

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS JUNE 24, 2015

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 24, 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.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Director of Public Health Services Amanda Walsh who presented Heather Warner as Employee of the Month.

Ms. Warner began her employment in June 2007 as the Health Education Program Coordinator for the Department of Public Health. In this capacity, Ms. Warner coordinates, plans, administers and evaluates community based education program.

Ms. Walsh shared that Mrs. Warner admirably rises to any challenge and is always willing to try something new. As part of her daily responsibilities, Mrs. Warner contributes to the development, implementation and monitoring of the Community Health Improvement Plan and Grant Performance Standards. She serves as the department's Public Information Officer, serves as the department representative in the public health affiliated coalitions, manages the redesign of the department's website and is a resource to the staff. Mrs. Warner is a member of the Prescription Trails work group and her participation and commitment to the concept has resulted in the acquisition of grant funding from the New York State Health Foundation for the Complete Streets and Prescription Trails project in Delaware County.

Mrs. Warner was nominated for Employee of the Month Award based on her commitment and dedication to serving the county and the public. Her "passion for the mission" is clearly demonstrated by her continuing effort to address and improve when possible health related issues in the county.

Ms. Walsh presented Mrs. Warner with a \$50.00 check. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Taggart who introduced 2015-2016 Dairy Princess Malorie Jordan and alternate Dairy Princess Sabra Warner. He noted that Ms.

Jordon, age 16 and Ms. Warner, age 15 are from the Town of Franklin and attend the Franklin Central School.

Ms. Jordan stated that she has lived on her family's dairy farm in the Town of Franklin all her life. Living and working on a dairy farm has taught her about hard work, working with others, being attentive, responsible and resourceful when the need arises. These real-life experiences have helped instill leadership qualities that she is able to apply in her everyday life.

Ms. Jordon noted that according to the USDA the number of family-owned dairy farms has dropped in the last twenty years. As a result, fewer young people see firsthand what it takes to run a dairy farm. During her reign, she is looking forward to sharing with others her life on the dairy farm and teaching children and young adults about the health benefits of dairy and the importance of keeping the dairy industry thriving.

Ms. Jordon thanked the Board of Supervisors for inviting her to speak and said that she and Ms. Warner will be serving milk punch at the conclusion of the meeting.

Chairman Eisel thanked Ms. Jordon and Ms. Warner for attending the meeting and wished them success in their endeavors to support the dairy industry.

Chairman Eisel granted privilege of the floor to Mr. Rowe who introduced Department of Public Works Commissioner Wayne Reynolds to discuss Resolution No. 105 entitled: Authorization to Commence an Eminent Domain Proceeding to Acquire Property for Reconstruction of Bridge No. 26-3 and Related Determination of De Minimis Nature of Acquisition County Route 26 over Telford Hollow Brook Town of Colchester, which will be called up later in the meeting.

Commissioner Reynolds provided a PowerPoint presentation explaining the need for property acquisition for the reconstruction of County Bridge 26-3. The existing bridge built in 1968 carries County Route 26 over Telford Hollow Stream in the Town of Colchester. The bridge is in need of replacement as there are a number of DOT flags on it and the abutments have been undermined by repetitive storm events.

The presentation contained a number of maps depicting the existing bridge and the proposed bridge with respect to the neighboring property. They also showed the limits of property purchased by the county in fee in 1968 when the road was re-aligned. Unfortunately, the landowner does not want to acknowledge that the county owns some of the right of way in fee. Part of their septic system and some of their favorite trees are on the County's property.

The proposed bridge is designed to the current hydraulic and hydrology standards and is considerably longer than the current bridge. Lengthening the bridge has cut off the dry land access to an adjacent Godzinski property. The property will still have road frontage but would have to have a bridge built to get to it, which is not reasonable or desirable.

The property that DPW is proposing the County acquire is just enough to provide for continued dry land access to that parcel and provide for a temporary, one lane bridge to maintain alternate one-way traffic during construction. DPW has attempted to settle with the Spaeth's for

an easement to ensure that the Godzinski's have continued access. They have not presented the department with a proposal and time is running out to construct the bridge during this construction season.

