER FROM:</u>		
10-00000-34899000	Forfeiture of Crime Proceeds-Sheriff’s Office	\$5,804.23
<u>TRANSFER TO:</u>		
10-13110-54615010	Training	\$3,610.23
10-13110-54595320	Supplies	\$2,194.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 3919, Noes 0, Absent 880 (Axtell, Spaccaforo, Pigford).

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

RESOLUTION NO. 129

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
MENTAL HEALTH DEPARTMENT**

WHEREAS, the Mental Health Department receives funding through Federal Medicaid Administration Reimbursement (Federal Salary Sharing) for a portion of expenditures related to the administration of the Medicaid program; and

WHEREAS, these funds are currently located in a deferred revenue account and need to be designated; and

WHEREAS, these funds can be used to offset any mental health related costs; and

WHEREAS, it has been determined that funds shall be designated for the new Mental Health Facility.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

<u>INCREASE APPROPRIATION:</u>		
10-19950-59990400	Transfer to MH CAP Fund	\$200,000
<u>DECREASE APPROPRIATION:</u>		
10-00000-21469100/6411002/976	Deferred Revenue	\$200,000
<u>INCREASE REVENUE:</u>		
40-14310-45503100	Interfund Transfers OTH	\$200,000
<u>INCREASE APPROPRIATION:</u>		
40-14310-52000000	Equipment and Capital Outlay	\$200,000

The resolution was seconded by Mr. Vernold.

Mental Health Director Cynthia Heaney confirmed Mr. Marshfield’s statement that these funds have to be designated to the capital reserve account to be used for the new facility.

The resolution was adopted by the following vote: Ayes 3919, Noes 0, Absent 880 (Axtell, Spaccafino, Pigford).

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

RESOLUTION NO. 130

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
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 2019 budget be amended as follows:

<u>DECREASE APPROPRIATION:</u>		
24-1110-55000000	Equipment Rental	\$250,000.00
<u>DECREASE REVENUE:</u>		
24-15110-45503100	Transfer from General Fund	\$250,000.00
<u>DECREASE APPROPRIATION:</u>		
10-19901-59990240	Operating Transfer OUT to ROAD	\$250,000.00
<u>INCREASE APPROPRIATION:</u>		
34-15112-55000000	Equipment Rental	\$250,000.00
<u>INCREASE REVENUE:</u>		
34-15112-45503100	Transfer from General Fund	\$250,000.00
<u>INCREASE APPROPRIATION:</u>		
10-19901-59990310	Operating Transfer OUT to Cap Rd & BR	\$250,000.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 3919, Noes 0, Absent 880 (Axtell, Spaccafino, Pigford).

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

RESOLUTION NO. 131

TITLE: IN THE MATTER OF THE ACQUISITION OF CERTAIN MINOR EASEMENTS AND FEE ACQUISITIONS FOR USE IN PUBLIC PROJECT BY DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Delaware County Department of Public Works (“DPW”) is engaged in a certain public use project and has requested financial assistance from the U.S. Department of Homeland Security-Federal Emergency Management Agency (“FEMA”) to replace Bridge 80 (Bridge Street over the Bush Kill) located in the Village of Fleischmanns, Town of Middletown, Delaware County, New York; and

WHEREAS, the proposed new bridge would replace the prior vehicular bridge that was washed out in the heavy rains and flooding experienced during Hurricane Irene, which occurred August 26 to September 5, 2011, and was declared a major disaster by President Barack H. Obama on August 31, 2011 (FEMA 4020-DR-NY); and

WHEREAS, in performing its review of the proposed project, FEMA evaluated four alternatives in its Environmental Assessment (“EA”) in accordance with the National Environmental Policy Act (NEPA): 1) a vehicular bridge; 2) a pedestrian bridge with a shorter (70 ft.) span; 3) No Action: absent Federal financial assistance, the DPW would leave the waterway as-is and not pursue replacement of the bridge or re-grading of the floodplain, leaving the existing bridge substructure (consisting of sheet pile and/ or plate/rail walls) in place, which restricts the waterway opening; and 4) Proposed Action: federal funding would be provided to construct a pedestrian-only bridge with a span length of 86 ft. and a clear deck width (between truss chords) of 10 ft; and

WHEREAS, the DPW’s proposed action alternative (number 4 above) is to construct a pedestrian-only bridge with a span length of 86 ft. and a clear deck width (between truss chords) of 10 ft., consisting of a pre-fabricated steel half-through (pony) truss constructed of a 500 galvanized structural steel tubing with a treated timber deck and concrete cantilever abutments supported on steel H-piles; and

WHEREAS, the approach ramps would be constructed to match the deck elevation of the proposed bridge, will consist of embankment fill with a 10 ft. wide asphalt paved trail having a maximum slope of 5% to comply with Americans with Disabilities Act (“ADA”) standards, and be approximately 30 ft. long on the north side and 60 ft. long on the south side, and other miscellaneous approach work will be performed to restrict access along Bridge Street to pedestrian use only (the “Project”); and

WHEREAS, a primary purpose of the Project is to restore a much needed link for the local community for important pedestrian access to the local community, given the proximity of the Congregation B'nai Israel Synagogue (on Wagner Ave., adjacent to the intersection with Bridge St.), an important local and national historic landmark listed on the National Register and on the New York State Register of Historic Places; and

WHEREAS, the Delaware County Board of Supervisors (the “Board”) has reviewed and considered the plans and schematics for the Project; and

WHEREAS, the Board has determined that the Project is in the best interest of the County of Delaware and its residents and, as a result, that the contemplated acquisitions are in the best interests of the health, safety and welfare of the County and its residents, as it is in the public’s best interest that the Project be properly constructed and maintained; and

WHEREAS, the Project requires the County of Delaware (the “County”) to acquire minor easements and/or fee acquisitions of real property to accommodate the Project, as detailed on the attached acquisition map entitled *Delaware County Acquisition Map, Bridge Street, Pedestrian Bridge, Over Bush Kill*, Map Nos. 1 – 5 (23 pages); and

WHEREAS, the DPW has endeavored and will continue to endeavor to acquire any easements and fee acquisitions necessary for the Project by voluntary compliance with land owners, but the Board acknowledges that voluntary compliance may not be achieved for all the necessary acquisitions requiring the Board to exercise the County's powers of Eminent Domain; and

WHEREAS, based upon the acquisition maps identified above, the Board has determined that the contemplated acquisitions are all minor in nature, only affecting small portions of individual properties and constitute minor amounts of land and land interests, and therefore any of the individual acquisitions 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

WHEREAS, FEMA previously complied with the mandates of the National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) ("NEPA") by assessing the proposed project's impacts on the human environment in accordance with the NEPA, the Council on Environmental Quality regulations for implementing NEPA (40 CFR Parts 1500 - 1508), and FEMA regulations for environmental consideration pertaining to NEPA compliance at 44 CFR Part 10; and

WHEREAS, the Delaware County Board of Supervisors seeks to comply with the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) ("SEQRA") for the Project; and

WHEREAS, pursuant to the terms of NEPA and SEQRA, the Board has determined that this Project and proposed acquisitions are consistent with the NEPA and SEQRA reviews and is a Type II action under SEQRA as it is the replacement, rehabilitation or reconstruction of the bridge, in kind, on the same site.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby determines that when voluntary compliance to acquire minor easements or fee acquisitions in furtherance of the Project is not practicable or would prejudice the Project, the County of Delaware and its legal agents are authorized to acquire the lands or interests by use of Eminent Domain; and

BE IT FURTHER RESOLVED that the Board and the Attorney for DPW are hereby directed to take such actions as are necessary to implement this resolution.

The resolution was seconded by Mr. Davis.

Supervisor Davis reported this resolution is for the acquisition of the pedestrian bridge in the Village of Fleischmanns. Funds are available but land has to be acquired for one of the abutments. Fleischmanns Village has passed similar language in agreement with this easement.

The resolution was unanimously adopted.

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

RESOLUTION NO. 132

**TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A
PUBLIC HEARING FOR CLOSEOUT OF THE
2016 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 2016; 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 citizens’ views.

THEREFORE, BE IT RESOLVED a public hearing is scheduled for Wednesday, October 9, 2019 at 12:45 p.m. to be held at the Senator Charles Cook County Office Building, 111 Main Street, Delhi, New York; and

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors and the Director of Economic Development to publicize a public hearing to meet the administration requirements of the grant funds.

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

Chairman Molé reiterated that this public hearing will be held before the next Board meeting, October 9 at 12:45 p.m. in the Board Room.

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

RESOLUTION NO. 133

TITLE: ADOPTION OF STATE ADVISORY EQUALIZATION RATES

BE IT RESOLVED that the following State Equalization Rates be adopted for the apportionment of the 2020 County Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law:

ANDES	100.00
BOVINA	23.00
COLCHESTER	2.99
DAVENPORT	77.50
DELHI	61.00
DEPOSIT	4.10
FRANKLIN	89.00
HAMDEN	100.00
HANCOCK	12.13
HARPERSFIELD	27.85
KORTRIGHT	100.00
MASONVILLE	100.00
MEREDITH	100.00
MIDDLETOWN	102.00
ROXBURY	100.00
SIDNEY	81.35
STAMFORD	26.40

TOMPKINS	3.93
WALTON	100.00

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

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

RESOLUTION NO. 134

**TITLE: ESTABLISHING TWO ADDITIONAL POSITIONS
OFFICE OF THE PUBLIC DEFENDER**

BE IT RESOLVED that pursuant to the authority granted by Section 204 of the County Law, there was hereby established a department to be known as the Delaware County Office of the Public Defender on March 13, 2019.

BE IT FURTHER RESOLVED that the Office of the Public Defender requires two (2) additional positions other than the four (4) support positions provided for in Resolution No. 43 dated March 13, 2019.

BE IT FURTHER RESOLVED that the Public Defender may within the budgetary limitations provided therefore and pursuant to applicable laws, appoint and remove such Assistant Public Defenders and other management confidential personnel necessary and proper to carry out the activities of the Department; and

BE IT FURTHER RESOLVED that authorization is hereby given for the creation of two (2) additional support positions in the Office of the Public Defender. The titles and rate of pay for said positions to be determined by the Personnel Office.

BE IT FURTHER RESOLVED that the Delaware County Personnel Office is hereby requested to apply to the New York State Civil Service Commission to have the position of Assistant Public Defender, and such support position deemed appropriate, approved in other than the competitive class.

The resolution was seconded by Mr. Vernold.

Supervisor Eisel introduced Delaware County Public Defender Joseph Ermeti. Mr. Ermeti stated that four positions were previously authorized by the Board including himself, two attorneys and one staff support. There is need for two other positions—one additional attorney and staff member to cover family court. The additional family court attorney will cover Judge Gary Rosa’s court and he and another assistant public defender will take care of Judge Richard Northrup’s court. The consensus after extensive conversations with the judges is that one attorney will not be able to handle all the cases in family court.

Chairman Molé stated that the Public Defender’s office is currently housed in the back offices of the Board of Supervisors while the elevator is being installed at 97 Main Street. The elevator is expected to be in service by the end of the year and they will move into their offices at that time.

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. 135

**TITLE: PROCLAMATION
IN RECOGNITION OF SHERIFFS’ WEEK**

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Delaware County throughout our history, having been established in the State’s first constitution in 1777 and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County; and

WHEREAS, despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of “Keeper of the Peace,” and extend into many facets of public service including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts; and

WHEREAS, as a constitutionally empowered entity directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves; and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system.

NOW, THEREFORE the Delaware County Board of Supervisors does hereby proclaim September 22 to 28, 2019 to be Sheriffs’ Week in Delaware County.

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

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

RESOLUTION NO. 136

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$950,018.68 were hereby presented to the Finance Committee for approval for payment on September 11, 2019 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	\$692,236.04
OET	\$24,897.58
Public Safety Comm System	\$0.00
CAP 97 Main Street	\$976.11
CAP MHC	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$24,663.60
Machinery	\$36,317.09
Capital Road & Bridge	\$14,793.43
Capital Solid Waste	\$36,276.52
Solid Waste/Landfill	\$119,858.31

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,324,918.01 are hereby presented to the Board of Supervisors for approval of payment;

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

General Fund	\$785,747.44
OET	\$3,916.72
Public Safety Comm System	\$110,502.26
CAP 97 Main Street	\$41,581.89
CAP MHC	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$58.03
Road	\$12,549.17
Machinery	\$58,679.30
Capital Road & Bridge	\$223,357.17
Capital Solid Waste	\$54,630.75
Solid Waste/Landfill	\$33,895.28

The resolution was seconded by Mr. Tuthill, Mr. Vernold, and Mr. Ellis and adopted by the following vote: Ayes 3919, Noes 0, Absent 880 (Axtell, Spaccafino, Pigford).

