

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS  
NOVEMBER 21, 2017**

The regular meeting of the Delaware County Board of Supervisors was held Tuesday, November 21, 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 except Mr. Rowe.

Mr. Marshfield offered the invocation.

Mr. Gladstone 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.

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

**RESOLUTION NO. 194**

**TITLE: 2017 BUDGET AMENDMENT  
ACCEPTANCE OF 2017 BULLETPROOF VEST PARTNERSHIP GRANT  
SHERIFF'S OFFICE**

**WHEREAS**, Delaware County is the recipient of a grant awarded by the US Department of Justice and administered by the Bulletproof Vest Partnership ("BVP") in an amount not to exceed \$2,187.47; and

**WHEREAS**, the grant to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of reimbursing Delaware County 50% of the cost of purchasing Bullet Proof Vests at a price not to exceed \$2,187.47 during the period commencing on April 1, 2017 and ending on August 31, 2019, unless extended;

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

**INCREASE REVENUES:**

|                               |                       |            |
|-------------------------------|-----------------------|------------|
| 10-13110-44432000/3110055/907 | Federal Crime Control | \$2,187.47 |
|-------------------------------|-----------------------|------------|

**INCREASE APPROPRIATIONS:**

|                               |                                   |            |
|-------------------------------|-----------------------------------|------------|
| 10-13110-52200001/3110055/907 | Equipment Grant-Bulletproof Vests | \$2,187.47 |
|-------------------------------|-----------------------------------|------------|

The resolution was seconded by Mr. Spaccaferno and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 195**

**TITLE: 2017 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING FOR TAI CHI FOR ARTHRITIS PROJECT  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging has been granted \$7,000.00 from the Rural Health Alliance to expand the agency’s existing Tai Chi for Arthritis program for the county’s older population; and

**WHEREAS**, this funding will be used to engage in activities to support health promotion and stay healthy wellness programs

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

**INCREASE REVENUES:**

10-16772-42270602/6772049/977 Grant from Nonprofit \$7,000.00

**INCREASE APPROPRIATIONS:**

10-16772-54327000/6772049/977 Contracted Services \$4,090.00

10-16772-54327625/6772049/977 Travel \$2,910.00

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:  
Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 196**

**TITLE: 2017 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the net sum of \$77,111.02 received from the hotel occupancy tax activity during 2016 was set aside and placed into Restricted Fund Balance as of 12/31/2016 for the purpose of promotion and development of tourism industry in Delaware County; and

**WHEREAS**, Resolution No. 120 of 2017 authorized an agreement with the Delaware County Local Development Corporation for the execution and administration of approved contracts to the recipients of occupancy tax funds; and

**WHEREAS**, the Delaware County Local Development Corporation is in need of reimbursement for payments made to approved contractors.

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

**FROM:**

10-00000-34899000 Restricted Fund Balance – Hotel Occupancy Tax \$77,111.02

**TO:**

10-16410-54614000

Tourism Development Promotion

\$77,111.02

The resolution was seconded by Mr. Taggart.

Mr. Triolo explained that the County entered into an agreement with the Delaware County Local Development Corporation for the purpose of executing contracts and distributing funds collected from the hotel occupancy tax to recipients of approved projects. This resolution is authorizing reimbursement for payments made.

In answer to Mr. Spaccaforo, Mr. Triolo said “net sum” references the deduction of 10 percent from the gross sum paid to the County Treasurer for the department’s administrative services.

The resolution was adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 197**

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

**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 items:

| <b><u>Vehicle No.:</u></b> | <b><u>Description:</u></b> | <b><u>Vehicle Identification No.</u></b> |
|----------------------------|----------------------------|--|
| 46                         | 2006 Jeep Liberty          | 1J4GL48K06W217325                        |

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

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

**RESOLUTION NO. 198**

**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>Vehicle Identification No.</u> |
|--------------------|--------------------|-----------------------------------|
| 813                | 2002 Ford Pickup   | 1FTSF31LX2ED12141                 |
| 583                | 2007 Dodge Minivan | 1D4GP25R17B228541                 |

