

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 25, 2016

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 25, 2016 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. Valente led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Mr. Triolo. Mr. Triolo introduced Chairman of the Delaware County Industrial Development Agency Jim Thomson to discuss upcoming legislation S.7861 pertaining to the requirement for payment of prevailing wage.

Mr. Thomson shared that the New York State Economic Development Council (NYSEDC) advised that legislation S.7861 is scheduled to be brought before this session of legislators. If S.7861 is enacted it would require every project financed in whole or part with funds, subsidies, or tax exemptions provided by a state or local public authority, to pay prevailing rates of wages. According to the Center for Governmental Research such a mandate would add an average of 28 to 35 percent to the cost of building projects in upstate New York.

In answer to Mr. Taggart, Mr. Thomson stated that because the current legislative session is scheduled to end June 14 and the next regularly scheduled meeting of the Board of Supervisors is June 22 a resolution from the Board would not be timely. However, he encouraged Supervisors to contact their legislatures to urge the defeat of S.7961.

In response to the information presented, the Board agreed that a resolution in opposition to S.7861 would be prepared and presented later in the meeting.

For standing committee reports, Chairman of the Public Works Committee Sam Rowe advised that the County Code Enforcer and the New York City Department of Environmental Conservation Floodplain Administrator determined the Page Avenue location for the proposed shop would have a negative impact on the back flow in the floodplain. The department is working on a redesign and a suitable location. A meeting with the design firm is scheduled for June 8. An update will be given at the next meeting.

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

RESOLUTION NO. 80

**TITLE: 2016 BUDGET AMENDMENT
RECEIPT OF DONATIONS K-9 PROGRAM
SHERIFF'S OFFICE**

WHEREAS, Resolution No. 91 of 2013 authorized the Delaware County Sheriff's Office to establish a K-9 Program and Resolution No. 123 of 2013 amended the K-9 Program budget; and

WHEREAS, the Sheriff's Office has dedicated an officer to the division, purchased a dog and a patrol vehicle. The continued training, providing of basic necessities, such as food and veterinary, heated housing and other care-based upon need; and

WHEREAS, a successful fund raiser was held at Danny's Restaurant in Walton for the purpose of supporting the Delaware County Sheriff's Office K-9 Program; and

WHEREAS, the K-9 Program will incur additional needs relating to its profession and the Sheriff's Office desires the K-9 Program to be supported by donations and would like to continue the acceptance of additional contributions.

NOW, THEREFORE, BE IT RESOLVED that the 2016 Budget be amended as follows:

INCREASE REVENUES:

10-13110-42270550/3110111/907	Gifts and Donations-Canine	\$30,000.00
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INCREASE APPROPRIATIONS:

10-13110-54143050/3110111/907	Canine - Contractual	\$30,000.00
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The resolution was seconded by Mr. Tuthill and Mr. Spaccaferno and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 81

**TITLE: 2016 BUDGET AMENDMENT
CONTRACTED REGISTERED NURSE POSITION
DEPARTMENT OF ALCOHOL AND DRUG ABUSE SERVICES**

WHEREAS, Delaware County Alcohol Abuse Services is in need of additional medical coverage; and

WHEREAS, these needs can be addressed through a contracted Registered Nurse Position and will be covered by revenue generated from the position.

NOW, THEREFORE, BE IT RESOLVED that the 2016 Budget be amended as follows:

INCREASE REVENUES:

10-14317-41163101	Alcoholism Clinic Medicaid	\$10,383.00
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INCREASE APPROPRIATIONS:

10-14317-54195100	Consultant Physician	\$10,383.00
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The resolution was seconded by Mr. Marshfield.

In answer to Mr. Hynes, Ms. Molé said the position is for a registered nurse to be used on a contractual basis.

In reply to Mr. Marshfield, Director of Alcohol and Drug Abuse Services Chris Kemp said the nurse would help with a variety of fee for service face-to-face visits and screenings.

