

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS FEBRUARY 28, 2018**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 28, 2018 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. Gladstone, Mr. Rowe and Mr. Hynes.

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 read a letter from Town of Hancock Supervisor Samuel Rowe dated February 21, 2018 stating that he accepted a promotion with the New York State Department of Transportation. As a condition of the employment he was required to get approval from the department's Ethics Office to perform the duties of Town Supervisor. The Ethics Office determined it would be a conflict of interest and have the appearance of impropriety for him to continue as the Town of Hancock Supervisor. As a result he resigned as Town of Hancock Supervisor effective immediately.

Chairman Molé noted that Mr. Rowe served the County and the residents of the Town of Hancock for 17 years. She wished him well in his future endeavors and said he has worked tirelessly for the Department of Public Works the betterment of Delaware County.

The Clerk noted that all other communications received have been referred to their respective committees for review.

Chairman Molé granted privilege of the floor to Commissioner of Social Services Dana Scuderi-Hunter who introduced Meghan Barnes as Employee of the Month.

Mrs. Barnes began her employment in 2008 with the Department of Social Services in the Child Protective Unit. Upon completion of her training she moved to the Family and Children's Unit as a caseworker after which she was promoted to her current position of supervisor overseeing the Child Protective Unit.

Commissioner Scuderi-Hunter said that Mrs. Barnes gives her all to the agency and its clients. She regularly works late, goes out of her way to help others, and always volunteers for special assignments. She is extremely conscientious, dependable and knowledgeable. Her ability to engage with the agency's clients is outstanding and she has a way of building a rapport with just about anyone. She is an excellent role model, very supportive to those she supervises and is always willing to assist in any way she can.

Commissioner Scuderi-Hunter said that Mrs. Barnes is very deserving of the honor of Employee of the Month and thanked her for being an asset to the agency and for making the department a better place to work.

Commissioner Scuderi-Hunter presented Mrs. Barnes with a \$50.00 check. Chairman Molé presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Mrs. Barnes thanked the Board of Supervisors for her recognition. She thanked her husband, her mother-in-law and other immediate family members for their support adding that without their support she would not be able to do this work. She thanked her supervisors and co-workers for their commitment and dedication to the department and for providing an environment of support and camaraderie. She shared that she enjoys the work she does and recognizes that her success is in great part due to all of these elements.

Chairman Molé introduced Director of Alcohol and Drug Abuse Services Chris Kemp. She announced that Mr. Kemp will be retiring after 30 years with the County. Mr. Kemp began his employment with the County in 1988 in the criminal justice field. In 1993, he became a counselor with the Department of Alcohol and Drug Services and was then promoted to Senior Counselor. In 2011, he became the Director of the County's Department of Alcohol and Drug Abuse Services.

Chairman Molé thanked Mr. Kemp for his many years of dedicated service and for having made a significant impact on the lives of so many of the County's residents. On behalf of the Board of Supervisors, she presented Mr. Kemp with a certificate of appreciation for his dedication and contribution to Delaware County and wished him well in the future.

Mr. Kemp thanked the Chairman and Board of Supervisors for the recognition. He said that he was born and raised in Delaware County and is grateful to have had the opportunity to work and raise his family in this beautiful county.

He shared that it has been an honor to work with so many individuals who have transformed their lives through the process of recovery from addiction. Being part of a department that offers the tools and programs to combat these addictions has meant a great deal to him. His satisfaction is in hearing and witnessing the success stories of those the Alcohol and Drug Abuse department has worked with over the years. He stated that he feels very fortunate to have worked for this county and with other county staff who care so much about the residents of Delaware County.

Chairman Molé granted privilege of the floor to Mr. Haynes who introduced Environmental Technician Tyson Robb to provide a presentation on the Village of Delhi River Walk Project. Mr. Haynes noted that the presentation is a precursor to Resolution No. 44 entitled: *Village of Delhi River Walk Project Authorization of Right-of-Way* that will be called up later in the meeting.

Mr. Robb shared a PowerPoint presentation entitled: *Village of Delhi River Walk*. The river walk project requires support from riverside property owners and the community overall. Several property owners are waiting to see what the County's position is on the project before committing to easements. In return for allowing this project to move forward the community benefits from restored natural character to its riverbank and stormwater improvement critical to water quality. Local residents and visitors to the area would be provided with safe and maintained access along the river, snowmobile access to local businesses and other recreational opportunities that will benefit the local economy.

