

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS

JULY 23, 2025

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 23, 2025, 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 Supervisor Kelso who arrived partway through the meeting.

Chaplain Dawn Shuman offered the invocation.

Ms. Boukai led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous Board meeting and public hearing were accepted as presented.

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

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

RESOLUTION NO. 123

**TITLE: 2025 BUDGET AMENDMENT
CHILD CARE BLOCK GRANT
ADDITIONAL ALLOCATIONS
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local Agency to administer the Child Care Block Grant Additional Allocations; and

WHEREAS, the funding is to be used for daycare and is 100% reimbursed; and

WHEREAS, funding is available under the Child Care Block Grant Additional Allocation (CCBG) in the amount of \$250,000.00.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

INCREASE REVENUE:

10-16055-43365500	State Daycare	\$250,000.00
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INCREASE APPROPRIATION:

10-16055-54200025	Daycare Services	\$250,000.00
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The resolution was seconded by Mr. Faulkner and adopted by the following vote:
Ayes 177, Noes 0, Absent 13 (Kelso).

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

RESOLUTION NO. 124

**TITLE: 2025 BUDGET AMENDMENT
TRANSFER OF FUNDS
PERSONNEL OFFICE**

WHEREAS, the Personnel Office is in need of a new copier; and

WHEREAS, there is no funding in the equipment account to cover the purchase.

NOW, THEREFORE, BE IT RESOLVED that a transfer be authorized and the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11430-51000000	Personal Services	\$6,938.21
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TRANSFER TO:

10-11430-52200000	Equipment	\$6,938.21
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 177, Noes 0, Absent 13 (Kelso).

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

RESOLUTION NO. 125

**TITLE: 2025 BUDGET AMENDMENT
TRANSFER OF FUNDS
BOARD OF ELECTIONS**

WHEREAS, Center for Tech and Civic Life (CTCL) provided grant funding in the amount of \$50,000.00 in support of the Board of Elections nonpartisan work planning and operationalizing reliable and secure election administration; and

WHEREAS, grant expenses for equipment purchases varied from original budget allocation.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11450-54327000/1450015/961	Grant from Center for Tech and Civic Life	\$11,661.21
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TRANSFER TO:

10-11450-52200001/1450015/961	Grant Equipment	\$11,661.21
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 177, Noes 0, Absent 13 (Kelso).

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

RESOLUTION NO. 126

**TITLE: 2025 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, Delaware County inmates have been deemed incapacitated to meaningfully participate in their criminal defense proceedings and require care from a NYS Psychiatric hospital; and

WHEREAS, Delaware County is 100% responsible for inpatient psychiatric hospital costs; and

WHEREAS, additional funding is needed to cover current inpatient hospitalizations.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11990-54900000	Contingency	\$66,896.40
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TRANSFER TO:

10-14390-54535420	Professional Fees Psychiatric	\$66,896.40
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The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 177, Noes 0, Absent 13 (Kelso).

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

RESOLUTION NO. 127

**TITLE: 2025 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the 2025 Daycare Services appropriation account is in need of funds.

NOW, THEREFORE, BE IT RESOLVED that the subsequent transfers be made and the 2025 Budget be amended as follows:

TRANSFER FROM:

10-16145-54000000/81450001/971	RTA Contractual	\$350,000.00
10-16145-54313150/81450008/971	RTA Foster Child Care	\$620,000.00
10-16145-54372000/81450013/971	RTA Juvenile Delinquents	\$80,000.00

TRANSFER TO:

10-16055-54200025/6055001/971	Daycare Services	\$1,050,000.00
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The resolution was seconded by Mr. Vernold.

Mr. Marshfield stated the Department of Social Services' daycare services program is not funded to the proper level it was previously. The daycare services program is a federal program, passed through New York state and onto the county. The income guidelines for qualifying families has increased. Mr. Marshfield said the income guidelines for a family of four is approximately \$100,000, which has allowed many more families to qualify for the program. He stated the program previously reimbursed up to 20 absences to daycare providers per child, per year. Now, the program reimburses up to 80 absences to daycare providers per child, per year.

Mr. Marshfield stated the entire allocation may not be expended in 2025, but he foresees a similar situation in 2026.

If the resolution is not approved, Mr. Marshfield said there are 61 families who will be added to a waitlist for the daycare services program on September 1. Mr. Marshfield said the program is desperately needed by families in Delaware County.