Chairman Molé made the following committee appointments:

COALITION OF WATERSHED TOWNS EXECUTIVE COMMITTEE

2-year term ending August 31, 2021

Appoint Regular Member:

Pat Davis, Middletown Town Supervisor

Appoint Alternates:

Larry Reilly, Fleischmanns Village Deputy Mayor

Shayne Mosher, Andes Town Board

Tom Hilson, Bovina Town Board

YOUTH BUREAU BOARD

3-year term ending December 31, 2022

Appoint:

Pamela Hladik

Chairman Molé announced that a Legislative Committee meeting would be held directly following today's Board Meeting.

Supervisor Tuthill asked the Capital Projects Committee to stay after for a short meeting in the Board Room.

Upon a motion, the meeting was adjourned at 1:42 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

**CLOSEOUT OF THE 2016 DELAWARE COUNTY AGRICULTURAL
MICROENTERPRISE PROGRAM
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL GRANT
ADMINISTRATION COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING**

OCTOBER 9, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding the closeout of the 2016 Delaware County Agricultural Microenterprise program, New York State Office of Community Renewal Grant Administration Community Development Block Grant Funding in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:50 p.m. on Wednesday, October 9, 2019, Vice Chairman Mark Tuthill presiding.

Vice Chairman Tuthill called the hearing to order.

NOTICE OF PUBLIC HEARING

**CLOSEOUT OF THE 2016 DELAWARE COUNTY AGRICULTURAL
MICROENTERPRISE PROGRAM**

Vice Chairman Tuthill 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, Vice Chairman Tuthill declared the hearing adjourned at 12:54 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

OCTOBER 9, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 9, 2019 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Vice Chairman Mark Tuthill presiding.

The Clerk called the roll and all Supervisors were present except Ms. Molé and Mr. Spaccaforno.

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 noted that all communications received have been referred to the appropriate committees for review.

Vice Chairman Tuthill granted privilege of the floor to Supervisor Tom Hynes. Mr. Hynes introduced Cornell Cooperative Extension of Delaware County Executive Director Jeanne Darling.

Mrs. Darling stated that Cornell Cooperative Extension (CCE) is dedicated to growing healthy families, confident youth, successful farms and stronger communities. This year CCE partnered with the Walton Chamber of Commerce to expand the Walton Farmers' Market. This market was open every Friday from July through September and provided a new event each

Friday from an ice cream social to Apple Day where the community was invited to bring their own apples to press into cider. In addition, nutrition educators were on hand each Friday to teach the community how to prepare fresh produce. This season saw new farmers who participated at the markets along with the introduction of new products and overall increased sales.

Mrs. Darling introduced 4-H Camp Shankitunk Director Corrine Tompkins who expressed that their main goal is to get youth to attend camp for the experience of making friends, learning new skills, and having fun. Mrs. Tompkins stated that Camp Shankitunk was full again this summer and noted that there was a nice 10% increase in the number of campers from Delaware County. There had been a decline in campers from Delaware County indicative of the population decrease in the County. One way to increase camp enrollment is through camperships and camp scholarships. This year over 200 partial to full camperships were awarded. Offering these camperships would not be possible without partners like the Town of Tompkins, Delaware County Youth Bureau, the Ricky J. Parisian Foundation, and many other associations. Tina Molé arranged for 10 Delaware County youth to attend camp at no cost through the Michael & Erin Martucci Family Foundation. The Delaware County Camper Access Mentor Program (DCCAMP) is a new and innovative scholarship opportunity this year. Partnering with two other 4-H camps around New York State, 130 children were able to attend camp for the first time at no cost. Mr. Cetta helped spread the word about the availability of these camperships and this once-in-a-lifetime opportunity brought 27 Delaware County youth to 4-H Camp Shankitunk. With additional funding from the Community Foundation for South Central NY, these campers also received supplies such as sleeping bags, flashlights, and personal effects necessary for a successful camp experience. DCCAMP was an overwhelming success and they hope to continue the program to meet the needs of our local youth and will be looking for ways to keep the program going in the future.

Mrs. Tompkins revealed the newest addition to Camp Shankitunk—a traverse wall. Supervisors who came to the CCE picnic at camp in July saw the traverse wall first hand. The traverse wall was inspired by a camper and community funded through grants from the A. Lindsay & Olive B. O'Connor Foundation, the Ricky J. Parisian Foundation, Coughlin & Gerhart, LLP, Walter Gladstone, and other private donations made on #GivingTuesday last November. The traverse wall promotes teamwork, communication, trust, confidence building, goal setting, healthy risk taking, and offers a full-body workout. Campers have thoroughly enjoyed this activity and the traverse wall will add value to the camp experience for many years.

In a final note, Mrs. Tompkins said that camp administration is pursuing accreditation from the American Camp Association (ACA). ACA professionals spent a day at Camp Shankitunk for observation, to review policies and protocols, and test operations to compare with national standards. Application results are expected in November.

Mrs. Tompkins thanked the Supervisors for their support of 4-H Camp Shankitunk and CCE.

CCE Ag Senior Extension Resource Educator Mariane Kiraly spoke about the importance of growing successful farms and two programs designed to stimulate more economic development in the County. She stated that Family Farm Day is an opportunity for the community to visit participating farms for tours and activities and 18 farms in Delaware County participated in Family Farm Day in August. The Delaware County Chamber of Commerce provides funding for Delaware County farmers to participate.

Mrs. Kiraly elaborated on their new To Market, To Market program which is sponsored by the Watershed Agricultural Council. This program helps innovators take a product or service from an idea all the way to the market. It's a challenge for startups to navigate the requirements and regulations necessary to bring something new to market. The program is open to all types of startups which do not necessarily need to be farm related.

CCE Horticulture and Natural Resource Educator Carla Crim discussed how CCE has grown a Master Gardener Volunteer Program from the ground up. Master Gardeners statewide are overseen by Cornell and are required to complete 40 to 60 hours of training over a 10-week period. David Cox of CCE Schoharie and Otsego Counties holds Master Gardener training

every other year. Once training is completed, the volunteers commit to a service component where they give back to the community within two years. In Delaware County the Master Gardener Program was started in 2016 when two volunteers were trained. In 2018, an additional five volunteers were trained and they are now recruiting for 2020 master gardeners.

Master Gardener Volunteers (MGV) branch out from CCE to deliver horticulture education around the County. These volunteers will independently develop and oversee projects in their own communities such as these MGV projects:

- Sheila Ayres – Historic kitchen garden next to the Frisbee House at the Delaware County Historical Association in Delhi.
- Laura Sanford – Orchard apple identification project to determine what variety of apples are growing in the original orchard at Woodchuck Lodge, Naturalist John Burrough's childhood home in Roxbury.
- Bonnie Seegemiller – Hands-on horticulture workshops including succulents, hypertufa pot casting, and herbal infusions in the Colchester community.
- Judy Morse – Raised bed gardens for senior citizens who participate in the "Our Place" program at St. James Church in Bovina. Includes a vegetable garden and a pollinator garden.
- Sonya Meiselbach – Community Garden at Birdsong Farm in Hamden. In this second year, Community Garden produce was brought to the Walton Farmers' Market. The Community Garden was also open to the public on Family Farm Day in August and had over 100 visitors.

Ms. Crim invited the Supervisors and attendees to enjoy fresh vegetables from the community garden along with other refreshments in the lobby at the conclusion of the meeting.

Mrs. Darling encouraged Supervisors to attend the CCE annual meeting scheduled for November 13 at the Castle in Walton. Senator Jen Metzger will be the guest speaker and a luncheon is scheduled as well as a presentation on important issues. There will be a tour of two farms in the afternoon and finishing up the evening at the Castle in Walton with a reception at 5:00 p.m. Agri-business and farmers will be part of the reception followed with a meal that will feature local foods. After Senator Metzger's presentation, a panel of farmers will be talking about the future of agriculture in Delaware County. The County Department of Economic Development, the Chamber of Commerce, Farm Bureau, and the Soil and Water Conservation District are all working together to look at the future and develop a strategic plan for agriculture in our county and region with the goal of keeping small farms in business and making sure there's a future for farms here in Delaware County.

Vice Chairman Tuthill thanked Mrs. Darling and her staff for their informative presentation.

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

RESOLUTION NO. 137

TITLE: 2019 BUDGET ADMENDMENT TRANSFER OF FUNDS PUBLIC HEALTH SERVICES

WHEREAS, Public Health Services has experienced multiple staff retirements and restructuring of job positions since the 2019 budget was approved; and

WHEREAS, the 14059 Early Intervention Personal Services and Fringe accounts are low on funds; and

WHEREAS, the 14012 Public Health Services Personal Services and Fringe accounts have sufficient funds.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

INCREASE APPROPRIATIONS:

10-14059-51000000	Personal Services Expense	\$65,206.00
10-14059-58300000	Social Security Emplr Contrib	\$4,043.00
10-14059-58550000	Disability Insurance	\$105.00
10-14059-58600000	Hospital & Medical Insurance	\$24,573.00
10-14059-58900000	Medicare Emplr Contrib	\$945.00

DECREASE APPROPRIATIONS:

10-14012-51000000	Personal Services Expense	\$65,206.00
10-14012-58300000	Social Security Emplr Contrib	\$4,043.00
10-14012-58550000	Disability Insurance	\$105.00
10-14012-58600000	Hospital & Medical Insurance	\$24,573.00
10-14012-58900000	Medicare Emplr Contrib	\$945.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4604, Noes 0, Absent 195 (Molé, Spaccaforo).

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

RESOLUTION NO. 138

**TITLE: PROCLAMATION
2019 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 board/committees, as 4-H club leaders, and in Extension’s educational outreach; and

WHEREAS, Cornell Cooperative Extension has served Delaware County for 106 years since 1913; and

WHEREAS, Cornell Cooperative Extension is proud of the 92 years of youth camping programs at 4-H Camp Shankitunk and the 11th 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, LET IT BE RESOLVED that the Delaware County Board of Supervisors hereby designates the week of October 5-11, 2019 as Cornell Cooperative Extension Week and National 4-H Week in Delaware County.

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

Vice Chairman Tuthill 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. 139

**TITLE: 2019 BUDGET AMENDMENT
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County has been awarded grant funding under the FY 2018 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 \$22,818.00 to Delaware County and shall be used to purchase furniture for the multi-purpose room/emergency operations center which will include desks, chairs and related items.

THEREFORE, BE IT RESOLVED that the Emergency Services office be authorized to accept this grant funding as described above and that the 2019 budget be amended as follows:

INCREASE REVENUE:

10-13640-43330500/3640058/911 State Civil Defense \$22,818.00

INCREASE APPROPRIATION:

10-13640-52200001/3640058/911 Equipment \$22,818.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4604, Noes 0, Absent 195 (Molé, Spaccaforo).

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

RESOLUTION NO. 140

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

ASSESSED To:

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

DEP17TX.019
MARILYNN P SOMMERS ESTATE
123001:DEPOSIT
349.17-3-1
034201:DEPOSIT
90'F x 205'D: 0.25A ACRES
MIRIAM ABDUL-MAJIED
MUJAHEED ABDUL-MAJIED
1723 ROODS CREEK RD
HANCOCK NY 13783

CASH CONSIDERATION: \$5,400.00

VILLAGE SHARE \$2,808.00

COUNTY SHARE \$2,592.00

TAX DEFICIT: \$2,039.04

SID16TX.010

ASSESSED To: **KEVIN BUTLER**

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: \$2,000.00

TAX DEFICIT: \$6,457.89

SID12TX.015

ASSESSED To: **ADRIENNE DELMEDICO**

TOWN OF: 125001:SIDNEY

TAX MAP No: 115.11-5-15

SCHOOL DISTRICT: 125001:SIDNEY

ACREAGE: 50.00'F X 107.00'D: 0.12A ACRES

CONVEYED To: H. HARUTYUNYAN

20542 COLUMBUS CIRCLE STA

NEW YORK NY 10023-9991

CASH CONSIDERATION: \$2,000.00

TAX DEFICIT: \$4,699.31

SID17TX.029

ASSESSED To: **TROY RAMAGE**

TOWN OF: 125089:SIDNEY

TAX MAP No: 141.4-1-12

SCHOOL DISTRICT: 125001:SIDNEY

ACREAGE: 66'F X 125'D: 0.24A ACRES

CONVEYED To: H. HARUTYUNYAN

20542 COLUMBUS CIRCLE STA

NEW YORK NY 10023-9991

CASH CONSIDERATION: \$2,500.00

TAX DEFICIT: \$7,248.21

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4604, Noes 0, Absent 195 (Molé, Spaccafino).