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

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

RESOLUTION NO. 82

**TITLE: 2016 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 2016 Budget be amended as follows:

INCREASE REVENUES:

10-16010-44482002	Summer Youth Employment	\$97,830.00
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INCREASE APPROPRIATIONS:

10-16010-54665002	Summer Youth Employment	\$97,830.00
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The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 83

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE
CLERK OF THE BOARD**

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 Board of Supervisors is authorized to sell by auction or sealed bid the following items:

<u>DEPARTMENT</u>	<u>DESCRIPTION</u>
Board of Supervisors	DWCS 2.4 Digital Wireless Microphone System

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

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

RESOLUTION NO. 84

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
DEPARTMENT OF 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 Department of Public Works is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Department</u>	<u>Description</u>	<u>Vehicle Identification No.:</u>
Building and Grounds	2002 Chevy Silverado	2GCEK19T521344224

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

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

RESOLUTION NO. 85

**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 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 trade-in, on-line auction or for scrap the following items:

<u>Dept/Vehicle No.</u>	<u>Description</u>	<u>Vehicle Identification No.:</u>
DCSO 68	2005 Ford Taurus	1FAFP53255A228857
DCSO 81	2005 Chevrolet Classic	G1ND52F25M227689
DCSO 47	2006 Jeep Liberty	J4GL48K26W217326

DCSO 3	2002 Chevrolet Astro Van	1GCDL19X62B127700
DCSO 60	2009 Chevrolet Impala	2G1WS57MX91280241
DCSO	1991 Polaris ATV 4x6	1881126
DCSO	1991 Polaris ATV4x6	1881124

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

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

RESOLUTION NO. 86

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Probation Department is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Department</u>	<u>Description</u>	<u>Vehicle Identification No.</u>
Probation	2007 Chevrolet Malibu	1G1ZS57F37F270591
Probation	2007 Chevrolet Malibu	1G1ZS57F67F297574

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

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

RESOLUTION NO. 87

**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;

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Dept/Vehicle</u>	<u>Description</u>	<u>Serial No./Vehicle ID NO.</u>
DPW 4	2002 Dodge Ram Pickup	3B7KC26602M262575
DPW 302	1999 International Single Axle Dump w/o box	1HTGEAHR5XH643970
DPW 346	1994 International Pumpkin Truck	1HTSAZRM6RH551972
DPW 375	1997 International Tandem Axle Dump	1HTGGAET9VH444511
DPW 650	2007 New Holland Tractor	HJEO84600
DPW 662	1992 John Deere Tractor w/Over the rail mower	L02555G764039
DPW 989	2002 Rosco Sweeper	38280

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

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

RESOLUTION NO. 88

**TITLE: STIPULATION WITH VILLAGES IN
TAX FORECLOSURE PROCEEDING
TREASURER'S OFFICE**

WHEREAS, the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said proceeding is returnable before the New York State Supreme Court Delaware County on August 12, 2016; and

WHEREAS, said proceeding effects tax liens of both the County and several villages of Delaware County.

NOW, THEREFORE, BE IT RESOLVED the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the County will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "Notice of Stipulation"

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

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

RESOLUTION NO. 89

**TITLE: ACCEPTANCE OF SECOND SUPPLEMENTAL AGREEMENT AMONG
WEST OF HUDSON WATERSHED STAKEHOLDERS CONCERNING THE
NEW YORK CITY-FUNDED FLOOD BUYOUT PROGRAM
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, in August/September, 2011, Delaware County experienced widespread catastrophic flooding from Hurricane Irene and Tropical Storm Lee, adversely affecting many of its towns and villages, warranting the declaration of a countywide "State of Emergency"; and

WHEREAS, pursuant to the Hazard Mitigation Grant Program, the Delaware County Planning Department applied for funding from the Federal Emergency Management Agency (FEMA) for a voluntary flood-damaged property acquisition ("FEMA flood buyout") program; and

WHEREAS, the Delaware County All-Hazards Mitigation Plan was accepted by the Delaware County Board of Supervisors to ensure Delaware County eligibility for State and Federal hazard mitigation monies; and

WHEREAS, the New York City Department of Environmental Protection (NYCDEP) agreed to participate in the FEMA flood buyout program by providing funds to cover certain costs incurred in connection with property acquisition and demolition and taking title to

properties that met certain criteria (except where the County or another local government opted to take title); and

WHEREAS, Delaware County and the NYCDEP executed a contract with FEMA and the New York State Office of Emergency Management (NYSOEM) to formalize the NYCDEP’s participation in the FEMA flood buyout; and