Mrs. Walley questioned if qualifying families contribute to daycare expenses, or if daycare expenses are 100% funded by the program.

In response to Mrs. Walley, Mr. Marshfield said qualifying families contribute 1% of total daycare expenses, though in his opinion qualifying families could contribute more. He added that Delaware County does not set the guidelines for the daycare services program.

Mr. Kosier questioned how far in advance is the Department of Social Services notified of how many families are participating in or applying for the daycare services program, to which Mr. Marshfield said he was unsure.

Mr. Faulkner added that those on the waitlist are not just new families applying for the program for the first time, but also families seeking to reapply who may lose their benefit.

Mr. Marshfield stated families who are denied the benefit may have to quit their jobs to tend to their children.

Ms. Molé questioned if the transfer of funds would eliminate the waitlist for the daycare services program. In response, Mr. Marshfield confirmed that it would.

The resolution was adopted by the following vote: Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 128

TITLE: CHANGE ORDER NO. 1 OF PROPOSAL SW3-25

WHEREAS, Resolution No. 102 of 2025 authorized the award of Proposal SW3-25, Landfill Rain Cover – Cells 5 & 6 to: Chenango Contracting, Inc., 29 Arbutus Road, Johnson City, NY 13790 for the bid price of \$762,162.50; and

WHEREAS, the project has been delayed due to delays in the delivery of materials for the access path; 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 SW3-25 extending the Contract completion date until August 31, 2025, at no change in the Contract Amount of \$762,162.50.

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

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

RESOLUTION NO. 129

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 475	2022 Chevrolet Malibu	1G1ZC5STXNF179163

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

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

RESOLUTION NO. 130

TITLE: APPOINTMENT DIRECTOR OFFICE FOR THE AGING

BE IT RESOLVED that Lyndsay Komosinski 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 July 6, 2025, and ending December 31, 2026; and

BE IT FURTHER RESOLVED that said appointment shall be at the salary of \$81,394 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. Cetta and unanimously adopted.

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

RESOLUTION NO. 131

TITLE: RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY DELAWARE COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN PROJECT FOR DELAWARE VALLEY HOSPITAL, INC.

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

WHEREAS, pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the “Enabling Act”), Revenue Ruling 57-187 and Private Letter Ruling 200936012, the Board of Supervisors of Delaware County, New York (the “Board of Supervisors”) adopted a resolution on June 25, 2025 (the “Sponsor Resolution”) (1) authorizing the incorporation of Delaware County Capital Resource Corporation (the “Issuer”) under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer; and

WHEREAS, on June 27, 2025, a certificate of incorporation was filed with the New York Secretary of State’s Office (the “Certificate of Incorporation”) creating the Issuer as a public instrumentality of Delaware County, New York (the “County”); and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable revenue bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; and otherwise to carry out its corporate purposes in the territory in which the operations of the Issuer are principally to be conducted; and

WHEREAS, in June, 2025, Delaware Valley Hospital, Inc., a not-for-profit corporation organized and existing under the laws of the State of New York (the “Borrower”), submitted an application (the “Application”) to the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Borrower, said Project to consist of the following: (A) (1) the construction of a four (4) story addition containing approximately 113,000 square feet (the “New Facility”) to an existing 49,000 square foot hospital building (the “Existing Facility”), (2) the demolition of approximately 3,380 square feet of the Existing Facility to accommodate the New Facility, (3) the demolition of an approximately 11,000 square foot building currently used as a primary care center (the New Facility and the Existing Facility being collectively referred to hereinafter as the “Facility”), all on an approximately 6 acre parcel of land located at 1 Titus Place (tax map no.: 273.11-7-29.1) in the Village and Town of Walton, Delaware County, New York (the “Land”) and (4) the acquisition and installation thereon and therein of machinery and equipment (the “Equipment”) (the Facility, the Land and the Equipment being collectively referred to hereinafter as the “Project Facility”), all of the foregoing to be owned and operated by the Borrower for use as a hospital providing inpatient, outpatient and ancillary care, including laboratory services, physical, occupational and speech rehabilitation any other directly and indirectly related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of tax-exempt and/or taxable revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Project, together with necessary incidental costs in connection therewith, then estimated to be \$60,000,000 and in any event not to exceed \$70,000,000 (the “Obligations”); (C) the paying a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; (D) the granting of certain other financial assistance with respect to the foregoing, including exemption from certain mortgage recording taxes; and (E) the making of a loan (the “Loan”) of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the board of directors of the Issuer on June 27, 2025 (the “Preliminary Inducement Resolution”), the Executive Director of the Issuer (A) caused a certified copy of the Preliminary Inducement Resolution to be sent via certified mail, return receipt requested, on July 7, 2025 to the chief executive officer of the County and of each city, town, village and school district in which the Project Facility is located (collectively, the “Affected Tax Jurisdictions”), (B) caused notice of a public hearing of the Issuer (the “Public Hearing”) pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) and, as provided in the Certificate of Incorporation, pursuant to the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York (the “GML”), to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project,