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

RESOLUTION NO. 141

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

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

NOW, THEREFORE, BE IT RESOLVED that the Probation Department is authorized to sell by on-line auction or for scrap the following item:

Vehicle No.	Description	Serial Number/VIN
PRO 31	2009 Ford Fusion	3FAHP0GA6AR110216

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

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

RESOLUTION NO. 142

**TITLE: RATIFICATION OF BAGS LANDFILL
BUDGET FOR 2020**

BE IT RESOLVED that the 2020 budget for the BAGS Landfill in the total amount of \$14,294.00 with \$1,820.35 the apportioned cost to the Town of Sidney be ratified as presented.

The resolution was seconded by Mr. Vernold.

Vice Chairman Tuthill stated that this resolution is brought before the Board every year.

The resolution was unanimously adopted.

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

RESOLUTION NO. 143

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,418,481.02 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	\$1,454,144.42
OET	\$20,052.38
Public Safety Comm System	\$0.00
CAP 97-Main Street	\$534.43
Highway Audits, as Follows:	
Weights and Measures	\$276.28
Landfill	\$117,461.19
Road	\$2,105.97
Machinery	\$32,142.69
Capital Road & Bridge	\$1,791,763.66
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4604, Noes 0, Absent 195 (Molé, Spaccaforo).

Vice Chairman Tuthill reminded Supervisors to stop in the lobby to enjoy refreshments provided by CCE.

Upon a motion, the meeting adjourned at 1:47 p.m.

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
OCTOBER 23, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 23, 2019 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. Eisel, Mr. Spaccaforo and Mr. Layton.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting and public hearing were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Marshfield. Mr. Marshfield introduced Director of Veterans Service Agency Charles Piper to provide an overview of the Delaware County Veterans Stand-Down event that will be held on Wednesday, November 6 from 10:00 a.m. until 2:00 p.m. at the Catskill Veterans Outreach Center in Stamford.

Mr. Piper explained that stand-down is a wartime term used for a period of time when military personnel who are in harm's way are sent to another location where their basic necessities will be taken care of, for instance, for needed medical assistance, clothing, food or other necessary services. A Veterans Stand-Down event provides counseling referrals, healthcare services, housing resources, legal services, wellness tips, and other services based on the needs of the population.

Mr. Piper referred to an information packet on each Supervisor's desk which includes more details on the stand-down along with a flyer for the event and a list of vendors who will be manning tables to provide services. Veterans who attend will be directed to vendors based on their particular need. The Hitching Post will provide a free lunch for veterans and their families and also available will be flu shots, blood pressure readings, haircuts and personal care items. Lastly, veterans will be able to peruse a selection of military surplus items that will help provide some basic needs. The Stand-Down is open to all veterans who are in need and all services and items are provided free of charge. Veterans should bring proof of their veteran status.

Mr. Piper stated he hopes to make this an annual or biennial event depending on need.

In reply to Mr. Cetta, Mr. Piper confirmed that pre-registration is not necessary. Chairman Molé and Mr. Marshfield thanked Mr. Piper.

For standing committee reports Capital Projects Committee Chairman Mark Tuthill stated that he received an opinion of probable construction costs to enclose the balance of the second floor of the Mental Health facility. The estimate is approximately \$475,000 for 4,100 square feet with an additional exit stairway including architectural structure, fire protection, HVAC, electrical, light, safety and security. The Capital Projects Committee will need approval from the Board to move forward.

Mr. Taggart commented that the cost is approximately \$125 per square foot which would be money well spent. In the past, the jail was built with the option to add a second story but today that is not feasible as the jail would have to be empty for that construction. He opined that if this second floor is not added now, it probably would never be done. This cost is a very reasonable building expense.

Mr. Tuthill reported that C&S Companies Managing Architect Eric Witschi wished to stress to the Board that with the distinct security involved at the Mental Health facility, other agency offices may not belong in the same building. The additional space will be limited on how it can be used.

Chairman Molé expressed that the County lacks storage space and currently pays rent for storage space outside of the County so this space could be used for storage.

Mr. Valente stated that three departments—the Department of Public Works, Social Services, and the Board of Elections utilize large amounts of storage space for the vast volume of records they are required to keep.

Mr. Cetta expressed that 4,100 square feet is about a 20% increase in space at about 1/3 of what the construction cost will be for the current plan.

Upon a motion by Mr. Valente, seconded by Mr. Gladstone and Mr. Taggart and being unanimous among the Board, the Capital Projects Committee will pursue a revision to the project plan to enclose the balance of the second floor.

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

RESOLUTION NO. 144

**TITLE: 2019 BUDGET AMENDMENT
FUNDING FROM DELAWARE COUNTY LOCAL DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT**

WHEREAS, Delaware County was awarded a grant of \$200,000 in 2016 from NYS Office of Community renewal for the implementation of a microenterprise grant program; and

WHEREAS, the Delaware County Local Development Corporation is administering the program on behalf of the County and is able to utilize a portion of the grant to reimburse the LDC and the County for certain expenses incurred in the implementation of the program; and

WHEREAS, the Delaware County Local Development Corp. has received \$4,903.00 for administrative expenses of the program which it will transfer to Delaware County Economic Development.

NOW, THEREFORE, BE IT RESOLVED, that the following 2019 budget modification be made:

INCREASE REVENUE:

10-16326-42238906	Delaware County LDC	\$4,903.00
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INCREASE APPROPRIATION:

10-16326-52200000	Equipment	\$1,900.00
10-16326-54308000	Future Development	\$3,003.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforo, Layton).

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

RESOLUTION NO. 145

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MEDICAL TRANSPORTATION
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$2,000.00 from Rural Health Network 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.

THEREFORE, BE IT RESOLVED that the estimated revenues and appropriations for the year 2019 will be increased as follows:

INCREASE REVENUES:

10-16772-42270602/6772056/977	Grants from Nonprofit	\$2,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327625/6772056/977	Grant Travel	\$2,000.00
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 146

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
OFFICE FOR THE AGING**

WHEREAS, Delaware County Office for the Aging planned to purchase four computers from the 2019 budget; and

WHEREAS, the agency ordered a total of seven computers due to a recommendation from the Information Technology Department following computer upgrades; and

WHEREAS, the total cost of these computers is higher than the amount in the equipment line in the agency’s 2019 budget; and

WHEREAS, there is available money to cover the cost of the additional computers in the agency’s Contractual Services budget line.

THEREFORE, BE IT RESOLVED that the transfer of funds be authorized as follows:

INCREASE APPROPRIATIONS

10-16772-52200000	Equipment	\$4,358.00
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DECREASE APPROPRIATIONS:

10-16772-54200000	Contracted Services	\$4,358.00
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The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 147

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

LETTING OF OCTOBER 3, 2019

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. 31-19 Delaware County Bridge Structural Steel Preservation Project
PIN 9754.34, D036260 to: Atlas Painting and Sheeting Corp.,
465 Creekside Drive, Amherst, NY 14228

Bid Price: \$369,000.00

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. Davis.

Mr. Haynes indicated this award is for the following three bridges: County Route 16, first bridge heading out of Fraser, Cornell Avenue bridge in Hobart, and County Route 18, first bridge entering Hobart.

The resolution was adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforo, Layton).

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

RESOLUTION NO. 148

TITLE: RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION TO REPEAL THE HEALTH INSURANCE TAX (HIT)

WHEREAS, the Jobs and Premium Protection Act of 2019 (H.R. 2447) repeals the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act (PPACA); and

WHEREAS, the Health Insurance Tax (HIT) is one of the largest tax increases included in the PPACA, which was signed into law in 2010; and

WHEREAS, medical carriers have broadly been reporting around a 2% increase to the renewals for this mandate alone; and

WHEREAS, repealing the HIT is a critically important step to protect consumers and small business owners.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors supports the repeal of the Health Insurance Tax (HIT) (Bill S.80); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors supports the Jobs and Premium Protection Act of 2019 (H.R.2447); and

BE IT FURTHER RESOLVED that the Clerk to the Board of Supervisors shall forward copies of this resolution to Governor Andrew Cuomo, Senator Jen Metzger, Senator Fred Akshar, Representative Charles Schumer, Representative Antonio Delgado, the New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

The resolution was seconded by Mr. Ellis.

Supervisor Marshfield stated that repeal of HIT Bill HR 2447 was introduced by Democratic Congressman Anthony Brindisi of Binghamton and co-sponsored by a Republican Congressman from Texas which shows support on both sides. This bill is for the repeal of the annual fee on health insurance providers. If not repealed, it will cause serious implications for State Medicaid programs and Medicaid beneficiaries. Our County has finally about 10 years ago stabilized our Medicaid costs which today is stabilized at just over \$8 million dollars direct to our taxpayers. He believes if this is not repealed or delayed the State, which supposedly will absorb these costs, will put some over onto the County. If it is not repealed it will decrease New York State's Gross Domestic Product (GDP) by \$632 million over a decade. HIT is a tax on the public health program which supports our most vulnerable citizens. It has a serious implication for the State Medicaid program. It impacts individual consumers, small and large business

employees, Medicare beneficiaries (senior citizens), and Medicaid managed care beneficiaries.

He further noted if allowed to be reinstated, it will add about \$196 to the individual market, \$479 per family in the small business group market, \$458 per family in the large business group market, \$241 for seniors in the Medicare Advantage market, and \$157 for the Medicaid Program. It is estimated that it will affect 142 million people nationwide who will pay higher rates for health care. The federal government will lose \$159 billion in revenue over a 10-year period, however, he opined there is lots of room for improvement in their wasteful spending. Mr. Marshfield said he therefore promotes this resolution to be passed.

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. 149

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF ELECTRONIC POLL BOOK LOCALITIES GRANT
AND RECISSION OF RESOLUTION NO. 108-2019
BOARD OF ELECTIONS**

WHEREAS, New York State Law requires the use of E-Poll Books for early voting and at the poll sites; and

WHEREAS, New York State Law requires Early Voting and the use of On Demand Printers to implement Early Voting at our Election Office; and

WHEREAS, additional funding of \$14,662.46 has been awarded to the Electronic Poll Book Localities Grant, thus the Board of Elections no longer needs a transfer from the contingency account as approved by Resolution No. 108-2019.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 108–2019 is hereby rescinded and the acceptance of additional grant funding be authorized.

INCREASE REVENUE:

10-11450-43308000/1450007/961	State Board of Elections	\$14,662.46
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INCREASE APPROPRIATIONS:

10-11450-52200001/1450007/961	Equipment Grant	\$1,570.00
10-11450-54327580/1450007/961	Grant Software	\$13,092.46

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 150

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
MEDICAL EXAMINER**

WHEREAS, the Medical Examiner’s Department is in need of additional funds for the remainder of the year necessitating a transfer from the Contingency Fund.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

<u>TRANSFER FROM:</u>		
10-11990-54900000	Contingency Account	\$20,000.00
<u>TRANSFER TO:</u>		
10-11185-51000000	Personal Services	\$13,000.00
10-11185-54115000	Autopsy Review	\$5,000.00
10-11185-54625000	Travel	\$1,000.00
10-11185-58300000	Social Security	\$810.00
10-11185-58900000	Medicare	\$190.00

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

Chairman Molé stated this resolution is necessary because there have been about 20 more deaths this year.

The resolution was adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 151

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
SHERIFF’S OFFICE**

WHEREAS, funds have been made available to the Sheriff’s Office by Personal Services funding that was allocated for kitchen staff; and

WHEREAS, due to an increase in board in inmates during the current year, our food expense has increased. As the contractual services with Trinity include labor cost and as labor costs for kitchen staff were left in the budget to account for the increase.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended to reflect the purchase of said supplemental items, as follows:

<u>TRANSFER FROM:</u>		
10-13150-51000000	Personal Services Exp. - Jail	\$75,000.00
<u>TRANSFER TO:</u>		
10-13150-54310000	Food	\$75,000.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 152

**TITLE: AMENDMENT OF RESOLUTION NO. 140-19
SALE OF COUNTY OWNED PROPERTY**

WHEREAS the cash consideration and address were incorrect;

THEREFORE, BE IT RESOLVED that the County of Delaware convey this property as follows:

	DEP17TX.019
<u>ASSESSED TO:</u>	<u>MARILYNN P SOMMERS ESTATE</u>
TOWN OF:	123001:DEPOSIT
TAX MAP NO:	349.17-3-1
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	90'F x 205'D: 0.25A ACRES
CONVEYED TO:	MIRIAM ABDUL-MAJIED MUJAHEED ABDUL-MAJIED 60 SARATOGA AVE #406 BINGHAMTON NY 13903
CASH CONSIDERATION:	\$3,000.00
	VILLAGE SHARE \$1,560.00
	COUNTY SHARE \$1,440.00
TAX DEFICIT:	\$2,039.04

The resolution was seconded by Mr. Tuthill and Mr. Marshfield and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 153

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

	HAN17TX.041
<u>ASSESSED TO:</u>	<u>KATHLEEN MARY LEONARD</u>
TOWN OF:	123601:HANCOCK
TAX MAP NO:	439.6-1-12
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	120'F x 250'D ACRES
CONVEYED TO:	FINEST CONTRACTING INC C/O TODD HILLKEWICZ 99 WESTWOOD RD NORTH MASSAPEQUA PARK NY 11762
CASH CONSIDERATION:	\$12,000.00
TAX DEFICIT:	\$8,415.69

	HAN17TX.065
<u>ASSESSED TO:</u>	<u>DANIEL P WOOD JR</u>
TOWN OF:	123689:HANCOCK
TAX MAP NO:	420.2-2-23
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	66'F x 90'D: 0.14A ACRES
CONVEYED TO:	JOHN APLEY PO Box 247 EAST BRANCH NY 13756
CASH CONSIDERATION:	\$6,000.00
TAX DEFICIT:	\$6,195.84

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

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

RESOLUTION NO. 154

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,460,275.93 are hereby presented to the Board of Supervisors for approval of payment;

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

General Fund	\$993,111.89
OET	\$20,551.27
Public Safety Comm System	\$15,334.88
CAP 97 Main Street	\$163.59
CAP MHC	\$38,418.03
Highway Audits, as Follows:	
Weights and Measures	\$718.97
Landfill	\$62,487.59
Road	\$49,440.46
Machinery	\$110,001.48
Capital Road & Bridge	\$159,423.77
Capital Solid Waste	\$10,624.00

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccafino, Layton).