WHEREAS, the 2013 Supplemental Land Acquisition Program Agreement memorialized the agreement to modify Special Condition 7(b) of the 2010 Water Supply Permit to facilitate the Hurricane Irene Buyout Program. In particular, the modifications allowed for the use of the FEMA procedures for determining the fair market value of properties participating in the FEMA flood buyout program. The modifications also allowed for local communities to take and retain title to properties acquired through that program, establishing a requirement that in such situations, those communities would grant conservation easements to the New York State Department of Environmental Conservation with certain restrictions, including both the restrictions FEMA requires for all buyout properties (“FEMA Deed Restrictions”) and additional restrictions memorialized in the 2013 Supplemental LAP Agreement; and

WHEREAS, the May 2014 Midterm Revisions to New York City’s 2007 Filtration Avoidance Determination (“FAD”) require the NYCDEP to commit \$15 million to a New York City-funded flood buyout program (“NYCFFBO Program”) to be implemented in accordance with the conditions of the 2010 Water Supply Permit, as amended. In accordance with the FAD, after extensive negotiations and outreach, Watershed Stakeholders have agreed upon a process for property evaluation and selection, as documented in “NYC-Funded Flood Buyout Program Property Evaluation and Selection Process,” (“Process Document”), which relies on a further amendment of the 2010 Water Supply Permit, as described below, to allow the NYCDEP to implement the NYCFFBO Program in communities that elect to participate in the Program (“Communities”); and

WHEREAS, MOA Paragraph 67 prohibits the NYCDEP from acquiring property in the West of Hudson watershed with structures other than uninhabitable dwellings or accessory structures unless the property is acquired through an acquisition and relocation program administered pursuant to the Hazard Mitigation Grant Program of the Federal Disaster Assistance Act; and

WHEREAS, on December 23, 2015, the Communities submitted to NYCDEP and the regulatory agencies the following list of proposed modifications and enhancements to the Watershed Protection and Partnership Programs (“Supplemental Partnership Programs”), which CWT asserts are critical to the long-term sustainability of the Communities:

1. Future Stormwater Fund
 - (a) Replenishment
 - (b) Eligible costs/allocation
2. MOA Paragraph 145 Stormwater Costs Paid by the City
 - (a) CWC to administer program
 - (b) Payments as project proceeds within 90 days of invoice submission
 - (c) Eligible costs to be consistent with MOA Attachments II and WW and to be determined by CWC
3. Small Business Septic Fund
 - (a) Expansion to public entities and institutions

- (b) Engineering evaluations and funding of upgrades to noncomplying regulated activities
 - (c) Expansion to include all incremental costs of equipment and methods required by the Watershed Regulations that are not required by State or federal law
4. CWC to administer program concerning the City's obligations to pay certain wastewater treatment plant costs under Public Health Law Section 1104.

WHEREAS, in order for New York City to participate in the Flood Buyout Program, the NYCDEP has requested a modification to Special Condition 7(b) of the 2010 Water Supply Permit to allow the NYCDEP to acquire, as part of a NYCFFBO Program, property with structures (other than uninhabitable dwellings or accessory structures). Based on extensive negotiations, the Parties have reached agreement on a Second Supplemental Agreement among the West of Hudson Watershed Stakeholders concerning NYCFFBO Program. As part of that agreement, the Communities have requested, and the City has agreed to: (i) negotiations concerning the Supplemental Partnership Programs and the incorporation of those supplemental programs into the NYC Long Term Watershed Protection Program, (ii) to work together with the Communities, in consultation with NYSDOH and DEC, to identify and promulgate amendments to the Watershed Regulations that will reduce the regulatory burden on the West of Hudson Communities without compromising water quality; and (iii) to work together with the Communities, to identify efficiency improvements to the City's contracting, procurement, and contract administration processes.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors authorizes the Chairman of the Board to execute Second Supplemental Agreement among the West of Hudson Watershed Stakeholders concerning New York City Funded Flood Buyout Program.

The resolution was seconded by Mr. Tuthill.

Mr. Triolo said that he was pleased with how quickly the second supplemental agreement came together. Negotiations began in November 2015 and within six months an agreement was reached.

Commissioner Frazier provided the background and history behind the need to identify gaps in the partnership program and the problems with the existing regulations that led to the development of the second supplemental agreement.

Watershed Attorney Kevin Young addressed specific aspects of the agreement critical to the long-term sustainability of the communities.