He noted that the river walk project is 100 percent grant funded with available funds of around \$740,000 for Phase 2 of the project. Construction on Phase 1 was completed in the fall of

2015 and includes stormwater bio swales, ‘stormtech’ infiltration systems, walkways, plantings and a boat launch. Initially, a proposed route and project was approved by numerous permitting agencies, however, due to changing circumstances the proposed route needed to be redesigned. Subsequent meetings are being held in order to develop a design that meets all stakeholder needs and funding requirements.

The resolution to be called up later in the meeting seeks the support of the Board of Supervisors in allowing the Chairman of the Board and the Shared Services Committee to work together with the Village of Delhi to secure the necessary county easements in order for the project to continue.

Mr. Robb addressed suggestions, questions and concerns presented by the Supervisors with regard to the size of the project, parking spaces, water quality issues, and long-term maintenance relating to the development of a redesign on County right-of-ways.

For standing committees, Chairman of the Capital Projects Committee Mark Tuthill announced that there will be a Capital Projects Committee meeting on March 1 with C&S Engineering, Inc. the County’s consulting firm for the Mental Health building project. The consultants will offer recommendations on the site selection process and a direction for the committee to proceed. At that meeting, a date will be set for a public forum for Walton residents.

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

**RESOLUTION NO. 26**

**TITLE: 2018 BUDGET AMENDMENT  
SEXUALLY EXPLOITED YOUTH (SEY) AWARD  
YOUTH BUREAU**

**WHEREAS**, the Delaware County Youth Bureau is the designated local agency to administer the Sexually Exploited Youth (SEY) Award; and

**WHEREAS**, 100% State funds are available to support public awareness, training, and to meet the needs of youth survivors of human trafficking and commercial sexual exploitation.

**NOW, THEREFORE, BE IT RESOLVED** that the 2018 Budget be amended as follows:

**INCREASE REVENUE:**

10-17310-43382000/7310008/987	State Youth Programs-SEY	\$30,000.00
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**INCREASE APPROPRIATION:**

10-17310-54327200	Grant Contractual Services	\$30,000.00
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The resolution was seconded by Mr. Taggart.

Mr. Marshfield noted that a brochure entitled: *End Human Trafficking & Sexual Exploitation of Youth in our Communities* explaining human trafficking was placed on each Supervisor’s desk.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 27**

**TITLE: 2018 BUDGET AMENDMENT  
HOME ENERGY ASSISTANCE PROGRAM (HEAP)  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Home Energy Assistance Program (HEAP); and

**WHEREAS**, mandated local payments are being made; and

**WHEREAS**, these expenditures will be 100% reimbursed with federal funds.

**NOW, THEREFORE, BE IT RESOLVED** that the 2018 Budget be amended as follows:

**INCREASE REVENUE:**

10-16141-44464100	FEDERAL AID-HEAP	\$21,046.00
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**INCREASE APPROPRIATION:**

10-16141-54342030	HEAP-PA	\$21,046.00
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The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 28**

**TITLE: UNEMPLOYMENT BENEFITS BUDGET MODIFICATION  
PERSONNEL OFFICE**

**WHEREAS**, the 2018 Budget has appropriations for unemployment distributed among different departments for reimbursement purposes; and

**WHEREAS**, the General Fund has an account for undistributed unemployment benefits that is used to pay for any unemployment claims during the year and this modification has been part of the past practice of the county; and

**WHEREAS**, the remaining balance in the appropriation will be rolled into the Employee Benefit Reserve at the end of the year.