Upon a motion, the meeting was adjourned at 1:25 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

NOVEMBER 13, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 13, 2019 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. Spaccafino and Mr. Ellis.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting and public hearing were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

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

RESOLUTION NO. 155

**TITLE: 2019 BUDGET AMENDMENT
EMERGENCY MANAGEMENT PERFORMANCE GRANT FUNDING
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County has been awarded grant funding under the FY 2019 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 \$22,521.00 to Delaware County and shall be used to purchase interactive display boards and related items for the Emergency Operations Center (EOC).

THEREFORE, BE IT RESOLVED that the Emergency Services office be authorized to accept this grant funding as described above and that the 2019 budget be amended as follows:

INCREASE REVENUE ACCOUNT:

10-13640-43330500/3640059/911	State Civil Defense	\$22,521.00
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INCREASE APPROPRIATION ACCOUNT:

10-13640-52200001/3640059/911	Equipment Grant	\$22,521.00
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The resolution was seconded by Mr. Davis.

In response to Mr. Marshfield, Director of Emergency Services Stephen Hood confirmed that display boards in both conference rooms at the Public Safety building will be replaced. The display board at the fire training center will also be replaced. The new display boards costs from \$5,000 to \$8,000 each. All of this funding will be used toward the full cost of replacements. The replacements are essentially 72” televisions.

The resolution was adopted by the following vote: Ayes 4514, Noes 0, Absent 285 (Spaccaformo, Ellis).

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

RESOLUTION NO. 156

**TITLE: 2019 BUDGET AMENDMENT
STATE HOMELAND SECURITY PROGRAM
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 (WM2019 SHSP); and

WHEREAS, this grant was awarded in the amount of \$99,971.00 for the purpose of an interoperable communications trailer to be used as a mobile command trailer for emergency incidents and will shared between Delaware County Department of Emergency Services and Delaware County Sheriff’s Office.

THEREFORE, BE IT RESOLVED that the Emergency Services office be authorized to accept this grant funding as described above and that the 2019 budget be amended as follows:

INCREASE REVENUE ACCOUNT:

10-13640-43398900/3640060/911	State Homeland Security	\$99,971.00
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INCREASE APPROPRIATION ACCOUNT:

10-13640-52200001/3640060/911 Equipment Grant \$99,971.00

The resolution was seconded by Mr. Gladstone.

In answer to Mr. Marshfield, Director of Emergency Services Stephen Hood said the equipment is a tow-behind trailer with radios, consoles, monitoring devices, and exterior cameras. The equipment will allow the user to connect into the communications system. The trailer does not need to be heated or temperature controlled when not in use. The trailer will serve as a backup 911 center should anything catastrophic occur. The trailer most likely will be 32’.

In answer to Mr. Triolo, Mr. Hood confirmed that the cost includes the trailer fully equipped.

In reply to Mr. Cetta, Mr. Hood said that if the unit is used as a backup 911 center, it would accommodate three dispatch personnel which is the same amount of space they have now. The trailer will be a typical mobile command center.

Mr. Cetta recalled a train derailment last year when Broome County arrived on the scene with an impressive mobile unit and he understands the need for this type of equipment. It will be an asset in emergency situations.

The resolution was adopted by the following vote: Ayes 4514, Noes 0, Absent 285 (Spaccaforo, Ellis).

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

RESOLUTION NO. 157

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY TREASURER**

WHEREAS, additional funding is needed to cover auditing fees.

NOW, THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

TRANSFER FROM:

10-11990-54900000 Contingency \$2,200.00

TRANSFER TO:

10-11325-54535120 Professional Fees Auditing \$2,200.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4514, Noes 0, Absent 285 (Spaccaforo, Ellis).

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

RESOLUTION NO. 158

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY CLERK**

WHEREAS, the Delaware County Records Management fringe benefit line for Hospital and Medical Insurance is in need of funding due to a change in plans at the beginning of the year; and

WHEREAS, there is funding to cover the cost of the additional insurance premium from the County Clerk budget.

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

<u>TRANSFER FROM:</u>		
10-11410-54210000	Current Recordings	\$3,000.00
10-11410-54400000	Legal Expense	\$1,500.00
10-11410-54415020	Maintenance & Repair	\$2,500.00
<u>TRANSFER TO:</u>		
10-11412-58600000	Hospital & Medical Insurance	\$7,000.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4514, Noes 0, Absent 285 (Spaccaforno, Ellis).

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

RESOLUTION NO. 159

**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 item:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
DSS 410	2010 Ford Fusion	3FAHP0GA8AR110220

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

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

RESOLUTION NO. 160

**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 & Structural Steel Preservation Program (2019) PIN 9754.34 (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 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 \$436,000 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. Vernold.

In answer to Mr. Marshfield, Supervisor Haynes stated this project is for painting three bridges which are located on Platner Brook Road in Delhi and Cornell Avenue and River Street in Hobart.

The resolution was adopted by the following vote: Ayes 4264, Noes 0, Absent 535 (Spaccaforno, Ellis, Hynes).

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

RESOLUTION NO. 161

TITLE: APPOINTMENT DIRECTOR OFFICE FOR THE AGING

BE IT RESOLVED that Terri L. Whitney is hereby appointed as Delaware County Director Office for the Aging for the balance of the unexpired two-year term of the former director effective October 26, 2019 and ending December 31, 2020;

BE IT FURTHER RESOLVED that said appointment shall be at the salary of \$67,452 and subject to a probationary period of 26 weeks as provided for in the Delaware County Civil Service Rules.

The resolution was seconded by Mr. Triolo.

Chairman Molé stated that the Board is very honored that Ms. Whitney has accepted the position and thanked her.

The resolution was unanimously adopted.

Ms. Whitney expressed that after being with the County for 37 years, her heart and soul are with this place. She intends to do everything she can to look out for the needs of the elderly population in Delaware County.

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

RESOLUTION NO. 162

TITLE: APPOINTMENT DIRECTOR OF REAL PROPERTY TAX SERVICES II

BE IT RESOLVED that in accordance with §1530 of the Real Property Tax Law, the appointment of Sherri L. Falcone by the Chairman of the Board as Director of Real Property Tax Services II for the balance of the six-year term of office effective November 18, 2019 and ending September 30, 2025;

BE IT FURTHER RESOLVED that said appointment shall be at the salary of \$59,000 and subject to a probationary period of 52 weeks as provided for in the Delaware County Civil Service Rules.

The resolution was seconded by Mr. Taggart.

Chairman Molé welcomed Ms. Falcone and stated her first day is Monday, November 18.

Ms. Falcone said she looks forward to working with the Board and thanked the Supervisors.

The resolution was unanimously adopted.

Mr. Merrill introduced Local Law Intro. Nos. 23 through 37, seconded by Mr. Gladstone.

LOCAL LAW INTRO NO. 23

TITLE: SALARY INCREASE DIRECTOR COMMUNITY MENTAL HEALTH SERVICES

Section 1. The salary of Cindy Heaney, Director Community Mental Health Services shall be Ninety-eight thousand, six hundred twenty-one dollars [\$98,621] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 24

TITLE: SALARY INCREASE DIRECTOR ECONOMIC DEVELOPMENT

Section 1. The salary of Glenn Nealis, Director Economic Development shall be Eighty-four thousand, one hundred eighty-three dollars [\$84,183] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 25

TITLE: SALARY INCREASE ELECTION COMMISSIONER

Section 1. The salary of Judith Garrison, Election Commissioner shall be Twenty-four thousand, two hundred seventy-eight dollars [\$24,278] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 26

TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES

Section 1. The salary of Stephen Hood, Director of Emergency Services shall be Sixty-three thousand, five hundred ninety-one dollars [\$63,591] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 27

TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be Eighty-four thousand, nine hundred forty-four dollars [\$84,944] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 28

TITLE: SALARY INCREASE DIRECTOR OFFICE FOR THE AGING

Section 1. The salary of Terri Whitney, Director Office for the Aging shall be Sixty-nine thousand, seven hundred twenty-five dollars [\$69,725] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 29

TITLE: SALARY INCREASE PERSONNEL OFFICER

Section 1. The salary of Linda Pinner, Personnel Officer shall be Seventy-two thousand two hundred seventy-two dollars [\$72,272] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 30

TITLE: SALARY INCREASE COUNTY PLANNING DIRECTOR

Section 1. The salary of Shelly Johnson-Bennett, County Planning Director shall be Eighty-one thousand, six hundred thirty-one dollars [\$81,631] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 31

TITLE: SALARY INCREASE PUBLIC DEFENDER

Section 1. The salary of Joseph Ermeti, Public Defender shall be One hundred - six thousand dollars [\$106,000] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 32

TITLE: SALARY INCREASE PUBLIC HEALTH DIRECTOR

Section 1. The salary of Amanda Walsh, Public Health Director shall be Ninety-one thousand, nine hundred eighty-seven dollars [\$91,987] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 33

TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS

Section 1. The salary of Susan McIntyre, Commissioner of Public Works shall be Ninety-four, thousand, six hundred eighty-three dollars [\$94,683] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 34

TITLE: SALARY INCREASE DIRECTOR VETERANS SERVICE AGENCY

Section 1. The salary of Charles Piper, Director Veterans Service Agency shall be Fifty thousand one hundred seventy-eight dollars [\$50,178] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 35

TITLE: SALARY INCREASE COUNTY CLERK

Section 1. The salary of Debra Goodrich, County Clerk shall be Sixty-nine thousand, six hundred fourteen dollars [\$69,614] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 36

TITLE: SALARY INCREASE DELAWARE COUNTY SHERIFF

Section 1. The salary of Sheriff Craig DuMond shall be Eighty-seven thousand, eight hundred seven dollars [\$87,807] per annum effective January 1, 2020.

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

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

LOCAL LAW INTRO NO. 37

TITLE: SALARY INCREASE COUNTY TREASURER

Section 1. The salary of Beverly Shields, County Treasurer shall be Sixty-nine thousand, six hundred fourteen dollars [\$69,614] per annum effective January 1, 2020.

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

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

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

RESOLUTION NO. 163

TITLE: PUBLIC HEARING ON LOCAL LAWS INTRO. NOS. 23 THROUGH 37 OF 2019

WHEREAS, Local Laws Intro. Nos. 23 through 37 have been introduced to increase the 2020 salaries of:

Non-Elected: Cynthia Heaney, Director Community Mental Health Services; Glenn Nealis, Director Economic Development; Judith Garrison, Commissioner Board of Elections; Stephen Hood, Director of Emergency Services; Joseph deMauro, Director of Information Technology; Terri Whitney, Director Office for the Aging; Linda Pinner, Personnel Officer; Shelly Johnson-Bennett, County Planning Director; Joseph Ermeti, Public Defender; Amanda Walsh, Public Health Director; Susan McIntyre, Commissioner of Public Works; Charles Piper, Director Veterans Service Agency.

Elected: Debra Goodrich, County Clerk; Craig DuMond, County Sheriff; Beverly Shields, Treasurer.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Laws Intro. Nos. 23 through 37 on the 26th day of November, 2019 at 12:30 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. Gladstone.

Chairman Molé stated that a public hearing on salary increases will be held before the next Board meeting on Tuesday, November 26 at 12:30 p.m. in the Board Room.