In answer to Mr. Marshfield's concern regarding land reuse plans, where a municipality may take title to a property that has been sold during the buyout process, Mr. Young explained that that municipality is required to have a reuse plan at the time the property is taken by eminent domain or purchased from the City. The portion of the property located in the flood plain would comply with FEMA's regulations; the remainder of the property could be used by the municipality.

Director of Planning Nicole Franzese noted that during the negotiation it was made clear that the municipality has the right to use the portion of property outside of the floodplain. A list of acceptable land reuses has been developed and the Planning Department is available to assist municipalities with the process.

Mr. Davis said he felt this agreement is good and the best the County could hope for. He noted that a local flood analysis (LFA) is required under this agreement and the LFA has to state that relocation is part of the plan or the municipality would not be eligible for funding under the relocation program.

In response to Mr. Marshfield, Chairman Eisel said this is a countywide agreement so voting would be open to towns inside and outside of the watershed.

Mr. Axtell pointed out that the towns outside of the watershed will receive none of the benefits outlined in the second supplemental agreement.

In answer to Mr. Valente, Mr. Young said if a county does not sign onto the second supplemental agreement it would not be entitled to use the \$15 million committed to the New York City funded flood buyout program.

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

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

RESOLUTION NO. 90

**TITLE: REQUEST FOR COMMENT EXTENSION AND MODIFICATION TO
PROPOSED CHANGES TO TITLE 6 NYCRR PART 360
(NEW YORK STATE'S SOLID WASTE MANAGEMENT FACILITIES REGULATIONS)
DEPARTMENTS OF
ECONOMIC DEVELOPMENT, EMERGENCY SERVICES, PLANNING,
PUBLIC WORKS AND WATERSHED AFFAIRS**

WHEREAS, Delaware County has preliminarily reviewed proposed changes to Title 6 NYCRR Part 360 to evaluate potential impacts on County facilities and programs; and

WHEREAS, Delaware County has demonstrated leadership in its commitment to the safe, prudent and efficient management of solid waste with its model solid waste management facility and the protection of natural resources with emphasis on water quality; and

WHEREAS, the Delaware County Solid Waste Management Facility anticipates the potential for significant and costly impacts to facility management under the proposed changes; and

WHEREAS, in response to 14 federally-declared and several severe, localized flood events since 1996, Delaware County is now recognized as a leader in flood mitigation efforts through the Delaware County Action Plan for Watershed Protection; and

WHEREAS, aspects of the proposed regulatory changes may render flood mitigation projects cost-prohibitive by increasing the cost of removing historic fill or the potential harvesting and use of navigational dredge material (under a NYS DEC permit); and

WHEREAS, the purpose of the proposed changes appears to be designed to address the management of solid waste in more urban areas where the sources of risk from solid waste are higher, as well as, on a much larger scale and not appropriate or affordable for very rural and low income areas such as Delaware County; and

WHEREAS, Delaware County departments and agencies intend to continue to evaluate the potential impacts of the proposed changes and develop detailed, comprehensive comments for submission to the New York State Department of Environmental Conservation.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors strongly requests of the New York State Department of Environmental Conservation a 60 day time extension on the comment deadline for the proposed changes to 6 NYCRR Part 360 regulations and the associated Generic Environmental Impact Statement (GEIS), additionally requesting that the State conduct a socio-economic impact analysis of proposed regulations on Delaware County and other rural counties in the State.

BE IT FURTHER RESOLVED that the Board of Supervisors directs involved County departments and agencies to submit comprehensive comments regarding the proposed changes that will directly impact the costs of management of solid waste for the County and those changes that will undermine flood mitigation and stream corridor management programs across the County.

BE IT RESOLVED a copy of this resolution be sent to Governor Cuomo, New York State Senators Bonacic, Seward and Akshar, New York State Assemblymembers Crouch, Lopez and Tenney, New York State Acting DEC Commissioner Basil Seggos, Deputy DEC Commissioner James Tierney, DEC Division of Materials Management Division Director David Vitale, P.E., DEC Division of Materials Management Melissa Treers P.E., DEC Division of Water Director Mark Klotz, New York City Watershed Program Coordinator Thomas Snow, Director of the New York State Office of Emergency Management Kevin Wisely, New York State Associations of Counties, New York State Farm Bureau, Delaware County Farm Bureau, Delaware County Chamber of Commerce and Delaware County Industrial Development Agency.

