

REGULAR MEETING

**DELAWARE COUNTY BOARD OF SUPERVISORS
OCTOBER 26, 2016**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 26, 2016 at 1:00 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. Rowe, Mr. Spaccaformo, Mr. Hynes and Mr. Layton.

Mr. Marshfield offered the invocation.

Mr. Pigford 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.

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

RESOLUTION NO. 165

**TITLE: 2016 BUDGET AMENDMENT
POLICE TRAFFIC SERVICES PROGRAM GRANT
SHERIFF'S OFFICE**

WHEREAS, the Sheriff's Office has been successful in securing grant funds with which to participate in the statewide Police Traffic Services Program; and

WHEREAS, the Sheriff's Office agrees to participate in "Statewide Traffic Services Program," the goal of which is to increase seat belt usage and reduce dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes; and

WHEREAS, involvement will include using dedicated overtime enforcement hours to participate in joint checkpoints with the State Police or other agencies where practical, or independently, in the waves of high-visibility enforcement planned throughout the year; and

WHEREAS, participation in this program will result in the award of a grant in the amount of \$12,250.00 to be used to pay the salaries of the road patrol deputies participating in this program which runs from October 1, 2016 through September 30, 2017.

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

INCREASE REVENUE:

10-13310-43338900/3310144/907 State OTR Public Safety \$12,250.00

INCREASE APPROPRIATION:

10-13310-51327000/3310144/907 Personal Services \$12,250.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforno, Hynes, Layton).

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

RESOLUTION NO. 166

**TITLE: 2016 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MOBILITY MANAGEMENT
OF SOUTH CENTRAL NEW YORK
OFFICE FOR THE AGING**

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

WHEREAS, the Delaware County Office for the Aging has received an additional \$1,000.00 to enhance the agency's established non-emergency medical transportation program for 2016.

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

INCREASE REVENUE:

10-16772-42270602/6772044/977 Grants from Non-Profit \$1,000.00

INCREASE APPROPRIATION:

10-16772-54327000/6772044/977 Grant Contractual Services \$1,000.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaforno, Hynes, Layton).

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

RESOLUTION NO. 167

**TITLE: 2016 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MATTER OF BALANCE PROJECT AND
TAI CHI FOR ARTHRITIS PROJECT
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$7,000.00 from the Rural Healthcare Alliance of Delaware County to train staff for administering the Matter of Balance and Tai Chi for Arthritis programs for the county's older population; and

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

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

INCREASE REVENUES:

10-16772-42270602/6772047/977	Grant from Non-Profit	\$7,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327000/6772047/977	Contracted Services	\$4,242.00
10-16772-54327595/6772047/977	Supplies	\$500.00
10-16772-54327625/6772047/977	Travel	\$2,258.00

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaferno, Hynes, Layton).

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

RESOLUTION NO. 168

**TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. 27-16
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 44 of 2016 authorized the award of Proposal No. 27-16, "Purchase of Two Tandem Axle Dumps with plow, wing and spreader" to Ben Funk Inc., 3609 Route 9, Hudson, NY 12534 for the bid amount of \$210,733.50; and

WHEREAS, Resolution No. 58 of 2016 authorized the acceptance of Change Order No. 1 which added two options at an increased cost of \$461.00 per truck raising the total amount of each truck to \$211,194.50; and

WHEREAS, the trucks have been built without the high lift tailgate as specified in the bid documents and the bodies cannot be retrofitted to meet that requirement; and

WHEREAS, the vendor has agreed to a reduction in the purchase price of \$4,486.00 to compensate for the lack of the high lift gate option.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 2 in the amount of -\$4,486.00 decreasing the purchase price to \$206,708.50 per truck.

The resolution was seconded by Mr. Valente and was adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaferno, Hynes, Layton).

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

RESOLUTION NO. 169

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

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

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

<u>Dept/Vehicle No.</u>	<u>Description</u>	<u>SN/VIN</u>
DPW 84	2011 Cross Country Trailer	431FS1825B1000066

The resolution was seconded by Mr. Tuthill.

