

## REGULAR MEETING

### DELAWARE COUNTY BOARD OF SUPERVISORS MARCH 22, 2017

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 22, 2017 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 Tina B. Molé 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 noted that all communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Mr. Pigford who introduced Director of Public Health Services Amanda Walsh to provide the annual training overview of the Medicaid Compliance Program.

Ms. Walsh gave a PowerPoint presentation explaining that Medicaid providers are required to operate under established Medicaid Compliance regulations. As the governing body, the Board of Supervisors must also receive the compliance program training. The Supervisors were given a copy of a booklet entitled: *Delaware County Public Health Nursing Service Compliance Program Training Booklet 18 NYCRR 521 Regulation* to follow along with the presentation.

The topics contained within the Corporate Compliance booklet were discussed. It was noted that the Department of Public Health has an established system of checks and balances designed to detect and prevent inaccurate billing and inappropriate practices as required by regulations.

The Supervisors were asked to sign and return the Attestation Form upon completion of their review of the booklet. The forms are retained by the Public Health Department as proof of completion of the Medicaid Compliance Program training

Chairman Molé thanked Ms. Walsh for an interesting and informative training.

Chairman Molé granted privilege of the floor to Mr. Rowe. Mr. Rowe, speaking as Chairman of the Public Works Committee stated he is here to share a slide presentation outlining the search for a new location for the Highway Department.

Mr. Rowe said that the Committee has put a great deal of time and consideration into the search. He began the presentation with a history of the Gallant Avenue building and cited the

significant reasons it is no longer feasible to remain at the current location.

Mr. Rowe introduced Commissioner Reynolds who continued the presentation with an explanation of the search criteria and the resulting evaluation of the top three ranked sites.

Commissioner Reynolds advised that the Planning Department was asked to find suitable sites meeting a search criteria of within a five mile radius from Delhi, being no more than a quarter mile from a State and County Road and being approximately 15-25 acres in size. The search resulted in three possible sites.

He shared the study results ruling out rebuilding on the existing location, building on Site 1 Phoebe Lane adjacent to the Public Safety Building and building on Site 2 the Delhi Telephone property just east of the Village on State Route 10. Building on Site 3 a 213-acre property located off County Route 18 proved most suitable as this property is located outside of the 100- and 500-year flood zones, is close to the County Seat, has suitable soils and is large enough for the entire facility with room for future expansion.

The estimated cost associated with the relocation is \$23,228,000. The DPW is able to contribute a total of \$14,583,076 to the project leaving a balance of \$8,644,924 that the County would need to bond for an anticipated ten-year repayment.

The project cost includes an access road to connect County Route 18 to State Route 10 and a bridge to cross the West Branch of the Delaware River. A fuel depot, a pole barn, a salt shed, and a facility for the DPW administration and engineering staff as well as the Planning Department will follow later.

The relocation of the facility will allow the Wickham property to go back on the tax roll, allow for floodplain regrading in the Village to reduce flooding limits, create the opportunity for possible economic development on a portion of the property vacated on Gallant and Bridge Street and provide land for additional community green space.

Commissioner Reynolds noted that the Committee is pursuing a one-year option on the property in order to perform the necessary site-specific environmental tests to satisfy the NYS Environmental Quality Review Act and to make sure the site acquisition is in the best interest of the County.

At the conclusion of the presentation, Mr. Tuthill stated that the Town of Delhi welcomes the honor of being the County Seat and is desirous of working with the County in its effort to reconstruct the DPW garage. However, they are against the County siting the facility on the proposed property.

He went on to explain that the selected location has been slated for future village expansion and is off limits to New York City for purchase. He pointed out that New York City has already exceeded their proposed projection of land acquisition to 2025. The Village of Delhi is already over 70 percent tax exempt, if the County moves forward this land will be removed from the tax rolls significantly impacting Delhi tax payers. The presentation has proven that there is very little developable land in the Town of Delhi and this is a real concern for the Town and Village who are working to bring jobs to the area.

He asked that the County step back and look at other options rather than tying Delhi's hands for the future.

Mr. Rowe and Commissioner Reynolds addressed a variety of suggestions, comments and concerns raised by the Supervisors with regard to this matter.

Chairman Molé thanked Mr. Rowe and Commissioner Reynolds for a very informative presentation.

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

**RESOLUTION NO. 61**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, the Public Health Services budget includes funding of \$2,400 for the purchase of 2 laptop computers; and

**WHEREAS**, the quotes received exceed the budgeted amount; and

**WHEREAS**, the Community Health Committee has approved the purchase of 2 laptop computers at the quoted price.

**NOW, THEREFORE, BE IT RESOLVED** that the 2017 Budget be amended as follows:

**INCREASE APPROPRIATION:**

10-14012-52200000	Equipment	\$615.00
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**DECREASE APPROPRIATION:**

10-14012-54195000	Consultant	\$615.00
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The resolution was seconded by Mr. Spaccaferno and adopted by the following vote: 4558, Noes 241 (Taggart), Absent 0.

