

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS MAY 13, 2015

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 13, 2015 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Vice Chairman Tina B. Molé presiding.

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

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Vice Chairman Molé granted privilege of the floor to District Attorney Richard Northrup who presented Connie Watson as Employee of the Month.

Mrs. Watson began her employment with Delaware County in 1996 as Clerk for the Department of Public Works. In 2006, she transferred to the District Attorney's Office as a Legal Secretary. In this capacity, Mrs. Watson's duties include working with two Assistant District Attorneys on cases and traffic tickets in all towns and village courts in the county. She prepares discovery responses, motions and appeals, while also managing a large part of the traffic ticket correspondence that flows through the office daily.

Mr. Northrup stated that Mrs. Watson handles her workload promptly, efficiently and very competently. He pointed out that most legal offices have at least one secretary to do the work generated by an attorney; Mrs. Watson is able to do the work generated by two Assistant District Attorneys and shares in answering the phones while handling other duties as well. Mrs. Watson interacts both sensitively and professionally with victims, law enforcement officers, lawyers and judges. She is a pleasure to have in the office and is friendly and informative to anyone who stops in or calls.

Delaware County is well served by Mrs. Watson, Mr. Northrup said, and has earned this honor for her many years of faithful and superior service.

Mr. Northrup presented Mrs. Watson with a \$50.00 check. Vice Chairman Molé presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Ms. Molé granted privilege of the floor to Mr. Triolo who introduced Environmental Engineer Specialist Nate Hendricks of the Catskill Watershed Corporation (CWC) to discuss the Flood Hazard Mitigation Implementation Program and the Sustainable Communities Program.

A PowerPoint presentation detailing two new programs offered by the CWC was given. Mr. Hendricks noted that the CWC is a Local Development Corporation established as a not-for-profit organization in 1997 to protect the water quality in the New York City Watershed West of the Hudson (WOH), to preserve and strengthen communities located in the region, and to increase awareness and understanding of the importance of the New York City (NYC) Water System.

Mr. Hendricks explained that the Flood Hazard Mitigation Implementation Program and the Sustainable Communities Program followed the devastation of Hurricane Irene and Tropical Storm Lee in August and September of 2011 and by this Board of Supervisors passing a resolution asking NYC to fund local flood mitigation projects in the watershed.

The Flood Hazard Mitigation Implementation Program provides funding assistance for relocation of residences, anchor businesses, and critical community facilities. The cost category, cost share and cap of relocation assistance were given which also included property protection measures, elimination of sources of manmade pollution and stream-related construction work.

Communities with a completed Local Flood Analysis (LFA) are eligible to apply for funding to update or complete a comprehensive plan to identify areas within the municipality suitable to serve as a new location for residences and/or businesses to be relocated after purchase under the New York City-Funded Flood Buyout Program with a cap of \$20,000.

Mr. Hendricks stated in response to Mr. Dolph that the program rules preclude a resident from coming directly to the CWC for a residential buy-out without the support of the local municipality. However, in the case of an anchor business the owner can apply directly to the CWC if they are located in a LFA Study Area.

In answer to Mr. Dolph, Mr. Hendricks noted that the CWC would be working closely with the Soil & Water Conservation District (DCSWCD) on stream-related projects utilizing their staff and/or consultants to maximum resources and funding for communities.

Mr. Hendricks shared in response to Mr. Donnelly that the presentation along with links to partner agencies and detailed program information is available at www.catskillstreams.org/lfa.

In reply to Mr. Marshfield, Mr. Hendricks noted that the CWC and NYCDEP staff makes a recommendation to the CWC Board to open the program for flood debris removal projects. An event does not have to be a declared Federal Emergency Management Agency (FEMA) event to apply for funding. Mr. Marshfield pointed to the significance of this program saying that if a program like this were available 19 years ago the Town of Hamden would not be facing a \$1 million reclamation today.

Mr. Hendricks stated in answer to Mr. Taggart that funding is restricted to future events when opened and approved by the CWC Board of Directors.