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

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

**RESOLUTION NO. 199**

**TITLE: CHANGE ORDER NO. 1 AND NO. 2 OF PROPOSAL NO. 31-17  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 53 of 2017 authorized the award of Proposal No. 31-17, “Replacement of County Route 26 Bridge over Telford Hollow Brook, PIN 9753.00, BIN 3351950, Town of Colchester” to Sullivan County Paving & Construction Inc. 420 Bernas Road, Cohecton, NY 12726 for the bid amount of \$1,987,598.51; and

**WHEREAS**, due to a software setup error, Item 402.378903, 37.5MM F9 Base Course Hot Mix Asphalt will be removed from the contract and Item 402.258903, 25MM F9 Base Course Hot Mix Asphalt, 80 Series Compaction be added at no additional cost; and

**WHEREAS**, due to lack of availability, Item 605.101, Underdrain Filter, Type II will be removed from the contract at a reduction in cost of \$2,000; and

**WHEREAS**, due to field conditions and NYSDOT requirements, Items 567.60, Armorless Bridge Joint System; 418.7603 Asphalt Pavement Joint Adhesive; and 605.0901 Underdrain Filter, Type 1 will be added to the Contract at a combined cost of \$16,638.28; and

**WHEREAS**, due to the above referenced changes, Item 697.03, Field Change Payment will be reduced by \$14,638.28 to a contract amount of \$103,361.72; and

**WHEREAS**, the Contractor was unable to complete the project by the contract completion date.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 31-17 adjusting the contract quantities and items as referenced above at no change to the contract total cost of \$1,987,598.51; and

**BE IT FURTHER RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal No. 31-17 extending the Contract completion date until June 30, 2018 at no change in the Contract Amount of \$1,987,598.51.

The resolution was seconded by Mr. Valente.

In answer to Mr. Eisel, Commissioner of Public Works Wayne Reynolds said the approach to the bridge is twice the original length and the bridge spans 60 feet.

Mr. Merrill said the he is very pleased with the results, adding it is a huge improvement.

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 200**

**TITLE: YEAR END ACCOUNTING MODIFICATIONS TO THE 2017 BUDGET  
DEPARTMENT OF FISCAL AFFAIRS**

**WHEREAS**, there are many bookkeeping entries that are needed to close out the books for 2017; and

**WHEREAS**, there will be no increase in the actual spending, just a balancing of accounts between personal services, equipment, contractual, employee benefits and undistributed employee benefits; and

**WHEREAS**, an accounting of all transactions will be presented to the Board of Supervisors upon completion of the annual report.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors authorizes the Department of Fiscal Affairs to make the necessary adjustments to the 2017 Budget and to file a written report to the Finance Committee before the books for 2017 are actually closed.

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

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

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

**RESOLUTION NO. 201**

**TITLE: SALE OF TAX ACQUIRED 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.

WAL13TX.016

**JOSEPH CHRISTOVAO IV AND HOLLY HUNTER  
CHRISTOVAO**

**ASSESSED TO:**

|                     |   |
|---------------------|---|
| TOWN OF:            | 125601:WALTON                                     |
| TAX MAP NO:         | 273.7-7-26  |
| SCHOOL DISTRICT:    | 125601:WALTON                                     |
| ACREAGE:            | 154.00'F x 205.60'D: 0.80A ACRES                  |
| CONVEYED TO:        | VILLAGE OF WALTON<br>PO BOX 29<br>WALTON NY 13856 |
| CASH CONSIDERATION: | \$5,000.00  |
| TAX DEFICIT:        | \$42,730.58                                       |

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 202**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,165,114.54 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                | \$521,052.74 |
| CAP 97 Main                 | 58,564.13    |
| OET                         | \$14,204.20  |
| Public Safety Comm System   | \$0.00       |
| Highway Audits, as Follows: |              |
| Weights and Measures        | \$229.93     |
| Landfill                    | \$49,201.73  |
| Road                        | \$67,140.76  |
| Machinery                   | \$247,285.16 |
| Capital Road & Bridge       | 204,387.39   |
| Capital Solid Waste         | \$3,048.50   |

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 203**

**TITLE: RECOGNITION OF DENNIS HILL  
FOR SERVICE TO DELAWARE COUNTY AGENCIES  
PLANNING DEPARTMENT**

**WHEREAS**, the Delaware County Agriculture Districting Advisory Committee was formed in 1973 to develop and oversee the management of the first county agricultural districts; and