An onsite meeting was held with the Spaeth's on March 31st at which time the limits of the easement were pointed out and the construction process was described. The Spaeth's were informed at that meeting that they needed to let the department know how much they wanted for the easement. Since that time, there have been numerous communications with their attorney but no agreement.

Mr. Hynes asked if the new bridge could be built downstream so that the Godzinski's could still have access. Commissioner Reynolds noted that it could not be done because it would make the road alignment worse than it currently is.

Mr. Merrill stated that the current alignment is not that great as it is and he would like to see this project underway.

Mr. Taggart stated that he appreciates the department's attempts to settle land acquisition without eminent domain but understands the project has to move forward. Commissioner Reynolds shared that the landowner contacted his office after a newspaper reporter had talked to her about the pre-filed resolution. She stressed that she wants to cooperate but has been too busy to think about it. The department will continue to try to settle this without eminent domain but would like the Board of Supervisors to authorize eminent domain in the event a settlement is not reached to get this project under construction this year.

For standing committee reports Mr. Spaccaforno referenced a handout provided by the Clerk of the Board entitled Guest Column: NY No. 1 in shifting costs to local level. The article points out that New York State has shifted one-seventh of its costs over to local government that must then raise property taxes to pay those bills. He remarked the Board of Supervisors has to stay on top of unfunded mandates and let our legislatures know how we feel about this.

Chairman Eisel pointed out that if the state took over the Medicaid program it would greatly reduce the amount of money the county pays towards unfunded mandates. He noted that he sent a copy of the handout to the Governor and local representatives.

Chairman Eisel shared that the tour of the Composting Facility and the new Materials Recovery Facility (MRF) was very impressive. It was surprising to see that the placement of the geomembrane rain cover and the installation of the diversion dam were almost complete. He commended Commissioner of Public Works Wayne Reynolds and Director of Solid Waste Management Sue McIntyre for a job well done.

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

RESOLUTION NO. 102

TITLE: IN MEMORY OF JOHN (JACK) THOMAS

WHEREAS, Jack Thomas, passed away on May 26, 2015, having served as the Town of Masonville Supervisor from 1979 until 2005; and

WHEREAS, he was recognized for his hard work, distinguished service and dedication to the Town of Masonville and to Delaware County;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors extend their sincere sympathy to his family and recognizes with gratitude his years of loyal service and contribution to the Delaware County Board of Supervisors and the many residents of this County.

The resolution was seconded by Mr. Marshfield and Mr. Hynes.

Mr. Spaccaforno shared that the services for Mr. Thomas were very well attended. As is to be expected his family is struggling with the loss.

Mr. Marshfield said it was an honor to serve with Mr. Thomas. He carried himself professionally, spoke eloquently and understood the makings of county government. Mr. Thomas also served in the armed forces.

Chairman Eisel noted that Mr. Thomas served as the Town of Masonville Supervisor for twenty-six years. At the county level, he served on the County Insurance, Shared Services Committees and was Chairman of the Social Service Committee. Mr. Thomas was dedicated to the Town of Masonville and the County serving both to the best of his ability.

Mr. Hynes recalled that Mr. Thomas would always say, "it's only money." Whether you agreed with him or not Mr. Thomas was one of the few people who stood up and spoke his opinion. He was a dedicated Supervisor.

The resolution was unanimously adopted.

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

RESOLUTION NO. 103

**TITLE: 2015 BUDGET AMENDMENT
RECEIPT OF GRANT
DEPARTMENT OF PUBLIC HEALTH SERVICES**

WHEREAS, the Centers for Disease Control and Prevention (CDC) is providing funding to Public Health Emergency Preparedness awardees for retroactive and future costs to accelerate state and local public health preparedness planning and operational readiness for responding to Ebola; and

WHEREAS, Delaware County Public Health Services recognizes the threat of Ebola Virus Disease (EVD) is a top national public health priority.

