

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 27, 2020

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 27, 2020 at 1:00 p.m. through videoconferencing using Zoom, Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Eisel.

The minutes of the previous meeting 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 Commissioner of Department of Public Works Susan McIntyre to give a brief update on the progress of the DPW construction project.

Ms. McIntyre stated they have actively been soliciting engineering architectural firm support for the design and construction of the patrol garage, mechanic shop, and new administrative building. Consistent with the previous presentation which identified the three locations for the new construction, they have shortlisted for final contract negotiations, the engineering firm of Delaware Engineering in partnership with Keystone Associates and Hesnor Engineering to do the design work in support of the construction of those three new facilities. They are entering into final contract negotiations and are optimistic that the negotiations will happen quickly and they will be able to advance on the design within the next week or so.

In answer to Mr. Cetta, Ms. McIntyre stated that they are challenged with an ambitious six-month design schedule and hope to achieve final design before the close of this year so it can go out to bid in January and begin construction in 2021.

Director of Planning and County Spokeswoman Shelly Johnson-Bennett stated in answer to Chairman Molé's request for a COVID-19 update that they are waiting to hear if the Southern Tier will be moving into Phase 2 this coming Friday, May 29. Since the region has started to slowly reopen, there are increases in positive cases and hospitalizations have gone from two to five in the last week and there are substantially more quarantines at this time.

In response to Mr. Hinkley who asked if the number of increased cases is due to the fact that a lot more testing is being done, Mrs. Johnson-Bennett said that is a better question for Public Health but she is sure it does have to do somewhat with the fact that there is more testing.

Ms. Molé stated she believes the reopening of the County has been going very well and most departments are back. She noted that partitions needed for social distancing are still being built.

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

RESOLUTION NO. 89

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF HAVA CARES GRANT
BOARD OF ELECTIONS**

WHEREAS, the Federal Government has issued a grant to the State of New York for elevated costs of running elections due to COVID-19; and

WHEREAS, New York State has matched the Federal Grant by 20%; and

WHEREAS, Delaware County Board of Elections has been approved to receive \$57,139 in funds.

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

INCREASE REVENUE:

10-11450-43308000/1450008/961	State Board of Elections	\$57,138.94
-------------------------------	--------------------------	-------------

INCREASE APPROPRIATIONS:

10-11450-5432700/145008/961	General Grant Relative Expense	\$57,138.94
-----------------------------	--------------------------------	-------------

The resolution was seconded by Mr. Valente and adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

RESOLUTION NO. 90

**TITLE: 2020 BUDGET AMENDMENT
TRANSFER OF FUNDS
PUBLIC DEFENDER'S OFFICE**

WHEREAS, the Public Defender's Office was established in August 2019; and

WHEREAS, all the requirements of the office were not known at budget time; and

WHEREAS, the Public Defender's Office is handling the majority of Legal Aid Indigent (18-b) cases and is in need of additional funding.

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

TRANSFER FROM:

10-11170-54535060 Legal Aid Indigents \$137,400.00

TRANSFER TO:

10-11171-52200000	Equipment	\$12,500.00
10-11171-54135050	Book Law	\$4,000.00
10-11171-54180100	Cell Phone	\$1,400.00
10-11171-54580000	Software Licenses	\$2,500.00
10-11171-54465000	Miscellaneous	\$106,000.00
10-11171-54190000	Process Services	\$1,000.00
10-11171-54595320	Supplies Office	\$10,000.00

The resolution was seconded by Mr. Hinkley.

Responding to Ms. Molé, Public Defender Joseph Ermeti stated the miscellaneous provision is a reimbursement received from the state for the elevator as well as construction costs for the elevator.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

RESOLUTION NO. 91

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 March 31, 2020.

