

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 27, 2015

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 27, 2015 at 5:30 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman James E. Eisel, Sr. presiding.

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

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

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

RESOLUTION NO. 95

**TITLE: 2015 BUDGET AMENDMENT
SHERIFF'S TRAFFIC SAFETY PROGRAM GRANT
SHERIFF'S OFFICE**

WHEREAS, the Sheriff's Office has been successful in securing grant funds with which to participate in the statewide "Child Passenger Safety" program; and

WHEREAS, the Sheriff's Office agrees to participate in advising the public of the proper use and installation of child safety seats; and

WHEREAS, participation in this program will result in the award of a grant in the amount of \$1,500.00 with which to purchase child safety seats and pay the expenses associated with holding a child passenger safety associated event.

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

INCREASE REVENUE:

10-13110-43338900/3110047/907	Child Passenger Safety Grant	\$1,500.00
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INCREASE EXPENSES:

10-13110-52200001/3110047/907	Grant Equipment	\$1,000.00
10-13110-54327465/3110047/907	Grant Miscellaneous	500.00

The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 4537, Noes 0, Absent 262 (Donnelly, Spaccaforo).

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

RESOLUTION NO. 96

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

LETTING OF MAY 14, 2015

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

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

PROPOSAL NO. SW2-15 Temporary Landfill Rain Cover Cell 5 & 6 to: Antana Linings Inc., 1 School Street, Latham, NY 12110
Bid Price: \$97,731.84
(Total of Base and Supplemental 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. Haynes.

Mr. Rowe stated the department budgeted for the purchase of the landfill rain cover. The bid process received four responses ranging in cost up to about \$150,000. The use of the rain cover in conjunction with other management practices is expected to generate a savings that will cover the full cost of the rain cover within two years. He referenced an informational memo from the Director of Solid Waste Management Susan McIntyre which was placed on each Supervisor's desk.

In answer to Mr. Taggart, Ms. McIntyre explained that the geomembrane rain cover is placed over the landfill surface and is much more effective than just using soil.

Ms. McIntyre stated in reply to Mr. Hynes, that the items purchased on the bid work together. The bulk of the bid was for the geomembrane and the supplemental bid is for the installation of the diversion dam.

Ms. McIntyre explained in response to Mr. Hynes, that she has worked with Antana Linings Inc. in the past and is very confident of their abilities. After reviewing the bids, she contacted Antana Linings Inc. to make sure the company knew exactly what the county needed. The company’s response to her was “we do diversion dams all day long; we have this down to a science.”

The resolution was adopted by the following vote: Ayes 4537, Noes 0, Absent 262 (Donnelly, Spaccaforo).

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

RESOLUTION NO. 97

TITLE: APPORTIONMENT OF MORTGAGE TAX

WHEREAS, §261 of the Tax Law makes it mandatory to apportion the mortgage tax semi-annually and a report has been received from the recording officer and the County Treasurer for the period ending March 31, 2015.

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	\$19,240.47	\$19,240.47	
Bovina	\$4,141.69	\$4,141.69	
Colchester	\$9,665.71	\$9,665.71	
Davenport	\$10,920.96	\$10,920.96	
Delhi	\$20,440.91	\$17,336.10	\$3,104.81
Deposit	\$19,363.39	\$18,108.93	\$1,254.46
Franklin	\$8,832.88	\$8,447.08	\$385.80
Hamden	\$5,947.60	\$5,947.60	
Hancock	\$10,670.60	\$9,700.87	\$969.73

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Harpersfield	\$5,746.06	\$5,127.05	\$619.01
Kortright	\$10,367.29	\$10,367.29	
Masonville	\$6,117.83	\$6,117.83	
Meredith	\$8,593.34	\$8,593.34	
Middletown	\$19,788.98	\$17,973.47 FL	\$542.53
		MV	\$1,272.98
Roxbury	\$14,989.01	\$14,989.01	
Sidney	\$13,968.96	\$9,877.36	\$4,091.60
Stamford	\$6,253.25	\$4,693.76 ST	\$554.81
		HO	\$1,004.68
Tompkins	\$3,155.61	\$3,155.61	
Walton	\$12,867.27	\$10,535.75	\$2,331.52
Totals ...	\$211,071.81	\$194,939.88	\$16,131.93

The resolution was seconded by Mr. Marshfield.

Mr. Marshfield commented that in years past the Town of Hamden would receive about \$20,000 twice a year compared to the now barely \$6,000.

Chairman Eisel remarked that this is a reflection of today's economy.

The resolution was unanimously adopted.

