

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS NOVEMBER 28, 2018

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 28, 2018 at 1:05 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. Davis and Mr. Pigford.

Mr. Marshfield offered the invocation.

Mr. Merrill led the Board in the Pledge of Allegiance to the Flag.

The minutes of the previous meeting were accepted as presented.

Clerk of the Board Christa Schafer read a letter from Cornell Cooperative Extension Executive Director Jeanne Darling, Camp Administrator John Hannum and Camp Director Corrine Tompkins expressing appreciation for the opportunity to have an officer again this summer providing overnight security stationed at 4-H Camp Shankitunk. Thanks was extended to the Board of Supervisors, Sheriff Craig DuMond, 1st Sargent John Lehmann and all of the officers who patrolled the camp this summer.

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 Environmental Planner Kristin Janke-Schneider to give an update on watershed issues.

The comments and Power-Point presentation shared by Ms. Janke-Schneider were prepared by the Delaware County Core Group partners. The Core Group partners include the Delaware County Board of Supervisors, County Departments of Economic Development, Emergency Services, Planning, Public Works, and Watershed Affairs along with the Delaware County Soil and Water Conservation District and the Cornell Cooperative Extension.

Delaware County's three reservoirs are the Schoharie, the Pepacton and the Cannonsville. The reservoirs are in the Catskill/Delaware Systems which host the largest reservoirs in the entire watershed, providing up to 90 percent of New York City's daily drinking water needs. Watershed stewardship is essential to ensure protection of these reservoirs and Delaware County has proven to be a leader in scientific solutions to watershed management.

The findings of the National Academy of Sciences panel are extremely valuable to Delaware County. It is essential that the watershed programs be scientifically and technically sound. If not, they may not deliver what is needed, may have too many unintended effects on the County, be unreasonably expensive for the County and New York City and make it extremely difficult to gain voluntary cooperation of the local people who are the most important for protection.

The Core Group believes that the continuation of key programs like those sponsored by the Catskill Watershed Corporation and the Watershed Agricultural Council coupled with locally driven programs such as the Local Flood Mitigation program and the Stream Corridor Management program are essential to the continued success of watershed protection. They also believe there is more work to be done to insure the sustainability of the watershed communities. This includes revisiting the land acquisition program and the socio-economic impacts of continuing it in its current form. Socio-economic monitoring is essential to providing long term stewardship. If these things can be accomplished it is felt that the partnership between New York City and the host watershed communities is replicable and proven to be effective for managing high quality water while maintaining successful communities that embrace the watersheds they live in.

For the reasons stated above, an invitation was sent to the National Academy of Sciences panel members inviting them to tour the watershed and key land management aspects on Thursday, December 13 and meet on Friday, December 14 in the Board of Supervisors Room from 9:00 a.m. to noon. The tour and meeting will be co-hosted by the Watershed Agricultural Council, Catskill Watershed Corporation, and Delaware County Board of Supervisors. Supervisors were invited and encouraged to attend.

Chairman Molé thanked Ms. Janke-Schneider for an informative update.

Chairman Molé granted privilege of the floor to Director of Economic Development Glenn Nealis to give an update on the Delaware County Occupancy Tax.

Mr. Nealis shared there are 536 registered lodging establishments in the County and to date \$188,745 has been collected. This amount is three percent higher than the same time last year despite what might be considered a less than desirable spring, summer and fall. He explained revenues derived from the occupancy tax in one year are made available for disbursement the following year. Funds are allocated on a 50/50 split between the two categories, Tourism Promotion & Development Grants and TPA Block Grants and require a dollar to dollar match. Since 2017, the occupancy tax revenues have been utilized to provide over \$260,000 in funding to support 79 projects throughout the County.

The occupancy tax went into effect in March of 2016 and has a sunset provision for February of 2019. The Department of Economic Development is drafting a Local Law to bring to a future meeting of the Board of Supervisors for the continuance of the occupancy tax.

In answer to Mr. Cetta, Mr. Nealis stated that Airbnbs are included in the 536 registered lodging establishments. He further stated that in 2016 the County signed an agreement with Airbnb, Inc. to collect and submit to the County its 2 percent occupancy tax on all rentals booked through their business.

