

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS AUGUST 23, 2017**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 23, 2017 at 4:00 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, except Mr. Marshfield.

Mr. Pigford offered the invocation.

Mr. Hynes 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. Triolo who introduced Commissioner of Watershed Affairs Dean Frazier to give an update on the 2017 Filtration Avoidance Determination (FAD).

Commissioner Frazier gave a PowerPoint presentation updating the Board on the changes under consideration to the 2017 FAD. The FAD topics discussed included septic, stormwater, stream and flood, Watershed Rules and Regulations, the Watershed Agricultural Program, administrative issues and the Land Acquisition Program (LAP).

Negotiations addressed many of the major concerns experienced by the Watershed communities. Most notably are changes to the Watershed Rules and Regulations particularly for septic and stormwater for small businesses and not for profits. New processes for project approval, design reviews and contracting are in place and other processes that are not yet resolved the City and watershed stakeholders will work on. There is new funding available for an expanded septic program to assist small businesses and not for profits. Additionally, Catskill Watershed Corporation (CWC) will build a new office building which will house CWC employees and New York City Department of Environmental Protection (NYC DEP) employees. NYC DEP is required by December 2020, to move twenty-six NYC DEP employees to the new office and increase to a total of forty by 2026. The intent is to enhance communication between the parties and improve cooperation in compliance with regulations as NYC DEP employees are now living in the regulated watershed community.

Referencing the LAP, Commissioner Frazier noted the FAD requires continued dialogue about possible relief from open space acquisition by the City. Although there will be much to sort out, ideas were introduced that could potentially change the solicitation process or ultimately modify the LAP. The goal is to convince the City, the environmental groups, the state and federal regulators that as currently structured the LAP may be doing little overall to protect water quality. On the other hand, targeting sensitive lands would make a measurable impact in the protection of water quality and reduce City land acquisition. He referenced the County Buildout Analysis currently underway and noted that this information will be very telling.

In conclusion, Commissioner Frazier said that the 2017 FAD would be a ten-year FAD with a review of some of the components in five years. He felt there has been very strong partnering throughout the negotiations and that overall the white paper vision submitted in 2015 fared well.

In answer to Mr. Spaccaforno, Commissioner Frazier stated that he is not aware of any quantified data demonstrating that the LAP directly impacted water quality. Watershed communities are proposing that the solicitation protocol and Land Acquisition Program target sensitive lands rather than lands so distant from a sensitive water feature that the goal of protecting water quality is immeasurable.

Mr. Davis referenced the County Buildout Analysis noting that town maps showing the full buildout for each municipality would prove that even at full buildout of developable land there would be negligible if any impact to water quality. He noted that the Town of Middletown has 3,300 acres of developable land left, which equates to 660 five-acre plots.

Director of Planning Shelly Johnson-Bennett explained in response to Mr. Davis, that the original LAP assessments were for twenty years however; that period has increased for new acquisitions to thirty years. After that time, the City has the right to grieve its property taxes. If through the municipality's grieving process the property is assessed forever wild vs. developable land the tax base evaluation would drop significantly.

Chairman Molé thanked Commissioner Frazier for the update and thanked all County departments involved for their work in developing an effective 2017 FAD agreement.

Chairman Molé granted privilege of the floor to Chairman of the Public Works Committee Sam Rowe. Mr. Rowe introduced Tom Blanchard, New York State Department of Environmental Conservation (NYS DEC) Region 4 Flood Plain Manager.

Mr. Blanchard gave a PowerPoint presentation based on County specific flood related statistics, explained what constitutes a critical facility and offered insight from the perspective of the NYS DEC with regard to relocating the County's DPW facility in a known floodplain.

He referenced Federal Executive Order 11988 signed into law in 1977 noting that the Order requires "federal agencies to the extent possible to avoid the long and short-term adverse impacts associated with the occupancy and modification of flood plains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative." Each funding agency follows the basic guidelines of the Executive Order but have their own set of additional requirements. With that in mind, he opined that although it is possible with mitigation of a site to rebuild in a known floodplain it would be discouraged from the perspective of the Federal Emergency Management Agency (FEMA) and the NYS DEC. Mr. Blanchard concluded saying that rebuilding in a known floodplain could potentially limit capital-funding opportunities and delay or negate reimbursement from a FEMA declared event.

