

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MARCH 11, 2020

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 11, 2020 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 Assistant Clerk called the roll and all Supervisors were present except Mr. Haynes, Mrs. Scott, and Mr. Davis.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé granted privilege of the floor to Delaware County Treasurer Beverly Shields who introduced Constance Dibble as Employee of the Month.

Mrs. Dibble began her employment in 1981 for the Department of Social Services as a welfare examiner. She was administrative assistant for the STOP DWI coordinator, and for the last 16 plus years, she has worked for the County Treasurer's Office as a tax and title searcher. Mrs. Dibble is extremely dependable, always to work early and always willing to put in the extra time needed to get the job done. Her position is time sensitive and she always thinks of the department first. Her position of tax and title searcher requires a high level of accuracy searching 600 to 700 parcels each year. Connie is a self-starter and hard worker. She is thoughtful and supportive of her coworkers and does her best to make things work for the betterment of the office.

Mrs. Shields presented Mrs. Dibble with a \$50.00 check and thanked her for her dedication to the Treasurer's Office, to the County, and to the constituents. Chairman Molé thanked Mrs. Dibble for her many years of service to Delaware County and presented her with the Certificate of Employee of the Month.

Mrs. Dibble expressed her sincere appreciation and thanks to Mrs. Shields, Mrs. VanDusen, and coworkers for recognizing her with this award. In a larger sense, however, she believes this award is more appropriately deserved by the Shields and VanDusen team. They have a lot of work to do and somehow make it fun. She noted that the most important point she wanted to make is that in all the efforts as County employees, we are all here to serve the Delaware County taxpayers. That is what she tried to do. Mrs. Shields is one of the strongest,

most loyal, dedicated and supportive persons she has worked with. She is proud and honored to work with all her coworkers. Mrs. Dibble thanked her husband for his support in all things related to her work. She thanked all of her dear friends who attended the award recognition.

Chairman Molé granted privilege of the floor to Supervisor Pigford. Mr. Pigford introduced Delaware County Senior Council Recording Secretary Shirley Niebanck.

Mrs. Niebanck thanked Mr. Pigford and expressed that she is in front of the Board to ask for help in strengthening the Council. There are at least 12 local seniors clubs with 2 delegates each. She noted they have potential resources in the towns, however, many seniors do not participate in the Council. Mrs. Niebanck encouraged Supervisors to reach out to seniors in their towns to become involved in the Senior Council. There are many opportunities for seniors to be of service to their communities. She implored the Board to put some energy into senior groups in their towns and to keep seniors informed. She asked the Board to find a way to highlight the activities of the Senior Council, the Office for the Aging, and of opportunities for service. The Senior Council welcomes suggestions on how they can be active in their towns.

Mr. Marshfield mentioned that the Senior Council will hold a pancake breakfast on Saturday, March 14, at the Hamden Town Hall.

Mrs. Niebanck reported the breakfast will be from 8:00 a.m. to noon. Supervisors Ellis and Marshfield will be helping with the breakfast and everyone is welcome.

Ms. Molé thanked Mrs. Niebanck.

Chairman Molé granted privilege of the floor to Supervisor Gladstone. Mr. Gladstone introduced Delaware County Sheriff Craig DuMond to recognize an achievement of one of his staff.

Mr. DuMond stated that last week the US Accreditation Council awarded the Delaware County Sheriff's Office a five-year reaccreditation. The Sheriff's Office received accreditation in 2010 and has been reaccredited twice since that time. He thanked Supervisor Gladstone and Chairman Molé for allowing him to share with the Board and community the significance of this milestone.

Less than one third of law enforcement agencies in New York State are state accredited. There are 110 standards that have to be maintained for a 5-year period to attain reaccreditation status. The standards are policy driven and annual documentation has to be provided to support each standard. Every five years the Accreditation Council auditors go into the field to witness the policies being applied. Sheriff DuMond expressed his gratitude to have the team he has at the Delaware County Sheriff's Office. The team strives every day for excellence and that came through in the last audit. There is one individual who coordinates the law enforcement accreditation program for the Sheriff's Office. Sergeant Kim Smith has been with the Sheriff's Office for quite some time and while in most agencies, the accreditation manager is a full-time job, Ms. Smith wears many hats. She is not just the accreditation manager, she is a training officer, she is the director of the training academy, and she handles all of the evidence. Evidence

is a huge component of the accreditation program. It's one of the mandatory standards for accreditation. As part of the accreditation program, Sergeant Smith was awarded a John Kimball O'Neil Certificate of Achievement in recognition of her leadership and dedication as program manager to the Delaware County Sheriff's law enforcement accreditation program. Sheriff DuMond welcomed Sergeant Smith to the lectern to receive her award.