Mr. Dolph stated that the Town of Walton has completed a LFA with funding from the DCSWCD. A completed LFA will allow municipalities to apply to the DCSWCD or CWC for funding to implement projects. The Town of Walton has had a successful experience and has been provided funding sources they would not have been aware of on their own.

Mr. Hendricks added that the county's participation rate in the program has been very

good.

Ms. Molé thanked Mr. Hendricks for an informative presentation.

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

RESOLUTION NO. 81

**TITLE: 2015 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MOBILITY MANAGEMENT
OF SOUTH CENTRAL NEW YORK
OFFICE FOR THE AGING**

WHEREAS, the Delaware County Office for the Aging operates a non-emergency transportation program through which individuals are assisted with transportation to and from non-emergency medical appointments, obtaining legally authorized prescription medications and obtaining essential medical supplies; and

WHEREAS, the Delaware County Office for the Aging has received \$3,408.00 to enhance the agency's established non-emergency medical transportation program for 2015; and

WHEREAS, it is appropriate to revise the 2015 budget to accommodate this grant.

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

INCREASE REVENUES:

10-16772-42270602/6772041/977	Grants from Non-Profit	\$3,408.00
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INCREASE APPROPRIATIONS:

101-6772-54327000/6772041/977	Grant Contractual Services	\$3,408.00
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The resolution was seconded by Mr. Donnelly.

Ms. Molé noted that the funding is for non-Medicaid transportation.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 82

**TITLE: 2015 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR BALANCING INCENTIVE PROGRAM
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$66,750.00 for the Balancing Incentive Program, a program involving four State agencies: Department of Health, Office for the Aging, Office of People with Developmental Disabilities, and Office of Mental Health; and

WHEREAS, this funding will be used to provide long term services & supports as required under Balancing Incentive Program regulations including rebalancing the delivery of long term services & supports towards community-based care, promoting enhanced consumer choice, standardizing information for eligibility determination and enrollment processes, improving access to and expanding community long term services & supports, and providing essential services in the least restrictive setting.

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

INCREASE REVENUES:

10-16772-43377200	State Programs for Aging	\$66,750.00
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INCREASE APPROPRIATIONS:

10-16772-54200000	Contracted Services	\$50,250.00
10-16772-52200000	Equipment	10,000.00
10-16772-54180080	Communications	500.00
10-16772-54520000	Postage	500.00
10-16772-54595320	Supplies	2,500.00
10-16772-54625010	Travel	3,000.00

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

Director of Office for the Aging Wayne Shepard answered in reply to Mr. Valente, that the funding for this program was received prior to the development of the plan and additional funding is anticipated. The Office for the Aging currently has a contract through 2016 with NY Connects who contracts through Delaware Support and Services.

Mr. Valente referenced the State Comptroller's Audit promoting the vetting of all outside contracts.

Mr. Dolph said the Comptroller's Office agreed that the county has very few vendors who meet the criteria of the bid specifications. The Comptroller's Office commented on this concern in their audit and suggested in cases where there are no bids received the reasons should be fully noted.

Ms. Miller noted that she believed the Comptroller's Audit indicated that a bidding process be undertaken when appropriate regardless of how many responses are received. She said the bidding process is the means to acquiring the services at the lowest cost to the county. She suggested at the very least, the county website could be used as a way of getting the required information out.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 83

**TITLE: 2015 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR WATER EXERCISE PROJECT AND
MATTER OF BALANCE PROJECT
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$9,000.00 from the Rural Healthcare Alliance of Delaware County to train staff for administering the Matter of Balance program and to continue a water exercise program for the county’s older population; and

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

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

INCREASE REVENUES:

10-16772-442270602/6772040/977 Grant from Non-Profit \$9,000.00

INCREASE APPROPRIATIONS:

10-16772-54327000/6772040/977 Grant - Contracted Services \$6,800.00
10-16772-54327595/6772040/977 Grant - Supplies 700.00
10-16772-54327625/6772040/977 Grant - Travel 1,500.00

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 84

**TITLE: 2015 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY INSURANCE**

WHEREAS, it is necessary to fund the County Insurance account to cover premiums on purchased policies for 2015 incidental liability claims, administrative costs and continued funding of the insurance reserve account.

