

## REGULAR MEETING

### DELAWARE COUNTY BOARD OF SUPERVISORS MARCH 14, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 14, 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.

Mr. Marshfield offered the invocation.

Mr. Taggart 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. Haynes who introduced Wendel Corporate Vice President Gerald Summe, Sr. Project Manager Mark Molnar, PE and Commissioner of Public Works Wayne Reynolds to give a PowerPoint presentation entitled: *Delaware County DPW Facility Sites Top Sites Hybrid Site No.11A & 7A and Site No.3.*

Mr. Summe noted that the existing facility on Page Avenue has served the Department of Public Works (DPW) well for many years. The Department and the Public Works Committee has known for some time that the construction of a new DPW maintenance facility was inevitable. The existing facility continues to deteriorate and require extensive and costly improvement.

He further stated that the siting process has evaluated and ranked a total of 12 sites since the initial process began. Primary consideration has been given to relocating the facility out of a floodplain, proximity to the County Seat and the Emergency Operation Center, ability to service all of the department's operations and provide for future expansion. While it is not possible to accommodate every aspect of the ranking criteria to everyone's satisfaction the presentation explored the positive and negative attributes of the final top two sites. The Hybrid Site which includes Site No.11A, (the Bishop Site in the Town of Hamden) and Site No.7A (the existing Site in the Village of Delhi) and Site No. 3 located on County Highway 18 in the Town of Delhi.

Mr. Molnar noted that the Hybrid Site was a suggestion from members of the Board of Supervisors. The positive and negative attributes of Site No. 11A & Site No. 7A were presented. Though Site No. 11A offers just enough room to provide the entire buildout it moves the vehicle maintenance garage 10 miles from the County Seat. From an operations perspective, having the vehicle maintenance garage at Site No. 11A will require more travel from the outside agencies using the County maintenance shop for services. It also increases the distance between the DPW facility, the County Seat and the County Emergency Operations Center during an emergency situation. It was explained that from a response time perspective, the added mileage is completely unacceptable. Site No. 11A would not work for the entire buildout because it moves the Delhi Patrols 10 miles from their current location and over 30 miles from the extent of their

jurisdiction. The additional mileage means that a snowplow averaging 25 MPH would have an increased round trip time of approximately 48 minutes. Additionally, Site No. 7A is located entirely in a floodplain. The proposed mitigation is costly and has the potential of negatively impacting neighboring properties.

The cost of the Hybrid Site is \$27.47 million (Phase 1). The cost of a \$6.96 million Bridge, a road at Hoags Crossing and \$1,940,260 additional over 20 years for vehicle maintenance are not included in this cost.

The presentation continued with the evaluation of Site No. 3 (County Route 18) discussing the site's positive and negative attributes. The strong engineering attributes of this site are superior to any of the other sites considered. The size of the parcel allows for future expansion and is the best location for all of the DPW core activities to be managed and operated centrally. The site is within close proximity to the County Seat and the Emergency Operations Center. There is also a parcel that will be leased for farming and the remainder of the property not being used for the facility will be put back on the market. The site requires a bridge across the West Branch of the Delaware River in order to provide good access to the site. The proposed bridge would be accessible after the Bridge Street and Sherwood Road bridge approaches have flooded. The Committee takes the position that the bridge is both a benefit to the County and to the local community.

The cost of Site No. 3 is \$26.30 million (Phase 1). The bridge and road is included in this cost. The operation and maintenance costs not included in this figure is \$240,426 over 20 years and includes an allowance for added travel of the vehicles to be maintained and the added distance for the snow plow trips.

A discussion of the presentation followed. Mr. Summe, Mr. Molnar and Commissioner Reynolds responded to many questions and concerns regarding the data presented. Discussion reflected concerns relating to flooding on State Route 10 and access to the Village of Delhi during an event, historical preservation, an unspecified amount of available funding to counties relocating critical facilities from a floodplain, the cost of either building project in relation to its impact on the taxpayers of the County and the feeling that other options suggested to the Committee have not been explored prior to a vote.

Commissioner Reynolds noted that a Supervisor's informational packet detailing the history of the DPW operations and site evaluations would be distributed at the conclusion of the meeting and that the full presentation would be available for viewing on the County's website at [www.co.delaware.us](http://www.co.delaware.us).