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

INCREASE REVENUES:

10-14012-44440101/4012015/906 Federal Public Health Grants \$38,000.00

INCREASE APPROPRIATIONS:

10-14012-51327000/4012015/906	Personal Services-Grants	\$11,663.00
10-14012-52200001/4012015/906	Equipment Grant	\$17,000.00
10-14012-54327195/4012015/906	Grant Consultant	\$3,500.00
10-14012-54327595/4012015/906	Grant Supplies	\$3,960.00
10-14012-58332700/4012015/906	Social Security Emplr Contrib-Grant	\$1,407.00
10-14012-58932700/4012015/906	Medicare Emplr Contrib-Grant	\$470.00

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

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

RESOLUTION NO. 104

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
SHERIFF’S OFFICE**

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

NOW, THEREFORE, BE IT RESOLVED that the Sheriff’s Office is authorized to sell by auction or sealed bid or destroy the following items:

<u>Car No:</u>	<u>Description</u>	<u>Vehicle Identification No.:</u>
63	2010 Chevy Impala	2G1WD5EMXA1192128
64	2010 Chevy Impala	2G1WD5EM4A1192738

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

In answer to Mr. Marshfield, Sheriff Mills stated that these vehicles have about 140,000 to 150,000 miles and are no longer reliable.

The resolution was unanimously adopted.

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

RESOLUTION NO. 105

**TITLE: AUTHORIZATION TO COMMENCE AN EMINENT DOMAIN PROCEEDING
TO ACQUIRE PROPERTY FOR RECONSTRUCTION OF BRIDGE NO. 26-3 AND
RELATED DETERMINATION OF DE MINIMIS NATURE OF ACQUISITION
COUNTY ROUTE 26 OVER TELFORD HOLLOW BROOK
TOWN OF COLCHESTER
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution Number 42 of 2013 authorized the Department of Public Works to award the design of the replacement of County Bridge number 26-3, County Route 26 over Telford Hollow Brook, BIN 3351970 to Modjeski and Masters, Inc.; and

WHEREAS, Modjeski and Masters has completed the design and prepared construction documents which identify the need to purchase two small pieces of property in order to complete the construction; and

WHEREAS, the proposed Bridge is replacing the existing structure on the same roadway alignment while meeting current design standards and the County has endeavored to reconstruct the Bridge with minimum impact to adjacent landowners to the maximum extent possible; and

WHEREAS, said improvements are subject to classification under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the proposed Project involves the maintenance or repair involving no substantial changes in an existing structure and/or the replacement, rehabilitation or reconstruction of a structure, or facility in kind, on the same site that does not exceed the thresholds of 6 N.Y.C.R.R. 617.4, which work is classified as a Type II Action under the current SEQRA Regulations 6 N.Y.C.R.R. 617.5(c)(1) and 6 N.Y.C.R.R. 617.5(c)(2); and

WHEREAS, under SEQRA, Type II Actions are declared as actions that have no significant impact on the environment and require no further review under SEQRA; and

WHEREAS, the Delaware County Department of Public Works has been following the appropriate requirements for acquisition of property by public agencies and has been pursuing negotiations with the owners of the needed lands in the area of the Bridge, Jack F. Spaeth and Laurel B. Spaeth (“Owners”), for the purchase of approximately .011± acre of land off County Route 26 in the Town of Colchester (Tax Map Number 319.-1-55) and approximately .1± acre of land off County Route 26 in the Town of Colchester (Tax Map Number 319.-1-11.1)(collectively herein referred to as the “Site Property”) on which to access the Bridge for any and all replacement /or reconstruction needs, as well as future maintenance and repairs; and

WHEREAS, for various reasons an agreement to acquire access to the Site Property was not obtained from the Owners; and

WHEREAS, after several attempts, the Owners and/or their representatives for the Site Property have failed to cooperate with the County for the required access; and

WHEREAS, the Board of Supervisors has determined that the reconstruction of the Bridge is in the best interest of the County and as a result, that the contemplated acquisition of the Site Property in the best interests of the health, safety and welfare of the County, as it is in the public's best interest that the Bridge be properly constructed and maintained; and