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

FROM:

10-11010-54350200 Board of Supervisors \$5,378.00
10-11040-54350200 Clerk of the Board 1,973.00
10-11165-54350200 District Attorney 5,963.00
10-11325-54350200 County Treasurer 2,790.00
10-11327-54350200 Fiscal Affairs 1,865.00
10-11355-54350200 Real Property Tax Services 2,185.00

10-11410-54350200	County Clerk	14,377.00
10-11420-54350200	County Attorney	2,789.00
10-11430-54350200	Personnel	2,183.00
10-11450-54350200	Board of Elections	2,000.00
10-11620-54350200	Buildings	16,695.00
10-11670-54350200	Printing	60.00
10-11680-54350200	Information Technology	4,120.00
10-13110-54350200	Sheriff	37,667.00
10-13140-54350200	Probation	10,848.00
10-13150-54350200	Jail	54,412.00
10-13620-54350200	Code Enforcement	505.00
10-13640-54350200	Emergency Services	7,438.00
10-14012-54350200	Public Health Services	11,266.00
10-14310-54304000	Mental Health Clinic	24,926.00
10-14317-54350200	Alcoholism	11,855.00
10-14321-54350200	Expanded Mental Health Programs	978.00
10-16010-54350200	Social Services	51,304.00
10-16326-54350200	Economic Development	2,053.00
10-16510-54350200	Veteran's Service Agency	1,463.00
10-16610-54350200	Sealer of Weights & Measures	608.00
10-16772-54350200	Office for Aging	4,911.00
10-17510-54350200	County Historian	155.00
10-18020-54350200	Planning Department	2,867.00
10-18740-54350200	Watershed Affairs	1,923.00
22-18160-54350200	Solid Waste	63,129.00
26-15130-54350200	Highway Department	<u>112,070.00</u>
	Total:	\$462,756.00

INCREASE REVENUE:

10-19000-42280100	Interfund Revenue Insurance	\$462,756.00
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INCREASE APPROPRIATION:

10-11910-54350200	Unallocated County Insurance	\$462,756.00
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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. Donnelly.

Mr. Dolph explained in answer to Mr. Spaccaforno that the resolution is charging the departments for their share of the county's insurance premium.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 85

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 30-15
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 76 of 2015 authorized the award of Proposal No. 30-15, “Purchase of Single Axle Dump Truck” to Ben Funk Inc., 3609 Route 9, Hudson, NY 12534 for the bid amount of \$155,652.37; and

WHEREAS, the truck has been ordered and the dealer has made a recommendation that the transmission control module be mounted in the cab instead of under the truck; and

WHEREAS, this change will require an additional \$113.00.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 (Final) in the amount of \$113.00 increasing the purchase price to \$155,765.37.

The resolution was seconded by Mr. Haynes and Mr. Spaccaforno and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 86

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

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

BE IT RESOLVED, that the Department of Public Works is authorized to sell by our on-line auction or scrap value whichever is higher the following items:

<u>Dept/Vehicle #</u>	<u>Description</u>	<u>SN/VIN</u>
DPW	2 Sets of Forks for JD 544	N/A
DPW	2 (two) 5’ Back Blades	N/A
DPW	6 (six) 17.5R25 XHC Michelin Crane Tires	N/A
DPW	6 (six) Bud Style 22.5” Truck Wheels	N/A
DPW	1(one) ERKCO Two-post Electro Hydraulic Lift	N/A
DPW (SW) #880	1972 Frueh Trailer	UNP435901
DPW 572 (PH 81)	2006 Ford Taurus	1FAFP53U56A246231

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

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

RESOLUTION NO. 87

TITLE: AUTHORIZATION FOR ACCESS TO PRIVATE LANDS FOR INVESTIGATION UNDER EMINENT DOMAIN LAW FOR POTENTIAL TO ACQUIRE PROPERTY FOR THE REHABILITATION, REPLACEMENT, MODIFICATION AND EXPANSION OF THE DELAWARE COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, as reflected in Resolution No. 136 of 2012, the Delaware County Department of Emergency Services (“DCDES”) is progressing with a public use project consisting of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System (the “Project”) as previously authorized; and