Sergeant Smith thanked the Board and members of the Public Safety Committee for their support throughout her years at the Delaware County Sheriff's Office. She believes that the many facets of the success and progressivism of their agency is because of the support of this Board. She thanked Sheriff Craig DuMond, Undersheriff Tim Buckley, Major John Demeo, and Lieutenant Karl Vagts for their support, their encouragement, and their belief in both the agency and in her. The undying respect and loyalty that she has keeps her moving forward and determined to conquer these tasks. She wished to acknowledge and thank all of her coworkers. Their success is a direct reflection of the team they are. She thanked them for the outstanding work they do in taking care of their responsibilities because in the end, it makes her responsibilities much easier.

Mr. DuMond thanked the Board and the Public Safety Committee for their steadfast support of the mission of the Sheriff's Office. He stated that since the creation of laws in New York, there has never been a more significant impact on criminal justice and law than the New York State so-called bail reform. Crimes that are included in the New York State bail reform legislation include manslaughter, criminally negligent homicide, criminal possession of a weapon on school grounds, drug sales on school grounds, felony level drug sales, endangering the welfare of a child, endangering the welfare of a physically incompetent or mentally incompetent person, promoting sexual performance by children, killing of a police dog or police horse, robbery, home invasion burglary and hundreds more crimes. All of these crimes and hundreds more are included in this so-called reform. The state claims this reform is for non-violent offenses.

Many of the offenders who are released commit more crimes and often more serious crimes. People have lost their lives because of this bail reform.

Mr. DuMond said their mission is to make communities safe. This new bail reform legislation is nothing more than a criminal bill of rights. The bail reform puts felons before families and it is very dangerous. He stressed to the Board that the Sheriff's Office is committed to making sure they do everything possible to keep our communities safe. He is encouraged and cautiously optimistic that there will be reform to the bail reform.

Ms. Molé thanked Sheriff DuMond for the update.

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

RESOLUTION NO. 46

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF 2020 LIVESCAN EQUIPMENT PROGRAM
SHERIFF'S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the DCJS (Division of Criminal Justice Services) in an amount not to exceed \$9,786.10; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff's Office, was awarded for the specific purpose of buying equipment for the Livescan equipment at a price not to exceed \$9,786.10 during the period commencing on April 1, 2020 and ending on June 30, 2021, unless extended.

THEREFORE, BE IT RESOLVED that the 2020 budget be amended as follows:

INCREASE REVENUE:

10-13110-43308900/3110060/907	Grant Funding State	\$9,786.10
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INCREASE APPROPRIATION:

10-13110-52200001/3110060/907	Equipment Grant	\$9,786.10
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4124, Noes 0, Absent 675 (Haynes, Scott, Davis).

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

RESOLUTION NO. 47

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

WHEREAS, the 2020 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 ACCOUNT NO.