In response to Mr. Marshfield, Director of Solid Waste Management Sue McIntyre advised that it is a light duty trailer that has been well used.

The resolution was unanimously adopted.

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

RESOLUTION NO. 170

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
PERSONNEL OFFICE**

WHEREAS, Resolution No. 269 of 1990 prohibited County employees from holding more than one County position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

WHEREAS, the Personnel Office is experiencing difficulties in recruiting Clerks to serve as exam monitors for exams scheduled on Saturdays; and

WHEREAS, from time to time employees in other County departments may be willing to work on a per-hour, as-needed basis.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2017 for County employees who are willing to work on a per-hour, as-needed basis in the Personnel Office.

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

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

RESOLUTION NO. 171

**TITLE: STANDARD WORK DAY AND REPORTING RESOLUTION
NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

BE IT RESOLVED, that the County of Delaware hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

<u>Title</u>	<u>Name</u>	<u>Standard Work Day (hrs/day)</u>	<u>Term Begin-End</u>	<u>Employer Rec. of Time Worked (Y/N)</u>	<u>Days Per Month Based on Record of Activities</u>
<u>ELECTED OFFICIALS:</u>					
Acting District Attorney	John Hubbard	6	01/01/16 - 12/31/16	N	28.43
County Clerk	Sharon O'Dell	6	01/01/15 - 12/31/18	N	28.82
County Treasurer	Beverly Shields	6	01/01/14 - 12/31/17	N	31.33

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

Mr. Merrill introduced Local Law Intro. No. 1 which was seconded by Mr. Taggart.

LOCAL LAW NO. 1 OF 2016

**LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c**

Be it enacted by the Board of Supervisors of the County of Delaware as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Delaware pursuant to General Municipal Law §3-c, and to allow the County of Delaware to adopt a budget for the fiscal year beginning January 1, 2017 and ending December 31, 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Board of Supervisors to override the tax levy limit by the adoption of a local law approved by vote of at least sixty (60%) of the Board.

Section 3. Tax Levy Limit Override: The Board of Supervisors of the County of Delaware is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its

application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

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

RESOLUTION NO. 172

**TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 1 OF 2016
RESOLUTION OF THE BOARD OF SUPERVISORS ACCEPTING PROPOSED
LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL
MUNICIPAL LAW §3-c AND SCHEDULING PUBLIC HEARING FOR SAME**

WHEREAS, on June 24, 2011 the New York State Legislature enacted Chapter 97 of the NYS Laws of 2011, hereinafter referred to as the “General Municipal Law §3-c”; and

WHEREAS, General Municipal Law §3-c expressly authorized local governments to override the tax levy limit by the adoption of a local law approved by a vote of at least sixty percent (60%) of the total voting power of the governing body (in this case, the “Delaware County Board of Supervisors”); and

WHEREAS, the County’s Attorney has prepared a proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c; and

WHEREAS, the Board of Supervisors has reviewed and modified the proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c.

NOW, THEREFORE, BE IT RESOLVED that the proposed law is ready for consideration by the Board of Supervisors; and

BE IT FURTHER RESOLVED that the Board of Supervisors shall hold a public hearing for consideration of the Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c on November 9, 2016 at 12:30 p.m. in the Supervisors’ Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York; and

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby authorized and directed to publish notice of said hearing in the Walton Reporter and Deposit Courier and to post copies of such notice in the manner provided by law.

The resolution was seconded by Mr. Tuthill.

Mr. Marshfield noted that this resolution is being presented to allow the county to file for an override in a timely manner if overriding the tax levy is necessary.

The resolution was unanimously adopted.

Mr. Ellis introduced Local Law Intro Nos. 2 through 13 which were seconded by Ms. Molé.