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

RESOLUTION NO. 98

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, 2015 and closing April 30, 2015 in which landowners may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Delaware County Agricultural and Farmland Protection Board has identified each parcel proposed as “viable agricultural land”, eligible for inclusion into a Certified Agricultural District; 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 1 & 3.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Wednesday, June 24th 2015 at 5:15 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

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

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

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

RESOLUTION NO. 99

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>	FRA12TX.029
TOWN OF:	<u>ANGELO PIACENTE JR</u>
TAX MAP NO:	123289:FRANKLIN
SCHOOL DISTRICT:	143.-1-22.231
ACREAGE:	123201:FRANKLIN
CONVEYED TO:	10.27A ACRES
	ANGELO PIACENTE JR
	PO BOX 737
	BLOOMINGBURG NY 12721
CASH CONSIDERATION:	\$3,192.32
TAX DEFICIT:	\$2,209.12

<u>ASSESSED TO:</u>	FRA12TX.037
TOWN OF:	<u>KIMBERLY A FOSTER</u>
TAX MAP NO:	123289:FRANKLIN
SCHOOL DISTRICT:	143.-1-22.232
	123201:FRANKLIN

ACREAGE:	10.24A ACRES
CONVEYED TO:	KIMBERLY A FOSTER C/O ANGELO PIACENTE JR PO BOX 737 BLOOMINGBURG NY 12721
CASH CONSIDERATION:	\$2,996.91
TAX DEFICIT:	\$2,209.12

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4537, Noes 0, Absent 262 (Donnelly, Spaccaforo).

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

RESOLUTION NO. 100

TITLE: SUPPORTING A BUDGET LINE ITEM FOR THE CATSKILL PARK AND CATSKILL FOREST PRESERVE IN THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND (EPF) PLANNING DEPARTMENT

WHEREAS, the Catskill region is home to the Catskill Park, established by the State of New York in 1904, and the Catskill Forest Preserve lands; and

WHEREAS, 705,000 acres of land within the "Blue Line" of the Catskill Park and 287,500 acres of Catskill Forest Preserve land exist for public enjoyment; and

WHEREAS, much of the economic activity of the Catskill Park region is focused on the preserved lands of the park; stewardship and maintenance of these lands are critical for the continued use and enjoyment of the region, to strengthen the economy, and protect the vital ecosystem services of the region; and

WHEREAS, all outdoor recreational activities, including both those that rely on public and protected lands as well as those that rely on private lands, attracted nearly 2.5 million visitors with an estimated economic impact of more than \$115 million, and 2,413 jobs; and

WHEREAS, in 2015, the New York State Department of Environmental Conservation, in cooperation with the Department of State and Adirondack Park Agency, expects to fund an estimated \$400,000 in smart growth grant applications from Catskill Park communities and organizations; and

WHEREAS, the Catskill Park Coalition recognizes the goal of increasing tourism-friendly access within the "Blue Line" requires continuity and comprehensive integration between city and state land holdings and community 'smart growth' plan and projects; and

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors urges the New York State Governor and it's Legislative leaders to establish a budget line item of \$4 million for the Catskill Park and Catskill Forest Preserve within the counties of Ulster, Delaware, Sullivan and Greene in the New York State Environmental Protection Fund, beginning fiscal year 2015-16 and ongoing; and,

BE IT FURTHER RESOLVED that the Clerk of the Delaware County Board of Supervisors shall forward certified copies of this resolution to Governor Andrew Cuomo, New York State Department of Environmental Conservation Commissioner Joseph Martens, Senator John Bonacic, Senator James Seward, Senator Thomas Libous, Assemblyman Clifford Crouch, Assemblyman Pete Lopez, Assemblywoman Claudia Tenney, as well as the Clerks of the Delaware, Sullivan and Greene County Legislatures.

The resolution was seconded by Mr. Taggart and Ms. Miller.

Mr. Hynes noted that members of the Planning, Recreation and Culture Committee have been discussing this for the last three months and voted at their last meeting to bring this resolution forward.

In answer to Chairman Eisel, Ms. Miller stated that the Towns of Andes, Colchester and Middletown have passed resolutions in support of a budget line item. She noted that to her knowledge only Sullivan County is lacking a supporting resolution.

Chairman Eisel noted that he supports having a budget line item for the Catskill Park but expressed his concern over the acquisition of more land in the county. He is aware of other counties that have the same concern. He stated that he will vote in favor of the resolution but hopes the decision to acquire land will be brought back to the three impacted towns and the county.

Mr. Taggart stated in answer to Chairman Eisel that the current bylaws do not indicate the decision would be brought to the impacted towns.

The resolution was unanimously adopted.

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

RESOLUTION NO. 101

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,327,979.93 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	\$1,050,140.99
OET	\$14,603.56
Public Safety Comm System	\$2,606.94
Highway Audits, as Follows:	
Weights and Measures	\$187.96
Landfill	\$89,070.31

Road	\$88,637.83
Machinery	\$37,069.17
Capital Road & Bridge	\$38,248.75
Capital Solid Waste	\$7,414.42

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4537, Noes 0, Absent 262 (Donnelly, Spaccaforno).

Chairman Eisel announced that a tour of the Solid Waste Management Center and Composting Facility for the Supervisors has been arranged for June 24, 2015 at 3:00 p.m. prior to the Board meeting. Transportation to the facility will be available. He opined that the tour of the New Material Recovery Facility (MRF) should be interesting and educational.

Upon a motion, the meeting was adjourned at 5:45 p.m.