10-11040-58500000	Clerk of the Board	\$404.00
10-11165-58500000	District Attorney	1,290.00
10-11185-58500000	Medical Examiner	107.00
10-11325-58500000	Treasurer	665.00
10-11327-58500000	Fiscal Affairs	587.00
10-11340-58500000	Budget Director	42.00
10-11355-58500000	Real Property Tax	685.00
10-11364-58500000	Tax Acquired Prop	128.00
10-11410-58500000	County Clerk	1,673.00
10-11412-58500000	Records Management	93.00
10-11420-58500000	County Attorney	1,434.00
10-11430-58500000	Personnel	633.00
10-11450-58500000	Elections	497.00
10-11620-58500000	Buildings	1,940.00
10-11680-58500000	Information Technology	1,868.00
10-13020-58500000	Public Safety - 911	1,179.00
10-13110-58500000	Sheriff - Law Enforcement	3,303.00
10-13140-58500000	Probation	1,697.00
10-13145-58500000	Raise the Age – Probation	107.00
10-13150-58500000	Sheriff Jail	7,528.00
10-13315-58500000	Stop DWI	10.00
10-13620-58500000	Safety Inspections	143.00
10-13640-58500000	Emergency Services	417.00
10-14012-58500000	Public Health	1,658.00
10-14059-58500000	Early Intervention	681.00
10-14060-58500000	Edu Physically Handicapped	402.00
10-14310-58500000	Mental Health Clinic	3,841.00
10-14311-58500000	Community Support	196.00
10-14312-58500000	MH Crisis Serv Prog	137.00
10-14315-58500000	Enh Childrens Serv	144.00
10-14317-58500000	Alcoholism Clinic	1,272.00
10-14321-58500000	Exp Mental Health	317.00
10-16010-58500000	Social Services	10,963.00
10-16326-58500000	Economic Development	551.00
10-16510-58500000	Veterans	376.00
10-16610-58500000	Sealer of Weights and Measures	123.00
10-16772-58500000	Office for the Aging	1,203.00
10-17310-58500000	Youth Bureau	1,531.00
10-18020-58500000	Planning	1,416.00
10-18740-58500000	Watershed Affairs	500.00
22-18160-58500000	Landfill Solid Waste	3,538.00
24-19050-58500000	Public Works	12,430.00
	Total	\$67,709.00

TO ACCOUNT NO.

10-19000-42280100	Interfund Revenue	\$67,709.00
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INCREASE REVENUE:

10-19000-42280100	Interfund Revenue	\$67,709.00
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INCREASE APPROPRIATION:

10-19050-58500000	Unemployment Insurance	\$67,709.00
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The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 4124, Noes 0, Absent 675 (Haynes, Scott, Davis).

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

RESOLUTION NO. 48

**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 22, 2020; 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. Gladstone and unanimously adopted.

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

RESOLUTION NO. 49

**TITLE: APPROVAL TENTATIVE AGREEMENT
SHERIFF'S CORRECTIONS OFFICERS**

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County Deputy Sheriffs Corrections Officers, Local 3951, Law Enforcement Union, Council 82, AFSCME, AFL-CIO for the terms and conditions of employment for the years 2020, 2021, 2022, 2023 and 2024.

NOW, THEREFORE, BE IT RESOLVED that said tentative agreement is hereby approved as presented to the Board; and

BE IT FURTHER RESOLVED that the Chairman of the Board is authorized to execute a collective bargaining agreement which incorporates the terms of said tentative agreement.

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

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

RESOLUTION NO. 50

**TITLE: RESOLUTION CALLING ON THE GOVERNOR AND NEW YORK STATE
LEGISLATURE TO PRESERVE THE ZERO PERCENT MEDICAID GROWTH CAP
FOR ALL COUNTIES AND NEW YORK CITY
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, spending in New York State for Medicaid is the single largest expense in the State budget; and

WHEREAS, the funding to support the Medicaid program is provided by a combination of federal, state and local resources; and

WHEREAS, the required county and New York City contribution is \$7.6 billion annually; and

WHEREAS, the local share of Medicaid funding paid in New York is the highest of any state in the country and is more than what 43 individual states pay in state share for their Medicaid programs; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, the Governor and legislative leaders recognize the fiscal burden the financing of Medicaid is for local taxpayers and initiated steps to relieve part of that burden by capping the growth in local costs in this program; and

WHEREAS, one of the most prominent property tax reduction and mandate relief initiatives in state history was Governor Cuomo’s establishment of the zero percent Medicaid growth cap; and

WHEREAS, this zero percent growth cap enables counties to keep funding for the growing cost of many vital state programs and services, while continuing local quality of life services demanded by taxpayers; and

WHEREAS, the Medicaid budget is facing billions of dollars in annual deficits over the next several years; and

WHEREAS, these Medicaid deficits are contributing to the largest budget deficit the state has faced since the Great Recession; and

WHEREAS, the Governor’s Executive Budget Recommendation is proposing a variety of ways to address these combined fiscal shortfalls; and

WHEREAS, budget proposals advanced by the Governor rely on \$150 million in Medicaid program costs assumed by local taxpayers; and include:

- Using county government federal enhanced Medicaid match savings;
- Losing state Medicaid growth cap if counties breach the state property tax cap;
- Shifting the local share of Medicaid growth above 3% to counties, if counties cannot contain costs under 3%; and

WHEREAS, counties do not have tools to control the Medicaid program growth; some of these limitations include:

- The ability to audit the Medicaid program;
- The ability to control the cost of prescription drugs;
- The ability to set provider reimbursement rates;
- The ability to modify eligibility and benefit levels for Medicaid recipients;
- The ability to control changing demographics across the state;
- The ability to control provider contracts; and

WHEREAS, if state experts in the Medicaid program are unable to develop solutions to control growth in the Medicaid program, it will be difficult for counties to do so, since they do not have this authority to control costs.

NOW, THEREFORE, BE IT RESOLVED that the County of Delaware urges the Governor and legislative leaders to maintain the zero percent Medicaid growth cap for counties and New York City as they address state budget shortfalls in order to keep downward pressure on the local tax burden; and

BE IT FURTHER RESOLVED that Delaware County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

The resolution was seconded by Mr. Vernold.

Mr. Marshfield read from the following prepared statement:

On March 5, he and Mr. Vernold attended a presentation at Cornell Cooperative Extension concerning the 2020/2021 New York State Executive budget as presented by the Governor's Office of Regional Affairs. He was concerned and wanted to voice his opposition on some issues in the budget and found out there are more issues than he had anticipated.

In the budget, there were many issues of importance to Delaware County, some good and many not so good. Here are some examples:

1. Maintaining the AIM funding to be funded through the counties' sales tax revenue. We should be opposing this.
2. Reduction in Agriculture and Markets funding by about \$6,000,000. A not-prefiled resolution will be introduced later today on this issue.
3. Shifting fiscal responsibility for the Committee on Special Education placements from the state to the schools (eliminate the state share of 18.424% and shift it to the schools). This will not be good for our taxpayers.
4. Eliminate funding for the Early Voting Implementation. We should be opposing this through a resolution.
5. Permanently ban fracking in New York State. We should have a good discussion on this.
6. Continuance of Raise the Age funding. This is good as the state created it.
7. Increase expanded funding of EISEP through the Office for the Aging. Over the years, this Board has urged increase in funding for this program, so this is good for the County.
8. Legalize adult use of recreational marijuana. Counties with a population under 100,000 will have no option to opt out. We should have a good Board debate on this issue. He is opposed and would have supported a resolution of opposition.
9. Bail reform is being looked at further; however, the state claim is that counties are saving revenue due to reduced overtime staffing of jails, less food and laundry expenses and reduction of staff! There was no mention of potential felons roaming our streets, increased court and law enforcement costs, fewer prosecutions, etc. We should have a resolution supporting further reform back to the counties.
10. Shift the state share of 50% of the Office of Mental Health costs from Article 730 of Criminal Procedure law for individuals receiving mental health treatment at a state-operated facility to the counties. Currently the state pays 50% and the state wants to do away with that. As this is a big expense to Delaware County, a not-prefiled resolution will be introduced later today opposing this.
11. The 2% property tax cap is to be made permanent. This year the percentage will be at 1.81%.

12. State Medicaid costs are to be shifted more to the counties. He has two resolutions today to deal with this and the overall pass through to the counties. The first resolution is for Medicaid and addresses \$2.5 billion the state plans to pass on to counties and the second resolution is for another \$1.8 billion the state plans to pass through to counties.

The last item mentioned relates to Medicaid was his major concern and his interest in attending the public hearing and for our Delaware County taxpayers and our Social Services Department. One resolution before you today requests the legislature not to shift more state costs to the counties and the second insists that the legislature and the Governor preserve the zero percent Medicaid growth cap for counties.

A little history: In 1965 the Medicaid program was signed into law by our federal government. Medicaid at that time was jointly funded with about one half funded by the federal government and the other half by the state. The federal government provides authorization and oversight of Medicaid, but states develop their own plans for administering the program. New York was one of the few states in the nation requiring counties to fund a full one-half of the state's share. Today, New York is the only state in the Union pushing Medicaid costs onto the counties.