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

**RESOLUTION NO. 62**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there have been several snow and ice events already this year; and

**WHEREAS**, the budget for salt is currently at 87 percent for the year; and

**WHEREAS**, the Department likes the budget to be no higher than 75 percent at the end of March.

**NOW, THEREFORE, BE IT RESOLVED** that the 2017 Budget be amended as follows:

**DECREASE APPROPRIATION:**

24-15110-54000000 Contractual \$250,000.00

**INCREASE APPROPRIATION:**

24-15142-54160000 Chemicals \$250,000.00

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

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

**RESOLUTION NO. 63**

**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;

**BE IT RESOLVED** that the Department is authorized to sell by trade-in, on-line auction or for scrap the following item:

<u>Vehicle No.</u>	<u>Description</u>	<u>SN/VIN</u>
94	2010 Ford Taurus	3FAHP0GA5AR110224

The resolution was seconded by Mr. Spaccaforo.

In answer to Mr. Marshfield, Clerk of the Board Christa Schafer advised that the proceeds of the sale would go to the department's revenue account.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 64**

**TITLE: LEGISLATIVE APPROVAL FOR CONTINUATION OF SALES TAX LEVY**

**WHEREAS**, Senate Bill 4785 and Assembly Bill 6366 have been introduced to allow the

continuation of the 4% local sales and use tax rate;

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors requests the passage and enactment of Senate Bill 4785 and Assembly Bill 6366 entitled “AN ACT to amend the tax law, in relation to extending the authorization of the County of Delaware to impose an additional one percent of sales and compensating use taxes”; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors is directed and authorized to file with the Senate and Assembly Home Rule messages or forms as needed to certify this resolution.

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

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

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

**RESOLUTION NO. 65**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PLANNING DEPARTMENT**

**WHEREAS**, Delaware County entered into contract with the A. Lindsay and Olive B. O’Connor Foundation, Inc.; and

**WHEREAS**, Delaware County has received funding from the A. Lindsay and Olive B. O’Connor Foundation, Inc. for future projects to be completed as per Resolution No. 193 of 2008 and Resolution No. 120 of 2014; and

**WHEREAS**, the Planning Department would like to hire summer help to assist in data collection for the development of Highway Management Plans using the funds provided for GIS Implementation; and

**WHEREAS**, the Planning Department has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer, have agreed to amend the appropriations at this time to increase the Personal Services under this fund.

**NOW, THEREFORE, BE IT RESOLVED** that the 2017 Budget be amended as follows:

**DECREASE APPROPRIATION:**

10-18020-54327005	GIS Implementation (SDWA)	\$10,000.00
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**INCREASE APPROPRIATION:**

10-18020-51327000	Personal Services – Grant	\$8,000.00
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10-18020-58332700	Social Security Contributions – Grant	\$1,000.00
10-18020-58932700	Medicare – Grant	\$1,000.00

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

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

**RESOLUTION NO. 66**

**TITLE: RECOGNITION OF NANCY GALLUP  
COUNTY PLANNING BOARD**

**WHEREAS**, the Delaware County Planning Board was formed by Resolution No. 20 of 1966; and

**WHEREAS**, the Delaware County Board of Supervisors appoints interested volunteers to the nine-member board for three-year terms; and

**WHEREAS**, Nancy Gallup of the Town of Kortright, has served in this volunteer capacity since her appointment in March 1999; and

**WHEREAS**, she is a prominent and well respected member of her community as well as Delaware County representing the communities of Kortright, Harpersfield, Stamford, and Davenport; and

**WHEREAS**, she has proven to be an advocate of home rule policies always ensuring that individual property owners rights are respected and that each individual receives the same fair and equal review; and

**WHEREAS**, she has served as a board member for the Catskill Revitalization Corporation and served as the Delaware County Representative on the NYS DEC Open Space Committee in addition to serving as the Chairperson of the County Planning Board since 2015.

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors recognizes and thanks Nancy Gallup for 18 years of public service to Delaware County.

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

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

**RESOLUTION NO. 67**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,353,417.40 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	\$1,144,291.20
OET	\$0.00
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	178.80
Landfill	\$63,341.78
Road	\$68,878.21
Machinery	\$60,699.66
Capital Road & Bridge	\$1,741.50
Capital Solid Waste	\$14,286.25

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

Chairman Molé referred to Hurricane Stella noting that the predication and subsequent results caused the closure of all County buildings on Tuesday, March 14 and Wednesday, March 15. She extended her appreciation to Undersheriff DuMond, Director of Emergency Services Steve Hood, Commissioner of Public Works Wayne Reynolds and Clerk of the Board Christa Schafer for their assistance and support in making a determination. She also thanked personnel who came in to ensure county employees would receive their paychecks on time.

Upon a motion, the meeting was adjourned at 3:58 p.m.