In response to Chairman Molé, Mr. Nealis stated that currently monitoring collections from Airbnb, Inc. is difficult based on security statements within the current contract and is an area that needs to be discussed with the County Attorney moving forward.

County Treasurer Beverly Shields added Airbnb, Inc. tracks their clients by number not by name.

Mr. Nealis stated in reply to Mr. Eisel, that based on the current number of registered lodging establishments he felt the majority of establishments were participating. He credited the Treasurer's Office and employee Tina Westbrook for their diligence.

Mr. Triolo added that the Treasurer's Office works very hard to find these properties. He feels the established system is working well and has been able to level the playing field.

In answer to Mr. Layton, Mr. Nealis explained that Airbnb, Inc. is a service agency that markets and collects taxes for rental properties that are listed with them.

Chairman Molé thanked Mr. Nealis for the update.

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

RESOLUTION NO. 217

**TITLE: 2018 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 from the Delaware County Rural Healthcare 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 2018 Budget be amended as follows:

INCREASE REVENUES:

10-16772-42270602/6772051/977	Grant from Local	\$7,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327000/6772051/977	Contracted Services	\$7,000.00
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The resolution was seconded by Mr. Merrill.

In answer to Mr. Marshfield, Director of Office for the Aging Wayne Shepard stated that this program is very desirable and has a waiting list of 165 seniors.

The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3717, Noes 0, Absent 1082 (Gladstone, Davis, Pigford).

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

RESOLUTION NO. 218

**TITLE: 2018 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MEDICAL TRANSPORTATION
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$2,000 from Rural Health Alliance of South Central New York to expand the agency’s existing non-emergency medical transportation program for the County’s older population; and

WHEREAS, this funding will be used increase the number of non-emergency medical transportation trips for the county’s older population;

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

INCREASE REVENUES:

10-16772-42270602/6772052/977	Grants from Nonprofit	\$2,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327625/6772052/977	Travel	\$2,000.00
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The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 3717, Noes 0, Absent 1082 (Gladstone, Davis, Pigford).

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

RESOLUTION NO. 219

**TITLE: 2018 BUDGET AMENDMENT
TRANSFER OF FUNDS
PLANNING DEPARTMENT**

WHEREAS, Delaware County Planning in cooperation with Delaware County DPW, Sherriff’s Office and the Emergency Management Office has researched the applicability of using Drone to Map programming as a way to develop efficiency in providing County services; and

WHEREAS, the Planning Department would like to purchase a drone, cameras and the required Drone to Map software to assist in search and rescue missions, accident reconstruction, hazard evaluation, site assessments and long term planning; and

WHEREAS, the Planning Department has researched the cost of all equipment request for the 2019 fiscal year, including the drone and software; and

WHEREAS, the Planning Department has had difficulty filling two vacant positions for more than six months due to a limited number of approved applicants, leaving sufficient funds in the Department’s Personal Services account; and

WHEREAS, the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer, have agreed to reduce the budget request for 2019 in lieu of purchasing equipment with these funds in 2018;

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

FROM:

10-18020-51000000	Personal Services	\$35,000.00
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TO:

10-18020-52200000	Equipment	\$35,000.00
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The resolution seconded by Mr. Valente and Mr. Ellis and adopted by the following vote: Ayes 3717, Noes 0, Absent 1082 (Gladstone, Davis, Pigford).

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

RESOLUTION NO. 220

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
DEPARTMENT OF BUILDING AND GROUNDS**

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 Building and Grounds 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>
52	2006 Chevy Silverado	1GCHK29U26E262757

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

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

RESOLUTION NO. 221

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
DEPARTMENT OF PUBLIC HEALTH 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 Public Health 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>
91	2008 Chevy Impala	2G1WB58N181241866

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

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

RESOLUTION NO. 222

**TITLE: AMENDMENT TO RESOLUTION NO. 213-18
CONVERSION OF FOREST LAND
TREASURER'S OFFICE**

WHEREAS, the amounts stated in Resolution No. 213-2018 were incorrect.