In answer to Chairman Molé, Mr. Blanchard said that FEMA considers Highway Departments critical facilities, the NYS DEC follows suit.

In response to County Attorney Amy Merklen, Mr. Blanchard said that the current facility is located in a floodplain. If the County chooses to rebuild on the existing site grant

funding may be limited only to flood mitigation money. Additionally, the probabilities of qualifying for reimbursement after a FEMA declared event would be questionable.

In answer to Mr. Davis, Mr. Blanchard said he has seen eligible mitigation building projects receive up to 75 percent reimbursement with the state picking up 12.5 percent of the remaining 25 percent leaving the County with only 12.5 percent of the cost.

Mr. Tuthill felt the County should be very careful with the expectation of reimbursement and the figures it presents to the public.

Mr. Blanchard stated in answer to Mrs. Merklen, that if a critical facility is rebuilt in a known floodplain and is approved for FEMA money after a declared event the County would be required to maintain flood insurance on the facility indefinitely.

Mr. Davis advised that prior to applying for grant funding the County must have a shovel ready project. The County is in a very good place to apply for grant funding based on the number of municipalities participating in the Community Rating System (CRS). He explained that CRS is a voluntary program from the National Flood Insurance Program established to reduce flood damages to insurable property and encourage a comprehensive approach to floodplain management.

Mr. Spaccaferno, referencing flood insurance, noted that he has a property in the Town of Walton that requires flood insurance. In 2016, the premium was \$2,800 and this year's premium is \$5,900.

Mr. Rowe noted that the consultant's study of the Page Avenue site showed that rebuilding the facility elevated three feet above the 100-year floodwater elevation would increase the backwater and could potentially affect surrounding properties. Mr. Blanchard stated that increasing the backwater is not often considered an effective mitigation project and would require a variance from the municipality.

Mr. Blanchard stated in reply to Mr. Rowe, that a neighboring county built their facility in a floodplain at a cost of upwards of \$70 million. The facility was wiped-out in the 2011 flood event and FEMA would not allow the county to rebuild on the same location. This county has been without a facility since 2011.

Chairman Molé thanked Mr. Blanchard for an informative presentation.

Chairman Molé granted privilege of the floor to Mr. Axtell. Mr. Axtell announced that Sheriff Mills would be retiring as Delaware County Sheriff on August 28, 2017. On behalf of himself and the Public Safety Committee, he thanked Sheriff Mills for his exemplary service to law enforcement, especially for his 19 years served as the Delaware County Sheriff. He wished him well in his retirement.

Chairman Molé on behalf of herself and the Board of Supervisors thanked Sheriff Mills for his dedication and commitment to the safety and wellbeing of the residents of Delaware County. She called for a round of applause in appreciation of Sheriff Mills and wished him much enjoyment in his retirement.

For standing committee reports, Mr. Rowe gave an update on Resolution No. 139 entitled: *Resolution in Support of Millennium Pipeline Company Project* passed at the July 26 meeting. He noted that he spoke in favor of the project at the public meeting he attended but did not feel comfortable presenting the resolution passed by the Board of Supervisors because it did not pass unanimously.

Chairman of the Public Works Committee Sam Rowe advised that the South Kortright site is no longer a viable option because a bridge could not be built at the site. The remaining options are the Bishop property, the McFarland property and the Page Avenue site.

Mr. Rowe noted in response to public input the DPW Committee is looking at a three-location solution. The administrative building would be built out of the floodplain in the upper corner of Page Avenue, the salt building, patrol garage, repair facility, parts, and the guiderail and sign crew would be moved to two other locations.

He noted that Wendell's study considered the Bishop Property the number one site but the Committee has its reservations. The Committee feels a financial study should be done to determine how travel would affect the cost of operations.

He referenced Mr. Blanchard's presentation and Resolution No. 17 entitled: *Authorization to Execute an Option* and asked if the Board would make a decision at this time to eliminate the McFarland Property and the Page Avenue location. He advised that the Committee is struggling to come up with solutions that would please the Board and the public.