WHEREAS, the County has endeavored and will continue to endeavor to acquire the Site Property necessary for the Project by voluntary compliance with the Owners but the Board of Supervisors acknowledges that voluntary compliance may not be achieved for the necessary acquisitions requiring the County to exercise its powers of Eminent Domain; and

WHEREAS, the Board of Supervisors hereby determines that the contemplated acquisitions of the Site Property is minor in nature (as reflected in maps on file at DPW) and therefore the individual acquisitions by Eminent Domain are de minimis in nature so that the public interests will not be prejudiced by the acquisition of the Site Property for the Project;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors is hereby designated lead agency under the State Environmental Quality Review Act (“SEQRA”) for the proposed Project; and

BE IT FURTHER RESOLVED that the Board, based upon the record before it, including its general, specific and detailed knowledge of the proposed Project and under the applicable standards of SEQRA and 6 NYCRR Part 617.5, hereby determines that the Project described above is a Type II Action which will not have a significant impact upon the environment and the Project requires no further SEQRA review by the Board; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Delaware County hereby determines that voluntary compliance to acquire fee acquisitions in furtherance of the Project is not practicable and will prejudice the Project; and

BE IT FURTHER RESOLVED the County of Delaware and its legal agents are authorized to acquire the Site Property 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 de minimis lands or interests that cannot be practically acquired by voluntary compliance; and

IT IS FURTHER RESOLVED that the Department of Public Works 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 and Mr. Spaccaforo and unanimously adopted.

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

RESOLUTION NO. 106

TITLE: AUTHORIZATION TO ENTER INTO AGREEMENTS FOR ACCEPTANCE OF SELECT OUT-OF-COUNTY WASTE GENERATED FROM THE VILLAGE OF WALTON WASTEWATER TREATMENT FACILITY DEPARTMENT OF PUBLIC WORKS

WHEREAS, Resolution No. 112 of 2014 authorized the County to accept out-of-county waste from the Village of Walton Wastewater Treatment plant for a period of one year; and

WHEREAS, the Village has requested an extension for another one-year period.

NOW, THEREFORE, BE IT RESOLVED that per the terms of Resolution No. 112 of 2104, the Department of Public Works is authorized to accept from the Village of Walton, at the Solid Waste Management Center and Compost Facility, the resulting quantity of biosolids

generated from the receipt of “out-of-county” milk-based liquid production waste water, subject to the applicable and prevailing tipping fee and capacity availability as established by the Department of Public Works.

BE IT FURTHER RESOLVED that this extension shall be valid until June 30, 2016.

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

In answer to Mr. Taggart, Ms. McIntyre noted that the liquid waste received at the Village of Walton Wastewater Treatment Plant is substantially more than the biosolids that the Solid Waste Management Center receives. The current volume of biosolids from this source is within our handling capacity.

In reply to Mr. Ellis, Ms. McIntyre said that the solid waste material comes in as biosolids, also known as sludge. The plant has sufficient capacity to convert it to compost with no long-term affects to the county.

Mr. Rowe remarked that agreeing to take out-of-county waste from this company was contingent upon the understanding that they were going to move their facility to Delaware County. If that is not the case, they need to be told to make other arrangements.

Chairman Eisel stated that the agreement would end after this one-year extension.

In answer to Mr. Marshfield, Ms. McIntyre said that a fee is received to offset the cost associated with the out-of-county waste however, no profit is made.

The resolution was unanimously adopted.

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

RESOLUTION NO. 107

**TITLE: AUTHORIZATION TO ENTER INTO AGREEMENTS WITH MUNICIPALITIES, SCHOOL DISTRICTS, DISTRICT CORPORATIONS OR STATE AGENCIES FOR SHARED HIGHWAY SERVICES
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, all municipalities, including the County of Delaware have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities; and

WHEREAS, all municipalities, including the County of Delaware, have the power and authority to borrow or lend materials and supplies to other municipalities; and

WHEREAS, it is hereby determined that the County of Delaware and other municipalities have machinery and equipment which is not used during certain periods; and

WHEREAS, it is determined that the County of Delaware and other municipalities often have materials and supplies on hand which are not immediately needed; and

