

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS  
JULY 27, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 27, 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. Axtell 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.

For standing committee reports, Chairman of the Public Works Committee Sam Rowe announced the 2016 Clean Sweep date for households is September 24 and for farmers, businesses and towns the date is September 23. Online registration begins August 1 and telephone registration runs from September 1-15.

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

**RESOLUTION NO. 117**

**TITLE: RESOLUTION TO DESIGNATE DELAWARE COUNTY AS  
A PURPLE HEART COUNTY  
DEPARTMENT OF VETERANS AFFAIRS**

**WHEREAS**, the people of Delaware County have great admiration, respect, and the utmost gratitude for all the men and women who have served selflessly for this country in the Armed Forces; and

**WHEREAS**, veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the greater good; and

**WHEREAS**, the contributions and sacrifices of the men and women from Delaware County who served for our Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

**WHEREAS**, many individuals have given their lives while serving in the Armed Forces; and

**WHEREAS**, numerous citizens in our County have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

**WHEREAS**, August 24, 2016 has been officially designated as the day in Delaware County to remember and recognize veterans who are recipients of the Purple Heart Medal.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby proclaims Delaware County as a Purple Heart County, honoring the service and sacrifice of our nation's men and women in uniform who were wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

The resolution was seconded by Mr. Taggart.

Mr. Marshfield shared that the Social Services Committee is wholeheartedly behind recognizing the County's Purple Heart recipients. Director of Veterans Service Agency Charlie Piper has prepared a program of recognition and celebration in honor of the Purple Heart recipients for the August 24 Board of Supervisors meeting. Delaware County is one of only nine counties to pursue the Purple Heart Designation.

Mr. Taggart added that prior to August 24 a minimum of six designation signs would be located around the county indicating that Delaware County is a Purple Heart County.

Mr. Spaccaforo noted the tremendous amount of work involved in obtaining the Purple Heart Designation and thanked the Department of Veterans Affairs for pursuing the designation.

Mr. Gregory commented that this recognition demonstrates the County's respect for its veterans and the signs serve to let residents and visitors coming through the County know how important our veterans are to us.

Chairman Eisel thanked the Committee for its support of such a significant designation to the recipients and County, adding that he looks forward to meeting the County's Purple Heart recipients and sharing in the celebration.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 118**

**TITLE: 2016 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SHERIFF'S OFFICE**

**WHEREAS**, funds have been made available to the Sheriff's Office by way of felony drug prosecutions which funding is routinely collected; and

**WHEREAS**, a tent is needed for conducting police business at crime scenes as well as for performing public relations functions at various community-based activities throughout Delaware County.

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



**RESOLUTION NO. 120**

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 10-16  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 26 of 2016 authorized the award of Proposal No. 10-16, “Steel Structural Shapes, Misc. (Shapes & Plates >or equal to ¼”) ” to Steel Sales Inc., PO Box 539, Sherburne, NY 13460 for the bid amount of \$0.4697; and

**WHEREAS**, the design for the replacement of Bridge 101 P, Pedestrian Bridge over Vly Creek, Village of Fleischmanns requires a higher grade of steel (A709 as opposed to A36/992) than the bid required and a special steel section (Structural Tee) not included in Proposal No. 10-16; and

**WHEREAS**, DPW has negotiated with Steel Sales for the supply of the required steel products.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 for the supply of structural steel products for Bridge 101P at the unit prices of \$0.4983 per pound for A709 steel and \$0.7800 per pound for Structural Tees.

The resolution was seconded by Mr. Haynes.

Mr. Rowe said the change order amounts to \$1,050 and is 100 percent reimbursable.

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

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

**RESOLUTION NO. 121**

**TITLE: AUTHORIZATION TO ENTER INTO AN AGREEMENT  
WITH THE CITY OF NEW YORK FOR ROAD REPAIR AND RECONSTRUCTION  
ON ALL NYC ROADS LOCATED IN THE COUNTY OF DELAWARE  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the New York City Department of Environmental Protection (DEP) owns, maintains and operates approximately thirty-nine miles of public roads around the Pepacton and Cannonsville Reservoirs in the County; and

**WHEREAS**, DEP is desirous of contracting with the County for the reconstruction and maintenance of those roads; and

**WHEREAS**, DEP will deposit money with the County annually for work to be performed the following year with the total contract value being \$24,000,000 over an eight year period.

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman of the Board is authorized to enter into an agreement with the City of New York for the reconstruction work.

The resolution was seconded by Mr. Haynes.

In answer to Mr. Marshfield, Chairman Eisel replied that the contract contains an escalation clause to cover increases.

Mr. Merrill noted that many of the State's roads are in very poor condition. In the Town of Colchester, for example, Route 30A on the backside of the reservoir has not seen significant repair since the 1990's.

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

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

### **RESOLUTION NO. 122**

#### **TITLE: AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the State of New York provides financial aid for household hazardous waste programs; and

**WHEREAS**, Delaware County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

**NOW, THEREFORE, BE IT RESOLVED** by the Delaware County Board of Supervisors

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Chair of the Board of Supervisors, or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.

4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

The resolution was seconded by Mr. Haynes

Mr. Rowe explained that this resolution is for the application of the 2017 program.

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 123**

#### **TITLE: AUTHORIZATION FOR THE SUBMISSION OF AN APPLICATION TO NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR FISCAL YEAR 2016 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 29, 2016; 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**, Delaware County has held a public hearing to obtain citizen's views in relation to the design of an application for funds.

**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 develop an application for funding consideration by the NYS Office of Community Renewal.

The resolution was seconded by Mr. Spaccaforno.

In answer to Mr. Marshfield, Director of Economic Development Glenn Nealis explained that the application is for \$200,000. The funding will continue the County's successful agricultural micro enterprise program and will be used for entrepreneurial education and training, as well as start-up and expansion grants for eligible agricultural microenterprise businesses.

In answer to Chairman Eisel, Mr. Nealis said that \$200,000 was received from the Office of Community Renewal in 2015 for the same purpose.

Mr. Triolo noted that in addition to funding traditional farms, the money was used to fund new farming ventures representing a change in farming in the County. Adding, that the 2015 funding was used to make a total of \$185,000 in grants to 13 agricultural businesses investing over \$500,000 in their farm businesses.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 124**

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

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

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

<u>Description</u>	<u>Vehicle Identification No.</u>
2007 Dodge Caravan	2D4GP44L17R306715

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

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

**RESOLUTION NO. 125**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$812,414.74 were hereby presented to the Finance Committee for approval for payment on July 15, 2016 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	\$763,470.71
OET	\$6,403.67
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Road	\$92.69
Machinery	\$28,394.56

Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$14,053.11

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,442,957.14 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	\$1,513,295.68
OET	\$13,599.24
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$743.02
Road	\$381,362.01
Machinery	\$140,172.14
Capital Road & Bridge	\$197,431.32
Capital Solid Waste	\$17,480.17
Solid Waste/Landfill	\$178,873.56

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

Upon a motion, the meeting was adjourned at 5:54 p.m.