Mr. Tuthill, speaking as the Town of Delhi Supervisor, stated that his constituents have made clear to him that they are not in favor of having the new DPW facility located on County Route 18. Although he felt the presentation showed considerable effort went into fitting the facility appropriately into a new community it was not enough to make this location a favorable choice for the residents. He shared that he was made aware of possible litigation that could keep the project from moving forward in a timely manner if the Board of Supervisors votes to relocate the DPW facility to Site No. 3.

Mr. Haynes noted that a resolution favorable to the committees preferred location Site No. 3 would be presented at the next Board of Supervisors meeting. He encouraged Supervisors to contact anyone on the Public Works Committee for further discussion or for answers to any

remaining questions or concerns.

Chairman Molé thanked Mr. Summe, Mr. Molnar and Commissioner Reynolds for a very informative presentation. She thanked the Supervisors for their input and ensuing discussion and asked that they be prepared to vote on this issue at the March 28 Board of Supervisors Meeting.

For standing committees, Chairman of the Capital Projects Committee Mark Tuthill announced that there will be a presentation on the planned relocation of the Mental Health Facility on Tuesday, March 27 at 6 p.m. at the Walton Fire Hall.

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

**RESOLUTION NO. 48**

**TITLE: AUTHORIZATION FOR AWARD  
DEPARTMENT OF EMERGENCY SERVICES**

**LETTING OF MARCH 7, 2018**

**WHEREAS**, Delaware County has been awarded grant funding under the State Homeland Security Program from the New York State Division of Homeland Security and Emergency Services (WM2017 SHSP) for equipment; and

**WHEREAS**, the purchase of a utility task vehicle was approved in this grant and the grant award was approved in Resolution 172 of 2017; and

**WHEREAS**, notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Emergency Services is authorized to make award to the lowest bidder meeting specifications as follows:

Utility Task Vehicle: Argo North  
363 Route 513  
Califon, NJ 07830

Bid Price: \$52,000.00

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

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

**RESOLUTION NO. 49**

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

**LETTING OF MARCH 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. 27-18      Purchase of Four (4) Tandem Axle Dump Trucks with  
Snow Equipment to: Tracey Road Equipment, Inc., 6803  
Manlius Center Rd., East Syracuse, NY 13057

Purchase Price:                      \$209,061.00 each (\$836,244.00)

Towns may participate in this bid.

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.

In answer to Mr. Taggart, Commissioner Reynolds explained that the department's fleet manager is developing a regular yearly truck rotation schedule. The department sacrificed other equipment this year in order to purchase these trucks. He pointed out that snow equipment is a critical piece of the department's equipment inventory.

Commissioner Reynolds further stated that this award does not include an extended warranty. The new trucks have been very problematic and a review of historic expenses showed that over a seven year period repairs were in the \$20,000 range. A change order resolution increasing the bid to cover an extended seven-year warranty at a cost of \$5,735 per truck will be brought to the next meeting. He noted that the department has had one of its existing trucks down for the past 20 days. The new trucks are Freightliners and the company has a goal of turning around a down truck within 72 hours.

Mr. Merrill added that the Town of Colchester has a Freightliner and it has proved to be very good.

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

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

**RESOLUTION NO. 50**

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

**LETTING OF FEBRUARY 21, 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. 37-17      Delaware County Bridge Structural Steel Preservation  
Project, PIN 9754.32, D035654 to: Rover Contracting Inc.,  
2424 Route 52, Suite 2F, Hopewell Junction, NY 12533

Purchase Price:                      \$272,800.00

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. Spaccaforno.

In answer to Mr. Marshfield, Mr. Haynes noted that the preservation is on three bridges: County Route 21, bridge number 21-5 and 21-9 and County Route 23, bridge number 23-9.

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

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

**RESOLUTION NO. 51**

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

**LETTING OF MARCH 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. SW1-18      Purchase of Tandem Axle Roll-Off Truck to: Mohawk  
Valley Freightliner, 703 Oriskany Blvd., Yorkville, NY  
13495

Purchase Price:                      \$145,222.00 each (\$290,444.00)

Towns may participate in this bid.

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. Spaccaforno.

Commissioner Reynolds noted that a change order resolution for an extended warranty will be brought to the next meeting.

