

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS SEPTEMBER 27, 2017

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

Mr. Marshfield offered the invocation.

Mr. Triolo 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 introduced and welcomed Congressman John Faso's new liaison Matt McPhillips. She noted that Paula Brown has accepted a position with the Delhi Rehabilitation and Nursing Center. Mr. McPhillips stated that he looks forward to working with the residents of the County.

Chairman Molé granted privilege of the floor to Mr. Hynes. Mr. Hynes introduced Cornell Cooperative Extension (CCE) Executive Director Jeanne Darling.

Mrs. Darling noted that the week of October 1-7 is Cornell Cooperative Extension Week and National 4-H Week. A resolution recognizing the celebration will be presented later in the meeting. The CCE Annual Meeting and Harvest Dinner will be held Wednesday, November 1 at the Alumni Hall of the SUNY Delhi Campus. The guest speaker will be David Grusenmeyer, Executive Director of the New York Farm Viability Institute who will give a presentation entitled "Taking Stock for New York Agriculture."

She spoke of the work CCE is doing crediting staff members for their commitment and dedication. She introduced Ph.D. Subject Educator III Horticulture & Natural Resources Carla Hegeman Crim, Senior Resource Educator Farm Business Management Mariane Kiraly, 4-H Resource Educator Emily Roach, 4-H Camp Shankitunk Director and CCE Administrative Assistant Corrine Tompkins and Energy Educator & Clean Energy Communities Coordinator Tara Donadio.

Mrs. Darling asked for the Board's support for Resolution No. 166 entitled *A Resolution to Increase State Support for Cornell Cooperative Extension County Association in the State of New York* that will be presented later in the meeting. The resolution seeks an increase in the state appropriation for Cornell Cooperative Extension Associations from \$3 million to \$8 million.

Mrs. Tompkins shared a slide presentation featuring each town in Delaware County and detailing the programs of CCE focusing on activities of agricultural competitiveness and

profitability, children and youth, economic sustainability, environmental protection and enhancement, individual, family and community well-being and nutrition, and health and safety.

Mrs. Darling thanked the Board of Supervisors, the CCE partners and volunteers who help make these programs possible.

Chairman Molé thanked Mrs. Darling and the CCE staff for an informative presentation and for providing the delicious refreshments consisting of locally grown and prepared foods.

Chairman Molé granted privilege of the floor to Mr. Rowe who introduced Director of Solid Waste Management Sue McIntyre.

Ms. McIntyre referenced Resolution No. 162 entitled *Draft Local Solid Waste Management Plan Delaware County New Materials Recovery Facility* that will come before the Supervisors later in the meeting.

She explained that the Solid Waste Management Plan is the County's ten-year action plan. The document highlights the three major goals the Department hopes to accomplish: (1) maintain the existing infrastructure at the Solid Waste Management Center (2) implement enhanced administrative access to ensure compliance with local County Law, the Importation of Waste Law, the Recycle law, and state and federal regulations that the facility is subjected to and (3) the expansion of the facility.

A handout entitled: *Delaware County Landfill Siting Study – 1992* was distributed and attention was directed to the footprint of the current landfill that shows the expansion potential. The expansion under consideration is the maximum possible for the site and will gain the County about sixty plus additional years of use. The expansion includes about 30 acres of new environmental protection liner systems of which about 17 acres is new ground that has not been disturbed, the remaining acres are 50 percent reclamation and 50 percent piggyback for building on top of what is already in place.

Ms. McIntyre referred to the 1992 Landfill Siting Study ranking the current site at number 3. If the NYS DEC does not approve the Solid Waste Management Plan, the County would have to develop a new landfill. Today, the alternate landfill Sites 1 and 2 have been subdivided and would be extremely difficult to develop into new landfill. For this reason, expansion of the existing landfill facility is the preferred option.

If the plan is approved by NYS DEC, it will become public and opened to a comment period, followed by a response document and finally a formal document for the Board's approval.

Chairman Molé thanked Ms. McIntyre for the summary.