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. 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 \$2,115,117.75 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	\$1,497,510.17
OET	\$35,562.37
Public Safety Comm System	\$0.00
CAP 97 Main Street	\$2,318.71
CAP MHC	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$59.37
Landfill	\$102,721.57
Road	\$71,789.75
Machinery	\$85,413.00
Capital Road & Bridge	\$309,835.83
Capital Solid Waste	\$9,906.98

The resolution was seconded by Mr. Gladstone and Mr. Marshfield and adopted by the following vote: Ayes 4264, Noes 0, Absent 535 (Spaccaforno, Ellis, Hynes).

Supervisor Merrill provided an overview of the 2020 Tentative budget.

In answer to Mr. Eisel, Mr. Merrill stated the tax cap is 2% this year plus whatever allowance a municipality has for being under the cap in the previous year.

Mr. Haynes commented that the DPW budget was held flat. The DPW committee had asked for an increase and questioned why the DPW budget was not increased per their request.

Mr. Merrill said there are quite a few specific items to discuss, however, generally the Finance Committee saw the DPW budget was held flat last year and the fund balance still grew by over \$4 million. The Finance Committee’s basic position for several years has been to try to methodically decrease fund balances in all departments or not to allow them to increase. Mr. Haynes stated that DPW uses the fund balance in the following year’s budget.

Mr. Davis opined that after several years of holding the budget flat there will be a large increase that no one will want to compensate for. Another concern of the Public Works Committee is that they pay some of the lowest salaries in the County—lower than all 19 towns. DPW just lost a third mechanic this year and none of the mechanics have been replaced. Hiring a mechanic will be a challenge because towns pay more than the County.

Budget Officer Merrill said he would sit with the Committee to review the DPW budget in detail. Both Mr. Haynes and Mr. Davis agreed.

Mr. Taggart pointed out that the Finance and Public Works Committees hold their meetings at the same time and waiting two weeks is not an option. Mr. Merrill suggested further discussion following this Board Meeting.

In response to Mr. Eisel, Personnel Officer Linda Pinner stated the vacant positions are not specific to the County. In her opinion people don't always stay with their jobs anymore. People leave for new jobs, relocation, and for a lot of different reasons. The County offers higher fringe benefits than towns as well as the private sector and offers equal or slightly lower salaries.

Mr. Cetta opined that filling these vacancies could be an idle search and some work will have to be farmed out. Mr. Davis reported that to accommodate the shortfall in highway staff, generally for storms, the County farms out for assistance from towns through shared services. Towns also reach out to the County when they need assistance. The current discrepancy in wages needs serious consideration.

Mr. Marshfield reported that the Finance Committee looks at spending for the entire County. They need to stay under the 2 percent tax cap and are driven by Raise the Age funding. This budget is 1.75% which is under the tax cap.

Chairman Molé stated that Finance and Public Works Committees will meet after the Board meeting and asked Commissioner of Public Works Sue McIntyre and Personnel Officer Linda Pinner to attend.

In answer to Mr. Cetta about the expense line for community colleges, Mr. Eisel said this is a state mandated cost. Mr. Marshfield explained that because Delaware County does not have a community college, our residents who wish to attend a community college in another county have a portion of their tuition paid by Delaware County. County Treasurer Beverly Shields explained that reimbursement to each college is calculated according to the rate sheet and is based on credit hours. Each student must obtain a Certificate of Residency in order to have their tuition paid. This budget expenditure was previously raised because of available online classes at community colleges. Community colleges who offer credits to high school students are also eligible for this reimbursement. In answer to Ms. Molé, Mrs. Shields said that there is no income eligibility for reimbursement. In addition, capital costs are included in the reimbursements.

Mr. Valente stated that County residents are getting a better education; unfortunately, many of these students leave the County for jobs elsewhere.

In answer to Ms. Molé, Mrs. Shields said that on average there are approximately 40 students per school in Delaware County who are eligible to have tuition reimbursed to their community college.

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

RESOLUTION NO. 165

TITLE: PUBLIC HEARING 2020 TENTATIVE BUDGET

BE IT RESOLVED that the budget, with the changes discussed, be adopted as the Tentative 2020 Delaware County Budget and a public hearing be held on the 26th day of November 2019 at 12:45 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

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

Chairman Molé stated there will be two public hearing before the next Board meeting on Tuesday before Thanksgiving. The first public hearing will be at 12:30 p.m. on department head salaries and at 12:45 p.m. on the proposed budget.

Mr. Marshfield recognized Real Property Tax Services Director Ms. Falcone having attended her first board meeting. Mr. Cetta acknowledged that Real Property Tax Services staff has really pulled through the last couple of months getting the tax bills out and thanked the department.

Upon a motion, the meeting was adjourned at 1:51 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

LOCAL LAW INTRO. NOS. 23 THROUGH 37 OF 2019 SALARIES INCREASE DELAWARE COUNTY OFFICERS

NOVEMBER 26, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding Local Law Intro. Nos. 23 through 37 of 2019 for salary increases of Delaware County Officers in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:30 p.m. on Tuesday, November 26, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

Notice is hereby given that a public hearing will be held by the Delaware County Board of Supervisors on Tuesday, November 26, 2019 at 12:30 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, concerning proposed Local Laws as follows:

Introductory No. 23 to set the salary of Director Community Mental Health Services at \$98,621 per annum; No. 24 to set the salary of Glenn Nealis, Director Economic Development at \$84,183 per annum; No. 25 to set the salary of Judith Garrison, Election Commissioner at \$24,278 per annum; No. 26 to set the salary of Stephen Hood, Director of Emergency Services at \$63,591 per annum; No. 27 to set the salary of Joseph DeMauro, Director of Information Technology at \$84,944 per annum; No. 28 to set the salary of Terri Whitney, Director of Office for the Aging at \$69,725 per annum; No. 29 to set the salary of Linda Pinner, Personnel Officer at \$72,272 per annum; No. 30 to set the salary of Shelly Johnson-Bennett, Director of County Planning at \$81,631 per annum; No.31 to set the salary of Joseph Ermeti, Public Defender at \$106,000 per annum; No. 32 to set the salary of Amanda Walsh, Director of Public Health Services at \$91,987 per annum; No.33 to set the salary of Susan McIntyre, Commissioner of Public Works at \$94,683 per annum; No. 34 to set the salary of Charles Piper, Director of Veterans Service Agency at \$50,178 per annum; No. 35 to set the salary of Debra Goodrich, County Clerk at \$69,614 per annum; No. 36 to set the salary of Craig DuMond, Sheriff at \$87,807 per annum; No. 37 to set the salary of Beverly Shields, County Treasurer at \$69,614 per annum.

All persons interested in speaking concerning the proposed local laws will be heard at the aforementioned time and place. Disabled citizens who require assistance in attending said public hearing or in furnishing comments or suggestions should contact the Clerk of the Board to request assistance at (607) 832-5110.

Dated: November 13, 2019

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 12:35 p.m.

PUBLIC HEARING

DELAWARE COUNTY BOARD OF SUPERVISORS

DELAWARE COUNTY 2020 TENTATIVE BUDGET

NOVEMBER 26, 2019

The Delaware County Board of Supervisors held a Public Hearing regarding the 2020 Tentative Budget in the Board of Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York at 12:45 p.m. on Tuesday, November 26, 2019, Chairman Tina B. Molé presiding.

Chairman Molé called the hearing to order.

The Clerk read the Notice of Hearing:

PLEASE TAKE NOTICE that the Delaware County Board of Supervisors will hold a public hearing on Tuesday, November 26, 2019 at 12:45 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 2020.

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)	\$13,559
1 Chairman of the Board of Supervisors	\$50,959

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 13, 2019

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.

Eddie Donoghue from the Town of Middletown asked where fees for Attorney Frank Miller are included in the budget.

Chairman Molé stated that questions are not accepted at the public hearing. Only comments are acknowledged.

Mr. Donoghue stated that many people in the County would be very interested to know and believe they have the legal right to know where the fees for Attorney Frank Miller are in the budget.

Chairman Molé said that information has been FOILED.

Since no one else wished to speak, Chairman Molé declared the hearing adjourned at 12:48 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

NOVEMBER 26, 2019

The regular meeting of the Delaware County Board of Supervisors was held Tuesday, November 26, 2019 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. Spaccaforo.

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 the appropriate committees for review.

Chairman Molé granted privilege of the floor to Andes Supervisor Wayland (Bud) Gladstone.

Mr. Gladstone expressed his wholehearted gratitude to all who offered help with the fire in the town’s highway department garage. A highway truck caught on fire and was a total loss, however, the highway garage was saved. He thanked Stamford Supervisor Mike Triolo for sending a truck for them to use and he thanked other towns who offered assistance.

Mr. Gladstone emphasized the value of relationships among Towns Board members as well as among highway departments—not just helping through shared services and business as usual, but especially in situations like this.

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

RESOLUTION NO. 166

**TITLE: APPROPRIATION OF SURPLUS
SOLID WASTE OPERATIONS FUND**

WHEREAS, the 2019 Solid Waste Budget is insufficient as budgeted due to unforeseen expenses; and

WHEREAS, a transfer from the Solid Waste Fund Balance is necessary.

NOW, THEREFORE, BE IT RESOLVED that the following budget modification be made to the 2019 budget:

DECREASE FUND BALANCE:

22-00000-34915000	Assigned Unappropriated Fund Balance	\$107,500.00
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INCREASE APPROPRIATION:

22-18160-54200010	Contracted Services MRF	\$44,000.00
22-18160-54238010	Disposal of C&D	\$46,000.00
22-18160-54238080	Disposal of Tires	\$17,500.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 167

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 \$140,572.49 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. Triolo and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 168

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	5,841,264,649	\$867,465.00
<u>Towns</u>		
Andes	445,046,823	\$66,092.29
Bovina	156,920,609	\$23,303.71
Colchester	841,247,324	\$124,930.58
Davenport	201,628,644	\$29,943.14
Delhi	313,634,361	\$46,576.70
Deposit	336,087,098	\$49,911.07
Franklin	217,867,199	\$32,354.67
Hamden	175,408,907	\$26,049.34
Hancock	448,253,619	\$66,568.52
Harpersfield	150,462,388	\$22,344.62
Kortright	160,942,026	\$23,900.92
Masonville	103,244,949	\$15,332.53
Meredith	142,147,178	\$21,109.76
Middletown	704,074,766	\$104,559.58
Roxbury	439,354,548	\$65,246.95

Sidney	274,324,178	\$40,738.89
Stamford	175,036,640	\$25,994.06
Tompkins	188,059,466	\$27,928.03
Walton	367,523,926	\$54,579.64

Villages

Delhi	94,140,954	\$13,980.53
Deposit	45,513,854	\$6,759.10
Franklin	19,024,129	\$2,825.20
Hancock	76,034,312	\$11,291.58
Stamford (Harpersfield)	32,581,573	\$4,838.57
Stamford (Stamford)	33,497,451	\$4,974.58
Fleischmanns	38,326,920	\$5,691.79
Sidney	152,913,369	\$22,708.61
Hobart	43,748,371	\$6,496.91
Walton	131,960,217	\$19,596.93

Fire Districts

Arena, Hardenburgh	17,782,376	\$2,640.80
Midd.-Hard., Hardenburgh	50,335,884	\$7,475.20
Deposit	38,989,861	\$5,790.20
TOTAL	12,457,378,569	\$1,850,000.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 169

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, 2019.

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	\$18,218.20	\$18,218.20	
Bovina	\$9,634.81	\$9,634.81	
Colchester	\$30,168.50	\$30,168.50	
Davenport	\$16,618.58	\$16,618.58	
Delhi	\$22,110.18	\$18,791.87	\$3,318.31
Deposit	\$7,518.25	\$7,009.18	\$509.07
Franklin	\$12,402.54	\$11,861.05	\$541.49
Hamden	\$5,028.60	\$5,028.60	
Hancock	\$17,406.06	\$15,929.82	\$1,476.24
Harpersfield	\$6,596.32	\$5,882.13	\$714.19
Kortright	\$13,122.57	\$13,122.57	
Masonville	\$4,416.54	\$4,416.54	
Meredith	\$14,627.16	\$14,627.16	
Middletown	\$36,144.03	\$32,833.57 FL	\$983.77
		MV	\$2,326.69
Roxbury	\$22,902.91	\$22,902.91	
Sidney	\$29,394.00	\$21,201.62	\$8,192.38
Stamford	\$13,546.51	\$10,557.39 ST	\$1,296.22
		HO	\$1,692.90
Tompkins	\$4,300.58	\$4,300.58	
Walton	\$22,918.91	\$18,804.37	\$4,114.54
Totals ...	\$307,075.25	\$281,909.45	\$25,165.80

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 170

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2019 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>	<u>CREDIT</u>
Andes	\$1,973.81	
Bovina	\$3,975.93	
Colchester	\$8,970.44	
Davenport	\$6,691.89	
Delhi	\$8,730.92	
Deposit	\$3,437.30	
Franklin	\$6,873.11	
Hamden	\$2,582.25	
Hancock	\$2,149.29	
Harpersfield	\$4,755.86	
Kortright	\$6,486.65	
Masonville	\$3,659.93	
Meredith	\$5,434.15	
Middletown	\$11,422.21	
Roxbury	\$9,419.96	
Sidney	\$13,830.47	
Stamford	\$3,179.52	
Tompkins		\$5,253.81
Walton	\$3,654.53	

The resolution was seconded by Mr. Ellis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 171

TITLE: YEAR-END ACCOUNTING MODIFICATIONS TO THE 2019 BUDGET DEPARTMENT OF FISCAL AFFAIRS

WHEREAS, there are many bookkeeping entries that are needed to close out the books for 2019; 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 2019 Budget and to file a written report to the Finance Committee before the books for 2019 are actually closed.

