

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JULY 22, 2020

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, July 22, 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 Clerk called the roll and all Supervisors were present except Mr. Eisel and Mr. Cetta.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

The Clerk noted that all communications received have been referred to their respective committees for review.

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

RESOLUTION NO. 110

**TITLE: 2020 BUDGET AMENDMENT
SUMMER YOUTH EMPLOYMENT PROGRAM
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Summer Youth Employment Program; and

WHEREAS, funding is to be used for summer youth employment and education training for economically disadvantaged youth and is 100% reimbursed.

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

INCREASE REVENUE:

10-16010-44482002	Summer Youth Employment	\$125,234.00
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INCREASE APPROPRIATION:

10-16010-54665002	Summer Youth Employment	\$125,234.00
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The resolution was seconded by Mr. Taggart and Mr. Vernold.

Mr. Marshfield stated this resolution is for federal funding that just came in. The funding is for economically disadvantaged youth and the goal is to start the youth employment program. Summer youth who want to work as well as employers who can use the help are lined up and now that they have the funding, they are planning to start the program by next week.

Mr. Marshfield indicated that positions are still available in the employment program for non-economically disadvantaged youth. Anyone who has questions on either of these programs can contact the Department of Social Services or Lara Yambor in the Youth Bureau.

The resolution was adopted by the following vote: Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

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

RESOLUTION NO. 111

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF ADDITIONAL ADRC COVID-19 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$17,749.00 from New York State to provide supportive services to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, there are older residents in Delaware County who were advised, and continue to be advised, to stay in their homes in order to reduce their risk of becoming infected with the coronavirus in public settings; and

WHEREAS, the Delaware County Office for the Aging senior bus transportation system was shut down effective immediately following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County who are unable to access transportation or don't want to leave their homes to do their own grocery shopping; and

WHEREAS, this funding will provide shopping assistance and/or prescription pick-up and the delivery of groceries and/or prescriptions to the individuals; and

WHEREAS, there are older residents in Delaware County who are suffering from feelings of loneliness due their current need to remain socially isolated; and

WHEREAS, this funding will provide animatronic dogs and cats to clients who are having problems with social isolation and loneliness, and can benefit from this alternative method of traditional pet therapy.

THEREFORE, BE IT RESOLVED that the estimated revenues and appropriations for

the year 2020 will be increased as follows:

INCREASE REVENUES:

10-16772-44477200/6772064/977	Federal Programs for Aging	\$17,749.00
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INCREASE APPROPRIATIONS:

10-16772-51327000/6772064/977	Personal Services Grant	\$11,749.00
10-16772-54327595/6772062/977	Grant Supplies	\$6,000.00

The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

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

RESOLUTION NO. 112

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF ADDITIONAL HDC2 COVID-19 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$40,113.00 from New York State to provide home delivered meals to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, there are older residents in Delaware County who were advised, and continue to be advised, to stay in their homes in order to reduce their risk of becoming infected with the coronavirus in public settings; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County who were unable, and continue to be unable, to leave their homes to go to restaurants to order meals for dining in or taking out and are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced daily meal throughout the COVID-19 pandemic.

THEREFORE, BE IT RESOLVED that the estimated revenues and appropriations for the year 2020 will be increased as follows:

INCREASE REVENUES:

10-16772-44477200/6772060/977	Federal Programs for Aging	\$40,113.00
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INCREASE APPROPRIATIONS:

10-16772-54200000/6772060/977	Contracted Services	\$40,113.00
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

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

RESOLUTION NO. 113

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF ADDITIONAL HDC3 COVID-19 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$79,549.00 from New York State to provide home delivered meals to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, there are older residents in Delaware County who were advised, and continue to be advised, to stay in their homes in order to reduce their risk of becoming infected with the coronavirus in public settings; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County that were unable, and continue to be unable, to leave their homes to go to restaurants to order meals for dining in or taking out and are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced meal daily throughout the COVID-19 pandemic.

THEREFORE, BE IT RESOLVED that the estimated revenues and appropriations for the year 2020 will be increased as follows:

INCREASE REVENUES:

10-16772-44477200/6772061/977	Federal Programs for Aging	\$79,549.00
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INCREASE APPROPRIATIONS:

10-16772-54200000/6772061/977	Contracted Services	\$79,549.00
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The resolution was seconded by Mr. Merrill.

In answer to Mr. Taggart, Director of Office for the Aging Terri Whitney stated these resolutions were not combined because the state will be tracking the individual COVID-19 funding lines separately.