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

**FROM:**

10-11040-58500000	Clerk of the Board	\$464.00
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10-11165-58500000	District Attorney	1,471.00
10-11185-58500000	Medical Examiner	128.00
10-11325-58500000	Treasurer	768.00
10-11327-58500000	Fiscal Affairs	655.00
10-11340-58500000	Budget Director	48.00
10-11355-58500000	Real Property Tax	793.00
10-11364-58500000	Tax Acquired Prop	148.00
10-11410-58500000	County Clerk	2,087.00
10-11412-58500000	Records Management	109.00
10-11420-58500000	County Attorney	1,606.00
10-11430-58500000	Personnel	735.00
10-11450-58500000	Elections	579.00
10-11620-58500000	Buildings	2,275.00
10-11680-58500000	Information Technology	2,161.00
10-13020-58500000	Public Safety - 911	1,179.00
10-13110-58500000	Sheriff - Law Enforcement	3,303.00
10-13140-58500000	Probation	1,820.00
10-13150-58500000	Sheriff Jail	8,991.00
10-13315-58500000	Stop DWI	12.00
10-13620-58500000	Safety Inspections	166.00
10-13640-58500000	Emergency Services	482.00
10-14012-58500000	Public Health	1,649.00
10-14059-58500000	Early Intervention	707.00
10-14060-58500000	Edu Physically Handicapped	385.00
10-14310-58500000	Mental Health Clinic	4,230.00
10-14311-58500000	Community Support	228.00
10-14312-58500000	MH Crisis Serv Prog	180.00
10-14315-58500000	Enh Childrens Serv	160.00
10-14317-58500000	Alcoholism Clinic	1,486.00
10-14321-58500000	Exp Mental Health	370.00
10-16010-58500000	Social Services	12,725.00
10-16326-58500000	Economic Development	659.00
10-16510-58500000	Veterans	472.00
10-16610-58500000	Sealer of Weights and Measures	144.00
10-16772-58500000	Office for the Aging	1,416.00
10-17310-58500000	Youth Bureau	1,764.00
10-18020-58500000	Planning	1,642.00
10-18740-58500000	Watershed Affairs	600.00
22-18160-58500000	Landfill Solid Waste	4,118.00
24-19050-58500000	Public Works	14,454.00
62-11710-58500000	Workers Compensation	123.00
	Total	\$77,492.00

**TO:**

10-19050-42280100	Interfund Revenue	\$77,492.00
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**INCREASE REVENUE:**

10-19000-42280100	Interfund Revenue	\$77,492.00
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**INCREASE APPROPRIATION:**

10-19050-58500000	Unemployment Insurance	\$77,492.00
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The resolution was seconded by Mr. Spaccaforno and Mr. Merrill.

In answer to Mr. Triolo, Personnel Officer Linda Pinner said the calculation is one third of one percent of the total salary.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 29**

**TITLE: 2018 BUDGET AMENDMENT  
APPROPRIATION OF SURPLUS  
MACHINERY FUND  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the 2018 Machinery Fund equipment budget is insufficient as budgeted due to an unforeseen but necessary purchase of a small equipment trailer; and

**WHEREAS**, a transfer from the Machinery Fund Balance is necessary; and

**WHEREAS**, the Department has researched prices for said trailer.

**NOW, THEREFORE, BE IT RESOLVED** that the 2018 Budget be amended as follows:

**DECREASE FUND BALANCE:**

26-00000-34915000	Assigned Unappropriated Fund Balance	\$13,000.00
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**INCREASE APPROPRIATION:**

26-15130-52200000	Equipment	\$13,000.00
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The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 30**

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

**LETTING OF JANUARY 25, 2018**

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. 1-18

Rental of Construction Equipment to: A. Montano Co., Inc., 571 Route 212, Saugerties, NY 12477; Abele Tractor & Equipment Co., Inc., 72 Everett Road, Albany, NY 12205; Admar Supply Co., Inc., 449 Commerce Road, Vestal, NY 13850; Beck Equipment, Inc., PO Box 243, Preble, NY 13141; Bothar Construction, LLC, 170 East Service Road, Binghamton, NY 13901; Broome Bituminous Products, Inc., PO Box 354, Vestal, NY 13850; Boyle Excavating, Inc., 233 Boyle Road, Harpersfield, NY 13786; Clark Companies, Inc., P.O. Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, NY 12043; DG Construction Service LLC, 220 State Road, Andes, NY 13731; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; Delhi Rock Drilling, Inc., 20306 State Highway 28, Delhi, N.Y. 13753; Donegal Construction Corporation, PO Box 450, New Stanton, PA 15672; Robert H. Finke & Sons Inc., 1569 Rout 9W Selkirk, NY 12158; LaFever Excavating Inc., 3135 County Highway 6, Bovina Center, NY 13740; Monroe Tractor, 1001 Lehigh Station Rd., Henrietta, NY 14467; Oneonta Equipment Rental and Sales, 532 Co. Hwy. 58, Oneonta, NY 13820; Pawlikowski's Excavating, 1215 Hamden Hill Rd., Delhi, NY 13753; Schulz's Trucking, 1838 Swantak Road, Bloomville, NY 13739; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Sullivan County Paving & Construction Inc., 420 Bernas Road, Cohecton, NY 13726; Tracey Road Equipment, 6803 Manlius Center Rd., East Syracuse, NY 13057; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Tweedie Construction Services Inc., 90 Crystal Creek Rd., Walton, NY 13856; Vantage Equipment, LLC, 5985 Court Street Road, Syracuse, NY 13206.