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

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

RESOLUTION NO. 172

**TITLE: RESOLUTION URGING NEW YORK STATE TO DELAY
IMPLEMENTATION AND TO FULLY FUND ALL COSTS RELATED TO BAIL
REFORM AND DISCOVERY REFORM**

WHEREAS, County Sheriff's Office's, County District Attorney's Offices, and County Probation Departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, protecting the people from harm by enforcing the rule of law is the foundational role of government; and

WHEREAS, County governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children; and

WHEREAS, in the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, under bail reform, beginning January 1, 2020, judges will be stripped of their discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants will be released back into the general public; and

WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families; and

WHEREAS, these crimes include Making a Terroristic Threat and Money Laundering in Support of Terrorism in the Third and Fourth degree, resulting in those alleged to have supported terrorism in this manner, or who have threatened to commit acts of terrorism, being released immediately from police custody; and

WHEREAS, these crimes include Promoting an Obscene Sexual Performance by a Child; Possessing an Obscene Sexual Performance by a Child; Failure to Register as a Sex Offender; and Patronizing a Person for Prostitution in a School Zone, resulting in suspected child predators being released and returning into our community; and

WHEREAS, these crimes include Aggravated Assault Upon a Person Less than Eleven Years Old; Reckless Assault of a Child by a Daycare Provider; Criminal Sale of a Controlled Substance to a Child; Abandonment of a Child; and Criminal Possession of a Weapon on School Grounds, resulting in those suspected to have physically harmed or endangered children in this manner being free from custody; and

WHEREAS, these crimes include Female Genital Mutilation; Stalking in the Second Degree; and Aggravated Harassment, resulting in those suspected of violating victims in this manner being returned to the community of those victims; and

WHEREAS, these crimes include Endangering the Welfare of a Vulnerable Elderly Person or an Incompetent or Physically Disabled Person, resulting in the potential for further endangerment of seniors and these defenseless individuals; and

WHEREAS, these crimes include Aggravated Cruelty to Animals; Torturing Animals and Injuring Animals, resulting in the immediate release of those suspected of deliberately injuring, torturing and killing animals; and

WHEREAS, these crimes include Assault in the Third Degree, Aggravated Vehicular Assault, and other crimes of physical violence against people; and

WHEREAS, these crimes include Burglary of a Residence, resulting in the immediate release of these individuals back into the neighborhoods they are suspected of targeting; and

WHEREAS, these crimes include Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle, resulting in release on recognizance of the very individuals who have demonstrated a willingness to evade the law; and

WHEREAS, all of the offenders mentioned heretofore are at risk of not showing up for court, thereby placing a burden on public employees who, under this law, are required to send multiple court appearance reminders to these offenders, as well as police officers and District Attorneys who must commit resources to tracking and pursuing those who evade prosecution; and

WHEREAS, under bail reform the Delaware County Probation Department shall be required to develop and operate a Pretrial Services program with the entirety of the funding for that program being under the burden of the local taxpayers; and

WHEREAS, the discovery mandates imposed by the State of New York will require police and District Attorneys, beginning January 1, 2020, to turn over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants; and

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to crime scenes that may include a victim's residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims' homes the right to return to those same homes; and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals; and

WHEREAS, these bail and discovery laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime; and

WHEREAS, the fundamental responsibility of governments to protect the vulnerable in society demands that the shortcomings of these laws be remedied prior to their effective date of January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby implores the State of New York to immediately amend or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, and to do so before December 31, 2019, and be it further

RESOLVED that the State of New York provide complete funding to Delaware County for all costs associated with bail reform and discovery reform.

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

Chairman Molé thanked Sheriff Craig DuMond, the Undersheriff, the DA, and all the police agencies that were part of the press conference which was held last 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. Merrill offered the following resolution and moved its adoption:

RESOLUTION NO. 173

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,798,159.84 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	\$724,817.14
OET	\$37,685.59
Public Safety Comm System	\$733,407.23
CAP 97 Main Street	\$35.24
CAP MHC	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$158.18
Landfill	\$102,085.94
Road	\$137,685.42
Machinery	\$40,870.53
Capital Road & Bridge	\$14,069.57
Capital Solid Waste	\$7,345.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 23 to set the salary of Cindy Heaney, Director Community Mental Health Services at \$98,621. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 24 to set the salary of Glenn Nealis, Director Economic Development at \$84,183. The local law was seconded by Mr. Merrill and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 25 to set the salary of Judith Garrison, Election Commissioner at \$24,278. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 26 to set the salary of Stephen Hood, Director of Emergency Services at \$63,591. The local law was seconded by Mr. Axtell and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 27 to set the salary of Joseph deMauro, Director of Information Technology at \$84,944. The local law was seconded by Mr. Eisel and Mr. Haynes and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 28 to set the salary of Terri Whitney, Director Office for the Aging at \$69,725. The local law was seconded by Mr. Triolo and adopted by the following vote: Ayes 4535, Noes 132 (Marshfield), Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 29 to set the salary of Linda Pinner, Personnel Officer at \$72,272. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4535, Noes 132 (Marshfield), Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 30 to set the salary of Shelly Johnson-Bennett, County Planning Director at \$81,631. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 31 to set the salary of Joseph Ermeti, Public Defender at \$106,000. The local law was seconded by Mr. Eisel and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 32 to set the salary of Amanda Walsh, Public Health Director at \$91,987. The local law was seconded by Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 33 to set the salary of Susan McIntyre, Commissioner of Public Works at \$94,683. The local law was seconded by Mr. Haynes and Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 34 to set the salary of Charles Piper, Director Veterans Service Agency at \$50,178. The local law was seconded by Mr. Marshfield and Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 35 to set the salary of Debra Goodrich, County Clerk at \$69,614. The local law was seconded by Mr. Eisel and Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 36 to set the salary of Sheriff Craig DuMond at \$87,807. The local law was seconded by Mr. Eisel and Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Ellis recalled Local Law Intro. No. 37 to set the salary of Beverly Shields, County Treasurer at \$69,614. The local law was seconded by Mr. Vernold and Mr. Davis and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 174

TITLE: ADOPTION OF 2020 DELAWARE COUNTY BUDGET

WHEREAS, the Tentative Budget for the year 2020 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 2020 be adopted.

The resolution was seconded by Mr. Gladstone.

Chairman Molé opined that this is a great budget and thanked Finance Committee Chairman Arthur Merrill.

Mr. Merrill stated the final tax levy increase is 1.7682% over last year. He thanked the Finance Committee for all their hard work on this budget.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 175

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No. 174 dated November 26, 2019 adopted a budget for the fiscal year 2020;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified effective January 1, 2020.

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

Mr. Merrill moved to meet in Executive Session.

RESOLUTION NO. 176

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss the negotiation of a proposed acquisition of real property.

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

Chairman Molé announced a Legislative Committee meeting will be held immediately following the Board meeting.

Ms. Molé thanked everybody for attending and wished everyone a very nice Thanksgiving.

The meeting convened in regular session with all Supervisors present except Mr. Spaccaforo.

Upon a motion, the meeting was adjourned at 1:48 p.m.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

DECEMBER 11, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, December 11, 2019 at 1:25 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. Axtell led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting and public hearings were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

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

RESOLUTION NO. 177

**TITLE: ACCEPTANCE OF ARC GRANT MONEY FOR THE REIMBURSEMENT OF THE USE OF COUNTY VEHICLES FOR THE STREAM ASSESSMENT PROJECT
PLANNING DEPARTMENT**

WHEREAS, the Planning Department hired interns to collect data for the UDRTC Stream Assessment Project; and

WHEREAS, the interns used the County vehicles for transportation to collect the stream data; and

WHEREAS, the mileage for the use of the County vehicles has been reimbursed to the Planning Department.

NOW, THEREFORE, BE IT RESOLVED the Planning Department accepts funds received in the amount of \$3,190.85;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the 2019 budget be amended as follows:

<u>INCREASE REVENUE:</u>		
10-18020-41128900	OTHR Gen Dept Income	\$3,190.85
<u>INCREASE APPROPRIATIONS:</u>		
10-18020-54420200	Software Maint. Agreements	\$1,800.00
10-18020-52200000	Equipment	\$1,390.85

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

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

RESOLUTION NO. 178

**TITLE: CHANGE ORDER NO. 1 PROP 30-19
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 96 of 2019 authorized the award of Proposal 30-19 Replacement of Culvert on Miller Avenue, Town of Bovina to Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739 in the amount of \$344,896.17; and

WHEREAS, the project has been completed and the final quantities have been agreed upon; and

WHEREAS, this resulted in a reduction of the final project cost in the amount of \$13,393.42.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 30-19 reducing the project cost by \$13,393.42 resulting in a final cost of \$331,502.76.

The resolution was seconded by Mr. Davis.

Supervisor Eisel noted a reduction in the final cost is a good thing. Ms. Molé said the project turned out wonderfully.

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. 179

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 2020 are hereby approved in the Public Works Department as follows:

- 1.) January 1, 2020 to March 21, 2020: Bridge Crews only.
- 2.) March 22, 2020 to October 17, 2020: 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 15, 2020 to December 31, 2020: Bridge Crews only.

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

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

RESOLUTION NO. 180

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, 2020 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. Tuthill and unanimously adopted.

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

RESOLUTION NO. 181

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, medical personnel for Corrections Facility, 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.

THEREFORE, BE IT RESOLVED that Resolution No. 269-1990 is hereby temporarily waived until December 31, 2020 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. Davis and unanimously adopted.

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

RESOLUTION NO. 182

**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, 2020;

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	\$720,447.00	\$.00
Deposit	\$380,383.00	\$30,437.00
Franklin	\$333,970.00	\$35,030.00
Hancock	\$863,979.00	\$38,779.00
Harpersfield	\$333,592.00	\$48,948.00
Middletown	\$830,210.00	\$129,365.00
Sidney	\$346,337.00	\$30,814.00
Stamford	\$247,282.00	\$36,102.00
Walton	\$311,950.00	\$75,866.00

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	\$195,765.00
Arena Fire District	\$15,338.56
Andes Light	\$8,000.00
Delinquent Maintenance	\$3,718.77
Delinquent Water	\$12,969.22
Delinquent Sewer	\$7,568.00

BOVINA	
Bovina Center Light District	\$1,545.00
Bovina Rural Fire District	\$103,629.00
Bovina Water District	\$38,281.00
Bovina Sewer District	\$10,130.33
COLCHESTER	
Downsville Fire District	\$251,499.46
Beaverkill Valley Fire District	\$954.31
Colchester Fire Protection District	\$12,000.00
Delinquent Cooks Falls Water	\$3,180.00
Delinquent Downsville Water	\$6,817.20
DAVENPORT	
East Meredith Fire District	\$118,144.83
Davenport Fire District	\$49,677.86
Davenport Light District	\$1,800.00
Davenport Center Light District	\$2,400.00
West Davenport Light District	\$1,475.00
Davenport Water	\$6,500.00
Delinquent Water	\$5,319.30
DELHI	
Delhi Rural Fire District	\$233,505.66
DEPOSIT	
Deposit Fire and Ambulance	\$79,984.00
FRANKLIN	
Treadwell Light District	\$3,795.00
Treadwell Water District	\$11,940.00
Franklin-Treadwell Fire District	\$226,602.92
HAMDEN	
Hamden Light District	\$2,550.00
DeLancey Light District	\$1,700.00
Delhi Fire District	\$940.92
Walton Fire District	\$19,522.18
Downsville Fire Protection	\$3,500.00
Delhi Rural Fire Protection	\$77,820.44
Downsville Fire District	\$4,983.54
Hamden Sewer District	\$11,232.00
Hamden Delinquent Water	\$4,660.00
DeLancey Delinquent Water	\$3,960.00
Property Maintenance	\$400.00
HANCOCK	
Upper Delaware Valley Ambulance District	\$3,564.20
Cadosia Light District	\$3,400.00
East Branch Light District	\$5,800.00
East Branch Fire District	\$99,970.00
East Branch Water District	\$12,300.00
Fishs Eddy Light District	\$4,700.00
Hancock Rural Fire District	\$136,756.48
Long Eddy Fire District	\$28,107.98
Hancock Ambulance District	\$240,361.91
HARPERSFIELD	
Stamford Fire District	\$92,384.28
Hobart Fire District	\$6,105.93
Davenport Fire District	\$14,031.96