In reply to Mr. Rowe, Chairman Molé said that the request equated to a not-prefiled resolution and it would be unfair to the Supervisors to call for a vote prior to Wendell's scheduled presentation at the September 27 Board meeting.

In response, Mr. Rowe called for a special meeting of the Board of Supervisors to focus specifically on the DPW Siting Selection. Mr. Taggart noted his support of a special meeting emphasizing the frustration of coming to a decision without the support of the Board.

In answer to Chairman Molé, Commissioner of Public Works Wayne Reynolds advised that reviewing the new option in two weeks would be aggressive but if the Board wanted to call a special meeting prior to September 27, it could be done.

Mr. Valente noted that there is still pertinent information that is not available to the DPW Committee at this time. Additionally the Committee would be hearing the first draft of the three-location solution from Wendell on September 13.

In reply to Mr. Taggart and Mr. Rowe, Chairman Molé asked for a timeframe from the Committee in order to set a special meeting specific to the DPW Siting Process.

Mr. Tuthill stated in answer to Mr. Davis, that Resolution No. 17 of 2017 authorized the County Attorney and the Chairman to negotiate a purchase option to be brought back to the Board. However, there has been so much contention over the McFarland site that no further action has been taken.

In answer to Mr. Hynes, Commissioner Reynolds stated the building flooded once in January 1996. The last employees out of the building were waist high in water and the water had

reached the top of the electrical outlets. With mitigation money from FEMA stop logs were purchased. The Stop logs have been used four times since and have prevented water from coming into the building. However, once the stop logs are in place there is no entry or exit from the building essentially rendering it useless.

Mr. Rowe said the process of setting the stop logs takes manpower and time that should be spent mitigating the event.

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

**RESOLUTION NO. 144**

**TITLE: 2017 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 Police 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 \$13,328 to be used to pay the salaries of the road patrol deputies participating in this program as well as to purchase a new radar unit to assist deputies in their enforcement. Said program runs from October 1, 2017 through September 30, 2018.

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

**INCREASE REVENUES:**

10-13310-43338900/3310001/907	State OTR Public Safety	\$13,328.00
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**INCREASE APPROPRIATIONS:**

10-13310-51327000/3310001/907	Personal Services	\$11,200.00
10-13310-52200001/3310001/907	Grant Equipment	\$2,128.00

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

**RESOLUTION NO. 145**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
BOARD OF ELECTIONS**

**WHEREAS**, the Board of Elections is in need of an upgrade requiring new computers and scanners that were not budgeted for in the current budget.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfer be made:

**FROM:**

10-11450-54530000	Printing Services	\$9,000.00
10-11450-54625000	Travel	\$3,500.00
10-11450-54595100	Supplies Election	\$3,500.00

**TO**

10-11450-52200000	Equipment	\$16,000.00
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The resolution was seconded by Mr. Valente and Mr. Eisel and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

**RESOLUTION NO. 146**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the Department must replace an obsolete computer tower; and

**WHEREAS**, a transfer of funds is necessary to purchase the equipment.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfer be made:

**FROM:**

10-18740-54200000	Contractual Services	\$464.00
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**TO:**

10-18740-52200000	Equipment	\$464.00
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

**RESOLUTION NO. 147**

**TITLE: AUTHORIZATION FOR AWARDS  
DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS**

**LETTING OF AUGUST 16, 2017**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

**BE IT RESOLVED**, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 35-17      Combination Jet/Vacuum Machine to: GapVax, Inc., 575  
Central Ave., Johnston, PA 15902

Bid Price:      \$475,755.00

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Haynes.

Mr. Rowe noted that the Catskill Watershed Corporation (CWC) funded the current Jet Vacuum purchased in 2004 and has agreed to fund this purchase as well. The terms of the agreement include funds set aside for reimbursement of repairs when needed.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

**RESOLUTION NO. 148**

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 38-16  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 119 of 2016 authorized the award of Proposal No. 38-16, "Replacement of Bridge No. 101P, Lake Street Pedestrian Bridge over Vly Creek" to Economy Paving Co. Inc., Cortland NY 13045 for the bid amount of \$597,819.50; and

**WHEREAS**, the construction work is complete and the final quantities have been calculated and agreed upon between the County and the contractor.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 38-16 adjusting the final quantities and resulting in a reduction of \$64,814.47 which reduces the total contract price from 597,819.50 to \$533,005.03.