Bid Price: See Summary Sheet

PROPOSAL NO. 22-18

Cutting and Trimming Trees to: ASPLUNDH Tree Expert Co., 5154 NY Rt. 26, Whitney Point, NY 13862.

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Valente and Mr. Spaccaforo and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 31**

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

**LETTING OF FEBRUARY 1, 2018**

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. 6-18      Liquid Bituminous Concrete & Related Equipment Bid to:  
Gorman Asphalt DBA American Asphalt, 200 Church  
Street, Albany, NY 12202; Suit-Kote Corp., 1911 Lorings  
Crossing Rd., Cortland, N.Y. 13045; Peckham Materials  
Corp., 763 Schoharie Turnpike, Athens, N.Y. 12015;  
Vestal Asphalt Inc., 201 Stage Road, Vestal, N.Y. 13850.

Bid Price:      See Summary Sheet

Towns may participate in these bids.

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. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 32**

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

**LETTING OF FEBRUARY 7, 2018**

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. 7-18      Stone & Gravel Products to: Carver Sand & Gravel LLC, 494  
Western Turnpike, Altamont, NY 12009; Burton F. Clark, Inc., PO  
Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., PO  
Box 220, Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700  
Co. Hwy 18, Bloomville, NY 13739; E&R Popes Excavating,  
LLC, 1073 Co. Hwy 1, Mt. Upton, NY 13809; Eric J Dahlberg  
Construction LLC., 696 Potter Mtn Rd., Gilboa, NY 12076;



Hanson Aggregates NY LLC, PO Box A, Nedrow, NY 13120; Johnston & Rhodes Bluestone Co., 34 Bridge Street, East Branch, NY 13756; Masonville Stone Inc., 12999 State Route 8, Masonville, NY 13804; Platterkill Mine LLC., 871 Bull Hill Rd., Gilboa, NY 12076; Robinson Bros Excavating, 29119 St Hwy 10, Walton, NY 13856; Schaefer Enterprises of Deposit, Inc., 315 Old Route 10, Deposit, NY 13865; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820; Tri City Highway Products Inc., 145 Podpadic Rd., Richmondville, NY 12149.

Bid Price: See Summary Sheet

PROPOSAL NO. 8-18 Gravel Processing to: Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Seward Sand & Gravel, Inc., 532 County Highway 58, Oneonta, NY 13820

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

### **RESOLUTION NO. 33**

#### **TITLE: AUTHORIZATION FOR AWARDS DEPARTMENT OF PUBLIC WORKS**

#### **LETTING OF FEBRUARY 8, 2018**

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. 9-18 Transit Mixed Concrete to: Hanson Aggregates NY, LLc., PO Box A, Nedrow, NY 13120; Masters RMC, Inc., PO Box 25, Kingsley, PA 18826; Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820; Wadler Bros Inc., PO Box 550, Fleischmanns, NY 12430.

Bid Price: See Summary Sheet

PROPOSAL NO. 10-18 Steel Structural Shapes, Misc. to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Steel Sales Inc., PO Box 539, Sherburne,

NY 13460; Weitsman Recycling, LLC., 15 West Main Street,  
Owego, NY 13827

Bid Price: See Summary Sheet

PROPOSAL NO. 11-18 Used Steel Pipe & New Steel Pipe End Sections to: Allegany Pipe & Tubular, 2954 Co Rt 22, Andover, NY 14806-9616; Chemung Supply Corp., PO Box 527, Elmira, NY 14902.

Bid Price: See Summary Sheet

PROPOSAL NO. 12-18 Interlocking Steel Sheet Piling to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902

Bid Price: See Summary Sheet

PROPOSAL NO. 13-18 Steel Reinforcing Bars to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Steel Sales Inc., PO Box 539, Sherburne, NY 13460; Weitsman Recycling, LLC, 15 West Main St., Owego, NY 13827.

Bid Price: See Summary Sheet

PROPOSAL NO. 14-18 Epoxy Coated Steel Reinforcing Bars to: Steel Sales Inc., PO Box 539, Sherburne, NY 13460.