The resolution was seconded by Mr. Spaccaforno.

Director of Solid Waste Management Sue McIntyre explained that the Title 6 NYCRR Part 360 regulations that govern the solid waste operations are undergoing a substantial revision. Comments are due in June on the environmental impact statements and July on the proposed regulations. The proposed changes expand the reach of coverage to areas that affect more than solid waste. In particular, navigational dredge material and historic fill. The proposed revisions could potentially have negative impacts on flood mitigation and streambank stabilization activities. Since more time is required to evaluate the impacts of the proposed changes, the resolution is seeking a sixty-day extension from the state. Other counties have requested an extension however, the state has not said either way if it will grant the extension.

In answer to Mr. Marshfield, Ms. McIntyre said that some of the regulations are advantageous to solid waste so opposition to the entire legislation would not be beneficial to the

County. What is new, and could have potential negative impact, are the non-solid waste activities.

Assistant to the Commissioner of Watershed Affairs Molly Oliver noted that an evaluation of the rules and regulations is time consuming based on the volume and extensive detail. It is important that County departments and agencies take the time to do a thorough review and evaluation of current and pending projects for any potential negative impact. The proposed regulations could have a significant financial impact.

Attorney Kevin Young explained that the proposed regulatory changes will directly affect the cost of management of solid waste for the County and these changes will undermine flood mitigation and stream corridor management programs across the County.

Chairman Eisel suggested that if the state wants these changes they should pay for the regulations they want.

The resolution was unanimously adopted.

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

RESOLUTION NO. 91

TITLE: IN MEMORY OF LUCILLE R. FREYER

WHEREAS, former Town of Colchester Supervisor Lucille R. Freyer passed away on May 6, 2016; and

WHEREAS, she served as Town of Colchester Supervisor from 2004 until 2005; and

WHEREAS, she will be remembered with distinction for her hard work, dedication and community service to the County and the Town of Colchester.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors extends its sympathy to the family of Lucille R. Freyer and recognizes with gratitude her contributions to this County, her Town and neighbors.

The resolution was seconded by Mr. Marshfield.

Mr. Merrill noted that Mrs. Freyer was his cousin and would be greatly missed.

Chairman Eisel stated that Mrs. Freyer was a member of the Governmental Affairs Committee, Health Committee and Public Safety Committee. Mrs. Freyer was a pleasure to work with; she was a go-getter who served the County and Town of Colchester very well during her tenure.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 92

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$735,036.42 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	\$532,863.15
OET	\$3,674.86
Public Safety Comm System	\$1,444.56
Highway Audits, as Follows:	
Weights and Measures	\$83.34
Landfill	\$73,809.08
Road	\$47,724.64
Machinery	\$50,781.11
Capital Road & Bridge	\$17,151.19
Capital Solid Waste	\$7,504.49

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

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

RESOLUTION NO. 93

**TITLE: DELAWARE COUNTY BOARD OF SUPERVISORS OPPOSITION TO S.7861
REQUIRING THE PAYMENT OF PREVAILING WAGE
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, the New York State Economic Development Council (EDC), which has represented economic development professionals, colleges and universities, and private sector enterprises for more than 40 years, opposes the above referenced legislation, which, if enacted, would require every project financed in whole or part with funds, subsidies, or tax exemptions provided by a state or local public authority, to pay prevailing rates of wages and supplements; and

WHEREAS, prevailing wage mandates would drive-up the cost of building projects in New York State by 28% to 35%; and

WHEREAS, New York is the most expensive state in the country in which to build and operate a business and this proposed additional burden could significantly affect Upstate development; and

WHEREAS, the Delaware County Industrial Development Agency acts as the local public authority to encourage and assist in economic development projects in Delaware county; and

WHEREAS, this legislation would make it significantly more difficult to attract new projects and help existing businesses expand in Delaware County communities.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors opposes this proposed legislation (S.7861); and

BE IT FURTHER RESOLVED that the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Association of Counties (NYSAC) and all others deemed necessary.

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

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

RESOLUTION NO. 94

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss proposed, pending or current litigation. Specifically, the matter of New York City Department of Environmental Protection request to modify its water supply permit.

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

The meeting reconvened in regular session with all Supervisors present.

Upon a motion, the meeting was adjourned at 7:12 p.m.