NOW, THEREFORE, BE IT RESOLVED that roll-back taxes be corrected and levied as follows:

TOWN OF ANDES	Tax Map No. 283.-1-9.2 formerly assessed to Richard Hennelly, now assessed to Joseph Hennelly	\$70,577.93
TOWN OF ANDES	Tax Map No. 283.-1-24 formerly assessed to Richard Hennelly, now assessed to Joseph Hennelly	\$5,325.14

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 223

TITLE: DIRECT TOWN TAX

BE IT RESOLVED that pursuant to §233a of the County Law, the nineteen towns of the County be and hereby are charged \$157,371.94 for the assessment rolls, field books, tax bills, etc.; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors be authorized and directed to apportion said sum against the taxable property of the nineteen towns of the County of Delaware and that said sum be incorporated into the County Treasurer's Preliminary Report of charges and credits to the said towns in accordance with the apportionment.

The resolution was seconded by Mr. Marshfield and Mr. Vernold and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 224

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2018 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>
Andes	\$3,055.80
Bovina	\$3,927.76
Colchester	\$10,088.71
Davenport	\$2,725.68
Delhi	\$9,775.01
Deposit	\$5,593.93
Franklin	\$9,392.03
Hamden	\$1,389.38
Hancock	\$15,028.68
Harpersfield	\$4,549.46
Kortright	\$7,275.96
Masonville	\$2,907.67
Meredith	\$3,772.23
Middletown	\$18,141.51
Roxbury	\$14,456.33
Sidney	\$14,838.55
Stamford	\$7,714.68
Tompkins	\$3,114.23
Walton	\$5,566.83

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 225

TITLE: APPORTIONMENT OF MORTGAGE TAX

WHEREAS, §261 of the Tax Law makes it mandatory to apportion the mortgage tax semi-annually and a report has been received from the recording officer and the County Treasurer for the period ending September 30, 2018.

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be directed to pay to the several towns and villages of Delaware County the amounts stated below; the same having been apportioned according to the aforementioned §261; and

BE IT FURTHER RESOLVED that the foregoing statement shall be to the County Treasurer a sufficient warrant for the payment of said monies.

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Andes	\$10,667.16	\$10,667.16	
Bovina	\$8,096.26	\$8,096.26	
Colchester	\$9,796.38	\$9,796.38	
Davenport	\$40,958.06	\$40,958.06	
Delhi	\$27,507.05	\$23,430.25	\$4,076.80
Deposit	\$9,538.15	\$3,279.91	\$6,258.24
Franklin	\$17,670.76	\$16,904.64	\$766.12
Hamden	\$8,819.50	\$8,819.50	
Hancock	\$22,799.06	\$20,825.22	\$1,973.84
Harpersfield	\$8,197.72	\$7,342.77	\$854.95
Kortright	\$13,991.24	\$13,991.24	
Masonville	\$7,617.14	\$7,617.14	
Meredith	\$9,177.54	\$9,177.54	
Middletown	\$37,716.88	\$34,254.51 FL	\$1,021.01
		MV	\$2,441.36
Roxbury	\$19,860.60	\$19,860.60	
Sidney	\$21,677.88	\$15,508.55	\$6,169.33
Stamford	\$16,255.54	\$12,605.04 ST	\$1,496.29
		HO	\$2,154.21
Tompkins	\$7,685.75	\$7,685.75	
Walton	\$19,883.10	\$16,305.50	\$3,577.60
Totals	\$317,915.77	\$287,126.02	\$30,789.75

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 226

**TITLE: SUBSTANCE ABUSE PREVENTION TASK FORCE
DEPARTMENT OF PUBLIC HEALTH SERVICES**

WHEREAS, drug overdose and abuse is a serious public health concern and opioid-related overdose has increased as a health threat; and

WHEREAS, Delaware County is considered a high burden area of the state in the opioid crisis; and

WHEREAS, Delaware County shall convene a task force consisting of representation from Public Health, Community Services (Mental Health), Substance Abuse Services, local hospitals, Probation, Emergency Services, Veteran's Affairs, Department of Social Services, Sheriff's Department, state and local police, Alcohol and Drug Abuse Council, schools, community agencies and any additional agencies and organizations deemed appropriate; and

WHEREAS, the Task Force's mission is to ensure that Delaware County and its surrounding partners work together to help reduce opioid, heroin and other substance addiction, prevent overdose deaths, and improve the quality of life in our community; and

WHEREAS, the Task Force will work to identify barriers and develop solutions to issues resulting from the increase in substance abuse in Delaware County with a focus on community education, outreach prevention, educating medical professionals, substance abuse treatment and enforcement response, increasing community collaboration and awareness to create a safe and healthy community.