WHEREAS, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Delaware and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money; and

WHEREAS, it is recognized and determined, from a practical working arrangement, that no program of borrowing, exchanging, leasing, renting or maintaining of highway machinery and equipment or borrowing or lending of materials can be successful if each individual arrangement has to receive prior approval by the County Board and the governing board of each of the other municipalities which may be parties to such agreements, since such agreements must often be made on short notice and at times when governing bodies are not in session; and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be obtained or maintained with a minimum of paperwork and inconvenience and with a swift approval process; and

WHEREAS, it is the intent of the Delaware County Board of Supervisors to authorize the Commissioner of Public Works to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the County board prior to the making of each individual arrangement; and

WHEREAS, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities and will grant the person holding the position comparable to that of the Commissioner of Public Works authority to make similar arrangements; and

WHEREAS, it is hereby determined that it will be in the best interest of the County of Delaware to be a party to such shared services arrangements.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is hereby authorized to sign contracts with municipalities, school districts, district corporations or state agencies for shared highway services.

The resolution was seconded by Mr. Haynes.

In response to Mr. Rowe, Commissioner Reynolds noted that this is a state template the Board passed five years ago. The agreement is to be renewed every five years.

Mr. Marshfield remarked that this resolution is very important to the towns.

The resolution was unanimously adopted.

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

RESOLUTION NO. 108

TITLE: URGING STATE REPRESENTATIVES TO AMEND THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT DEPARTMENT OF PUBLIC WORKS

WHEREAS, the main reasons for the adoption of the New York State Electronic Equipment Recycling and Reuse Act (Act) were to assist local governments with managing the fast-growing electronics waste stream by relying on electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, the consequence, specifically following the January 2015 Disposal Ban, is significant as a growing number of municipalities such as Delaware County are faced with bearing more of the financial burden for continued e-scrap collection in their communities; and

WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, once manufacturers have met their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to unexpecting, cash-strapped local governments; and

WHEREAS, the issue is worsened by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

WHEREAS, this has resulted in many local governments across the state having to grapple with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities including Delaware County that do not benefit from retail collectors or economies of scale.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of Delaware does hereby call upon Governor Cuomo, the New York State Assembly, the New York State Senate, and the State Department of Environmental Conservation to improve the current law intended to build toward the long-term goals of creating a more stable and comprehensive, manufacturer implemented electronics recycling infrastructure by implementing actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of the Proposed Statutory Changes to the Act to provide for year round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations that help alleviate the immediate financial pressures faced by local governments; and

BE IT FURTHER RESOLVED that the County of Delaware shall forward copies of this resolution to Governor Cuomo, Environmental Conservation Committee Chairman Thomas O'Mara, State Senator John J. Bonacic, State Senator James Seward, State Senator Thomas Libous, State Assemblyman Clifford W. Crouch, State Assemblyman Peter D. Lopez, State Assemblywoman Claudia Tenney, the New York State Association of Counties and its Board of Directors; the County Legislatures and Boards of Supervisors of all counties within the State of New York.

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

Mr. Rowe said that Ms. McIntyre believes that electronics will be the county's new tire problem. He explained that this resolution is calling for improvement to the current Act as it relates to the manufactures performance standard.

In answer to Chairman Eisel, Ms. McIntyre explained that electronics coming into the Solid Waste Facility continue to go out for recovery. The problem is that the supply is greater than the demand creating a cost situation to the County to manage these electronics rather than on the manufacturers. She noted that the New York State Electronic Equipment Recycling and Reuse Act falls short in this area.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 109

**TITLE: 2015 BUDGET AMENDMENT
HOMELAND SECURITY
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the emergency services department applied for and was awarded a grant (WM2012 SHSP) from the FY12 New York State Office of Homeland Security Program to help the county with the development and implementation of a special needs registry software program and the purchase of a communications shelter for the ongoing emergency communications radio project (Resolution No. 18-12); and

WHEREAS, the cost budgeted for the aforementioned equipment was more than needed to purchase the items required; and