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

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

**RESOLUTION NO. 52**

**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:

<b><u>Department/Vehicle No.:</u></b>	<b><u>Description:</u></b>	<b><u>Serial No. /VIN No.:</u></b>
DCSO 87	2008 Chrysler PT Cruiser	3A8FY58BX8T126492

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

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

**RESOLUTION NO. 53**

**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:

<b><u>Department/Vehicle No.:</u></b>	<b><u>Description:</u></b>	<b><u>Serial No. /VIN No.:</u></b>
DPW 59	2007 Chevrolet Pickup	2GCEK190071660370
DPW 87	2017 PJ Trailer	4P5F82228H3023264
DPW 303	1999 SA International Dump	1HTGEAHR7XH643971
DPW 730	1988 Champion Motor Grader	720A1874761881088
DPW 380	1999 Mack Dump Truck	1M2P267C7XM043809

The resolution was seconded by Mr. Spaccaforo.

In reply to Mr. Taggart, Mr. Haynes advised that the frame on the 2017 PJ Trailer broke. Commissioner Reynolds further explained that the frame broke on top which is uncommon in this type of equipment. The company was contacted and the department attempted to seek a reasonable settlement however, the company's response was that the equipment was misused.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 54**

**TITLE: OCCUPANCY TAX DISBURSEMENT APPROVAL  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, Local Law No.13 of 2015 established a Hotel Occupancy Tax in Delaware County for the purpose of promoting the tourism industry in Delaware County; and

**WHEREAS**, the Law stipulates that revenues derived from the occupancy tax are to be allocated for the promotion and development of the tourism industry in Delaware County; and

**WHEREAS**, pursuant to the Law, Delaware County established and empowered the Tourism Advisory Board to solicit, review and recommend proposals for the use of the funds raised from the occupancy tax for the promotion and development of the tourism industry in Delaware County; and

**WHEREAS**, the Tourism Advisory Board received and reviewed 59 proposals for use of occupancy tax revenues and has recommended 43 proposals for approval by the Delaware County Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors approves the recommendations of the Tourism Advisory Board regarding projects to be funded through occupancy tax revenues for 2018.

The resolution was seconded by Mr. Eisel.

In response to Mr. Triolo, Director of Economic Development Glenn Nealis said this relates to the portion of bed tax receipts that are open to municipalities and other not-for-profit entities. There were four categories of funding, Arts and Culture, Capital Improvements, Community Celebrations and Promotion, and Marketing. The amount of funding available totaled \$97,957.46. He pointed out that a like amount has been set aside for grants associated with the County's Tourism Promotion Agency. The gross amount of bed tax collected in 2017 was approximately \$217,000 with a net figure of \$195,914.92.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, absent 0.

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

**RESOLUTION NO. 55**

**TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC  
HEARING FOR THE PURPOSE OF SEEKING PUBLIC INPUT IN REGARD TO THE  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL  
CDBG SMALL BUSINESS ASSISTANCE PROGRAM  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the NYS Office of Community Renewal is accepting applications from eligible communities to compete for funds available through the 2018 CDBG Small Business Assistance Program; and

**WHEREAS**, a request for assistance, in the form of a grant, has been received by the County to aid in the expansion of a local business; and

**WHEREAS**, the NYS Office of Community Renewal application process requires that the governing body of the applicant hold a public hearing to obtain the view of citizens on community development and housing needs, as well as the proposed activity.

**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 schedule a public hearing on Wednesday, March 28, 2018 at 12:45 p.m. to be held at the Charles Cook Office Building.

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

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

#### **RESOLUTION NO. 56**

#### **TITLE: DELAWARE RIVER BASIN SUBCOMMITTEE ON ECOLOGICAL FLOWS DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the Delaware River Basin Commission will soon approve the reinstatement of the Subcommittee on Ecological Flows (SEF) to the Regulated Flow Advisory Committee (RFAC) which focusses on environmental conditions and aquatic habitat needs in the Upper Delaware River; and

**WHEREAS**, the SEF will serve as a scientific body and public forum for the discussion of important water resource issues such as the Flexible Flow Management program and may lead to policy decisions that have a direct impact on the economic livelihood of residents of Delaware County; and

**WHEREAS**, the Upper Delaware River Tailwaters Coalition (UDRTC) is comprised of elected officials and non-profit organizations in Delaware County, NY dedicated to the sound management of water resources to benefit people, communities, the economy and natural resource values of the region; and

**WHEREAS**, the UDRTC has emerged as a leading voice across the Delaware River watershed and has spearheaded the development of a comprehensive Stream Corridor Management Plan for Delaware County below the NYC Delaware basin reservoirs; and

**WHEREAS**, the SEF is comprised of seven seats filled by federal and state agencies and four seats available to non-profit conservation interests and other community based interests.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors urges the Delaware River Basin Commission to appoint a representative from the UDRTC to the SEF.