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

RESOLUTION NO. 158

**TITLE: 2017 CORNELL COOPERATIVE EXTENSION WEEK
& NATIONAL 4-H WEEK**

WHEREAS, Cornell Cooperative Extension of Delaware County is dedicated to growing healthy families, confident youth, successful farms and stronger communities; and

WHEREAS, Cornell Cooperative Extension represents a statewide system of partnerships working with federal, state and county governments; and

WHEREAS, the heart of Cooperative Extension is found in the strength of its 3,000 volunteers who give their time, expertise and enthusiasm as members of boards, as 4-H club leaders, and in Extension's educational outreach; and

WHEREAS, Cornell Cooperative Extension has served Delaware County for 104 years since 1913; and

WHEREAS, Cornell Cooperative Extension is proud of the 90 years of youth camping programs at 4-H Camp Shankitunk and the 9th year of 4C Camp for seniors; and

WHEREAS, Cornell Cooperative Extension of Delaware County continues to offer programs that link university-based research with the talents, enthusiasm and goals of our community; and

WHEREAS, Cornell Cooperative Extension of Delaware County has reached families, farmers, youth, consumers, gardeners, and agencies with excellent programs on agriculture and food systems sustainability, positive youth development, community and economic development, energy, environment and natural resources education, nutrition, health, and safety; and

WHEREAS, Cornell Cooperative Extension of Delaware County will continue to work closely with its many local partners to offer educational programs that promote healthful eating, access to local foods, quality health care, energy efficient communities, safe housing, active living, confident youth, profitable agriculture, productive businesses, healthy families and communities.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby designate the week of October 1-7, 2017 as Cornell Cooperative Extension Week and National 4-H Week in Delaware County.

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

Chairman Molé granted Mr. Hynes request to withdraw Resolution No. 159 entitled *Recognition of Dennis Hill for Service to Delaware County Agencies*, as Mr. Hill was unable to attend this meeting. Mr. Hynes noted that the resolution would be reintroduced at the next Board of Supervisors meeting.

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

RESOLUTION NO. 160

**TITLE: BUDGET AMENDMENT
97 MAIN STREET, DELHI, NEW YORK
OFFICE FOR THE AGING**

WHEREAS, Resolution No. 122 of 2017 was adopted by the Board of Supervisors authorizing the lease and purchase of 97 Main Street to house the Office for the Aging; and

WHEREAS, a transfer of funds is necessary to purchase said building and complete the necessary renovations.

NOW, THEREFORE, BE IT RESOLVED that a Capital Project entitled 97 Main Street be established and the following 2017 Budget amendments be authorized:

Transfer From:

10-00000-34917000	Unassigned Fund Balance	\$879,000.00
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Transfer To:

10-19901-59990039	Operating Transfer Out	\$879,000.00
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Capital Project 97 Main Street Accounts:

Establish Revenue Accounts:

39-16772-45503100	Interfund Transfer	\$879,000.00
39-16772-42270500	Gifts/Donations	\$ 80,000.00
39-16772-42238900	Misc. Revenues Other Governments	\$ 19,550.00

Establish Expense Account:

39-16772-52000000	Equipment and Capital Outlay	\$978,550.00
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The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 161

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

<u>Vehicle</u>	<u>Description</u>	<u>Serial No./Vehicle ID NO.</u>
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394
409

2007 Chevy Malibu
2010 Ford Fusion

1G1ZS57FX7F273228
3FAHP0GA1AR110219

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

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

RESOLUTION NO. 162

**TITLE: DRAFT LOCAL SOLID WASTE MANAGEMENT PLAN
DELAWARE COUNTY NEW MATERIALS RECOVERY FACILITY
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the *Delaware County Comprehensive Solid Waste Management Study - 1974* identified the current site of the Solid Waste Management Center as the central location for solid waste services to Delaware County; and

WHEREAS, Resolution No. 235 of 1992 adopted the *Delaware County Solid Waste Management Plan 1999 and Final Environmental Impact Statement* that included the continued operation of the Solid Waste Management Center as the County's central location for comprehensive and integrated solid waste management services for Delaware County; and

WHEREAS, the *Delaware County Solid Waste Management Plan - Update 2011-2020* was approved by New York State Department of Environmental Conservation Region 4; and

WHEREAS, Delaware County seeks to uphold the Mission Statement adopted under Board Resolution No. 67 of 2013 to provide "locally-controlled, long-term, comprehensive, cost-competitive, and environmentally-sound solid waste disposal, recycling, composting, and recovery services for all of Delaware County;" and

WHEREAS, the Delaware County Department of Public Works - Solid Waste Division has developed capacity and services at the Solid Waste Management Center for a broad range of solid waste services managed by, for, and largely within Delaware County borders; and

WHEREAS, the Delaware County Department of Public Works – Solid Waste Division is currently drafting the *Delaware County Solid Waste Management Plan – 2018-2027*.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors authorizes the Department of Public Works – Solid Waste Division to issue the *Draft Delaware County Solid Waste Management Plan – 2018-2027* for public comment immediately upon issuance by New York State Department of Environmental Conservation of a Letter of Approvability, and to additionally seek Lead Agency Status for SEQR review of the solid waste plan.