WHEREAS, potential sites in the Town of Andes and the Town of Middletown have been identified as being sites which will provide increased and improved coverage to those areas of the County; and

WHEREAS, a potential site in the Town of Andes is located at Mount Pisgah, in the Town of Andes, Delaware County, New York (Tax Map Parcel No. 218.-1-4), and a potential site in the Town of Middletown is located at a portion of lands now or formerly of Barbara A. Hoffman and Henry C. Farrar, Liber 876 of Deeds, Page 236, Town of Middletown, Delaware County, New York (Tax Map No. 305-1-12.11)(collectively referred to herein as “Potential Sites”); and

WHEREAS, in addition, the Potential Sites are in areas of existing Delaware County Emergency Communications towers and the County is endeavoring to replace the existing tower sites at or near the same locations whenever possible; and

WHEREAS, the DCDES has been pursuing negotiations with the owner of the Potential Sites on which to erect the communications towers and related appurtenances; and

WHEREAS, those negotiations are ongoing and continuing in nature as the DCDES requires further investigation of the Potential Sites, as well as lands at and around the Potential Sites to determine the adequacy of said lands for the Project; and

WHEREAS, due to the need for further investigation of said lands, the DCDES requires access to the Potential Sites, as well as lands in the area of the Potential Sites; and

WHEREAS, the Board of Supervisors has determined that the rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System is in the best interest of the County; and

WHEREAS, the necessary access to and potential acquisition of the Potential Sites and/or additional lands in and around the Potential Sites is in the best interests of the health, safety and welfare of the County, as it is in the public's best interest that the Project be properly constructed and maintained; and

WHEREAS, the County has endeavored and will continue to endeavor to negotiate with land owners to acquire access to and obtain the necessary property rights for the Project by voluntary compliance with the land owners – including relative to the Potential Sites and surrounding lands, but the Board of Supervisors acknowledges that voluntary compliance may not be achieved for the necessary access to and potential acquisitions and may require the County to exercise its powers of Eminent Domain, and

WHEREAS, the Board of Supervisors hereby determines that the contemplated acquisition of the Potential Sites and/or additional lands in and around the Potential Sites would be in the public interest so that the public interests will not be prejudiced by acquisition of said lands that authorization of use of the authority under Eminent Domain Law is necessary to conduct the necessary inspection, review and related action; and

WHEREAS, the Board of Supervisors hereby determines that the contemplated access to the Potential Sites and/or additional lands in and around the Potential Sites is for further investigation purposes, and therefore any access to said lands would be in the public interest so that the public interests will not be prejudiced by access to said lands; and

WHEREAS, the Board of Supervisors had previously complied with the mandates of SEQRA for the Project; and

WHEREAS, pursuant to the terms of SEQRA, the Board of Supervisors has determined that its findings and determinations are consistent with the prior Negative Declaration and there are no negative adverse impacts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Delaware County hereby determines that access to the Potential Sites and/or additional lands in and around the Potential Sites for further investigation purposes to acquire potential easements or fee acquisitions in furtherance of the Project for the Project is practicable and will not prejudice the Project; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Delaware County hereby determines that the voluntary compliance to acquire easements or fee acquisitions in furtherance of the Project for the potential sites may not be practicable and would prejudice the Project; and

BE IT FURTHER RESOLVED the County of Delaware and its legal agents are authorized to access the lands or interests for further investigation in accordance with Eminent Domain Law; and

BE IT FURTHER RESOLVED the County of Delaware and its legal agents are authorized to move forward to investigation the necessary lands or interests by use of Eminent Domain; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the County of Delaware and its legal agents to make offers of reasonable compensation to acquire the lands or interests that cannot be practically acquired by voluntary compliance; and

BE IT FURTHER RESOLVED that the Department of Emergency Services and the attorneys for the County are hereby directed to take such actions as are necessary to implement this resolution.