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

In answer to Mr. Triolo, Commissioner of Watershed Affairs Dean Frazier noted that the issues related to ecological flows are fishing and recreation below the dams. He noted that the Towns of Colchester, Hancock and Deposit will be greatly affected in that the habitat of the aquatic organisms that keep the food supply for the fishery in balance would be detrimentally affected. These Towns and their communities are often the first to be impacted financially. The resolution seeks support from the Board of Supervisors for the Upper Delaware River Tailwaters Coalition to have a seat on this subcommittee when it is reinstated by DRBC

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 57**

#### **TITLE: RESOLUTION REQUESTING IMMEDIATE ATTENTION BE GIVEN TO A SOLUTION TO THE DAIRY FARM CRISIS BY US SENATOR CHARLES SCHUMER, US SENATOR KIRSTEN GILLIBRAND AND CONGRESSMAN JOHN FASO DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, agriculture historically and currently represents an important and significant economic engine for Delaware County; and

**WHEREAS**, the dairy farm sector has been and still is the major economic agricultural enterprise in the County; and

**WHEREAS**, the dairy farm milk price during 2017 was part of an ongoing decline over the past three years and projections for 2018 are even more bleak than 2017, reflecting prices received at the farm over ten years ago; and

**WHEREAS**, this current trend of severely declining milk prices combined with ever increasing operating costs is at crisis levels; and

**WHEREAS**, it is anticipated due to price declines, that significantly more dairy farmers will go out of business in the county in 2018 diminishing the overall economic viability of local communities, shedding more direct and indirect related dairy farm jobs and threatening the livelihood of too many hardworking farm families; and

**WHEREAS**, this crisis is a nationwide phenomenon; and

**WHEREAS**, the federal government sets the milk price dairy farmers receive through the Federal Dairy Program; and

**WHEREAS**, the solution at the farm level, is very often, to produce more milk to survive financially adding to an overall nationwide surplus of milk leading to even lower prices; and

**WHEREAS**, a solution for the dairy farmers current dilemma is needed to assist them in weathering a devastating set of circumstances outside of their control.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors maintains that it is incumbent upon US Senator Charles Schumer, US Senator Kirsten Gillibrand and Congressman John Faso to make it a priority to urgently and faithfully represent the dairy farmers of our County and State toward a solution to provide a federal program that will provide relief soon, for the dairy farm industry before it is decimated beyond repair by the current trends.

The resolution was seconded by Mr. Davis.

Mr. Triolo explained that milk pricing is determined by four classes of milk. Class 1, fluid milk (which demands the highest price), Class 2, ice cream and yogurts, Class 3, soft and hard cheeses and Class 4, butter and dry products. Class 3 and 4 are the bases for all the pricing of milk. The farmer receives a blended price based on the utilization in the market. Due to the decline of fluid milk the blended price has decreased significantly. For example, in 1975, this country used 53.8 billion pounds of fluid milk averaging to about 246 pounds per person. In 2016, this country used 49.7 billion pounds of fluid milk averaging to about 152 pounds per person. Even though actual use of milk has gone up based on an increase in utilization of Class 3 and 4 products the farmer does not benefit due to the blended pricing.

This resolution calls for our elected officials to work toward a solution to provide a federal program that will provide immediate relief. In the meantime, he feels locally people can start by buying local milk and increasing daily usage of fluid milk. He pointed out on each carton there is a plant number. The number 36 on the milk carton indicates the milk was processed in New York State.

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 adoptions:

**RESOLUTION NO. 58**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,197,450.56 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	\$909,258.94
OET	\$17,775.98
Public Safety Comm System	\$0.00
CAP 97-Main Street	\$0.00

Highway Audits, as Follows:

Weights and Measures	\$16.25
Landfill	\$42,739.80
Road	\$171,056.26
Machinery	\$56,286.15
Capital Road & Bridge	\$317.18
Capital Solid Waste	\$0.00

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

Upon a motion, the meeting adjourned at 3:55 p.m.