The resolution was seconded by Mr. Haynes.

Mr. Rowe noted that the planning and development at the Solid Waste Management Facility is a gift to our great grandchildren.

The resolution was unanimously adopted.

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

RESOLUTION NO. 163

**TITLE: APPROVAL OF EXTENSION TO DEFERRED COMPENSATION PLAN
PERSONNEL OFFICE**

WHEREAS, Resolution No. 328 of 1989 established a Deferred Compensation Plan for County employees pursuant to Section 457 of the Internal Revenue Code; and

WHEREAS, Resolution No. 92 of 2012 approved the continuance of Nationwide Retirement Solutions as the Plan Administrator, Financial Organization and Trustee for Delaware County's Deferred Compensation Plan for a period of five (5) years; and

WHEREAS, the authority for Nationwide Retirement Solutions to serve as Plan Administrator, Financial Organization and Trustee will expire December 31, 2017 unless such authority is extended; and

WHEREAS, Part 9003.5 of the Rules and Regulations of the New York State Deferred Compensation Board allows for the extension of the agreement between Delaware County and Nationwide Retirement Solutions for a duration not to exceed two consecutive one-year periods; and

WHEREAS, Nationwide Retirement Solutions, formerly known as PEBSCO, has a twenty-five (25) year history of providing good service to Delaware County in this capacity and the Deferred Compensation Committee and the Delaware County Personnel Officer recommends the extension of this agreement for a one (1) year period or through December 31, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors on behalf of the Committee authorizes:

1. The extension of the agreement between Delaware County and Nationwide Retirement Solutions for a one (1) year period.
2. The Chairman of the Board to execute an extension agreement.
3. The Personnel Officer, under the direction of the Human Resource Committee, to continue to act as the County Administrator of the Plan and represent and act on behalf of the County to the extent permitted by the applicable law, rules and regulations including the execution of individual employee participation agreements.

The resolution was seconded by Mr. Spaccaforno.

Personnel Officer Linda Pinner explained in answer to Mr. Marshfield, that the County's plan is for a period of five years and allows for two one-year extensions after that time.

The resolution was unanimously adopted.

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

RESOLUTION NO. 164

**TITLE: DESIGNATION OF DELAWARE COUNTY CHAMBER OF COMMERCE AS
TOURISM PROMOTION AGENCY FOR DELAWARE COUNTY**

BE IT RESOLVED that the Delaware County Chamber of Commerce be designated as the Tourism Promotion Agency for Delaware County, for the purpose of making applications for and receiving grants under Section 100(6) of the Economic Development Law, with the Chamber of Commerce to provide the required local matching funds for the “I Love New York” tourism promotion 2018 program.

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

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

RESOLUTION NO. 165

**TITLE: RELOCATION OF THE SIDNEY NEW YORK STATE VETERANS
SERVICES OFFICE
VETERANS SERVICE AGENCY**

WHEREAS, the New York State Division of Veterans Affairs Administration has closed the Sidney outreach office due to economic issues; and

WHEREAS, the Sidney office provided services to Delaware County Veterans unable or uncertain of traveling longer distances due to ill-health and/or costs; and

WHEREAS, the geographic size of Delaware County makes it difficult for veterans to travel to one office; and

WHEREAS, Delaware County utilizes two Veteran Service Offices to assist veterans in a myriad of benefits; and

WHEREAS, without these two agencies numerous veterans will simply ignore their benefits thereby depriving themselves of proper care and compensation; and

WHEREAS, the New York State Division of Veterans Affairs expects senior veterans with little to no technology skills to access all their benefits online or by phone; and

WHEREAS, veterans will become frustrated without one-on-one guidance in assisting with their claims/health care.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware County Board of Supervisors hereby respectfully urge the New York State Division of Veterans Affairs Administration to open an office in Sidney, NY under the following conditions:

1. That the office be located in the Sidney Hospital, allowing all nearby veterans access to guidance concerning veterans claims and benefits.