Bid Price: See Summary Sheet

PROPOSAL NO. 16-18 Gabions to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902; Expanded Supply Products, Inc., 3330 Route 9, Cold Spring, NY 10516.

Bid Price: See Summary Sheet

PROPOSAL NO. 17-18 Pressure Treated Timbers to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820

Bid Price: See Summary Sheet

PROPOSAL NO. 18-18 Plain Elastomeric Bridge Bearing Material to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.

Bid Price: See Summary Sheet

PROPOSAL NO. 19-18 Bridge Deck Membrane to: Allied Building Products, 158 Syracuse St., Syracuse, NY 13204.

Bid Price: See Summary Sheet

PROPOSAL NO. 20-18 Steel Sign Posts to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902

Bid Price: See Summary Sheet

- PROPOSAL NO. 21-18      Lubricating Oils to: Superior Lubricants, 32 Ward Rd., North  
Tonawanda, NY 14120
- Bid Price:      See Summary Sheet
- PROPOSAL NO. 23-18      Portland Cement to: Pickett Building Materials, 6459 State  
Highway 23, Oneonta, NY 13820
- Bid Price:      See Summary Sheet
- PROPOSAL NO. 26-18      Elastomeric Concrete to: Allied Building Products, 158 Syracuse  
St., Syracuse, NY 13204.
- Bid Price:      See Summary Sheet

Towns may participate in these bids.

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. Valente and adopted by the following: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 34**

**TITLE: AUTHORIZATION FOR AWARD  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, NYS DOT has notified the County that it is eligible for Federal Funds under the Bridge Preventive Maintenance Program for 2018; and

**WHEREAS**, the County will be entering into an agreement with the NYS DOT for PIN 9754.33, D035907, BIN 3352710 (Charles Medlar Road over Trout Brook, Town of Hancock) and BIN 3353260 (CR 44 over Ouleout Creek, Town of Sidney), Delaware County Bridge Preventive Maintenance Program, 2 locations within Delaware County; and

**WHEREAS**, the Department of Public Works has selected a Consultant Engineering Firm by using the Region 9 Local Design Services Agreement (LDSA) process to provide professional services for the entire project and has completed the negotiations for the design phase.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to McFarland Johnson Engineers, 49 Court Street, Binghamton, NY 13902 for the design and preparation of bidding documents for the project.

Proposal Fee: Maximum Amount Payable \$22,893.08

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 35**

**TITLE: AUTHORIZATION FOR AWARD  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, County Bridge 7-3, BIN 3351890, County Route 7 over Spring Brook had a condition rating of 4.22 in 2015 (the 2017 inspection is based on the new system) and is in need of replacing; and

**WHEREAS**, the hydraulic capacity of the structure is insufficient for current and projected storm events as evidenced by the significant damage that it sustained in the flood of 2007; and

**WHEREAS**, the location of the structure in the Spring Brook Valley has a number of physical constraints that will make reconstruction of the bridge extremely challenging; and

**WHEREAS**, the Public Works Committee has decided that the design of the replacement structure will require the assistance of a consulting engineering firm and that the project development will be advanced in a phased approach with the first phase being a Bridge Replacement Feasibility Study; and

**WHEREAS**, the Department of Public Works has utilized the Local Design Services Agreement (LDSA) qualification based consultant selection procedure in accordance with FHWA requirements to select a consultant; and

**WHEREAS**, the Department of Public Works has negotiated a scope of work and fee for the professional services required to advance the Feasibility Study phase of the project with subsequent phases of the project to be added with supplements.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to Modjeski and Masters, P.C., 301 Manchester Road, Suite 102, Poughkeepsie, NY 12603 for professional services for the preliminary engineering and right of way incidentals for the project.

Proposal Fee: Maximum Amount Payable \$173,904.00

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 36**

**TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. 35-17  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 147 of 2017 authorized the award of Proposal No. 35-17, Purchase of Combination Jet/Vacuum Machine to GapVax, Inc., 575 Central Ave., Johnstown, PA 15902 for the bid amount of \$475,775; and

**WHEREAS**, Resolution No. 212 of 2017 authorized the Department of Public Works to execute Change Order No. 1 making certain modifications to the truck at no cost to the County and at no change in the delivery time; and

**WHEREAS**, GapVax, Inc. has notified the County that Mack Truck has notified them that because of a Mack plant shutdown for re-tooling, the chassis delivery date to GapVax has been delayed significantly; and

**WHEREAS**, the delay in the chassis delivery will delay GapVax's production of the completed unit at no fault of GapVax.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal No. 35-17 that extends the delivery date for the completed unit from March 7, 2018 to July 10, 2018 at no extra cost to the County and at no penalty to GapVax.