In 1966 the county taxpayers across the state paid \$112 million for Medicaid. In the next couple of decades, NYS Medicaid program grew to be the nation's largest and most complex state system of healthcare funding and finance. Today's local share for Medicaid is \$7.6 billion, higher than the state contribution of 43 individual states as it says in the resolution before you today. In 2005 the state agreed to cap the local share at around 3%, and any growth above that level became the fiscal responsibility of the state. Then in 2012 when Governor Cuomo came into office, he implemented a 2% property tax cap. To help counties stay within the tax cap, he and our lawmakers enacted a mandate relief: a zero growth Medicaid cap. Over the next three years, the annual growth was reduced from 3% to 0% and the local share could not exceed the 2015 level of \$7.6 billion statewide. All costs above the frozen amount are now paid by the state. Delaware County's Medicaid cost is a little over \$8.5 million as per our most recent budget which equates to \$185 for every man, woman, and child in Delaware County.

Under this Executive budget proposal, it would require counties to adhere to the 2% tax cap **and** adhere to a local share of Medicaid costs of no more than 3%. If you stay within the 2% tax cap but exceed the 3% Medicaid spending threshold, we would be required to pay for any growth over the 3%. New York State Association of Counties (NYSAC) estimates that this cost to Delaware County could be between \$175,778 and \$1,360,697 and our own Department of Social Services projects that there is no way we can stay within the 3% and our County cost could be as high as \$3,000,000.

This outrageous proposal will threaten our County's capacity to stay within the property tax cap as well as maintaining other critical non-mandated services such as mental health, sheriff patrols, road repair, senior services, emergency services, etc. Any assertion by our Governor that local governments are to blame for growing Medicaid costs is purely false. Yes, local governments administer portions of the program and handle the frontline work, but it is blatantly

false that this is the reason for costs to increase. Sixty percent of Medicaid recipients enroll through the NYS health and managed long-term care program. For the remainder our county uses state eligibility criteria for Medicaid enrollees.

Instead of fixing the problems that caused Medicaid to explode, the state wants to push their costs off to the counties. They wish to push \$1.8 billion in reduced spending to local governments and \$2.5 billion in Medicaid costs to the counties while reaping the benefits of the revenues of a marijuana law of which will create additional expense for Delaware County. If this is going to be law and the County incurs the expenses, we should receive revenues as well. The state is once again moving costs onto local governments to balance their budget and we need to say once again enough is enough. Counties around the state including New York City are united against this Medicaid pass through, and we need to do our share in objecting to this Medicaid pass through.

Time is running out fast. He believes the Board should have objected to legalizing marijuana and should have responded to the bail reform. There is a resolution later today to address the loss in funding for agriculture. The AIM funding was pushed off onto counties with \$500,000 to \$600,000 less sales tax revenue, of that \$300,000 was the AIM funding. The state expects to pass the budget on April 1, the start of their fiscal year. Time has just about run out and we must act now.

Mr. Vernold said what he learned at the executive budget presentation was very discouraging. He commended Mr. Marshfield for bringing up his concerns; however, many were unanswered.

Mr. Marshfield stated Cornell Cooperative Extension Executive Director Jeanne Darling brought up several concerns and he felt the presentation was very informative.

Board of Elections Commissioner Maria Kelso commented that she was at the Commissioners Conference in Albany in January at which there was discussion on the several grants that were offered to counties. Time was allotted for the grants to be funded; however, the Governor has announced a strict timeline for the funding. Counties that do not complete their grants within the timeline will lose the funding altogether. She stated Delaware County is one of six counties that have all of their grants funded.

Mr. Marshfield expressed that the state has a deficit of \$6.1 billion. They are trying to make up their deficit by pushing the funding off onto the counties. It is not a good scene.

The resolution was unanimously adopted.