WHEREAS, the need for an emergency management incident response vehicle was not expected or budgeted into the budget for this year; and

WHEREAS, this budget amendment has been approved by NYS Division of Homeland Security and Emergency Services to purchase an incident response vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services be authorized to reallocate this grant funding within its budget and that the budget be amended as follows:

DECREASE APPROPRIATION:

38-13640-52200001/3640385/911	Grant-Equipment	\$34,296.39
38-13640-44498900/3640385/911	Fed Otr Home & Comm Ser	\$34,296.39

INCREASE REVENUE:

10-13640-52200001/3640385/911	Grant-Equipment	\$34,296.39
10-13640-44498900/3640385/911	Fed Otr Home & Comm Ser	\$34,296.39

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

Director of Emergency Services Steve Hood explained in answer to Mr. Marshfield, that this is the amount remaining from the initial grant after the purchase of the special need registry and the communication shelter. The money will be used to purchase a new vehicle for the department as the existing vehicle is eight years old and is no longer reliable.

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

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

RESOLUTION NO. 110

**TITLE: 2015 BUDGET AMENDMENT
TRANSFER OF FUNDS
HOMELAND SECURITY
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the Emergency Services Department applied for and was awarded a grant (WM2013 EMPG) from the FY13 Emergency Management Performance Grant State Homeland Security Program from the NYS Division of Homeland Security and Emergency Services for the purpose of providing a system of emergency preparedness (Resolution No. 33-15); and

WHEREAS, the cost budgeted was all for equipment; and

WHEREAS, per the grant guidelines a portion of the grant must cover personnel costs to support authorized emergency management activities.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services be authorized to reallocate this grant funding within its budget and that the budget be amended as follows:

FROM:

10-13640-52200001/3640052/911	Grant-Equipment	\$12,195.00
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TO:

10-13640-551327000/3640052/911	Grant-Personnel Srs	\$12,195.00
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The resolution was seconded by Mr. Haynes and Mr. Spaccaforno.

Mr. Hood stated in answer to Mr. Marshfield, that the amount transferred is the percentage of the grant allotted to the program’s administrative costs.

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. 111

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
BUILDINGS 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 Building and Grounds Department is authorized to sell by auction or sealed bid or destroy the following items:

<u>Car No:</u>	<u>Description</u>	<u>Vehicle Identification No.:</u>
2	1999 Ford F350	1FDWF37L9XEC15640
8	1999 Dodge Pickup	3B7KF26Z7XM590181
10	1999 Dodge Pickup	3B7KC26Z8XM565749

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

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

RESOLUTION NO. 112

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>	<u>FRA10TX.011</u> <u>RALPH E JR AND KATHLEEN M FINNEGAN</u>
TOWN OF:	123289:FRANKLIN
TAX MAP NO:	166.-1-18.3
SCHOOL DISTRICT:	123201:FRANKLIN
ACREAGE:	6.50A ACRES
CONVEYED TO:	RALPH E JR AND KATHLEEN M FINNEGAN 2039 PALMER HILL RD WALTON NY 13856
CASH CONSIDERATION:	\$14,706.09
TAX DEFICIT:	\$10,708.71

ASSESSED TO:**PETER FARMER AND PRISCILLA FARMER**

TOWN OF:	124800:ROXBURY
TAX MAP NO:	158.-2-17
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	5.50A ACRES
CONVEYED TO:	PRISCILLA FARMER 489 WASHINGTON AVE PATCHOGUE NY 11772
CASH CONSIDERATION:	\$3,429.61
TAX DEFICIT:	\$2,532.79

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

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

RESOLUTION NO. 113

**TITLE: AUTHORIZATION TO ENGAGE THE PROFESSIONAL SERVICES OF AN
AUCTIONEER TO DISPOSE OF PERSONAL PROPERTY
OFFICE OF THE COUNTY TREASURER**

WHEREAS, by Order dated December 22, 2014, the Hon. John F. Lambert, Acting J.S.C., authorized the County to sell or discard personal property located at 181 Delaware Street, Walton, New York, after giving the prior owners an opportunity to remove that personal property; and

WHEREAS, the County has made numerous efforts to contact the prior owners and it is now clear that the property has been abandoned by the prior owners; and

WHEREAS, in an effort to promote transparency while also recovering the maximum amount of revenue to offset expenses, the County now desires to engage the professional services of an auctioneer to dispose of the personal property currently located at 181 Delaware Street, Walton, New York;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Finance Committee in consultation with the County Treasurer are hereby authorized to engage the professional services of an auctioneer to dispose of the personal property currently located at 181 Delaware Street, Walton, New York.