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

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

#### **RESOLUTION NO. 37**

#### **TITLE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELL" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, a Project for the Delaware County Bridge Maintenance Program (2018), PIN 9754.32 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of said program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

**WHEREAS**, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

**NOW, THEREFORE**, the Delaware County Board of Supervisors, duly convened does hereby

**RESOLVE** that the Delaware County Board of Supervisors hereby approves the above-subject project; and it is further

**RESOLVED** that the Delaware County Board of Supervisors hereby authorizes the County of Delaware to pay in the first instance 100% of the Federal and non-Federal share of the cost of Preliminary Engineering/Design work for the Project or portions thereof; and it is further

**RESOLVED** that the sum of \$40,000 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED** that in the event the full Federal and non-Federal share costs of the Project exceeds the amount appropriated above, the Delaware County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

**RESOLVED** that the Chairman of the Board of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Delaware with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**RESOLVED** that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

**RESOLVED** this resolution shall take effect immediately.

The resolution was seconded by Mr. Spaccaformo and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

### **RESOLUTION NO. 38**

**TITLE: A RESOLUTION REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO RELEASE ITS MAINTENANCE JURISDICTION OVER A PORTION OF HIGHWAY RIGHT OF WAY ALONG ROUTE 30 IN THE TOWN OF ROXBURY AND FURTHER AUTHORIZING THE CONVEYANCE OF DELAWARE COUNTY'S INTEREST IN SAID PORTION OF RIGHT OF WAY TO MOUNTAINSIDE FARMS INC. DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Mountainside Farms Inc. has expressed a desire to acquire property being a portion of State Route 30 Right of Way in the Town of Roxbury, being currently unused property due to buildings that have encroached upon the property, said property being between the lands of Mountainside Farms Inc. and the alignment of State Route 30; and

**WHEREAS**, the County of Delaware originally purchased the highway right of way for State Route 30 in this area; and

**WHEREAS**, the New York State Department of Transportation has indicated a willingness to release its maintenance jurisdiction over that portion of property requested by Mountainside Farms Inc.; and

**WHEREAS**, with the abandonment by the New York State Department of Transportation, the County can proceed to convey its interest in that portion of land to Mountainside Farms Inc.; and

**WHEREAS**, a description of said parcel of land is shown on a New York State Department of Transportation Conveyance Map entitled; Roxbury – Grand Gorge, S.H. 5459, Map No. 3-C, Parcel No. 91 as prepared by Joanne Darcy Crum, L.S. and dated April of 2017.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby requests the New York State Department of Transportation to release its maintenance jurisdiction over that portion of highway right of way along State Route 30 in the Town of Roxbury as determined by NYSDOT to be surplus property; and

**BE IT FURTHER RESOLVED** that the Chairman of the Board is herewith authorized to take any action and execute any documents that may be necessary to convey the County’s interest in said parcel (approximately 0.036 acres) of land to Mountainside Farms Inc. at a cost consideration to be approved by the Public Works Committee after negotiations have been completed.

The resolution was seconded by Mr. Spaccaformo.

In answer to Mr. Eisel, Department of Public Works Commissioner Wayne Reynolds stated that the creamery has encroached onto the County and state right-of-way. The adoption of this resolution removes the liability from the state and County.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 39**

**TITLE: AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL AGREEMENT  
FOR THE MAIN SHOP  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 20 of 2014 authorized the Department of Public Works to enter into a contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. (Wendel) for the professional services of Conceptual Design and Programming Phase for the design of a new shop for a not to exceed amount of \$154,000; and

**WHEREAS**, Resolution No. 137 of 2017 authorized the Department of Public Works to enter into Supplemental Agreement No. 1 for the project which expanded the scope of work to include a siting study and structural evaluation of the existing building and increasing the not to exceed contract amount to \$304,000; and

**WHEREAS**, the Public Works Committee has requested Wendel to perform additional work for the qualitative assessment of 3 sites and also the design of temporary structural bracing and partial demolition of the Page Avenue facility.