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

RESOLUTION NO. 51

TITLE: RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO NOT SHIFT MORE COSTS TO COUNTIES AND NEW YORK CITY FOR STATE CONTROLLED NON-HEALTH CARE RELATED SOCIAL SERVICE PROGRAMS DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the State has indicated it is facing a \$6 billion budget deficit in 2021, which will grow to \$8.5 billion by 2023 if no actions are taken; and

WHEREAS, over the last decade the state has devolved away from their historic and constitutional responsibilities of providing social services and support for low income families and individuals, as demonstrated through significant reductions in state financial support for these programs, thereby shifting these costs to counties and New York City; and

WHEREAS, the state funding shifts have increased county and New York City social services costs by hundreds of millions of dollars annually because the state requires that all services still be provided, but with less state resources; and

WHEREAS, New York City has been targeted with additional social services and public health cost shifts by the state that have increased the City's costs by hundreds of millions of dollars more each year, on top of the other cuts mentioned; and

WHEREAS, the steady pullback in State funding support has been expansive and includes cuts to child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, youth detention and treatment, and foster care; and

WHEREAS, the state has also increased regulatory burdens for local social service districts during the last decade, that include new administrative responsibilities and often duplicative and needless reporting requirements which divert scarce resources from critically needed services; and

WHEREAS, the net effect of these practices is that it forces local property taxes to be higher than they should because of the additional costs borne by counties and New York City; and

WHEREAS, most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, the current strong economy and low unemployment provide significant opportunities for recipients to connect with employment and gain valuable work skills that can lead to self-sufficiency and family independence; and

WHEREAS, local Departments of Social Services have demonstrated significant success in achieving self-sufficiency when program resources are dedicated to employment and supporting the needs of individuals and families as they return, or connect, to the workforce.

NOW, THEREFORE, BE IT RESOLVED Delaware County calls on the Governor and State Legislature to not impose new costs shifts on counties and develop a multi-year plan to reverse the numerous state funding cuts that have occurred in public assistance programs and administration; and

BE IT FURTHER RESOLVED the state should focus on reforming state social service programs by prioritizing employment as a key to achieving self-sufficiency and long-term independence for residents receiving Family Assistance, Safety Net Assistance and other programs; and

BE IT FURTHER RESOLVED the counties of New York are calling on the Governor and State Legislature to recognize that effective public assistance policies are grounded in accountability, integrity and supporting the needs of recipients in entering the workforce; and

BE IT FURTHER RESOLVED the counties of New York are calling on the Governor and State Legislature to limit new legislation and regulations that reduce accountability for recipients in gaining employment, self-sufficiency and long-term independence from public assistance as we believe this can ultimately hinder the success of these recipients in achieving self-sufficiency; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED that Delaware County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Vernold and Mr. Taggart and unanimously adopted.

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

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

RESOLUTION NO. 52

**TITLE: OPPOSITION TO GOVERNOR'S
SFY 2020-21 EXECUTIVE BUDGET PROPOSAL
TO SHIFT 100% OF THE COST OF 730.20 RESTORATION SERVICES
TO THE COUNTY MENTAL HEALTH COMMISSIONERS
MENTAL HEALTH DEPARTMENT**

WHEREAS, the Governor's proposal would require counties to pay 100% of the OMH State Operations costs for certain individuals receiving mental health treatment at State-operated Forensic Psychiatric Centers; and

WHEREAS, historically, counties have paid 50% of the per diem rate set by OMH, which has now reached an unsustainable cost burden on county budgets; and

WHEREAS, the derivation of Section 43.03 of Mental Hygiene Law (MHL), dates back to 1907 and allows the State to offset the costs of operating its Forensic Psychiatric Centers at county expense; and

WHEREAS, this statute no longer reflects the current mental hygiene system or the NYS Unified Court System and needs to be updated to be consistent with other statutes that makes the State responsible for its own costs for the treatment of mentally ill individuals in State-operated Forensic Psychiatric Centers; and

WHEREAS, despite the fact that counties are now paying half of such restoration services, the Executive Budget proposal shifts 100% of these costs to the counties; and

WHEREAS, OMH has also taken the position that the County Mental Health Commissioners are not entitled to any information about the treatment they are paying for; and

WHEREAS, other payors for medical services are clearly entitled both under HIPAA and the MHL to receive information about the services for which payment is sought; and

WHEREAS, OMH also indicates counties should be responsible for any medical or hospitalization costs incurred for individuals mandated to competency restoration which, depending on the medical or surgical treatment required could cost hundreds of thousands of dollars and have devastating impacts on county budgets; and

WHEREAS, in NYS the counties through county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness and assuming 100% in 730.20 competency restoration costs will take away millions of dollars for critical behavioral health programming in the community; and

WHEREAS, Counties are requesting members of the NYS Senate and Assembly reject the Governor's proposal to shift 100% of the cost of 730.20 competency restoration services to the County Mental Health Commissioners in the SFY 2020-21 Enacted State Budget.

