

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

OCTOBER 23, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 23, 2019 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. Eisel, Mr. Spaccaforno and Mr. Layton.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting and public hearing were accepted as presented.

The Clerk noted that all communications received have been referred to the appropriate committees for review.

Chairman Molé granted privilege of the floor to Supervisor Marshfield. Mr. Marshfield introduced Director of Veterans Service Agency Charles Piper to provide an overview of the Delaware County Veterans Stand-Down event that will be held on Wednesday, November 6 from 10:00 a.m. until 2:00 p.m. at the Catskill Veterans Outreach Center in Stamford.

Mr. Piper explained that stand-down is a wartime term used for a period of time when military personnel who are in harm's way are sent to another location where their basic necessities will be taken care of, for instance, for needed medical assistance, clothing, food or other necessary services. A Veterans Stand-Down event provides counseling referrals, healthcare services, housing resources, legal services, wellness tips, and other services based on the needs of the population.

Mr. Piper referred to an information packet on each Supervisor's desk which includes more details on the stand-down along with a flyer for the event and a list of vendors who will be manning tables to provide services. Veterans who attend will be directed to vendors based on their particular need. The Hitching Post will provide a free lunch for veterans and their families and also available will be flu shots, blood pressure readings, haircuts and personal care items. Lastly, veterans will be able to peruse a selection of military surplus items that will help provide some basic needs. The Stand-Down is open to all veterans who are in need and all services and items are provided free of charge. Veterans should bring proof of their veteran status.

Mr. Piper stated he hopes to make this an annual or biennial event depending on need.

In reply to Mr. Cetta, Mr. Piper confirmed that pre-registration is not necessary.

Chairman Molé and Mr. Marshfield thanked Mr. Piper.

For standing committee reports Capital Projects Committee Chairman Mark Tuthill stated that he received an opinion of probable construction costs to enclose the balance of the second floor of the Mental Health facility. The estimate is approximately \$475,000 for 4,100 square feet with an additional exit stairway including architectural structure, fire protection, HVAC, electrical, light, safety and security. The Capital Projects Committee will need approval from the Board to move forward.

Mr. Taggart commented that the cost is approximately \$125 per square foot which would be money well spent. In the past, the jail was built with the option to add a second story but today that is not feasible as the jail would have to be empty for that construction. He opined that if this second floor is not added now, it probably would never be done. This cost is a very reasonable building expense.

Mr. Tuthill reported that C&S Companies Managing Architect Eric Witschi wished to stress to the Board that with the distinct security involved at the Mental Health facility, other agency offices may not belong in the same building. The additional space will be limited on how it can be used.

Chairman Molé expressed that the County lacks storage space and currently pays rent for storage space outside of the County so this space could be used for storage.

Mr. Valente stated that three departments—the Department of Public Works, Social Services, and the Board of Elections utilize large amounts of storage space for the vast volume of records they are required to keep.

Mr. Cetta expressed that 4,100 square feet is about a 20% increase in space at about 1/3 of what the construction cost will be for the current plan.

Upon a motion by Mr. Valente, seconded by Mr. Gladstone and Mr. Taggart and being unanimous among the Board, the Capital Projects Committee will pursue a revision to the project plan to enclose the balance of the second floor.

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

RESOLUTION NO. 144

**TITLE: 2019 BUDGET AMENDMENT
FUNDING FROM DELAWARE COUNTY LOCAL DEVELOPMENT CORPORATION
ECONOMIC DEVELOPMENT**

WHEREAS, Delaware County was awarded a grant of \$200,000 in 2016 from NYS Office of Community renewal for the implementation of a microenterprise grant program; and

WHEREAS, the Delaware County Local Development Corporation is administering the program on behalf of the County and is able to utilize a portion of the grant to reimburse the LDC and the County for certain expenses incurred in the implementation of the program; and

WHEREAS, the Delaware County Local Development Corp. has received \$4,903.00 for administrative expenses of the program which it will transfer to Delaware County Economic Development.

NOW, THEREFORE, BE IT RESOLVED, that the following 2019 budget modification be made:

INCREASE REVENUE:

10-16326-42238906	Delaware County LDC	\$4,903.00
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INCREASE APPROPRIATION:

10-16326-52200000	Equipment	\$1,900.00
10-16326-54308000	Future Development	\$3,003.00

The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforno, Layton).

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

RESOLUTION NO. 145

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF GRANT FUNDING FOR MEDICAL TRANSPORTATION
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$2,000.00 from Rural Health Network 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.

THEREFORE, BE IT RESOLVED that the estimated revenues and appropriations for the year 2019 will be increased as follows:

INCREASE REVENUES:

10-16772-42270602/6772056/977	Grants from Nonprofit	\$2,000.00
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INCREASE APPROPRIATIONS:

10-16772-54327625/6772056/977	Grant Travel	\$2,000.00
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforo, Layton).