**NOW, THEREFORE, BE IT RESOLVED** that the County Department of Public Works is herewith authorized to execute supplemental agreement number 2 with Wendel to perform the additional work for a not to exceed amount of \$50,000 bringing the contract not to exceed total to \$354,000.

The resolution was seconded by Mr. Spaccaformo.

In answer to Mr. Gregory, Mr. Haynes noted that the appraisals of the three potential sites should be back to the Department by the end of the week. Mr. Gregory questioned this spending in light of the fact that the sites have not been narrowed down. Mr. Haynes advised that this work is being done as part of the evaluation for the Department's presentation at the next Board of Supervisors meeting.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

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

**RESOLUTION NO. 40**

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY NO LONGER NECESSARY FOR PUBLIC USE  
VETERANS SERVICES AGENCY**

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

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

<u>Department:</u>	<u>Description</u>	<u>Serial No.:</u>
Veterans Services Agency	Oce' Copier	6110484

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

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

**RESOLUTION NO. 41**

**TITLE: STIPULATION WITH VILLAGES IN TAX FORECLOSURE PROCEEDING  
TREASURER'S OFFICE**

**WHEREAS** the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said proceeding is returnable before the New York State Supreme Court Delaware County, May 18, 2018; and

**WHEREAS** said proceeding effects tax liens of both the County and several villages of Delaware County;

**NOW, THEREFORE, BE IT RESOLVED** the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the County will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "Notice of Stipulation."

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



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

**RESOLUTION NO. 42**

**TITLE: A RESOLUTION TO ADOPT THE SECTION 3 PLAN TO COMPLY WITH 24 CFR, PART 135 OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 3 DEPARTMENTS OF PLANNING AND ECONOMIC DEVELOPMENT**

**WHEREAS**, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

**WHEREAS**, Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

**WHEREAS**, Delaware County staff has developed a revised Section 3 Plan in adherence to 24 CFR, Part 135 that more comprehensively addresses the standards and procedures prescribed in the Act; and

**WHEREAS**, the Section 3 Plan has been reviewed by the Delaware County Board of Supervisors and the Delaware County Attorney and their comments have been incorporated into the Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors adopts and will insure implementation of the revised Section 3 Plan to ensure compliance with Federal Law.

The resolution was seconded by Mr. Eisel.

In answer to Mr. Marshfield, the Director of Economic Development Glenn Nealis explained that the US Department of Housing & Urban Development (HUD) requires the County have a Section 3 Plan in place in order to be eligible for grant funding from HUD. A Section 3 Plan establishes certain standards and procedures to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by HUD funds. The proposed Section 3 Plan has been written in adherence to the Section 3 requirements contained in 24 CFR, Part 135, and has been reviewed and approved by the County Attorney.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 43**

**TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING FOR CLOSEOUT OF THE 2015 DELAWARE COUNTY AGRICULTURAL MICROENTERPRISE PROGRAM NEW YORK STATE OFFICE OF COMMUNITY RENEWAL GRANT ADMINISTRATION COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, Delaware County was awarded a Microenterprise grant program through the Office of Community Renewal in 2015; and

**WHEREAS**, Delaware County made the grant funding through this program available to agriculturally based businesses in Delaware County; and

**WHEREAS**, the grant funding received under the Community Development Block Grant Program has been fully disbursed; and

**WHEREAS**, the NYS Office of Community Renewal requires that the governing body of the recipient provides opportunities for community engagement and feedback through the hosting of a public hearing to obtain citizen's views; and

**WHEREAS**, in that regard Delaware County will schedule a public hearing on Wednesday, March 14, 2018 at 12:45 p.m. to be held at the Charles Cook Office Building.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Delaware hereby authorizes and directs the Chairman of the Board of Supervisors and the Director of Economic Development to publicize a public hearing to meet the administration requirements of the grant funds.

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

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

#### **RESOLUTION NO. 44**

#### **TITLE: VILLAGE OF DELHI RIVER WALK PROJECT AUTHORIZATION OF RIGHT-OF-WAY DEPARTMENT OF BUILDING AND MAINTENANCE**

**WHEREAS**, the Village of Delhi has received numerous grants for the development of the Delhi River Walk Project which is a walkway along the river behind Main Street providing people the ability to walk along the river; and

**WHEREAS**, the Village must secure a right-of-away from the landowners bordering the river in order to construct the walkway; and

**WHEREAS**, a right-of-way must be obtained from the County for the paved walkway on the land behind the 99 and 111 Main Street parking lots.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors hereby authorizes the Chairman of the Board to sign the needed documents providing for a right-of-way for the Delhi Riverwalk project.