The resolution was seconded by Mr. Haynes.

Mr. Valente noted that eminent domain is the last resort but this is a case where it is the best interest of public safety.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

Mr. Spaccaforno offered the following resolution and moved for it adoption:

RESOLUTION NO. 88

TITLE: RESOLUTION IN OPPOSITION TO GOVERNOR CUOMO'S OFFICE OF NEW AMERICANS CONCEPT PAPER ISSUED APRIL 10, 2015

WHEREAS, in March of 2013 New York Governor Andrew M. Cuomo launched the New York State Office of New Americans (ONA) thereby increasing the size of state government by creating a whole new state office for non-citizens; and

WHEREAS, the Governor and the State Legislature nearly doubled the state funding to the ONA for the 2015-2016 fiscal year with the possibility of renewal for two additional years; and

WHEREAS, the ONA proposes to release three (3) Requests for Applications (RFA's) which will spend a portion of those funds on the following programs;

- a.) Twenty Seven (27) not-for-profit organizations can receive up to ONE HUNDRED SEVENTY FIVE THOUSAND (\$175,000.00) DOLLARS per year for hosting a "neighborhood based ONA Opportunity Center" to teach English, naturalization and deferred action for childhood arrivals, Federal immigration law and policy information for non-citizens; and
- b.) Six (6) not-for-profit organizations can receive up to ONE HUNDRED FIFTY THOUSAND (\$150,000.00) DOLLARS per year for hosting an "ONA Legal Counsel, which will provide legal technical assistance, pro bono legal services to law schools to expand low cost immigration law services for non-citizens; and
- c.) One (1) not-for-profit organization can receive up to SIXTY EIGHT THOUSAND ONE HUNDRED (\$68,100.00) DOLLARS per year for providing U.S. Board of Immigration Appeals (BIA) Training and Technical support, and build an in-house capacity of immigration service providers throughout N.Y. State; and

WHEREAS, the Delaware County Board of Supervisors believes that the foregoing proposals to spend up to \$5.6 MILLION DOLLARS is an inappropriate expenditure of tax-payers funds as our roads, bridges and complete infrastructure is in desperate need of repair;

and

WHEREAS, the N.Y. State has not reduced the State's unfunded mandates to the Towns and Counties of N.Y. State whereas this should be the top priority, thereby reducing the property taxes of all of our citizens.

NOW, THEREFORE, BE IT RESOLVED that Delaware County Board of Supervisors opposes the concept paper issued April 10, 2015 by Governor Cuomo's Office of New Americans, and

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

The resolution was seconded by Ms. Molé.

Mr. Spaccaforo stated that the Office of New Americans (ONA) basically expedites the citizenship of non-citizens at a cost of about \$15 million over a three-year period. He noted that our ancestors had to teach themselves, they did not have all of this help and they made it here because this is where they really wanted to be. He expressed concern that today's immigrants see America as a place to receive free benefits.

The money allocated toward ONA, he opined, could be used to help communities improve infrastructure and/or provide unfunded mandate and tax relief. He further stated that he is opposed to increasing government and the current model keeps getting bigger and bigger.

Mr. Valente stated that he sees the ONA as an opportunity to integrate immigrants into society. These dollars are an investment into building communities and an attempt to be proactive in helping these people assimilate. It was not easy for our ancestors to assimilate, they faced many struggles that perhaps can be avoided through the ONA. He pointed out that disenfranchised people create problems in society.

Ms. Miller noted that she is reluctant to vote against a concept because she feels it is important to be open to ideas. The ONA is trying to help the people who are here and want to become productive members of our society.

Mr. Dolph shared that he does not feel the concept is handling the immigration problem in the right manner. Immigrants who enter the country legally have gone through the process; he does not see how the state can put money towards people coming into the country illegally.

Ms. Molé noted that all three of the county's state senators voted to approve the creation of the ONA. The ONA has been in operation since 2013. The current state budget is providing continuing funding.