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

RESOLUTION NO. 146

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
OFFICE FOR THE AGING**

WHEREAS, Delaware County Office for the Aging planned to purchase four computers from the 2019 budget; and

WHEREAS, the agency ordered a total of seven computers due to a recommendation from the Information Technology Department following computer upgrades; and

WHEREAS, the total cost of these computers is higher than the amount in the equipment line in the agency's 2019 budget; and

WHEREAS, there is available money to cover the cost of the additional computers in the agency's Contractual Services budget line.

THEREFORE, BE IT RESOLVED that the transfer of funds be authorized as follows:

INCREASE APPROPRIATIONS

10-16772-52200000	Equipment	\$4,358.00
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DECREASE APPROPRIATIONS:

10-16772-54200000	Contracted Services	\$4,358.00
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The resolution was seconded by Mr. Merrill and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforo, Layton).

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

RESOLUTION NO. 147

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

LETTING OF OCTOBER 3, 2019

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. 31-19 Delaware County Bridge Structural Steel Preservation Project
PIN 9754.34, D036260 to: Atlas Painting and Sheeting Corp.,
465 Creekside Drive, Amherst, NY 14228

Bid Price: \$369,000.00

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. Davis.

Mr. Haynes indicated this award is for the following three bridges: County Route 16, first bridge heading out of Fraser, Cornell Avenue bridge in Hobart, and County Route 18, first bridge entering Hobart.

The resolution was adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaferno, Layton).

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

RESOLUTION NO. 148

TITLE: RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION TO REPEAL THE HEALTH INSURANCE TAX (HIT)

WHEREAS, the Jobs and Premium Protection Act of 2019 (H.R. 2447) repeals the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act (PPACA); and

WHEREAS, the Health Insurance Tax (HIT) is one of the largest tax increases included in the PPACA, which was signed into law in 2010; and

WHEREAS, medical carriers have broadly been reporting around a 2% increase to the renewals for this mandate alone; and

WHEREAS, repealing the HIT is a critically important step to protect consumers and small business owners.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors supports the repeal of the Health Insurance Tax (HIT) (Bill S.80); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors supports the Jobs and Premium Protection Act of 2019 (H.R.2447); and

BE IT FURTHER RESOLVED that the Clerk to the Board of Supervisors shall forward copies of this resolution to Governor Andrew Cuomo, Senator Jen Metzger, Senator Fred Akshar, Representative Charles Schumer, Representative Antonio Delgado, the New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

The resolution was seconded by Mr. Ellis.

Supervisor Marshfield stated that repeal of HIT Bill HR 2447 was introduced by Democratic Congressman Anthony Brindisi of Binghamton and co-sponsored by a Republican Congressman from Texas which shows support on both sides. This bill is for the repeal of the annual fee on health insurance providers. If not repealed, it will cause serious implications for State Medicaid programs and Medicaid beneficiaries. Our County has finally about 10 years ago stabilized our Medicaid costs which today is stabilized at just over \$8 million dollars direct to our taxpayers. He believes if this is not repealed or delayed the State, which supposedly will absorb these costs, will put some over onto the County. If it is not repealed it will decrease New York State's Gross Domestic Product (GDP) by \$632 million over a decade. HIT is a tax on the public health program which supports our most vulnerable citizens. It has a serious implication for the State Medicaid program. It impacts individual consumers, small and large business employees, Medicare beneficiaries (senior citizens), and Medicaid managed care beneficiaries.

He further noted if allowed to be reinstated, it will add about \$196 to the individual market, \$479 per family in the small business group market, \$458 per family in the large business group market, \$241 for seniors in the Medicare Advantage market, and \$157 for the Medicaid Program. It is estimated that it will affect 142 million people nationwide who will pay higher rates for health care. The federal government will lose \$159 billion in revenue over a 10-year period, however, he opined there is lots of room for improvement in their wasteful spending. Mr. Marshfield said he therefore promotes this resolution to be passed.

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. 149

**TITLE: 2019 BUDGET AMENDMENT
ACCEPTANCE OF ELECTRONIC POLL BOOK LOCALITIES GRANT
AND RECISSION OF RESOLUTION NO. 108-2019
BOARD OF ELECTIONS**

WHEREAS, New York State Law requires the use of E-Poll Books for early voting and at the poll sites; and

WHEREAS, New York State Law requires Early Voting and the use of On Demand Printers to implement Early Voting at our Election Office; and

WHEREAS, additional funding of \$14,662.46 has been awarded to the Electronic Poll Book Localities Grant, thus the Board of Elections no longer needs a transfer from the contingency account as approved by Resolution No. 108-2019.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 108–2019 is hereby rescinded and the acceptance of additional grant funding be authorized.