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	\$15,077.66	\$15,077.66	
Bovina	\$11,465.68	\$11,465.68	

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Colchester	\$33,300.07	\$33,300.07	
Davenport	\$23,021.12	\$23,021.12	
Delhi	\$31,086.00	\$26,420.59	\$4,665.41
Deposit	\$34,191.40	\$31,876.25	\$2,315.15
Franklin	\$17,741.58	\$16,966.98	\$774.60
Hamden	\$14,089.75	\$14,089.75	
Hancock	\$16,176.88	\$14,804.89	\$1,371.99
Harpersfield	\$8,766.80	\$7,817.61	\$949.19
Kortright	\$8,670.83	\$8,670.83	
Masonville	\$7,161.62	\$7,161.62	
Meredith	\$8,037.86	\$8,037.86	
Middletown	\$45,203.26	\$41,063.06 FL	\$1,230.34
		MV	\$2,909.86
Roxbury	\$26,109.18	\$26,109.18	
Sidney	\$44,683.10	\$32,229.51	\$12,453.59
Stamford	\$20,474.55	\$15,956.71 ST	\$1,959.15
		HO	\$2,558.69
Tompkins	\$6,968.65	\$6,968.65	
Walton	\$20,116.08	\$16,504.72	\$3,611.36
Totals ...	\$392,342.07	\$357,542.74	\$34,799.33

The resolution was seconded by Mr. Haynes.

Ms. Molé stated the mortgage tax checks will be mailed.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

RESOLUTION NO. 92

TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING TO OBTAIN CITIZEN INPUT REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED BY THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, the New York State Office of Community Renewal administers funds made available to the State by the U.S Department of Housing & Urban Development through the Community Development Block Grant Program; and

WHEREAS, the Community Development Block Grant Program provides funding to eligible entitlement communities for housing, and community & economic development projects; and

WHEREAS, Delaware County is considering the development of a microenterprise program to provide financial assistance, in the form of small, matching grants to local agricultural and main street entrepreneurs and businesses; and

WHEREAS, subject to citizen input regarding the CDBG program, Delaware County would potentially submit an application to the New York State Office of Community Renewal for up to \$300,000 for the establishment of a microenterprise program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for Delaware County hereby authorizes the scheduling and publication of a public hearing to solicit citizen input regarding the CDBG program and a potential application for funding to establishment a microenterprise program in Delaware County to be held on Wednesday, June 24, 2020 at 12:45 p.m.

The resolution was seconded by Mr. Davis.

Ms. Molé stated they anticipate meeting in person for the Wednesday, June 24, Board meeting when this public hearing is scheduled to take place.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

RESOLUTION NO. 93

TITLE: RESOLUTION CALLING FOR SUPPORT OF THE NATIONAL ASSOCIATION OF COUNTY VETERANS SERVICE OFFICERS (NACVSO) FOR THE DELAWARE COUNTY VETERAN SERVICES AGENCY

WHEREAS, County Veterans Service Officers (CVSO) and their equivalent carry a significant workload for the federal and state governments; and

WHEREAS, this includes but is not limited to claims filing, advocacy, healthcare enrollment, community care coordination, utilization of education benefits, death benefits, and everything in-between; and

WHEREAS, currently the federal government provides no fiscal support to CVSOs or the local equivalent; and

WHEREAS, maintaining staffing levels, technology, education and outreach can be difficult due to the misconception by local governmental leaders that these services are primarily a federal responsibility and that the federal government performs these duties; and

WHEREAS, the impact that CVSOs have on benefits delivery is undeniable.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors call upon the Governor and the New York State Legislature to fully support NACVSO Legislative Priorities for 2020; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors forward copies of this resolution to Governor Andrew M. Cuomo, Senator Charles E. Schumer, Senator Kirsten E. Gillibrand, Congressman Antonio R. Delgado, Senator James L. Seward, Senator Jen Metzger, Senator Fred Akshar, Assemblyman Brian D. Miller, Assemblyman Clifford W. Crouch, and Assemblyman Christopher Tague.