LOCAL LAW INTRO NO. 2

TITLE: SALARY INCREASE DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES

Section 1. The salary of Cynthia Heaney, Director of Community Mental Health Services shall be Ninety-three thousand, five hundred ninety-eight dollars [\$93,598] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 3

TITLE: SALARY INCREASE COUNTY ATTORNEY

Section 1. The salary of Porter Kirkwood, County Attorney shall be One hundred thirty thousand, four hundred fifty-five dollars [\$130,455] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 4

TITLE: SALARY INCREASE DIRECTOR OF ECONOMIC DEVELOPMENT

Section 1. The salary of Glenn Nealis, Director of Economic Development shall be Seventy-nine thousand, two hundred eighty-three dollars [\$79,283] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 5

TITLE: SALARY INCREASE ELECTION COMMISSIONER

Section 1. The salary of William Campbell, Election Commissioner shall be Twenty-two thousand, five hundred forty-two dollars [\$22,542] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 6

TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES

Section 1. The salary of Stephen Hood, Director of Emergency of Services shall be Fifty-eight thousand, four hundred seventy-eight dollars [\$58,478] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 7

TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be Eighty thousand, eleven dollars [\$80,011] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 8

TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS

Section 1. The salary of Wayne Reynolds, Commissioner of Public Works shall be Ninety-four, thousand, nine hundred sixty-seven dollars [\$94,967] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 9

TITLE: SALARY INCREASE DIRECTOR REAL PROPERTY TAX SERVICES II

Section 1. The salary of Michael Sabansky, Director of Real Property Tax Services II shall be Sixty-two thousand, four hundred twenty-five dollars [\$62,425] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 10

TITLE: SALARY INCREASE COMMISSIONER OF SOCIAL SERVICES

Section 1. The salary of Dana Scuderi-Hunter, Commissioner of Social Services shall be Ninety thousand dollars [\$90,000] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 11

TITLE: SALARY INCREASE COMMISSIONER OF WATERSHED AFFAIRS

Section 1. The salary of Dean Frazier, Commissioner of Watershed Affairs shall be Seventy-five thousand, one hundred seventy dollars [\$75,170] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 12

TITLE: SALARY INCREASE COUNTY TREASURER

Section 1. The salary of Beverly Shields, County Treasurer shall be Sixty-five thousand, five hundred seventy-eight dollars [\$65,578] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

LOCAL LAW INTRO NO. 13

TITLE: SALARY INCREASE SHERIFF

Section 1. The salary of Thomas Mills, Sheriff shall be Seventy-three thousand, five hundred fifty-one dollars [\$73,551] per annum effective January 1, 2017.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

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

RESOLUTION NO. 173

TITLE: PUBLIC HEARING LOCAL LAW INTRO. NOS. 2 THROUGH 13 OF 2016

WHEREAS, Local Law Intro. Nos. 2 through 13 have been introduced to increase the 2017 salaries of:

Non-Elected: Cynthia Heaney, Director Community Mental Health Services; Porter Kirkwood, County Attorney; Glenn Nealis, Director Economic Development; William J. Campbell, Commissioner Board of Elections; Stephen Hood, Director of Emergency Services; Joseph deMauro, Director of Information Technology; Wayne Reynolds, Commissioner of Public Works; Michael Sabansky, Director Real Property Tax Services II; Dana Scuderi-Hunter, Commissioner Department of Social Services; Dean Frazier, Commissioner of Watershed Affairs.

Elected: Beverly Shields, Treasurer; Thomas Mills, County Sheriff.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Laws Intro Nos. 2 through 13 on the 9th day of November, 2016 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Merrill.

Mr. Marshfield stated that raises for 2017 are 2 percent.

The resolution was unanimously adopted.

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

RESOLUTION NO. 174

**TITLE: RATIFICATION OF BAGS LANDFILL
BUDGET FOR 2017**

BE IT RESOLVED that the 2017 budget for the BAGS Landfill in the total amount of \$8,294.00 with \$1,820.35 the apportioned cost to the Town of Sidney be ratified as presented.

The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaformo, Hynes, Layton).