The resolution was seconded by Mr. Haynes.

Mr. Rowe noted that the Change Order reduces the project cost for the pedestrian bridge in the Town of Fleischmanns damaged in 2007. The project is 100 percent FEMA reimbursable and the state picked up 12.5 percent. The total project came in under bid.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 149**

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

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

**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>Vehicle No.:</u>	<u>Description:</u>	<u>Serial No. /VIN No.:</u>
82	2006 Ford Taurus	1FAFP53U76A246232
57	2008 Chevrolet Impala	2G1WB58N581238131
61	2009 Chevrolet Impala	2G1WS57M791279743
1	ABLE-2 (SHO-ME) Light Bar	
1	ABLE-2 (SHO-ME) Light Bar	

The resolution was seconded by Mr. Gladstone and Mr. Davis and unanimously adopted.

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

**RESOLUTION NO. 150**

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

<u>Vehicle No.:</u>	<u>Description</u>	<u>Serial No./VIN No.:</u>
582	2006 Jeep Liberty	1J4GL48K96W217324
304	2000 International SA Dump	1HTGEAHR3YH255427
427	2005 Ford F-250	1FDNF21575EC26502

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



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

**RESOLUTION NO. 151**

**TITLE: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF DELAWARE INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

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

SECTION 1. Section 4-A of Resolution No. 144, enacted by the Board of Supervisors of the County of Delaware on June 13, 1990, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2003, and ending November 30, 2020. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (C) of subdivision (1) of section 11 of Resolution No. 144, enacted by the Board of Supervisors of the County of Delaware on June 13, 1990, imposing sales and use taxes, as amended, is amended to read as follows:

(C) With respect to the additional tax of one percent imposed for the period beginning December 1, 2003, and ending November 30, 2020, in respect to the use of property used by the purchaser in this county prior to December 1, 2003.

SECTION 3. This enactment shall take effect December 1, 2017.

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

Mr. Axtell called up Local Law Intro No. 1 which was seconded by Mr. Spaccaforo.

**LOCAL LAW INTRO NO. 1 OF 2017**

**BOARD OF SUPERVISORS OF THE COUNTY OF DELAWARE  
REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED  
BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK;  
AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES  
PURSUANT TO THE AUTHORITY OF TAX LAW § 186-G**

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

SECTION 1. A Local Law Imposing a Surcharge on Wireless Communications Service in the County of Delaware, Local Law No. 2 of 2014, is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law §186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Delaware on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Board of Supervisors of the County of Delaware and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County

shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

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

**RESOLUTION NO. 152**

**TITLE: PUBLIC HEARING LOCAL LAW INTRO. NO. 1 OF 2017**

**WHEREAS**, Local Law Intro. No. 1 Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State Of New York; and Imposing the Wireless Communications Surcharges pursuant to the Authority of Tax Law § 186-G has been introduced.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on Local Law Intro No. 1 on the 27th day of September, 2017 at 3:45 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. Davis and unanimously adopted.

Chairman Molé 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. 153**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
TREASURER'S OFFICE**

**WHEREAS**, the Treasurer's Office is in need of additional funding to cover a Fiscal Fee invoice.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfer be made:

**FROM:**

10-11364-54465000	Tax Acquired Property Miscellaneous	\$500.00
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**TO:**

10-11380-54305000	Fiscal Agent Fees	\$500.00
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The resolution was seconded by Mr. Spaccaforno and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