S. 3020/H.R. 5516 – Commitment to Veteran Support and Outreach Act “CVSO Act”

- Provides funding to CVSOs or their local equivalent to promote health and wellness, strengthen coordination implementation, and evaluation of comprehensive veteran suicide prevention programs.
- Expand existing outreach programs and services; or to hire new, additional county veterans service officers.
- Shall be used to supplement and not supplant (not a bait and switch) State and local funding that is otherwise available.
- \$250M over 5 years, \$50M/year.
- Supported by the National Association of Counties (NACo).

HR 4589 – To extend the authority of the Secretary of Veteran Affairs to make for the transportation of highly rural veterans to medical care.

- Amend this legislation to add County Veterans Service Offices to eligible grant recipients for the **Highly Rural transportation grant**.
- County Veterans Offices already provide existing transportation services for many rural veterans. Cost associated with these services includes purchasing vehicles, maintenance, providing drivers, and scheduling. Adding counties as eligible grant recipients in rural areas would provide security for these vital services.
 - VA healthcare utilization has been proven to be an effective tool to prevent veterans suicide. The rural veteran population, especially the aging veteran population, need supportive resources to be able to reach health care services.

S.3020/H.R. 5516 – Commitment to Veteran Support and Outreach Act - a VHA enrollment priority group for veterans seeking mental health services

- It is a common misconception that if service member completes their contract and has an Honorable discharge, that they are eligible for VA health care enrollment.
- VA has historically categorized veterans in special priority groups when other eligibility criteria are **not** met, i.e. service connected disability, low income, Purple Heart recipients.
- If a veteran needs mental health care and the supportive physical health services that coincides with it, they should **not** be told to file a disability claim or asked about their income before that care can be attained.
- In most communities, VA is better equipped to provide care for veteran related mental health conditions. For current VHA enrollees, wait times for a veteran to see their primary care mental health providers are short.
- Creation of a priority group for mental health services will be open invitation for veterans to seek care instead of facing the bureaucratic burden while simultaneously juggling life's difficulties.
- Once enrolled, the continuation of enrollment could be reviewed on an annual basis similar to Priority Group 5 financial hardship, except it would be a clinical decision by the Veterans Primary Care health and mental Health team.
- VA already verifies with other governmental agencies and ask a veteran annually how much money they make to grant access to VHA. If VA can do this, then they should also be able to annually assess a veteran's need for VHA mental health services to gain and maintain access to care.

S. 2950 – Veterans Burn Pits Exposure Recognition Act of 2019

- Formally recognize that veterans who served near burn pits in Iraq, Afghanistan and other locations were exposed to airborne hazards, toxins, and particulate matters.
- Acknowledge an information gap. Given the limited information that exists about exactly when and where burn pits were active, or the precise locations of individuals who served near them, it is unreasonable for a veteran to prove they were exposed to specific toxins from specific burn pits on specific days.
- Work in acknowledgment of ongoing research being conducted by the Departments of Defense and Veteran Affairs.

S.2651 – Honoring Veterans’ Families Act of 2019

- Veterans and their surviving spouses who do not live in proximity to a National or State Veteran Cemetery, or who choose to not be interred there, are not provided the same site benefit for burials in local or private cemeteries.
- Currently, the government provides to eligible dependents the option to be added to a veteran’s marker if the veteran is buried in a National or State Veteran Cemetery. That same benefit is not afforded to eligible dependents of veterans who are buried at local or private cemeteries.
- Amend 38 CFR 38.630 (3) (ii) to read: Other eligible individuals. A Government memorial headstone or marker to commemorate a veteran’s eligible spouse, surviving spouse, or dependent child may be placed only in a national cemetery, a State veterans’ cemetery, or in a public cemetery.

Amend Current Supplemental and Direct Review Process

- Before the Appeals Modernization Act, a re-opened, previously denied claim could establish a date of claim utilizing the “Intent-to-File” process.
- Amend the current appeals process to allow re-opened, previously denied claims the ability to utilize the “Intent-to-File” process to hold the date of claim for 12 months.
- This provides more time for thorough claim development which makes it less likely to be denied again or end up unnecessarily clogging the Board of Veterans Appeals lane.

The resolution was seconded by Mr. Taggart.

