

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
FEBRUARY 24, 2021

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 24, 2021 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. Vernold, Mr. Davis, and Mr. Layton. Supervisor Scott attended via Zoom however due to technical difficulties, her vote was not recorded for the first several resolutions.

Mr. Marshfield offered the invocation.

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

RESOLUTION NO. 35

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

WHEREAS, the Delaware County Department of Public Works (DPW) is engaged in a Project for the replacement of BIN 3352080, Knox Avenue over Wilson Hollow Brook, PIN 9754.77 ("the Project"); and

WHEREAS, the construction will require the establishment of temporary easements; 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 temporary easement in the Town of Colchester for the amount stated including damages.

Map No. 1 Parcel 1 3,815.7 s.f. Temp Easement w/improvements
Nicholas & Stephanie Champlin \$1,000

The resolution was seconded by Mr. Kosier and adopted by the following vote:
Ayes 3845, Muted 132 (Scott), Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 36

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

WHEREAS, the Delaware County Department of Public works (DPW) is engaged in a Project for the replacement of BIN 3352080, Knox Avenue over Wilson Hollow Brook, PIN 9754.77 (“the Project”); and

WHEREAS, the construction will require the establishment of temporary easements; 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 temporary easement in the Town of Colchester for the amount stated including damages.

Map No. 2 Parcel 1 4,167.8 s.f. Temp Easement w/improvements
Mack E. Doig \$2,000

The resolution was seconded by Mr. Kosier and adopted by the following vote:
Ayes 3845, Muted 132 (Scott), Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 37

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

LETTING OF JANUARY 27, 2021

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. 1-21 Rental of Construction Equipment to: Admar Supply Co., Inc., 1950 Bri-hen Tl Rd., Rochester, NY 14623; Anderson Equipment Co., 720 E. Franklin St., Endicott, NY 13760; Bothar Construction, LLC, 170 East Service Road, Binghamton, NY 13901; Boyle Excavating, Inc., 233 Boyle Road, Harpersfield, NY 13786; Broome Bituminous Products, Inc., 416 Prentice Road, Vestal, NY 13850; Clark Companies, Inc., PO Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., PO Box 220 Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; Doig Excavating Inc., PO Box 277, Downsville, NY 13755; Donegal Construction Corporation, PO Box 450, New Stanton, PA 15672; LaFever Excavating Inc., 3135 County Highway 6, Bovina Center, NY 13740; Oneonta Equipment Rental and Sales, 532 Co. Hwy. 58, Oneonta, NY 13820; Pawlikowski's Excavating, 1215 Hamden Hill Rd., Delhi, NY 13753; Robert H. Finke & Sons, Box 127, Selkirk, NY 12158; Stephenson Equipment Inc., 3 Industry Drive, Waterford, NY 12188; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, NY 13045; Sullivan County Paving & Construction Inc., 420 Bernas Road, Cohecton, NY 13726; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Tweedie Construction Services Inc., 90 Crystal Creek Road, Walton, NY 13856; Vantage (Alta) Equipment, LLC, 5985 Court St Rd., Syracuse, NY 13206; Vestal Asphalt Inc., 201 Stage Road, Vestal, NY 13850

Bid Price: See Summary Sheet

Towns may participate in this bid.

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. Kosier and adopted by the following vote: Ayes 3845, Muted 132 (Scott), Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 38

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

LETTING OF JANUARY 28, 2021

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. 6-21 Liquid Bituminous Concrete & Related Equipment Bid to:
Gorman Asphalt DBA American Asphalt, 200 Church Street,
Albany, NY 12202; Peckham Road Corp., 375 Bay Road,
Suite 201, Brewster, NY; Suit-Kote Corp., 1911 Lorings Crossing
Rd., Cortland, NY 13045; Peckham Materials Corp.,
763 Schoharie Turnpike, Athens, NY 12015; Vestal Asphalt Inc.,
201 Stage Road, Vestal, NY 13850

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Kosier and adopted by the following vote:
Ayes 3845, Muted 132 (Scott), Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 39