NOW, THEREFORE, BE IT RESOLVED that Delaware County appoints a Substance Abuse Prevention Task Force to be chaired by Delaware County Public Health Services.

The resolution was seconded by Mr. Vernold and Mr. Triolo adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 227

**TITLE: YEAR END ACCOUNTING MODIFICATIONS TO THE 2018 BUDGET
DEPARTMENT OF FISCAL AFFAIRS**

WHEREAS, there are many bookkeeping entries that are needed to close out the books for 2018; 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 2018 Budget and to file a written report to the Finance Committee before the books for 2018 are actually closed.

The resolution was seconded by Mr. Tuthill and Mr. Marshfield and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

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

RESOLUTION NO. 228

TITLE: APPORTIONMENT OF COUNTY SELF INSURANCE BUDGET

RESOLVED that the budget for the County Self Insurance Fund for Workers' Compensation and Volunteer Firemen's Benefits in the total amount of \$1,850,000, as set forth below be accepted as part of the records of this Board.

<u>Participant</u>	<u>Full Value Assessment</u>	<u>Apportioned Amount to Raise</u>
County of Delaware	5,796,419,957	\$867,334.98
<u>Towns</u>		
Andes	443,065,336	\$66,297.14
Bovina	155,635,748	\$23,288.22
Colchester	843,191,010	\$126,169.10
Davenport	205,680,711	\$30,776.60
Delhi	312,776,867	\$46,801.70
Deposit	328,761,947	\$49,193.60
Franklin	214,128,430	\$32,040.65
Hamden	162,757,361	\$24,353.85
Hancock	450,616,507	\$67,427.04
Harpersfield	143,213,365	\$21,429.43

Kortright	159,309,763	\$23,837.98
Masonville	102,720,674	\$15,370.39
Meredith	141,423,632	\$21,161.62
Middletown	702,861,109	\$105,171.13
Roxbury	431,557,418	\$64,575.18
Sidney	268,740,956	\$40,212.48
Stamford	178,867,338	\$26,764.43
Tompkins	183,173,251	\$27,408.74
Walton	367,938,534	\$55,055.70
<u>Villages</u>		
Delhi	92,712,826	\$13,872.89
Deposit	43,126,130	\$6,453.09
Franklin	18,567,215	\$2,778.27
Hancock	78,024,876	\$11,675.09
Stamford (Harpersfield)	29,871,895	\$4,469.82
Stamford (Stamford)	32,928,662	\$4,927.20
Fleischmanns	38,053,391	\$5,694.04
Sidney	152,962,412	\$22,888.21
Hobart	47,407,612	\$7,093.74
Walton	132,407,724	\$19,812.55
<u>Fire Districts</u>		
Arena, Hardenburgh	16,903,108	\$2,529.26
Midd.-Hard., Hardenburgh	47,564,393	\$7,117.20
Deposit	40,223,009	\$6,018.68
TOTAL	12,363,593,167	\$1,850,000.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 229

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,528,792.98 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	\$774,069.42
OET	\$38,463.58
Public Safety Comm System	\$343,276.14
CAP 97-Main Street	\$0.00
Risk Retention	588.58
Highway Audits, as Follows:	
Weights and Measures	\$273.81
Landfill	\$156,331.84
Road	\$130,414.83
Machinery	\$52,288.14
Capital Road & Bridge	\$1,032,167.64
Capital Solid Waste	\$919.00

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 230

TITLE: ADOPTION OF 2019 DELAWARE COUNTY BUDGET

WHEREAS, the Tentative Budget for the year 2019 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 2019 be adopted.

The resolution was seconded by Mr. Tuthill.

Budget Director Arthur Merrill stated that the actual Workers' Compensation assessment figure was less than the estimated figure and reduced the 2019 tax levy to 1.4833 percent.

Chairman Molé stated she felt this was a very good budget.

The resolution was adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

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

RESOLUTION NO. 231

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No. 230, dated November 28, 2018 adopted a budget for the fiscal year 2019;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified effective January 1, 2019.

The resolution was seconded by Mr. Tuthill and adopted by the following vote: Ayes 3847, Noes 0, Absent 952 (Davis, Pigford).

Upon a motion, the meeting adjourned at 1:45 p.m.