The resolution was adopted by the following vote: Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

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

RESOLUTION NO. 114

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF ADDITIONAL FCC3 COVID-19 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$17,666.00 from New York State to provide home delivered meals and other supportive services to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, there are older residents in Delaware County who were advised, and continue to be advised, to stay in their homes in order to reduce their risk of becoming infected with the coronavirus in public settings; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County’s State of Emergency declaration on March 14, 2020; and,

WHEREAS, there are older residents in Delaware County who were unable, and continue to be unable, to leave their homes to go to restaurants to order meals for dining in or taking out and are unable to cook a well-balanced meal for themselves on a daily basis; and,

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced meal daily throughout the COVID-19 pandemic; and,

THEREFORE, BE IT RESOLVED, that the estimated revenues and appropriations for the year 2020 will be increased as follows:

INCREASE REVENUES:

10-16772-44477200/6772062/977 Federal Programs for Aging \$17,666.00

INCREASE APPROPRIATIONS:

10-16772-54200000/6772062/977 Contracted Services \$17,666.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

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

RESOLUTION NO. 115

**TITLE: 2020 BUDGET AMENDMENT
ACCEPTANCE OF ADDITIONAL SSC3 COVID-19 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$34,705.00 from New York State to provide home delivered meals and other supportive services to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, there are older residents in Delaware County that were advised, and continue to be advised, to stay in their homes in order to reduce their risk of becoming infected with the coronavirus in public settings; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were shut down effective immediately following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County that were unable, and continue to be unable, to leave their homes to go to restaurants to order meals for dining in or taking out and are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced meal daily throughout the COVID-19 pandemic; and

WHEREAS, the Delaware County Office for the Aging senior bus transportation system was shut down effective immediately following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, there were adjustments needed within the office working space in order to comply with social distancing guidelines which affected client face-to-face interview areas; and

WHEREAS, this funding will provide needed sanitization equipment for the transportation system and equipment to allow for the adaptations necessary to provide for appropriate client interview space.

THEREFORE, BE IT RESOLVED that the estimated revenues and appropriations for the year 2020 will be increased as follows:

INCREASE REVENUES:

10-16772-44477200/6772063/977	Federal Programs for Aging	\$34,705.00
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INCREASE APPROPRIATIONS:

10-16772-51327000/6772063/977	Personal Services Grant	\$14,180.00
10-16772-54200000/6772063/977	Contracted Services	\$8,525.00
10-16772-54327595/6772063/977	Supplies	\$4,500.00
10-16772-52200001/6772063/977	Equipment	\$7,500.00

The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

Ms. Whitney confirmed Mr. Marshfield’s statement that all of these COVID-19 resolutions are for federal grants that are passed through to the state and Delaware County receives the funds from the state.

In answer to Ms. Molé, Ms. Whitney stated that all the funding coming in will be going right back out. Part of the money will be used to cover the additional personnel costs incurred during the COVID-19 shutdown.

In reply to Mr. Marshfield, Ms. Whitney confirmed this is one-time funding. She expressed that COVID-19 grant funding needs to be spent first and she expects it will be spent by the end of the year as this year, any remaining program funds will be allowed to be carried over to 2021 which is unprecedented.

Mr. Taggart commented that Office for the Aging received \$189,782 in these COVID-19 grants which is a great help.

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

RESOLUTION NO. 116

**TITLE: PURCHASE OF HIGHWAY RIGHT OF WAY
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Delaware County Department of Public Works (“DPW”) is engaged in a certain public use project and has requested financial assistance from the U.S. Department of Homeland Security-Federal Emergency Management Agency (“FEMA”) to replace Bridge 80 (Bridge Street over the Bush Kill) located in the Village of Fleischmanns, Town of Middletown, Delaware County, New York; and

WHEREAS, the new structure realignment will require additional right of way; and

WHEREAS, the Department of Public Works has followed all the Federal Requirements for acquiring highway right of way including certified appraisals and appraisal reviews; and

WHEREAS, the Board of Supervisors is authorized to provide such right of way pursuant to the provisions of Section 118 of the Highway Law.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Department of Public Works is authorized to purchase the following parcels in the Town of Middletown, Village of Fleischmanns for the respective amounts including damages.

Map No. 3 Parcel No. 5	1,799.4 sq. ft	Fee
Map No. 3 Parcel No. 6 Roxanne Lowit	5,479.8 sq. ft.	Permanent Easement \$5,000.00
Map No. 2 Parcel No. 4 River Run Bed and Breakfast II LLC, (Benjamin C. Fenton)	6,221.7 sq. ft	Permanent Easement \$2,400.00
Map No. 1 Parcel No. 1	1,585.8 sq. ft.	Fee
Map No. 1 Parcel No. 2	2,884.1 sq. ft.	Permanent Easement
Map No. 1 Parcel No. 3 Robert Pratt and MaryLou Pratt	626 sq. ft.	Temporary Easement \$1,200.00

The resolution was seconded by Mr. Davis and adopted by the following vote:
Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

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

RESOLUTION NO. 117

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
SHERIFF’S OFFICE**

WHEREAS, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

BE IT RESOLVED that the Sheriff’s Office is authorized to sell by trade-in or online auction or dispose of as unserviceable the following items:

<u>Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
SHF 84	2015 Ford Fusion	1FA6P0G77F5130853

The resolution was seconded by Mr. Davis.