2. That the office shall be maintained at minimal cost to the state and would be a useable location at least twice a week.
3. That the New York State Veterans Service Officer previously utilizing the Sidney office be granted access to applicable veteran records, including utilization of technology to process claims.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Senator James Seward, Senator Kirsten Gillibrand, Governor Andrew Cuomo, Congressman John Faso, and Assemblyman Clifford Crouch.

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

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

RESOLUTION NO. 166

TITLE: A RESOLUTION TO INCREASE STATE SUPPORT FOR CORNELL COOPERATIVE EXTENSION COUNTY ASSOCIATIONS IN THE STATE OF NEW YORK

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of the New York's natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses; and

WHEREAS, support from federal, state and county sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 8 of the County Law have remained stagnant for seventeen years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors supports increasing the State appropriation for Cornell Cooperative Extension

associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Frederick J. Akshar, II, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez, Assemblyman Brian Miller and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Ellis 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. 167

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

Resolved that the following described parcel 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, upon receipt of cash consideration hereinafter set forth.

	HAM15TX.006
<u>ASSESSED TO:</u>	<u>ROBERT HOLLAND AND JONI HOLLAND</u>
TOWN OF:	123400:HAMDEN
TAX MAP NO:	191.-1-27
SCHOOL DISTRICT:	122801:DELAWARE ACADEMY
ACREAGE:	5.40A ACRES
CONVEYED TO:	ROBERT HOLLAND AND JONI HOLLAND PO Box 391 RARITAN NJ 08869-0391
CASH CONSIDERATION:	\$4,707.30
TAX DEFICIT:	\$3,388.12

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 168

**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.

KOR15TX.033A

ASSESSED TO:

CHRISTOPHER WELLS

TOWN OF:	124000:KORTRIGHT
TAX MAP NO:	35.-3-25.2
SCHOOL DISTRICT:	122601:CHARLOTTE VALLEY
ACREAGE:	11.70A ACRES
CONVEYED TO:	DARREN SCARIMBOLO 404 PONDSIDE DRIVE WHITE PLAINS NY 10607
CASH CONSIDERATION:	\$25,550.00
TAX DEFICIT	\$19,457.95

The resolution was seconded by Mr. Gladstone.

Mr. Marshfield shared that the bid for this property was rejected at auction because the committee felt it was too low. The property was advertised for sale and sold for several thousand more than the rejected bid.

The resolution was adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 169

**TITLE: AMENDMENT TO RESOLUTION NO. 140-17
SALE OF COUNTY OWNED PROPERTY
TREASURER'S OFFICE**

WHEREAS, the purchaser at the auction did not complete their bid and;

WHEREAS, the second bidder was not interested in the property;

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, upon receipt of cash consideration hereinafter set forth.

ROX15TX.029

ASSESSED TO:

PROSPECT ENTERPRISES INC

TOWN OF:	124800:ROXBURY
TAX MAP NO:	71.-2-12
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	20.30A ACRES
CONVEYED TO:	PATRICK CORBETT 31 KOHR ROAD KINGS PARK NY 11754
CASH CONSIDERATION:	\$6,200.00

TAX DEFICIT: \$2,093.39

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

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

RESOLUTION NO. 170

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,937,297.96 were hereby presented to the Finance Committee for approval for payment on September 13, 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	\$1,400,540.32
OET	\$28,428.57
Public Safety Comm System	\$155,665.37
Highway Audits, as Follows:	
Weights & Measures	\$16.19
Road	\$25,241.59
Machinery	\$52,340.27
Capital Road & Bridge	\$151,762.11
Capital Solid Waste	\$45,198.89
Solid Waste/Landfill	\$78,104.65

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,088,757.65 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	\$1,086,120.90
OET	\$25,503.73
Public Safety Comm System	\$70,880.73
Highway Audits, as Follows:	
Weights and Measures	\$259.42
Road	\$2,292.54
Machinery	\$55,739.25
Capital Road & Bridge	\$711,207.34
Capital Solid Waste	\$265.60
Solid Waste/Landfill	\$136,488.14

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

Mr. Spaccaforo recalled Local Law Intro. No. 1 entitled: *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.*

The Local Law was seconded by Mr. Merrill and adopted by the following vote: Ayes 4628, Noes 0, Absent 171 (Axtell).

Upon a motion, the meeting was adjourned at 4:45 p.m.