**WHEREAS**, the Delaware County Agriculture Districting Advisory Committee was reorganized as the Agricultural Farmland Protection Board in 1993, as per New York State Agriculture and Markets Law; and

**WHEREAS**, the Delaware County Board of Supervisors appoints volunteers to the eleven member board of which Dennis Hill, of the Town of Harpersfield, has served since his appointment in January 1993; and

**WHEREAS**, he served Delaware County as the Town of Harpersfield Supervisor during 1987; and

**WHEREAS**, he is a prominent and well respected member of the agricultural community serving as a member of the Soil and Water Conservation District Board for 31 years of which he has been Chairman since 2002; and

**WHEREAS**, he has worked tirelessly to support the agricultural community, representing agricultural interests in Delaware County through the development of watershed programs that support farmland protection while also preserving water quality initiatives within the New York City Watershed; and

**WHEREAS**, he has served the County with fairness, conviction and a genuine desire to make Delaware County a place for future generations to enjoy and be proud of;

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors recognizes and thanks Dennis Hill for 31 years of public service to Delaware County.

The resolution was seconded by Mr. Eisel.

Chairman Molé introduced Delaware County Soil and Water Conservation District Executive Director (DCSWCD) Larry Underwood, Stream Program Coordinator Graydon Dutcher and Assistant to the Executive Director Rick Weidenbach for further recognition of Mr. Hill.

Mr. Underwood introduced Dennis Hill and shared that his resignation was accepted with regret. He pointed out with appreciation that in addition to all Mr. Hill has been credited with he was for many years an advocate for farmers and landowners located in the New York City watershed.

On behalf of the DCSWCD staff, Mr. Underwood presented Mr. Hill with a plaque of appreciation for 31 years of dedicated service and thanked him for his years of leadership, guidance and support.

Mr. Dutcher shared that Mr. Hill's leadership style enabled his staff to be visionaries and decision makers in the development of watershed programs. On October 18, 2017, the DCSWCD received statewide recognition for its innovative program delivery in Delaware County. The award, presented by the New York Association of Conservation Districts, recognizes a Soil and Water Conservation District that protects county and state soil and water resources while helping to build sustainable communities.

Mr. Weidenbach referenced back to the day in August 1990 when Jeff Ryan from the New York City Department of Environmental Protection dropped off 108 pages of rules and regulations to which Mr. Hill said we could fight it or form a partnership. Today, under the leadership of Mr. Hill, the DCSWCD has 23 full-time employees working on programs primarily

paid for by New York City and designed to meet the needs of local land users for conservation of soil and water related resources.

Mr. Eisel expressed his appreciation for Mr. Hill's leadership in the Town of Harpersfield and for all he has done for the County.

The resolution was unanimously adopted.

Chairman Molé, on behalf of the Board of Supervisors, thanked Mr. Hill for his 31 years of service.

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

**RESOLUTION NO. 204**

**TITLE: ADOPTION OF 2018 DELAWARE COUNTY BUDGET**

**WHEREAS**, the Tentative Budget for the year 2018 has been presented to the Board by the Budget Officer and duly discussed and a public hearing having been held thereon as required by law;

**NOW, THEREFORE, BE IT RESOLVED** that pursuant to §360 of the County Law, the Tentative Budget, as amended, for 2018 be adopted.

The resolution was seconded by Mr. Marshfield.

Budget Director Art Merrill thanked all involved in the budget process. The willingness of everyone to work towards a budget that meets the county's needs and stayed within the state mandated tax cap was very much appreciated.

Mr. Eisel noted that this year the state was more realistic of the costs involved in doing business and that was helpful to the budget process. He thanked the Finance Committee for doing a great job.

The resolution was adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

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

**RESOLUTION NO. 205**

**TITLE: APPROPRIATION RESOLUTION**

**WHEREAS**, this Board by Resolution No. 204, dated November 21, 2017 adopted a budget for the fiscal year 2018;

**RESOLVED** that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified effective January 1, 2018.



The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4477, Noes 0, Absent 322 (Rowe).

Chairman Molé reminded Supervisors of the private tour scheduled at the Delhi Rehabilitation and Nursing Center following the meeting.

Upon a motion, the meeting was adjourned at 1:30 p.m.