Mr. Gladstone stated this vehicle was turned over to the lease company for disposal.

The resolution was unanimously adopted.

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

RESOLUTION NO. 118

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
PROBATION DEPARTMENT**

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 the public use.

NOW, THEREFORE, BE IT RESOLVED that the Department is authorized to sell by the on-line auction or scrap value the following items:

<u>Vehicle No.</u>	<u>Vehicle Description</u>	<u>Serial Number/VIN</u>
PRO 98	2010 Ford Fusion	3FAHP0GAXAR32336

The resolution was seconded by Mr. Davis.

Mr. Gladstone stated this vehicle had a lot of miles and damage that would cost too much to repair.

The resolution was unanimously adopted.

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

RESOLUTION NO. 119

**TITLE: PUBLIC HEARING FOR THE INCLUSION OF AGRICULTURALLY VIABLE
LAND INTO CERTIFIED AGRICULTURAL DISTRICTS DURING
THE DESIGNATED THIRTY-DAY PERIOD FOR ANNUAL DISTRICT REVIEW**

WHEREAS, the Delaware County Board of Supervisors, in accordance with Chapter 523 of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period starting on April 1, 2020 and closing April 30, 2020 during which landowners may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Delaware County Agricultural and Farmland Protection Board has identified each parcel proposed as “viable agricultural land”, eligible for inclusion into a Certified Agricultural District; and

WHEREAS, the Delaware County Board of Supervisors must hold a Public Hearing to consider the requests and recommendations of the County Agricultural Farmland Protection

Board concerning the inclusion of land(s) into Agricultural District(s) No. 3.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors does hereby schedule a Public Hearing for Wednesday, August 26, 2020 at 12:50 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

Town of Middletown: Agricultural District No. 3

- Tax Map ID# 263.-3-29.1 (1.8 ac) Hog Mtn. Rd: Hay Production**
- Tax Map ID# 263.-3-29.2 (10 ac) Hog Mtn. Rd: Hay Production**
- Tax Map ID# 263.-3-29.3 (8.7 ac) Hog Mtn. Rd: Hay Production**
- Tax Map ID# 263.-3-29.4 (1.3 ac) Hog Mtn. Rd: Hay Production**
- Tax Map ID# 286.-1-12.5 (3 ac) Off Hog Mtn. Rd: Farm storage/repair, Hay storage**
- Tax Map ID# 286.-1-12.6 (4.3 ac) Hog Mtn. Rd: Horse barn, poultry housing, pasture**
- Tax Map ID# 286.-3-2.1 (13 ac) Orchards, Hay production**
- Tax Map ID# 286.-3-2.2 (7 ac) Hay, Orchards**
- Tax Map ID# 286.-1-12.4 (3 ac) Timber Harvesting**
- Tax Map ID# 306.1-1-25 (16.65) Fair St./NYS 28: Field Crops (Village of Margaretville)**

The resolution was seconded by Mr. Ellis and Mr. Davis and adopted by the following vote: Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

Ms. Molé stated the public hearing will take place before the next Board Meeting on Wednesday, August 26, at 12:50 p.m.

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

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

RESOLUTION NO. 120

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$456,505.68 were hereby presented to the Finance Committee for approval for payment on July 8, 2020 prior to presentation to the Board of Supervisors;

THEREFORE, the County Treasurer was directed to pay said expenditures as listed below and this Board now approves of said payment as follows:

General Fund	\$396,082.11
OET	\$30,791.66
Public Safety Comm System	\$0.00
CAP MHC	\$0.00

Highway Audits, as Follows:

Weights & Measures	\$0.00
Road	\$150.00
Machinery	\$21,972.56
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$7,509.35

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,098,184.20 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	\$787,224.64
OET	\$60,199.47
Public Safety Comm System	\$11,277.24
CAP 97 Main Street	\$3,000.00
CAP MHC	\$201,543.83

Highway Audits, as Follows:

Weights and Measures	\$0.00
Road	\$314,620.55
Machinery	\$221,605.25
Capital Road & Bridge	\$1,123,187.71
Capital Solid Waste	\$273,919.19
Solid Waste/Landfill	\$84,637.82
CAP DPW Complex	16,968.50

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4083, Noes 0, Absent 716 (Eisel, Cetta).

In other business, Budget Officer Arthur Merrill stated that the tax cap for the coming year is 1.56. The idea of 2% is a misnomer. The County will not exceed the tax cap, but the townships will also be at 1.56. It's a tough number to work with this year.

Ms. Molé indicated that some County reimbursements are based on the County not exceeding the cap. Just meeting the raises and insurance increases have a deep impact.

Mr. Vernold commented that these amounts alone will pretty much wipe out the tax cap.

Mr. Merrill said an additional challenge will come with reduced reimbursements from the state.

In response to Mr. Marshfield as to if the County has a carryover from last year, Clerk of the Board Christa Schafer said we do.

Upon a motion, the meeting was adjourned at 1:23 p.m.