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

RESOLUTION NO. 175

**TITLE: DELAWARE COUNTY CELEBRATES
BREAST CANCER AWARENESS MONTH
DEPARTMENT OF PUBLIC HEALTH SERVICES**

WHEREAS, the month of October is National Breast Cancer Awareness Month; and

WHEREAS, breast cancer is one of the most common cancers among women in New York State; and

WHEREAS, each year in New York, over 15,000 women are diagnosed with breast cancer and over 2,600 women die from the disease; and

WHEREAS, breast cancer accounts for the leading type of cancer affecting women and is the second leading cause of cancer death in Delaware County; and

WHEREAS, it is estimated that one in eight women will develop breast cancer during her life; and

WHEREAS, a woman's risk of breast cancer nearly doubles if she has a first-degree relative (mother, sister, daughter) who has been diagnosed with breast cancer; and

WHEREAS, most breast cancer—about 85 percent—occurs in women who have no family history of breast cancer; and

WHEREAS, the leading risk factor for breast cancer is simply being a woman. Though breast cancer does occur in men, the disease is 100 times more common in women than in men and women are at 200 times the risk of developing the disease compared to risk in men; and

WHEREAS, the Cancer Services Program of Delaware, Otsego and Schoharie Counties offers breast screening services to uninsured and underinsured women over the age of 40.

NOW, THEREFORE, BE IT RESOLVED that Delaware County recognizes October as Breast Cancer Awareness Month.

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

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

RESOLUTION NO. 176

**TITLE: RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO GRADUALLY RESTORE THE 50/50 STATE/COUNTY COST SHARING FOR THE SAFETY NET PROGRAM, TO INCREASE SHELTER GRANT REIMBURSEMENTS TO COUNTIES AND TO PROVIDE SUFFICIENT RESOURCES TO PROVIDE SAFE AND SECURE HOUSING
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the 2011-12 State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent county/29 percent state, severing the historic 50 percent state/50 percent county partnership; and

WHEREAS, this continues a long line of state legislative actions that has transferred the State's constitutional and fiscal responsibility to care for the needy to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

WHEREAS, the Safety Net funding shift also builds upon recent trends where the State has leveraged significant savings from maximizing available federal resources largely for state financial plan purposes, at the expense of local property taxpayers; and

WHEREAS, the net effect of this state practice forces local property taxes to be higher than they should because available savings are being spent by the state rather than being used to lower the cost of state mandates which can provide direct relief to local property tax payers; and

WHEREAS, nearly half of the states do not have Safety Net programs and New York is one of only 11 states that provide benefits to childless adults that do not have some disability; and

WHEREAS, most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

WHEREAS, State data through May 2016 indicates that non-federally participating Safety Net costs continue to grow faster than federally participating TANF costs; and

WHEREAS, counties believe that the rising cost of providing shelter assistance to recipients is a major contributor to this increase; and

WHEREAS, enhanced shelter assistance and state reimbursement, along with more permanent affordable housing, are essential components necessary to achieve State goals of reducing homelessness and providing stability for families and individuals in need; and

WHEREAS, recent inspections by the State and local governmental agencies have uncovered poor conditions in some shelters and hotels/motels, which reinforces that the State must provide the necessary resources to local agencies to remediate and address the needs of individuals and families.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for the Safety Net program over a five-year period, starting with an increase in county reimbursement for shelter assistance in order to help alleviate the lack of affordable housing alternatives in many areas of the state, while also lowering the local property tax burden for homeowners and small businesses; and

BE IT FURTHER RESOLVED that counties should be consulted and advised of shelter inspection schedules, participate to the extent possible in the actual inspection and be part of a solution should issues within a shelter or hotel/motel need to be addressed; and

BE IT FURTHER RESOLVED that the State needs to have fiscal resources available to assist in keeping the temporary housing supply code-compliant; and

BE IT FURTHER RESOLVED that Delaware County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Tuthill.