**RESOLUTION NO. 154**

**TITLE: SALE OF TAX ACQUIRED PROPERTY  
TREASURER’S OFFICE**

**RESOLVED** that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

KOR12TX.011

**ASSESSED TO:**

**ESTATE OF EDWARD M POTANOVIC AND  
FRANCES WELLINGTON**

TOWN OF:	124000:KORTRIGHT
TAX MAP NO:	68.-3-4
SCHOOL DISTRICT:	125202:SOUTH KORTRIGHT
ACREAGE:	47.70A ACRES
CONVEYED TO:	ESTATE OF EDWARD M POTANOVIC AND FRANCES WELLINGTON C/O SCHLATHER & BIRCH, ATTORNEY 192 MAIN STREET COOPERSTOWN NY 13326
CASH CONSIDERATION:	\$35,446.44
TAX DEFICIT:	\$30,126.62

MID15TX.043

**ASSESSED TO:**

**ELIZABETH KITTLE**

TOWN OF:	124603:MIDDLETOWN
TAX MAP NO:	306.7-10-23
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	70.00'F x 345.00'D ACRES
CONVEYED TO:	ELIZABETH KITTLE C/O SELFHELP COMMUNITY SERVICES, INC 520 EIGHTH AVENUE, 5 <sup>TH</sup> FLOOR NEW YORK NY 10018
CASH CONSIDERATION:	\$9,836.95
TAX DEFICIT:	\$7,972.98

The resolution was seconded Mr. Gladstone and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

**RESOLUTION NO. 155**

**TITLE: SALE OF TAX ACQUIRED PROPERTY  
TREASURER’S OFFICE**

**RESOLVED** that the following described parcels of tax acquired property be sold to the party indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

<b><u>ASSESSED TO:</u></b>	MID15TX.049
TOWN OF:	<b><u>WAYNE MASONE</u></b>
TAX MAP NO:	124689:MIDDLETOWN
SCHOOL DISTRICT:	305.-1-18
ACREAGE:	124601:MARGARETVILLE
CONVEYED TO:	3.60A ACRES
	WAYNE MASONE
	15 SCUPPO ROAD, UNIT 1301
	DANBURY CT 06611
CASH CONSIDERATION:	\$11,645.77
TAX DEFICIT:	\$8,978.41

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:  
Ayes 4667, Noes 0, Absent 132 (Marshfield).

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

#### **RESOLUTION NO. 156**

#### **TITLE: INCLUSION OF AGRICULTURALLY VIABLE LAND INTO CERTIFIED AGRICULTURAL DISTRICTS DURING DESIGNATED THIRTY- DAY PERIOD FOR ANNUAL AGRICULTURAL DISTRICT REVIEW PLANNING DEPARTMENT**

**WHEREAS**, the Delaware County Board of Supervisors, in accordance with Chapter 523 of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period from April 1 to April 30, 2017 in which a landowners may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

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

**WHEREAS**, the Delaware County Board of Supervisors held a Public Hearing, Wednesday, August 23 at 3:45 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi N.Y. to consider the requests and recommendations of the County Agricultural Farmland Protection Board concerning the inclusion of land(s) into Agricultural Districts No. 17; and

**WHEREAS**, the Delaware County Board of Supervisors has authorized the preparation of an Agricultural Environmental Assessment form as required by § 303-b of the Agriculture & Markets: Agricultural Districts Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby adopt the inclusion of the following properties into Agricultural Districts No. 17.

**Davenport: Agricultural District # 17:**

Tax ID #8.-1-18.115 (9.05 ac) Turner Hill Rd. (Livestock Production)

Tax ID #8.-1-18.111 (6.88 ac) Laniel Ln. (Livestock Production)

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

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

**RESOLUTION NO. 157**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$800,248.58 were hereby presented to the Finance Committee for approval for payment on August 18, 2017 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	\$730,792.14
OET	\$16,262.21
Public Safety Comm System	\$26,547.00
Highway Audits, as Follows:	
Weights & Measures	\$16.19
Road	\$0.00
Machinery	\$22,986.85
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$3,644.19

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,724,670.20 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	\$406,381.62
OET	\$29,976.20
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$109.19
Road	\$668,280.11
Machinery	\$72,558.40

Capital Road & Bridge	\$438,049.33
Capital Solid Waste	\$18,519.38
Solid Waste/Landfill	\$90,795.97

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:  
Ayes 4667, Noes 0, Absent 132 (Marshfield).

Upon a motion, the meeting was adjourned at 5:55 p.m.