NOW, THEREFORE, BE IT RESOLVED that Delaware County calls on the Governor and the Office of Mental Health to strongly reconsider the enactment of this proposal which will cripple county budgets and have a devastating impact on the county's ability to pay for behavioral health programs that are critical for serving the State's most vulnerable populations.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to New York State Governor Andrew M. Cuomo, New York State Senator James L. Seward, New York State Senator Frederick J. Akshar II, New York State Senator Jen Metzger, New York

State Assemblyman Clifford W. Crouch, New York State Assemblyman Brian Miller, and New York State Assemblyman Christopher Tague.

The resolution was seconded by Mr. Marshfield.

Mr. Cetta commented that there is approximately \$50,000 budgeted for this expenditure. Mental health care for certain individuals at state forensic psychiatric facilities cost \$1,000 per day. He pointed out that we could also be responsible for paying these costs for individuals who are not Delaware County residents as this also applies to someone passing through Delaware County who commits a felony and is deemed incompetent. They will be admitted to a state forensic psychiatric facility at the expense of Delaware County.

The resolution was unanimously adopted.

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

RESOLUTION NO. 53

RESOLUTION TO SUPPORT FUNDING FOR FARMLAND PRESERVATION AND AGRICULTURE LOCAL ASSISTANCE PROGRAMS DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, THE AGRICULTURE INDUSTRY REMAINS A TOP CONTRIBUTOR TO THE New York State economy, providing critical jobs, revenues and food for our residents in state and beyond; and

WHEREAS, the enacted 2019/20 budget allocated \$20 million to farmland protection and \$33,243,000 to agriculture local assistance programs; and

WHEREAS, the Governor's 2020/21 proposed budget, released on January 21, allocated \$20 million to farmland preservation and \$27,408,000 to agriculture local assistance programs; and

WHEREAS, New York's farmland protection and agriculture assistance programs help sustain this vital industry; and

WHEREAS, while funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years; and

WHEREAS, more than 30 percent of the farmers in New York State, who cultivate two million acres of land, are 65 years of age or older; and

WHEREAS, research shows that over 90 percent of these senior farmers do not have a young farmer working alongside them to help manage their business; and

WHEREAS, farmland in transition is most vulnerable to being sold out of farming; and

WHEREAS, access to affordable land suitable to starting a new farm operation is the number one barrier new and beginning farmers face when trying to get started; and

WHEREAS, there were 30 percent fewer young farmers in New York in 2012 than in 2002; and

WHEREAS, farmland protection is an important contributor to successful farmland transition and affordable farmland access.

NOW, THEREFORE, BE IT RESOLVED that Delaware County calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at \$20 million and agriculture local assistance programs at \$33,243,000 in the FY 2020/21 budget; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED that Delaware County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the Commissioner of Agriculture and Markets, and all others deemed necessary and proper.

The resolution was seconded by Mr. Vernold.

Mr. Valente stated that Delaware County would not be a tourist destination without our farms. Farmland is connected to our two leading industries in Delaware County. The County has been doing its part in trying to make farmland preservation more successful now that the state is pulling their funding.

In answer to Mr. Marshfield, Mr. Gladstone said state funding for tractor rollover training went from \$150,000 to \$0.

Mr. Vernold stated that in the budget proposal the farm labor law will require overtime pay over 40 hours, a change from the current 60 hours.

The resolution was unanimously adopted.

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

RESOLUTION NO. 54

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,150,406.43 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	\$1,296,927.47
OET	\$19,727.47
Public Safety Comm System	\$0.00
CAP 97 Main Street	\$276.51
CAP MH	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Landfill	\$61,569.77
Road	\$221,805.55
Machinery	\$63,069.09
Capital Road & Bridge	\$463,541.35
Capital Solid Waste	\$23,489.22

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4124, Noes 0, Absent 675 (Haynes, Scott, Davis).

Upon a motion, the meeting was adjourned at 1:50 p.m.