Mr. Marshfield noted that this resolution and the two following are similar resolutions passed on unfunded mandates. The New York State Association of Counties encourages County Boards to present these resolutions to ensure the issues stay front and center of the Assembly and Senate.

The resolution was unanimously adopted.

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

RESOLUTION NO. 177

TITLE: RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO MAINTAIN OUR MUTUAL GOALS OF NOT SHIFTING NEW COSTS TO COUNTIES, WHILE MAINTAINING REASONABLE LOCAL FLEXIBILITY OVER ADMINISTRATIVE FUNCTIONS, AS THE STATE REALIGNS MEDICAID ADMINISTRATIVE FUNCTIONS AND HUMAN SERVICES PROGRAMS DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the State Department of Health continues its multi-year effort to take over the administrative responsibilities of the Medicaid program from county government as a way to provide improved consistency in the administration of Medicaid and to reduce administrative burdens for counties and New York City; and

WHEREAS, counties support efforts to streamline government operations in ways that can improve the delivery of services and responsiveness to recipients' needs, while not shifting new costs to county taxpayers; and

WHEREAS, the state has enacted a cap in reimbursement to counties and New York City related to Medicaid administrative claiming, and for many counties this cap continues to be in place prior to the actual state takeover of a significant portion of local Medicaid administrative functions; and

WHEREAS, local departments of social services (DSS) are now being required to take on additional administrative responsibilities including:

- Approving or authorizing services under the Community First Choice Option (CFCO) under Medicaid, which significantly alters the existing model of Medicaid long term care services and supports, and
- Implementing the Uniform Assessment System (UAS), which must be completed by a registered nurse, under the Immediate Need for Personal Care Services and Consumer Directed Personal Assistance programs; and

WHEREAS, policies have evolved such that the local DSS role is shrinking in terms of eligibility determinations, but simultaneously increasing in terms of home care assessments and responsibilities; and

WHEREAS, capped reimbursement with minimal relief from administering the State's Medicaid program creates significant fiscal and liability concerns for counties and is counterproductive in the current property tax cap environment; and

WHEREAS, counties also struggle with administering all other human services programs mandated by the state especially since State financial support for local social service district administrative costs was essentially eliminated several years ago to help balance state budget shortfalls; and

WHEREAS, the State Legislature has also passed legislation that will dramatically increase local district costs by requiring caseload caps for child welfare services without providing any additional state resources to support these actions; and

WHEREAS, security breaches, including violence committed against county employees at local social service districts, both nationally and locally highlight the increased need for enhanced safety and security investments at local social service district offices; and

WHEREAS, current state administrative reimbursement caps to local social service districts make such safety and security investments highly challenging; and

WHEREAS, the safety of all public employees is a priority and the need in certain county offices is more critical.

NOW, THEREFORE, BE IT RESOLVED that until the state Medicaid administrative takeover is complete we urge the Governor and Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap, continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the state falls short in its attempt to takeover local Medicaid administrative functions; and

BE IT FURTHER RESOLVED the State should not reduce counties' Medicaid administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts; and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and

BE IT FURTHER RESOLVED the Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently associated with the Medicaid program on the local level; and

BE IT FURTHER RESOLVED the State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; and

BE IT FURTHER RESOLVED the state should exempt certain local investments that enhance the safety and security of local social services district employees and clients from state administrative reimbursement caps; and

BE IT FURTHER RESOLVED that upon an act of violence perpetrated upon a local social services district employee in New York (or when an incident of national attention occurs against similar public employees), for safety and security reasons the state should acknowledge the act and notify all local district social services offices of the activity; and

BE IT FURTHER RESOLVED copies of this resolution be forwarded to Governor Andrew M. Cuomo, the New York State Legislature, the State Department of Health and all others deemed necessary and proper.