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

LETTING OF FEBRUARY 3, 2021

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. 7-21

Stone & Gravel Products to: Carver Sand & Gravel LLC, 494 Western Turnpike, Altamont, NY 12009; Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., PO Box 220, Cobleskill, NY 12043; Eric J Dahlberg Construction LLC., 696 Potter Mtn Rd., Gilboa, NY 12076; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; E&R Popes Excavating, LLC, 1073 Co. Hwy 1, Mt. Upton, NY 13809; Eastern Materials LLC, 1250 Riverfront Center, Amsterdam, NY 12010; LaFever Sand & Gravel, LLC, 3135 Co Hwy 6, Bovina Center, NY 13740; Platterkill Mine LLC., 871 Bull Hill Rd., Gilboa, NY 12076; Robinson Bros Excavating, 29119 St. Hwy 10, Walton, NY 13856; Schaefer Enterprises of Deposit, Inc., 315 Old Rte 10, Deposit, NY 13754; Seward Sand & Gravel, Inc., 532 Co Hwy 58, Oneonta, NY 13820; NBK Associates, 4611 Hancock Highway, Equinunk, PA 18417; Tri City Highway Products Inc., 145 Podpadic Rd., Richmondville, NY 12149

Bid Price: See Summary Sheet

PROPOSAL NO. 8-21

Gravel Processing to: Burton F. Clark, Inc., PO Box 427, Delhi, NY 13753; Seward Sand & Gravel, Inc., 532 Co Hwy 58, Oneonta, NY 13820

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Kosier and adopted by the following vote: Ayes 3845, Muted 132 (Scott), Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 40

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

LETTING OF FEBRUARY 4, 2021

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. 9-21 Transit Mixed Concrete to: Otsego Ready Mix, Inc., 2 Wells Avenue, Oneonta, NY 13820.
Bid Price: See Summary Sheet
- PROPOSAL NO. 11-21 Used Steel Pipe & New Steel Pipe End Sections to: Allegany Pipe & Tubular, 2954 Co Rte 22, Andover, NY 14806-9616.
Bid Price: See Summary Sheet
- PROPOSAL NO. 18-21 Plain Elastomeric Bridge Bearing Material to: Beacon Building Products, 158 Syracuse St., Syracuse, NY 13204.
Bid Price: See Summary Sheet
- PROPOSAL NO. 19-21 Bridge Deck Membrane to: Beacon Building Products, 158 Syracuse St., Syracuse, NY 13204.
Bid Price: See Summary Sheet
- PROPOSAL NO. 20-21 Steel Sign Posts to: Chemung Supply Corp., PO Box 527, Elmira, NY 14902
Bid Price: See Summary Sheet
- PROPOSAL NO. 21-21 Lubricating Oils to: Superior Lubricants Co., Inc., 32 Ward Road, North Tonawanda, NY 14120
Bid Price: See Summary Sheet
- PROPOSAL NO. 23-21 Portland Cement to: Pickett Building Materials, 6459 State Highway 23, Oneonta, NY 13820.
Bid Price: See Summary Sheet
- PROPOSAL NO. 26-21 Elastomeric Concrete to: Beacon Building Products, 158 Syracuse St., Syracuse, NY 13204.
Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Kosier and adopted by the following vote:
Ayes 3845, Muted 132 (Scott), Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 41

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

LETTING OF JANUARY 27, 2021

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. 22-21 Cutting & Tree Trimming to: Asplundh Tree Expert, LLC,
5154 NY Rt. 26, Whitney Point, NY 13862

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Kosier and adopted by the following vote:
Ayes 3977, Noes 0, Absent 822 (Vernold, Davis, Layton).

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

RESOLUTION NO. 42

TITLE: RESOLUTION OF APPRECIATION FOR COUNTY BUSINESSES

DELAWARE COUNTY CHAMBER OF COMMERCE

WHEREAS, small business owners play a vital role in stimulating economic growth and creating jobs; and

WHEREAS, small business owners actively contribute to our community through donations of time, money, and products; and

WHEREAS, small business owners pay local property taxes and collect sales taxes that bolster village/town/county revenue available for roads and other services; and

WHEREAS, small business owners create a unique community identity which attracts new residents and encourages increased private investment; and

WHEREAS, in 2020, many small business owners have weathered an unprecedented economic storm due to huge revenue declines due to the COVID-19 pandemic; and

WHEREAS, our small business owners continue to innovate, adapt, and pivot to survive, grow, and serve customers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for Delaware County hereby expresses its appreciation for the vision, the hard work, and resiliency of small business owners throughout Delaware County and offers a simple "THANK YOU" to our local small businesses.