Responding to Ms. Molé and Mr. Marshfield, Director of Veterans Services Charles Piper stated this resolution started from the NYS County Government Veterans Service Officers Association. It is a carry on from the county agencies that work together. This resolution narrows down issues that county veterans service officers feel are very important and explains some of these issues to help people understand.

One of the issues that has affected them in the long run is HR 4589 for the Highly Rural Transportation Grant. A lot of funding goes toward transportation for Veterans to Albany and back and the Highly Rural Transportation Grant only allows one county in all of New York that would qualify for the grant and that is Hamilton County. It’s a silly situation to have a grant none of the other counties can access. More funding for transportation would help a lot.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

RESOLUTION NO. 94

TITLE: IN MEMORY OF F. GERALD MACKIN

WHEREAS, F. Gerald Mackin passed away on May 1, 2020 having served as Town of Hancock Supervisor from January 1, 1990 until May 2, 2001 and as Social Services Attorney from May 3, 2001 until December 19, 2007; and

WHEREAS, he served with distinction and will be remembered for his dedication and hard work;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors extends its sympathy to the family of F. Gerald Mackin and recognizes with gratitude his contributions to this County, his Town and neighbors.

The resolution was seconded by Mr. Marshfield.

Mr. Marshfield noted that he was a neighbor to Mr. Mackin on the Board. He stated that he came on the Board in 1994 and had been on the Board for about a month when a discussion came up about the landfill and Mr. Mackin leaned over and asked “what do you think about this?” Mr. Marshfield commented that he had no opinion because he was brand new to the Board and told Mr. Mackin he would catch up with him later on that because he really didn’t know. Mr. Marshfield stated that Mr. Mackin was very smart and he was highly dedicated to the Town of Hancock. Mr. Mackin made a good neighbor and had helped him out when he was new on the Board.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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. 95

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$961,372.92 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	\$490,663.81
OET	\$0.00
Public Safety Comm System	\$204,486.56
CAP 97 Main Street	\$0.00
CAP MH	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Landfill	\$59,271.17
Road	\$7,272.99
Machinery	\$88,109.23
Capital Road & Bridge	\$106,296.66
Capital Solid Waste	\$5,272.50

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4641, Noes 0, Absent 158 (Eisel).

Ms. Molé read the following statement from Youth Program Director Lara Yambor regarding the Summer Youth Program. “Due to the shortened summer and youth employment planning time this year, please open your packet, detach and complete the Intent to Participate form which is attached to the first page you will see in the packet. If you do not intend to participate this year, please complete the Intent form and return your packet to the Clerk of the Board for redistribution by the Youth Bureau. Also, at your earliest convenience, please complete and return the enclosed Job Development form or pass the entire packet along to whomever will be supervising the youth. Passing the packet on as soon as possible will avoid the packet being misplaced and the need to produce replacement packets. If you will have your two youth working under two different supervisors, please separate the packet and distribute one orientation packet and one employee packet to each supervisor. In addition, please make one correction in the package—the hourly wage stated is incorrect and should be changed to \$11.80.” Ms. Molé stated the packets were already mailed to the Supervisors. If Supervisors have any questions, feel free to contact Lara Yambor at the Youth Bureau.

Concurring with Mr. Marshfield, Ms. Molé stated the Intent to Participate forms are due by June 1. Mr. Marshfield commented that it may be tough to find youth to work during the COVID-19 pandemic.

In response to Mr. Davis, Ms. Molé said that the Department of Motor Vehicles office is not open. The state has not authorized that yet. Ms. Molé stated partitions are not installed yet and that is one of the requirements that we have for all the departments if they cannot socially distance for six feet.

County Clerk Debra Goodrich informed the Supervisors that a drop box is available at DMV. She confirmed that currently real estate searchers do not have access to records.

Ms. Molé stated the County Clerk’s office will open to the public on June 8. All County buildings are schedule to open to the public June 8.

Ms. Molé stated the next regular Board Meeting is scheduled for June 24.

Upon a motion, the meeting was adjourned at 1:28 p.m.