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

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

RESOLUTION NO. 178

**TITLE: RESOLUTION URGING THE STATE TO PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE TO COUNTIES TO HOLD LOCALITIES HARMLESS FROM NEW COSTS ASSOCIATED WITH FEDERAL CHILD CARE LAW CHANGES TO ENSURE LOCAL CHILD CARE SLOTS ARE NOT LOST DUE TO INCREASED COSTS OF MEETING THE NEW FEDERAL MANDATES
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the federal government is implementing new child care safety and quality standards that are intended to improve child care services nationwide; and

WHEREAS, the new federal standards will require all child care providers to be checked against a variety of databases including FBI fingerprinting, National Crime Information Center, National Sex Offender Registry, State criminal and sex offender registry, and child abuse and neglect registry in each state an applicant has resided in over the past five years; and

WHEREAS, the State estimates there are over 220,000 regulated and legally-exempt providers as well as household members over the age of 18 that would be required to have a background check at a cost of nearly \$102 per person; and

WHEREAS, these federal standards will require annual, unannounced full inspections of all facilities, including legally-exempt providers which will require New York to conduct 25,000 additional inspections each year; and

WHEREAS, new federal rules will require a mandatory pre-service/orientation and ongoing health and safety training for all child care staff in a variety of topical areas including first aid/CPR; and

WHEREAS, in New York the cost of First Aid/CPR classroom training is estimated at \$125 per person and would apply to as many as 220,000 individuals; and

WHEREAS, the State has estimated that meeting these new standards could increase costs for the state, counties and child care providers by up to \$90 million; and

WHEREAS, due to significantly constrained property tax cap limits, counties do not have the ability to absorb new costs of this magnitude while also meeting new federal subsidy

requirements including 12-month eligibility redetermination and the graduated phase-out of families leaving the subsidy program; and

WHEREAS, without additional federal or state funding support to cover these increased costs counties may be forced to close intake (including closing active cases) or lower income thresholds which will reduce the number of low income working families receiving subsidized child care services.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to hold counties fiscally harmless to ensure that existing child care slots and subsidies provided by counties are not jeopardized over the coming years as these new federal standards are implemented.

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

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

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

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

RESOLUTION NO. 179

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,043,354.13 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	\$843,956.02
OET	\$21,163.85
Public Safety Comm System	\$509,539.92
Highway Audits, as Follows:	
Weights and Measures	\$169.54
Landfill	\$71,509.57
Road	\$19,218.57
Machinery	\$73,695.81
Capital Road & Bridge	\$504,100.85
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3970, Noes 0, Absent 829 (Rowe, Spaccaformo, Hynes, Layton).

Chairman Eisel announced that County Clerk Sharon O'Dell and Personnel Officer Teddie Storey are retiring. Mrs. O'Dell will retire on Friday, October 28 after thirty-six and a half years of service. Mrs. Storey will retire on Friday, November 4 after twelve years of service. On behalf of himself and the Board of Supervisors, he recognized their dedication and service to the County.

Chairman Eisel commented that Mrs. O'Dell runs an efficient operation that strives to serve the residents of this County in a timely and professional manner. Mrs. O'Dell has been a dedicated public servant and a pleasure to work with. During her tenure, she has served this Board and the County well. She will be missed.

County Clerk Sharon O'Dell thanked the Board of Supervisors for its commitment to the Office of County Clerk and stated that it has been a privilege to serve the Board and the residents of Delaware County.

Chairman Eisel noted that Mrs. Storey runs an efficient office that strives to balance contract negotiations, County policy and personnel issues. In all personnel related matters, she has represented the County and its employees in a fair and efficient manner. Mrs. Storey has been a pleasure to work with and will be missed.

Mrs. Storey stated that it has been an honor and privilege to serve the Board of Supervisors and employees of the County as Personnel Officer. She thanked the Board of Supervisors for its commitment to the Personnel Office and its dedication to serving the residents of Delaware County.

Chairman Eisel thanked each for their outstanding service to the County and wished each the best of luck in their future endeavors.

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

RESOLUTION NO. 180

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Rowe, Mr. Spaccaforno, Mr. Hynes and Mr. Layton.

Upon a motion, the meeting was adjourned at 1:40 p.m.