The resolution was seconded by Mr. Eisel

Mr. Valente noted that he is aware of five restaurants in Delaware County that have come under new ownership. He admired the owners' courage to go into business in this environment, especially the restaurant business. He feels very encouraged by this.

Ms. Molé thanked the Supervisors that gave their time to help the Chamber of Commerce with the video thanking local business owners.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 43

**TITLE: PUBLIC HEARING
NYS POLICE REFORM AND REINVENTION PLAN**

WHEREAS, approval of the police reform plan as required by Governor Cuomo's Executive Order 203 is necessary.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on the 10th day of March at 12:45 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Merrill.

Ms. Molé stated under the Governor’s directive last summer, the Delaware County Police Reform and Reinvention Committee was formed. There were upwards of 20 people selected that were thought to represent a large variety of people that live in our community. A lot of time was spent since the first meeting in November putting this plan together. She thanked the committee for the many hours they spent on the plan. There were subcommittees that worked very hard on this. The committee meetings were put on livestream so that everyone was aware and could watch what the committee was doing. She believes they have come up with a very good plan that Sheriff Craig DuMond is in support of and a public hearing is planned at the next Board Meeting. Supervisors were given a copy of the plan on their desks.

She said the majority of this committee supports this plan. There has been discussion involving it but this will be the final plan that they are submitting and hoped for approval at the next meeting in March.

The resolution was unanimously adopted.

Chairman Molé noted that the public hearing will be held at 12:45 p.m. prior to the regularly scheduled meeting on Wednesday, March 10, 2021 with the same format of today’s public hearing.

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

RESOLUTION NO. 44

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$732,739.90 were hereby presented to the Finance Committee for approval for payment on February 10, 2021 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	\$656,760.15
OET	\$10,633.79
Public Safety Comm System	\$17,494.64
Insurance Risk	\$0.00
CAP 97 Main	\$3,343.11
CAP MH	\$10,384.65
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Solid Waste/Landfill	\$5,509.47
Road	\$0.00
Machinery	\$28,614.09

Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
CAP DPW Complex	\$0.00

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,921,889.56 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	\$1,670,318.37
OET	\$10,666.10
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main	\$896.26
CAP MH	\$464,226.35
Highway Audits, as Follows:	
Weights & Measures	\$25.00
Solid Waste/Landfill	\$167,598.28
Road	\$328,695.15
Machinery	\$94,436.69
Capital Road & Bridge	\$20,487.87
Capital Solid Waste	\$25,198.92
CAP DPW Complex	\$139,340.57

The resolution was seconded by Mr. Gladstone and Mr. Marshfield and adopted by the following vote: Ayes 3977, Noes 0, Absent 822 (Vernold, Davis, Layton).

Mr. Eisel recalled Local Law Intro. No. 15 entitled *A Local Law of the County of Delaware, New York, to be Known as the ‘Delaware County Animal Abuser Registry’ Protecting Animals from Abuse by Establishing a Registry for Animal Abusers*. The Local Law was seconded by Mr. Merrill.

Mr. Taggart stated he is not against the basic reason for this law. People who are found guilty of an animal abuse felony should be on this registry. He does have a problem with people who are found guilty of a misdemeanor of animal abuse being on this registry. He believes a misdemeanor is a second chance. If it’s a reduced charge to a misdemeanor, give them a second chance instead of blacklisting them right away. If they have been found guilty of a felony they should be blacklisted, he agrees with that but he does not agree if it is a misdemeanor. As a result, he will vote against this local law because of the wording not because of the principle.

In answer to Mr. Eisel if that language has been corrected, Ms. Molé said the language states ‘convicted of any crime.’

The Local Law was adopted by voice vote with one opposed (Taggart).

Upon a motion, the meeting was adjourned at 1:17 p.m.