North Harpersfield Fire Protection	\$43,500.00
North Harpersfield Light District	\$2,000.00
KORTRIGHT	
Kortright Fire District	\$108,319.31
Bloomville Light District	\$4,000.00
Bloomville Sewer District	\$19,976.26
Stamford Fire District	\$10,534.87
Hobart Rural Fire District	\$10,830.69
East Meredith Fire District	\$3,636.96
Davenport Fire District	\$8,290.18
Delinquent Water	\$7,501.80
MASONVILLE	
Masonville Fire District	\$108,960.00
Masonville Light District	\$2,500.00
MEREDITH	
East Meredith Light District	\$1,440.00
Delhi Fire District	\$39,528.84
Meredith Square Light District	\$624.00
Franklin-Treadwell Fire District	\$25,368.08
Meridale Rural Fire District	\$60,800.00
East Meredith Fire District	\$19,319.21
Meridale Light District	\$1,080.00
MIDDLETOWN	
Halcottsville Light District	\$1,696.00
Arena Fire District	\$14,295.14
Arkville Light District	\$9,978.00
Arkville Water District	\$17,000.00
New Kingston Light District	\$827.00
Arkville Fire District	\$35,706.00
Fire District No. 1	\$76,004.00
Middletown-Hardenburgh Fire District	\$303,046.35
Delinquent Arkville Water	\$11,781.16
Delinquent Halcottsville Water	\$4,147.69
ROXBURY	
Roxbury Fire District	\$179,600.00
Roxbury Light District	\$13,196.00
Roxbury Water District	\$24,194.00
Grand Gorge Fire District	\$150,875.00
Grand Gorge Light District	\$10,997.00
Grand Gorge Water District	\$56,175.00
Middletown/Hardenburgh Fire District	\$5,740.21
Roxbury Run Light District	\$2,699.00
Roxbury Sewer District (unit charge)	\$41,714.98
Denver Sewer District (debt charge)	\$0.00
Denver Sewer District (unit charge)	\$89,687.00
Denver Water District	\$13,151.00
Delinquent Denver Water	\$2,392.72
Delinquent Grand Gorge Water	\$7,742.83
Delinquent Roxbury Water	\$4,139.14
SIDNEY	
Consolidated Health District	\$4,400.00
Sidney Center Light District	\$5,400.00
Sidney Center Fire District	\$85,203.00
Sidney Fire Protection District	\$68,202.00

STAMFORD		
	Stamford Fire District	\$43,714.58
	South Kortright Fire District	\$4,318.90
	Hobart Fire District	\$33,023.38
	Kortright Fire District	\$12,321.69
	South Kortright Light District	\$1,700.00
	South Kortright Sewer	\$4,931.04
TOMPKINS		
	Tompkins Fire District	\$120,525.00
	Hancock Rural Fire District	\$15,785.52
	Sewer District	\$6,367.58
WALTON		
	Walton Fire District	\$352,584.82

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</u> <u>TOWNWIDE</u>
Andes	\$702,952.00	\$972,700.00
Bovina	\$285,019.00	\$426,127.00
Colchester	\$1,018,075.00	\$1,313,400.00
Davenport	\$289,330.00	\$727,699.00
Delhi	\$442,388.34	\$565,711.00
Deposit	\$329,013.00	\$469,705.00
Franklin	\$233,300.00	\$599,115.00
Hamden	\$213,190.00	\$538,400.00
Hancock	\$537,861.00	\$783,769.41
Harpersfield	\$306,117.00	\$249,787.00
Kortright	\$300,000.00	\$661,955.00
Masonville	\$203,655.00	\$508,300.00
Meredith	\$167,885.24	\$734,361.98
Middletown	\$765,385.00	\$1,138,953.00
Roxbury	\$791,454.00	\$1,255,635.00
Sidney	\$414,010.00	\$299,103.00
Stamford	\$266,457.00	\$308,404.00
Tompkins	\$254,416.00	\$752,866.00
Walton	\$292,436.00	\$598,500.00

The resolution was seconded by Mr. Triolo.

In answer to Mr. Valente’s question about timely budget submissions, Mrs. Schafer said there were still some issues but all in all, it went better. Mr. Valente suggested that perhaps the Board could address delinquent budget submissions. Some fire departments and often times special districts or even towns submit their budgets late which is too bad because there is a lot of

work computing this tax levy and delinquent budgets hold up the entire process. Mrs. Schafer agreed and stated there's a lot of work that goes into preparing for the printing of the taxes.

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. 183

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

RESOLVED, that the sum of \$33,714,927.41 be levied against the taxable property of the County of Delaware and the same be credited by the County Treasurer to the objects specified in the Appropriation Resolution; and

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

BE IT FURTHER RESOLVED that the several tax rolls, when completed in accordance with the direction of the Board and the several warrants are signed for the collection of taxes by the Chairman and the Clerk of the Board to bear the date of December 27, 2019 the taxes be returnable the first day of April 2020 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 2020 upon the collector's complying with the statute thereto.

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

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

RESOLUTION NO. 184

**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. Gladstone and unanimously adopted.

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

RESOLUTION NO. 185

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 8, 2020 at 1:00 p.m. in the Supervisors' Room of the County Office Building, Delhi, New York.

The resolution was seconded by Mr. Vernold.

Chairman Molé stated the Organization Meeting will commence on Wednesday, January 8 at 1:00 p.m.

The resolution was unanimously adopted.

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

RESOLUTION NO. 186

TITLE: 2020 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 meeting will be held on the dates and times as stated below.

Wednesday, January 8, 2020	-1:00 p.m.	Wednesday, January 22, 2020	-1:00 p.m.
Wednesday, February 26, 2020	-1:00 p.m.		
Wednesday, March 11, 2020	-1:00 p.m.	Wednesday, March 25, 2020	-1:00 p.m.
Wednesday, April 8, 2020	-1:00 p.m.	Wednesday, April 22, 2020	-1:00 p.m.
Wednesday, May 13, 2020	-1:00 p.m.	Wednesday, May 27, 2020	-1:00 p.m.
Wednesday, June 24, 2020	-1:00 p.m.		
Wednesday, July 22, 2020	-1:00 p.m.		
Wednesday, August 26, 2020	-1:00 p.m.		
Wednesday, September 23, 2020	-1:00 p.m.		
Wednesday, October 14, 2020	-1:00 p.m.	Wednesday, October 28, 2020	-1:00 p.m.
Tuesday, November 10, 2020	-1:00 p.m.	Tuesday, November 24, 2020	-1:00 p.m.
Wednesday, December 9, 2020	-1:00 p.m.		

The resolution was seconded by Mr. Tuthill and Mr. Vernold.

Mr. Eisel stated this is the same schedule as last year with one exception—the first Board meeting in November is scheduled on Tuesday, November 10 because November 11 is Veterans Day holiday.

The resolution was unanimously adopted.

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

RESOLUTION NO. 187

**TITLE: A RESOLUTION TO INCREASE STATE SUPPORT FOR
CORNELL COOPERATIVE EXTENSION COUNTY ASSOCIATIONS
IN THE STATE OF NEW YORK**

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of New York's natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 (8) of the County Law have remained stagnant for twenty years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs.

THEREFORE, be it resolved that the Delaware County Board of Supervisors supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law.

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. Ellis offered the following resolution and moved its adoption:

RESOLUTION NO. 188

TITLE: ACCEPTANCE OF HEARING OFFICERS RECOMMENDATION

WHEREAS, the Board of Supervisors acknowledges that it has received the report and recommendation of Alfred T. Riccio, Hearing Officer in the matter of Civil Service law charges pursuant to §75 in Delaware County v. Dana Scuderi-Hunter, Respondent; and

WHEREAS, the Board of Supervisors each having been afforded the opportunity over the past two weeks to review the transcripts and evidence in this matter and upon its receipt, having been afforded the opportunity to review and study the report and recommendation of hearing officer Alfred T. Riccio.

THEREFORE, BE IT RESOLVED, that the Board does hereby declare that the testimony of the Respondent at a Family Court hearing described in the transcripts of this matter is not a factor in this decision but rather that the conduct of the Respondent in engaging in acts of

lack of cooperation, disloyalty, insubordination, conduct unbecoming, and misconduct from the basis of this decision as found and recommended by the Hearing Officer.

THEREFORE, BE IT FURTHER, RESOLVED that the Board of Supervisors hereby accepts the Report and Recommendation of the Hearing Officer and hereby votes to terminate the services of Dana Scuderi-Hunter effective immediately.

The resolution was seconded by Mr. Vernold.

Supervisor Eisel stated that he would be abstaining from voting on this resolution due to the fact that he was a witness in the proceedings. He stated that under relevant case law, he is required to abstain in order to avoid an appearance of bias. Therefore, he abstained from voting on this resolution.

Chairman Molé also abstained from voting on this resolution due to the fact that she was a witness in the proceedings. Under relevant case law, she is required to abstain in order to avoid an appearance of bias. She therefore abstained from voting on this resolution.

Supervisor Pigford recused himself from the vote.

Supervisor Marshfield read from a prepared statement. "Here we are today, approximately three weeks from the vote to renew or reject the new five-year term of the County Social Services Commissioner. This whole ordeal has divided the County to a level I have never witnessed before in my 26 years on this Board. And yes it will take years to repair, if ever. Whether one was for or against the procedure, both sides lost. There have been threats, accusations, arguments and pressures on both sides. Employees all have to work together irrespective of their stance. In my mind, employees with grievances should be going to their respective department heads first for resolve. If that doesn't work, then they need to go to the Personnel Department for further resolve if warranted. We now have department heads who are wondering what their roles and responsibilities are with respect to employees and other department heads. Our Board of Supervisors committee style of government has also been damaged. The Social Services Committee that has over 30 years of experience on that committee alone, the ones who knew the department better than anyone else, was literally ignored in the whole process. Very sad.

But we all know that it was our County taxpayers who took the biggest hit. They are paying the bill for something that should never have happened and the process should have let this Board make the decision of reappointment, yes three weeks from now. We managed this for the Real Property director just recently and we should have done that here. But instead of waiting four or five months, we had to spend tens of thousands of hard earned taxpayers' dollars, and create division throughout the County. We all know this has happened. This is very unfortunate.

As usual, the only ones who made out on the process are the attorneys, one smiling and the other not. In closing, I will accept and respect any vote that is given here today, as we need to move on, but my vote will be to vote against the hearing officer's recommendation."

Supervisor Gladstone stated his vote will be the same as it was in the past. After reading the hearing officer's decision, he does not feel the blame should rest solely on the DSS Commissioner. In addition, he feels the Board could have done a better job following the disciplinary process, and to be morally and ethically correct, the same would apply to all Delaware County employees.

The resolution was adopted by the following vote: Ayes 3489, Noes 512 (Gladstone, Marshfield, Hynes), Abstain 798 (Molé, Eisel, Pigford), Absent 0.

Chairman Molé stated Dana Scuderi-Hunter is terminated effective immediately. Ms. Molé said she has been silent for most of the last five months but has prepared the following statement.

“At this time, before assumptions are made or pen put to paper, the County would respectfully request that anyone interested in the decision, which includes a statement of the charges and a list of the exhibits, as well as the Hearing Officer’s analysis and recommendation, go to the County’s web site and read the Hearing Officer’s decision. The decision will be posted on the County’s web site immediately following this Board meeting.

First and foremost, I’d like to thank the Department Heads and the employees for having the courage to come forward to go on record regarding the intolerable and unproductive working conditions surrounding Mrs. Scuderi-Hunter. They stood up for the truth and for what is right in the face of all negativity in the media. Despite what has been reported or intimated, the majority of the staff stands behind the Board and these decisions.

Having attended the hearing in its entirety, I wish to express my extreme dissatisfaction with the various media outlets that covered the public hearing. Those media outlets reported on the hearings with a highly inaccurate and bias series of reports. The inaccurate reporting created the false impression that the charges against Mrs. Scuderi-Hunter were not substantial or would not be sustained. An independent hearing officer, having heard all the evidence, and arguments in this matter, has ruled that the charges are meritorious and found Mrs. Scuderi-Hunter guilty of numerous charges and recommended her termination. The Board, for its part, reviewed the record, the transcripts, and found that the Hearing Officer’s Report and Recommendation should be accepted. I believe that the local media has done a disservice to the citizens of our County by falsely and inaccurately reporting on this hearing. I wish for the public to know that these charges were substantial and brought with great reluctance. The charges were only after several attempts with Mrs. Scuderi-Hunter to address these concerns. However, the County brought these charges against her because of its obligation to properly manage this County and to ensure that its County Officers conduct themselves in a trustworthy, responsible and professional manner at all times.