Mr. Marshfield advised that there are approximately 4.5 million immigrants in the United States and about 1 million of them are unnaturalized. NYS ranks second in the nation in immigrant population and he feels the best way to prepare these people to become productive parts of our society is through the ONA. It is estimated that immigrants coming to the United

States to attend universities add \$2.66 billion to the state economy through their education and living expenses. Additionally, immigrants pay about \$744 million in state, sales, income and property taxes.

Mr. Donnelly noted that he would be supporting this resolution. Our ancestors came to America legally and faced similar challenges to those coming today. He expressed concern that today's immigrants are not as interested as our ancestors were in assimilating but they recognize the benefits of living in America. He felt the state could find better ways to spend \$5.6 million a year.

Mr. Triolo shared that many immigrants use the language they are most familiar with even if they know or are learning English. These people are not going away on their own and we are not sending them away, there needs to be an effective way to make them proud Americans like our ancestors. He thinks the ONA will help assimilate the immigrants and continue the history this country was built on.

He shared that he learned from a landscaping supervisor on a trip to Washington, DC that the reason the majority of workers on the grounds he was visiting were Hispanic was because they were the ones who wanted to work. He opined that if these people are willing to do the work Americans are unwilling to do he felt that the state should find a way to help them.

Mr. Taggart noted that he would like to know how much of this money is actually benefiting the individual and how much is being spent on administration. If the ONA is going to make a difference, the majority of the funding needs to be spent on the people.

Mr. Rowe remarked there are other areas of spending in the state budget that he would prefer to see cut before this program.

Mr. Merrill commented that he is opposed to enlarging state government and is opposed to discussion that in his opinion borders on racism. He stated that he would not be supporting this resolution.

Mr. Pigford noted that this is an area of deep concern for him. He feels the majority of immigrants want nothing more than to assimilate into society and offering help through a complex immigration process is a good way to go about it. It would be helpful to know how well the office is doing in meeting its goal of adequately addressing the problem and what present resources, other than ONA are available to these people.

In answer to Ms. Miller, Mr. Spaccaforno noted that this resolution had been vetted through the Legislative Committee.

Mr. Hynes stated that voting for or against the resolution would not make a difference as the ONA is already funded and in operation. Mr. Spaccaforno said the resolution would serve to let the state know how the county feels.

The resolution failed by the following vote: Ayes 1957, Noes 2513 (Merrill, Valente Marshfield, Rowe, Miller, Hynes, Pigford, Triolo, Layton), Absent 329 (Axtell, Eisel).

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

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

RESOLUTION NO. 89

**TITLE: 2015 BUDGET AMENDMENT
HEAP COOLING ASSISTANCE COMPONENT
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the County's Home Energy Assistance Program (HEAP) for 2014-2015; and

WHEREAS, New York State has informed Delaware County that additional funding is available for Administrative expenses related to the Home Energy Assistance Program Cooling Assistance Component; and

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

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

INCREASE REVENUE:

10-16141-44464100	Federal Aid-HEAP	\$1,639.00
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INCREASE APPROPRIATION:

10-16141-54200012	Contracted Services-DELOPP Contract	\$1,639.00
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The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 90

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

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

WHEREAS, additional mandated local payments are being made; and

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

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

INCREASE REVENUE:

10-16141-44464100	Federal Aid-HEAP	\$3,710.00
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INCREASE APPROPRIATION:

10-16141-54342040

HEAP-NPA

\$3,710.00

The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 91

**TITLE: 2015 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 2015 Budget be amended as follows:

INCREASE REVENUE:

10-16010-44482002

Summer Youth Employment

\$95,869.00

INCREASE APPROPRIATION:

10-16010-54665002

Summer Youth Employment

\$95,869.00

The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 92

**TITLE: LEGISLATIVE APPROVAL FOR IMPOSITION OF A HOTEL/MOTEL
OCCUPANCY TAX IN DELAWARE COUNTY
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, Senate Bill S.5075 and Assembly Bill A.7316 have been introduced authorizing Delaware County the option to impose a 2% hotel/motel occupancy tax in Delaware County.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors requests the passage and enactment of Senate Bill S.5075 and Assembly Bill A.7316 entitled, "An act to amend the tax law in relation to authorizing the county of Delaware to establish hotel and motel taxes."