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

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

## RESOLUTION NO. 45

### TITLE: RESOLUTION CALLING ON ALBANY STRATTON VA MEDICAL CENTER TO RECONSIDER MOVING THE BAINBRIDGE COMMUNITY BASED OUTPATIENT CLINIC VETERANS SERVICES AGENCY

**WHEREAS**, the Albany Stratton VA Medical Center is considering moving the Bainbridge Community Based Outpatient Clinic (CBOC) from Bainbridge to Oneonta, NY; and

**WHEREAS**, the Bainbridge CBOC has been located at its present location since 2009 and has provided services that are convenient to Delaware County veterans, providing excellent services for many area veterans; and

**WHEREAS**, this move was instituted with absolutely no input from area veterans and does not take into consideration the needs of those veterans unable to travel longer distances to access services; and

**WHEREAS**, the current facility owner has passed all inspections conducted by independent VA facility inspection teams and maintains all components of the building in an exemplary manner; and

**WHEREAS**, the reason for making this move is unknown, the current owner of the Bainbridge CBOC has made it clear he would be willing to expand space if needed and would even remove his own chiropractic clinic to accommodate the needs of the VA; and

**WHEREAS**, by moving, the VA is isolating the Delaware County veterans as it pertains to access of healthcare locations without providing some type of transportation arrangement; and

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby call upon the Executive Director of the Albany Stratton VA Medical Center to reconsider moving the Bainbridge CBOC until local veteran input has been received and a clear explanation of why this move should be instituted is explained to our veterans; and

**BE IT FURTHER RESOLVED** that if the Albany Stratton VA Medical Center continues in this endeavor then they should initiate a transportation system that allows Delaware County veterans experiencing transportation issues, free transportation through services provided by the Albany Stratton VA Medical Center; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors forward copies of this resolution to the Albany VA Medical Center Interim Director Darlene DeLancey, Senator Charles E. Schumer, Senator Kirsten Gillibrand, Congressman John J. Faso, Senator James L. Seward, Assemblyman Clifford W. Crouch, and Secretary of Veteran Affairs David J. Shulkin.

The resolution was seconded by Mr. Taggart.

Mr. Marshfield noted that the current owner of the building is very supportive of the veterans and maintains the building very well. This is a well-used clinic that has provided excellent services to its veterans and has been used by Delaware County veterans for many years.

The move was initiated with no input from area veterans and moving the clinic from Bainbridge to Oneonta presents a hardship for many of our veterans.

In answer to Mr. Eisel, Director of Veterans Services Agency Charles Piper said that a reason for the move was not given.

The resolution was 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 resolution and moved its adoption:

**RESOLUTION NO. 46**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,865,299.56 were hereby presented to the Finance Committee for approval for payment on February 23, 2018 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	\$1,689,313.53
OET	\$23,309.90
Public Safety Comm System	\$26,374.40
CAP 97-Main Street	3,865.36
Highway Audits, as Follows:	
Weights & Measures	\$16.25
Road	\$518.70
Machinery	\$80,858.72
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$41,042.70

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,382,835.27 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	\$603,664.14
OET	\$22,105.26
Public Safety Comm System	\$3,057.58
CAP 97 Main Street	0.00
Highway Audits, as Follows:	
Weights and Measures	\$166.87
Road	\$412,170.92

Machinery	\$75,660.90
Capital Road & Bridge	\$80,938.37
Capital Solid Waste	\$25,706.59
Solid Waste/Landfill	\$159,364.64

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Gladstone, Rowe, Hynes).

Chairman Molé made the following appointments:

Delaware County Cooperative Extension Board:  
 Wayland Gladstone, Town of Andes Supervisor  
 Dennis Valente, Town of Davenport Supervisor

Delaware County Planning Board:  
 Dale Downin, Delaware County Code Enforcement Officer  
 James Thomas, Delaware County Department of Public Works

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

**RESOLUTION NO. 47**

**TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss the proposed acquisition of real property because publicity would substantially affect the value of the property.

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

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

Upon a motion, the meeting adjourned at 2:15 p.m.