INCREASE REVENUE:

10-11450-43308000/1450007/961	State Board of Elections	\$14,662.46
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INCREASE APPROPRIATIONS:

10-11450-52200001/1450007/961	Equipment Grant	\$1,570.00
10-11450-54327580/1450007/961	Grant Software	\$13,092.46

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaferno, Layton).

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

RESOLUTION NO. 150

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
MEDICAL EXAMINER**

WHEREAS, the Medical Examiner’s Department is in need of additional funds for the remainder of the year necessitating a transfer from the Contingency Fund.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended as follows:

TRANSFER FROM:

10-11990-54900000	Contingency Account	\$20,000.00
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TRANSFER TO:

10-11185-51000000	Personal Services	\$13,000.00
10-11185-54115000	Autopsy Review	\$5,000.00
10-11185-54625000	Travel	\$1,000.00
10-11185-58300000	Social Security	\$810.00
10-11185-58900000	Medicare	\$190.00

The resolution was seconded by Mr. Taggart and Mr. Marshfield.

Chairman Molé stated this resolution is necessary because there have been about 20 more deaths this year.

The resolution was adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforno, Layton).

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

RESOLUTION NO. 151

**TITLE: 2019 BUDGET AMENDMENT
TRANSFER OF FUNDS
SHERIFF'S OFFICE**

WHEREAS, funds have been made available to the Sheriff's Office by Personal Services funding that was allocated for kitchen staff; and

WHEREAS, due to an increase in board in inmates during the current year, our food expense has increased. As the contractual services with Trinity include labor cost and as labor costs for kitchen staff were left in the budget to account for the increase.

THEREFORE, BE IT RESOLVED that the 2019 budget be amended to reflect the purchase of said supplemental items, as follows:

TRANSFER FROM:

10-13150-51000000	Personal Services Exp. - Jail	\$75,000.00
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TRANSFER TO:

10-13150-54310000	Food	\$75,000.00
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The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaforno, Layton).

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

RESOLUTION NO. 152

**TITLE: AMENDMENT OF RESOLUTION NO. 140-19
SALE OF COUNTY OWNED PROPERTY**

WHEREAS the cash consideration and address were incorrect;

THEREFORE, BE IT RESOLVED that the County of Delaware convey this property as follows:

DEP17TX.019

ASSESSED TO:

MARILYNN P SOMMERS ESTATE

TOWN OF:	123001:DEPOSIT
TAX MAP NO:	349.17-3-1
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	90'F x 205'D: 0.25A ACRES
CONVEYED TO:	MIRIAM ABDUL-MAJIED MUJAHEED ABDUL-MAJIED 60 SARATOGA AVE #406 BINGHAMTON NY 13903
CASH CONSIDERATION:	\$3,000.00
	VILLAGE SHARE \$1,560.00
	COUNTY SHARE \$1,440.00
TAX DEFICIT:	\$2,039.04

The resolution was seconded by Mr. Tuthill and Mr. Marshfield and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaferno, Layton).

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

RESOLUTION NO. 153

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

HAN17TX.041

ASSESSED TO:

KATHLEEN MARY LEONARD

TOWN OF:	123601:HANCOCK
TAX MAP NO:	439.6-1-12
SCHOOL DISTRICT:	123606:HANCOCK
ACREAGE:	120'F x 250'D ACRES
CONVEYED TO:	FINEST CONTRACTING INC C/O TODD HILLKEWICZ 99 WESTWOOD RD NORTH MASSAPEQUA PARK NY 11762
CASH CONSIDERATION:	\$12,000.00
TAX DEFICIT:	\$8,415.69

HAN17TX.065

ASSESSED TO:

DANIEL P WOOD JR

TOWN OF:	123689:HANCOCK
TAX MAP NO:	420.2-2-23
SCHOOL DISTRICT:	122401:DOWNSVILLE
ACREAGE:	66'F x 90'D: 0.14A ACRES

CONVEYED TO:

JOHN APPLEY
PO BOX 247
EAST BRANCH NY 13756

CASH CONSIDERATION:

\$6,000.00

TAX DEFICIT:

\$6,195.84

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaferno, Layton).

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

RESOLUTION NO. 154

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,460,275.93 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	\$993,111.89
OET	\$20,551.27
Public Safety Comm System	\$15,334.88
CAP 97 Main Street	\$163.59
CAP MHC	\$38,418.03
Highway Audits, as Follows:	
Weights and Measures	\$718.97
Landfill	\$62,487.59
Road	\$49,440.46
Machinery	\$110,001.48
Capital Road & Bridge	\$159,423.77
Capital Solid Waste	\$10,624.00

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4384, Noes 0, Absent 415 (Eisel, Spaccaferno, Layton).

Upon a motion, the meeting was adjourned at 1:25 p.m.