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed and authorized to file with the Senate and Assembly the Home Rule messages and/or forms as necessary to certify this resolution.

The resolution was seconded by Ms. Miller.

Mr. Triolo advised that this resolution includes the bill numbers as required for the continuance of the Legislative Approval For Imposition of a Hotel/Motel Occupancy Tax presented at the May 13 meeting of the Board of Supervisors.

Mr. Valente remarked that he remains steadfast against this new tax. He referenced several presentations to the Board that indicated better access to our trails, streams and fishing locations is what is needed to impact tourism. A recent audit from the State Comptroller has indicated that the \$211 million New York State spent on tourism did not make a significant impact.

Mr. Marshfield stated that the resolution is asking our legislatures for the privilege of debating and voting this issue among ourselves.

Mr. Taggart noted that Delaware County is among the minority of counties that do not have an occupancy tax and he feels the Board should have the power to make a decision either way.

The resolution was adopted by the following vote: Ayes 3902, Noes 568 (Molé, Merrill, Valente), Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 93

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,284,152.91 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	\$1,692,309.49
OET	\$11,216.26
Public Safety Comm System	\$2,656.36
Highway Audits, as Follows:	
Weights and Measures	\$299.39
Landfill	\$39,289.46
Road	\$97,554.95
Machinery	\$360,321.77

Capital Road & Bridge	\$45,123.13
Capital Solid Waste	\$35,382.10

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

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

RESOLUTION NO. 94

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.

<u>ASSESSED TO:</u>	WAL11TX.063
TOWN OF:	<u>181 DELAWARE STREET LLC</u>
TAX MAP NO:	125601:WALTON
SCHOOL DISTRICT:	273.7-7-13
ACREAGE:	125601:WALTON
CONVEYED TO:	0.75A ACRES
	TOWN OF WALTON
	129 NORTH STREET
	WALTON NY 13856
CASH CONSIDERATION:	\$27,899.95
TAX DEFICIT:	\$27,899.95

The resolution was seconded by Mr. Donnelly.

In answer to Mr. Valente, Mr. Dolph stated that the parcel would be used to mitigate water from Delaware Street into the river.

The resolution was adopted by the following vote: Ayes 4470, Noes 0, Absent 329 (Axtell, Eisel).

Vice Chairman Molé granted privilege of the floor to Mr. Merrill who referenced the Save the Delaware River System flyer placed on each Supervisor’s desk.

Mr. Merrill explained that the Upper Delaware River East and West Branch water levels are extremely low and affecting the economics of the river. Requests to the Decree Parties explaining the need for a release has been unsuccessful. Without a release, tourists coming to the river for recreational activities will be greatly disappointed this Memorial Day weekend. He asked that people sign an online petition in support of the Delaware River System by visiting, www.ipetitions.com/petition/save-the-delaware-river-system. Contact information to phone or write support is available through the Department of Watershed Affairs. He thanked the Supervisors for their support in getting the word out in their towns.

Mr. Rowe shared that the Friends of the Upper Delaware River (FUDR) held their One-Bug fishing competition on May 13th, a fundraiser for stream restoration in the Town of

Hancock. Contestants pay an entry fee of \$2,000-\$4000 to participate for the weekend. The water level in the east and west branch was too low to float the drift boats for the competition. He noted that these people spend big money locally and are willing to donate to support recreation in Delaware County, adding that a private donation for \$30,000 was made that weekend.

He further stated that the watershed agreement the county is working with is from 1954 and that recent studies support that New York City requirements and economic gain for municipalities in the watershed is possible but the Decree Parties are unwilling to meet our needs.

Mr. Rowe referenced the Occupancy Tax and stated that in his opinion tourists do not make their travel plans based on the tax.

Vice Chairman Molé appointed Executive Director of the Tri-Town Boys & Girls Club Amy Ragonese to the Youth Bureau Board of Directors.

Upon a motion, the meeting adjourned at 2:30 p.m.