Until now, the County has remained silent, not commenting on these proceedings. I would like to take a minute to comment on a few statements repeatedly made by the press. First, the press has commented several times that the County “hand-picked” the hearing officer. Please be clear that that is the law. The law requires the County to choose and compensate the hearing officer in Section 75 proceedings. The employee in Section 75 hearings has a right to object to this selection. Neither Mrs. Scuderi-Hunter nor her counsel, Mr. Dunn, objected to this. Secondly, throughout these proceedings the County’s lack of comment has been interpreted by the media as a lack of transparency. The County has not commented out of respect for this process and for all of the parties involved, including Mrs. Scuderi-Hunter. The facts speak for themselves and need no interpretation or filter. And lastly, throughout the proceedings Mrs. Scuderi-Hunter and her counsel, Mr. Dunn, have disparaged the County Attorney in an attempt to distract from the real issues. Let the decision, which is supported by days of testimony, case law and numerous exhibits, serve to refute those claims and outlandish allegations. Amy Merklen continues to conduct herself with the highest professional standard.

I would like to commend the Department of Social Services employees under the leadership of Deputy Commissioner Sylvia Armanno for staying focused during this time of transition. Despite the added stress of the last five months, the Department remained true to their mission.”

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

RESOLUTION NO. 189

TITLE: LEVYING OF 2019 - 2020 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	239,186.72	16,743.06	255,929.78
BOVINA	142,470.46	9,972.89	152,443.35
COLCHESTER	230,602.65	16,142.19	246,744.84
DAVENPORT	314,623.48	22,023.60	336,647.08
DELHI	272,052.65	19,043.78	291,096.43
DEPOSIT	309,038.55	21,632.68	330,671.23
FRANKLIN	345,806.85	24,206.37	370,013.22
HAMDEN	214,234.47	14,996.41	229,230.88
HANCOCK	660,961.82	46,267.44	707,229.26
HARPERSFIELD	241,326.89	16,892.87	258,219.76
KORTRIGHT	240,412.15	16,828.87	257,241.02
MASONVILLE	145,725.05	10,200.78	155,925.83
MEREDITH	216,399.98	15,148.03	231,548.01
MIDDLETOWN	576,764.25	40,373.37	617,137.62
ROXBURY	348,337.13	24,383.48	372,720.61
SIDNEY	426,091.57	29,826.49	455,918.06
STAMFORD	301,376.01	21,096.38	322,472.39
TOMPKINS	155,365.48	10,875.59	166,241.07
WALTON	389,993.14	27,299.67	417,292.81
Totals	\$5,770,769.30	\$403,953.95	\$6,174,723.25

The resolution was seconded by Mr. Triolo.

Supervisor Marshfield commented this is one example of where there needs to be \$6,000,000 in fund balance just to pay delinquent school taxes.

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. 190

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.

	HAN17TX.040
<u>ASSESSED TO:</u>	<u>JOHN D LEASE ESTATE</u>
TOWN OF:	123601:HANCOCK
TAX MAP NO:	429.13-3-4
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	118'F X 127'D: 0.25A ACRES
CONVEYED TO:	JOHN OMAHEN 1027 OBISPO AVE LONG BEACH CA 90804
CASH CONSIDERATION:	\$1,000.00 COUNTY SHARE \$810.00 VILLAGE SHARE \$190.00
TAX DEFICIT:	\$12,882.04

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

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

RESOLUTION NO. 191

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
TREASURER'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 Treasurer's Office is experiencing difficulties in recruiting temporary clerical support; and

WHEREAS, from time to time employees in other County departments are willing to work on a per-hour, as-needed basis.

THEREFORE, BE IT RESOLVED that Resolution No. 269-1990 is hereby temporarily waived until December 31, 2020 for County employees who are willing to work on a per-hour, temporary clerical position as-needed in the Treasurer's Office.

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

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

RESOLUTION NO. 192

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,646,318.99 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	\$1,047,378.67
OET	\$48,241.79
Public Safety Comm System	\$1,019,946.16
CAP 97 Main Street	\$466.00
CAP MH	\$110,640.03
Highway Audits, as Follows:	
Weights and Measures	\$140.13
Landfill	\$64,666.66
Road	\$91,415.78
Machinery	\$38,629.87
Capital Road & Bridge	\$213,953.37
Capital Solid Waste	\$10,840.53

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

Chairman Molé made the following committee appointments:

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

3-year term ending December 31, 2022

Reappoint:

Bruce Dolph

Scott White

Supervisor Hynes stated this will be his last Board of Supervisors meeting and thanked everyone for giving him that privilege. He introduced Roxbury Supervisor-elect Allen Hinkley who is a former Fire Chief and Town Board Member. Mr. Hynes wished Mr. Hinkley well in his new position as Supervisor. Mr. Hinkley thanked Mr. Hynes and said he looks forward to the challenge.

Supervisor Triolo stated this will also be his last Board meeting and introduced John Kosier who will be his replacement on the Board.

Chairman Molé announced that Betty Scott has been appointed the Masonville Town Supervisor effective last week and welcomed her to the Board.

Ms. Molé asked Supervisor Triolo to please join her at the podium.

She stated that Mr. Triolo has been the Town of Stamford Supervisor for the past twelve years and has served on various committees including Economic Development, Community Health, Watershed Affairs, and Finance. She noted that he was an asset, especially to Finance; the committee relied on his experience and expertise and Delaware County surely benefited from that. He is also the President of the Catskill Watershed Corporation Board of Directors and again, his experience and knowledge of the Watershed Agreement and programs have assisted Delaware County and its residents. On behalf of the Board of Supervisors, she thanked him and wished him well.

Supervisor Eisel said he and the Board appreciate all that Mr. Triolo has done and will miss him. He wished him good luck in his retirement.

Supervisor Marshfield stated that he has served on the Finance and Health Committees with Mr. Triolo and found him to be extremely impartial and knowledgeable in dealing with County finances and was very compassionate and understanding on the Health Committee with the same level of expertise. He learned a lot from Mr. Triolo, especially on Finance and will miss his thoughts and reasoning. He guaranteed, however, that he would continue to attend Mr. Triolo's charitable functions in and around Hobart and Stamford as he has in the past.

Supervisor Taggart expressed that he has been very fortunate to have served with Mr. Triolo on Finance. He is a mountain of knowledge and that knowledge and expertise cannot be replaced. It has been a great experience for him to work with Mr. Triolo over the past six years.

On behalf of the Board of Supervisors, Chairman Molé presented Supervisor Triolo a plaque which reads "In grateful recognition of 12 years of dedicated service, outstanding sense of community and your contribution to the citizens of Delaware County."

Supervisor Triolo remarked that his time on the Board has been very rewarding to him. Accomplishments include putting through the occupancy tax as well as realizing the problems with the dairy industry. Economic Development Director Glenn Nealis sought out agricultural micro grants to help start up ag businesses and start up farms which is important. Mr. Triolo noted that agriculture is still a major component of Delaware County and we should not forget that.

Mr. Triolo stated he was part of the committee that worked on the Office for the Aging relocation. He and Supervisor Merrill worked with Supervisor Marshfield who led the committee through that process. It was a good move, and he would make the same decision again. It was time to recognize our senior citizens in a way they should be recognized.

Even though you don't hear a lot about our mental health workers, they are out there every day working on the opioid crisis, working on the suicide crisis, and making sure we know where the problems are in our health systems. We have to keep supporting public health and mental health every day. We also now are working on consolidating all mental health services into one building in Walton. This is the right place. That was one of the problems earlier on when they tried every place but Walton and he's glad the committee worked this out.

Probably his favorite committee, the committee that may have been most effective, was Finance. In the years that Mr. Merrill has been Chairman, we made great strides in the budget process. Strides that he is very proud of. The committee went from just accepting budgets to requiring departments to go to actual trend accounting.

Mr. Triolo quoted “*Anyway: The Paradoxical Commandments*” by Dr. Kent M. Keith. Dr. Keith was a leadership instructor and these commandments came out in 1968, the year after he graduated from college and he has tried to live his life by these words.

“People are illogical, unreasonable, and self-centered. Love them anyway.
If you do good, people will accuse you of selfish ulterior motives. Do good anyway.
If you are successful, you will win false friends and true enemies. Succeed anyway.
The good you do today will be forgotten tomorrow. Do good anyway.
Honesty and frankness make you vulnerable. Be honest and frank anyway.
The biggest men and woman with the biggest ideas can be shot down by the smallest men and women with the smallest minds. Think big anyway.
People favor underdogs but follow only top dogs. Fight for a few underdogs anyway.
What you spend years building may be destroyed overnight. Build anyway.
People really need help but may attack you if you do help them. Help people anyway.
Give the world the best you have and you’ll get kicked in the teeth. Give the world the best you have anyway.”

Mr. Triolo implored all that in this Christmas season, to think about those people who don’t have enough food. Give money to the food banks. Give money to the Salvation Army. There is no reason in America people should go hungry. It’s our obligation, those of us who have done well, to make sure that does not happen.

To paraphrase General Douglas McCarthy when he gave this last address to Congress, Mr. Triolo said that “Old Supervisors don’t die, we just fade away.”

Chairman Molé asked Mr. Hynes to join her at the podium.

Chairman Molé stated Mr. Hynes has been the Supervisor of Roxbury for the past 36 years. Mr. Hynes is highly respected and has served on many committees over the years. He has been a tremendous advocate for the human services that the County provides. He has always had a strong voice for our elderly population and always kept that in mind in the decisions that affected them. He’s admired and appreciated throughout Delaware County, especially in his community having just been elected as a Councilman after serving so many years as Supervisor. She teased that he just couldn’t let it go, could he?

Ms. Molé said she always enjoyed their banter back and forth, being politically on the opposite sides of the aisle. He is the definition of a gentleman. She thanked him for his distinguished service to Delaware County.

Chairman Molé presented Supervisor Hynes a plaque which reads “In grateful recognition of 36 years of dedicated service, outstanding sense of community and your contribution to the citizens of Delaware County.”

Supervisor Hynes thanked the Chairman and recalled that when he became Supervisor, the Board meetings were held across the street in the County Courthouse. He said he greatly appreciated the opportunity to serve not only Roxbury, but Delaware County. It’s been a pleasure to work with so many good people. He has great respect for the Planning Department. We have a young group of people there who does a tremendous job. He has had the honor to work with Social Services for years. Today was probably the worse vote he had to make. It was a tough vote to make. He has always lived with his conscious and always voted his conscious whether on the Town level or County level and he voted today with that in mind.

Mr. Hynes thanked everybody for working with him. It’s been a great pleasure working with so many good people including department heads. He’s been working on Mr. Ellis and Mr. Cetta for upgrading their attire. He recalls the days when his mentors were George Rich and Walt Johnson. Two great guys who never said too much but when they did speak everybody listened. It was a great honor to know those men.

He thanked the Board very much for their support and said once in a while he'll come back to say hello.

Supervisor Marshfield said that he and Mr. Hynes have served on Social Services Committee combined for about 30 years under two commissioners. Mr. Hynes never said too much, but when he spoke, you wanted to listen carefully for it had substance. For twenty-six years he has sat directly across from Mr. Hynes and will truly miss his expertise and thoughtfulness. He stated that he looks forward to running into him from time to time, just not at the funeral parlor. He wished him and his wife Mary the best of luck.

Supervisor Taggart stated that he has been on three committees with Mr. Hynes. He is a tremendous Supervisor committee person. Mr. Hynes has been a great advocate and a great person to converse with. They've had great discussions and it's been enjoyable working with Mr. Hynes on all three committees.

Supervisor Eisel stated that Mr. Hynes is the longest if not one of the longest serving Supervisors in Delaware County. It's been a privilege to know and work with him. He knows Mr. Hynes will keep up the good work at the Town of Roxbury and will miss him. He thanked Mr. Hynes for all that he has done.

Supervisor Pigford observed and registered a mild protest. He stated that the Supervisors all enjoy the dynamics and friendships on this Board. Supervisors become particularly close to those who sit immediately to their left and to their right, and his mild protest is that both supervisors are being graphically removed from both sides of him in such a sudden fashion.

Supervisor Triolo mentioned that one of the things he is especially proud of for a County as conservative as Delaware, is the number of women in high levels of position. As the father of a daughter, it is gratifying to see that happen. He thanked all the departments heads for the great job they are doing.

Chairman Molé invited everyone to join a reception with cake and punch in the Conference Room to share some memories and wish Supervisor Triolo and Supervisor Hynes well.

Upon a motion, the meeting was adjourned at 2:05 p.m.