to be published on July 10, 2025 in The Reporter, a newspaper of general circulation available to the residents of the Village and Town of Walton, Delaware County, New York, (C) caused notice of the Public Hearing to be posted on July 10, 2025 on a public bulletin board located at the Walton Town Hall located at 129 North Street in the Village and Town of Walton, Delaware County, New York; (D) caused notice of the Public Hearing to be posted on July 8, 2025 on the Issuer's website, (E) caused notice of the Public Hearing to be mailed on July 7, 2025 to the Affected Tax Jurisdictions, (F) conducted the Public Hearing on July 22, 2025 at 12:00 o'clock, p.m., local time at the Walton Town Hall located at 129 North Street in the Village and Town of Walton, Delaware County, New York, and (G) prepared a report of the Public Hearing (the "Public Hearing Report") which fairly summarized the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the board of directors of the Issuer and to the Board of Supervisors; and

WHEREAS, the Borrower has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Code (referred to hereinafter as the "Tax-Exempt Obligations"); and

WHEREAS, the Board of Supervisors has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Tax-Exempt Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Tax-Exempt Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Tax-Exempt Obligations is approved by the "applicable elected representative" of the County after the Issuer has held a public hearing on the nature and location of the Project and the issuance of the Tax-Exempt Obligations; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Tax-Exempt Obligations to be treated as excludable from gross income for federal income tax purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Delaware County, New York, as follows:

Section 1. The Board of Supervisors hereby finds and determines that:

(A) We have reviewed the Public Hearing Report with respect to the issuance of the Tax-Exempt Obligations.

(B) It is desirable and in the public interest for the Issuer to issue and sell the Tax-Exempt Obligations in the aggregate principal amount presently estimated not to exceed \$70,000,000 upon such terms and conditions as the Issuer shall determine, all for the purpose of paying all or a portion of the costs of the Project.

Section 2. For the sole purpose of qualifying the interest payable on the Tax-Exempt

Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Board of Supervisors, as the elected legislative body of Delaware County, New York, hereby approve and authorize the issuance by the Issuer of the Tax-Exempt Obligations in the aggregate principal amount not to exceed \$70,000,000 (or such lesser amount as the Issuer shall determine) for the purpose of paying all or a portion of the costs of the Project, subject to the conditions provided in Section 3 hereof.

Section 3. The Tax-Exempt Obligations shall provide that they are not and shall never be a debt of the State of New York or Delaware County, New York, and neither the State of New York nor Delaware County, New York shall be liable thereon. The Tax-Exempt Obligations, together with interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the sale or other disposition of the Issuer's interest in the Project and from any other security granted to the holders of the Tax-Exempt Obligations by, or on behalf of, the Borrower.

Section 4. This resolution shall take effect immediately.

The resolution was seconded by Mr. Vernold and Mrs. Driscoll.

Ms. Molé asked Director of Economic Development Glenn Nealis if a public hearing on the issuance of certain obligations to finance a certain project for Delaware Valley Hospital Inc., was held the day previously, on July 22.

In response, Mr. Nealis confirmed a public hearing was held.

The resolution was unanimously adopted.

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

RESOLUTION NO. 132

TITLE: 2025 BUDGET AMENDMENT TRANSFER FUNDS PLANNING DEPARTMENT

WHEREAS, the Delaware County Core Group in conjunction with the Department of Planning, Parks and Watershed Affairs has worked to address hazard response, mitigation and overall storm readiness as part of our emergency planning and mitigation programming; and

WHEREAS, limitations associated with accurate weather forecasting, storm warnings and alerts have been identified as a potential threat to life and property across the County; and

WHEREAS, during the required Hazard Mitigation Planning Delaware County staff including Planning, EMS, DPW and the Sheriff have addressed the lack of weather forecasting in Delaware County with the National Weather Service as a hindrance to our overall ability to protect life and property; and

WHEREAS, the National Weather Service has indicated the lack of accurate and calibrated weather station data is the largest limitation; and

WHEREAS, the Delaware County Core Group partners have supported an effort to install a series of weather stations to provide data to the National Weather Service; and

WHEREAS, under the Hazard Mitigation efforts of the Delaware County Planning Department a proposal to purchase 10 weather stations with software and administrative support to report data to the National Weather Service was presented to the Planning, Recreation, Culture and Community Committee and the Finance Committee to request funding of appropriations to purchase the required equipment and software and enter into a five-year contract with an outside service provider for maintenance and software updates.