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

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

RESOLUTION NO. 114

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

WHEREAS, the Delaware County Agricultural and Farmland Protection Board has to verify that each parcel proposed is “viable agricultural land” and meets the eligibility requirements for inclusion into a Certified Agricultural District; and

WHEREAS, the Delaware County Board of Supervisors held a Public Hearing, Wednesday, June 24th at 5:15 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. 1 & 3; 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 Nos. 1 & 3.

Harpersfield: Agricultural District # 1: South Worcester Hill Rd.

Tax ID #4.-1-5 (204.44 ac) 480a & Hay production

Middletown: Agricultural District # 3: NYS 30

Tax ID #263.-2-6.1 (106.3 ac.) Grazing, Hay, Orchard, Vegetables, Berries, Maple Sugar

Tax ID #263.-2-7 (.75 ac.) Grazing, Hay, Cattle, Livestock (pigs, chickens)

Tax ID #263.-2-12 (69.69 ac.) Grazing, Hay, Livestock, Firewood, Maple Sugar

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

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

RESOLUTION NO. 115

TITLE: AUTHORIZATION TO HOLD A PUBLIC HEARING FOR THE PLANNED SUBMISSION OF AN APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, applications for Community Development Block Grant funds administered by the Office of Community Renewal are accepted under the CFA system; and

WHEREAS, the State's Consolidated Funding Application (CFA) system will accept applications for funding consideration until July 31, 2015; and

WHEREAS, Delaware County reviewed its community development issues and needs, and has determined that a grant program designed to assist local agricultural entrepreneurs and businesses throughout Delaware County is essential to the County's future economic vitality; and

WHEREAS, the application process requires the governing body of the applicant to hold a public hearing to obtain citizen's views in relation to the design of an application for funds; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors and the Director of Economic Development to schedule and hold a public hearing in contemplation of the development of an application for funding consideration by the NYS Office of Community Renewal

The resolution was seconded by Ms. Miller.

Director of Economic Development Glenn Nealis explained that the County was awarded a \$200,000 grant from the Office of Community Renewal in November 2014 for the purpose of providing small grants to local agriculturally related businesses. Included in that amount is \$15,000 to cover administration and program delivery. The initial funding round that finished in late April resulted in the award of 12 grants that fully committed the \$185,000. Because of the local need demonstrated and the success of the first program, the department is seeking an additional \$200,000 to continue this program

The resolution was unanimously adopted.

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

RESOLUTION NO. 116

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$607,762.62 were hereby presented to the Finance Committee for approval for payment on June 19, 2015 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	\$507,775.74
OET	\$16,345.68
Public Safety Comm System	\$44,797.35
Highway Audits, as Follows:	
Weights & Measures	\$0.00

Road	\$41.50
Machinery	\$36,258.93
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$2,543.42

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,610,504.45 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	\$967,023.09
OET	\$3,631.64
Public Safety Comm System	\$6,751.37
Highway Audits, as Follows:	
Weights and Measures	\$105.89
Road	\$209,619.05
Machinery	\$97,152.10
Capital Road & Bridge	\$155,805.83
Capital Solid Waste	\$78,240.62
Solid Waste/Landfill	\$92,174.86

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

Chairman Eisel made the following appointments:

Community Services Board
Bonnie Hammilton

Health Services Advisory Board:
Dr. Rohan Jayasena as medical advisor
Amanda Walsh - Delaware County Director of Public Health
Nicole Blanchard
Audrey Lewis - New York State Department of Health

Upon a motion, the meeting was adjourned at 6:30 p.m.