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds be made and the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11990-54900000	Contingency	\$62,500.00
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TRANSER TO:

10-18020-52200000	Equipment	\$62,500.00
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The resolution was seconded by Mr. Ellis.

Mr. Merrill stated the purchase is meant to help the area better predict the weather so residents are aware when storms are coming and can be better prepared. Too many people have been lost over the years by not knowing when dangerous weather was coming.

The resolution was adopted by the following vote: Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 133

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,095,941.01 were hereby presented to the Finance Committee for approval for payment on July 9, 2025, 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	\$1,038,868.03
OET	\$18,392.66
Public Safety Comm System	\$1,743.75
CAP DSS	\$9,239.57

Highway Audits, as Follows:	
Solid Waste/Landfill	\$10,676.08
Machinery	\$17,020.92

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,929,126.70 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	\$1,303,791.62
Insurance Risk	\$1,780.00
CAP DSS	\$80.77

Highway Audits, as Follows:	
Weights & Measures	\$161.10
Solid Waste/Landfill	\$247,491.83
Road	\$55,724.82
Machinery	\$131,361.11
Capital Solid Waste	\$246,992.67
Capital Road & Bridge	\$35,500.77
CAP DPW Complex	\$981.18
Capital Solid Waste Improvements	\$905,260.83

The resolution was seconded by Mr.Marshfield and adopted by the following vote:
Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 134

TITLE: IN HONOR OF ASSISTANT FIRE CHIEF JASON MCGLONE

WHEREAS, Assistant Fire Chief Jason McGlone of the East Branch Fire Department was killed while performing his duties as a volunteer fireman on July 17, 2025; and

WHEREAS, Delaware County relies on the dedicated and selfless service of volunteers to support our communities in times of need; and

WHEREAS, Jason McGlone and his entire family have made sacrifices to serve our community in this capacity without hesitation; and

WHEREAS, the entire emergency services community is feeling the loss of a true local hero; and

WHEREAS, the Delaware County Board of Supervisors recognizes the risks taken by our volunteers to serve and protect the public in our rural communities.

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors offers this resolution in dedication to the heroic and selfless service of Assistant Fire Chief Jason McGlone; and

BE IT FURTHER RESOLVED the Delaware County Board of Supervisors offers our condolences and thanks to the family and friends of Jason McGlone along with his fellow firemen as we all mourn the loss of a fallen hero.

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

Following adoption of the resolution, Ms. Molé requested that all in attendance join her in a moment of silence in honor of Jason McGlone.

Mr. Gladstone requested Planning Director Shelly Johnson-Bennett provide an update on the purchase of land at 4-H Camp Shankitunk.

Mrs. Johnson-Bennett said survey maps of the properties were received earlier that morning, which show there are 10.4 acres of land that will be deeded to the county to be attached to the Lennox Forest property. She stated there are 4.8 acres of land that will be added to the 4-H Camp Shankitunk property, and 2.67 acres will be deeded to Ms. Ostrom to create a buffer between 4-H Camp Shankitunk and neighboring property lines.

Mrs. Johnson-Bennett said the deed descriptions were also sent by the surveyor and will go before the Town of Delhi Planning Board the following week. She added that so long as Delhi Planning Board members approve the series of boundary line adjustments, the county could move forward with closing on the purchase and the filing of deeds and documents.

Ms. Molé added all documents are prepared in order to designate Deputy Commissioner of Planning Kent Manuel as a representative of the County to present to the Delhi Planning Board members. She thanked Mrs. Johnson-Bennet for the update.

Ms. Molé reminded Supervisors there will be an annual Supervisor's picnic later in the afternoon at 4-H Camp Shankitunk, including a tour, a presentation, and dinner.

Upon a motion, the meeting was adjourned at 1:28 p.m.