

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**MARCH 24, 2021**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 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. Supervisors Scott, Davis, Pigford, and Kosier attended via Zoom.

Mr. Marshfield offered the invocation.

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

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

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

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

**RESOLUTION NO. 53**

**TITLE: 2021 BUDGET AMENDMENT  
ACCEPTANCE OF GRANT FUNDING FOR TAI CHI FOR ARTHRITIS PROJECT  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging has been granted \$7,000.00 from Delaware County Rural Health Alliance to expand the agency’s existing Tai Chi for Arthritis program for the county’s older population; and

**WHEREAS**, this funding will be used to engage in activities to support health promotion and stay healthy wellness programs.

**THEREFORE, BE IT RESOLVED** that the estimated revenues and appropriations for the year 2021 will be increased as follows:

**INCREASE REVENUE:**

10-16772-42270603/6772065/977 Grant from Corporations \$7,000.00

**INCREASE APPROPRIATIONS:**

10-16772-54327000/6772065/977 Contracted Services \$6,100.00

10-16772-54327625/6772065/977 Travel \$900.00

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

Ms. Molé stated this is quite a popular program.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 54**

**TITLE: AUTHORIZATION FOR SUBDIVISION AND SALE OF PROPERTY  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Delaware County owns lands previously acquired by TAX SALE described as 29.24 acres, tax map number 187.-2-2.12, Town of Walton; and

**WHEREAS**, the County seeks to retain a portion of said lands, with the residual acreage to be sold by the County Treasurer of Delaware County; and

**WHEREAS**, the land is subject to Simple Subdivision approval of the Town of Walton Planning Board necessary for selling the residual acreage; and

**WHEREAS**, these actions are Type II actions under SEQR.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is authorized to act agent on behalf of Delaware County for subdivision application submission to the Town of Walton Planning Board deed; and

**BE IT FURTHER RESOLVED** that the residual acreage shall be declared as surplus property; and

**BE IT FURTHER RESOLVED** that the Delaware County Treasurer be authorized to sell the residual acreage.

The resolution was seconded by Mr. Valente.

In response to Mr. Marshfield, Mr. Haynes stated this is on the corner of Loomis Brook and County Route 23.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 55**

**TITLE: AUTHORIZATION TO ENTER INTO AN AGREEMENT  
WITH THE TOWN OF HANCOCK FOR THE SALE OF PROPERTY  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Department of Public Works owns lands previously acquired from New York State and described as Right of Way (ROW) land along old Elk Brook Road, Town of Hancock; and

**WHEREAS**, the County ownership does not include the maintenance jurisdiction for said ROW land; and

**WHEREAS**, the maintenance jurisdiction for said ROW was transferred by New York State to the Town of Hancock; and

**WHEREAS**, the Town of Hancock seeks to acquire ownership of said County owned ROW land; and

**WHEREAS**, the Department of Public Works has no plans, interest, or need to retain ownership of said ROW land.

**NOW, THEREFORE, BE IT RESOLVED** that said ROW land as described is hereby declared as surplus property; and

**BE IT FURTHER RESOLVED** that the Department of Public Works is authorized to deed said parcels to the Town of Hancock.

**BE IT FURTHER RESOLVED**, that the Chairman of the Board is herewith authorized to sign any and all documents necessary to effectuate the sale.

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

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

**RESOLUTION NO. 56**

**TITLE: ADOPTION OF THE DELAWARE COUNTY  
CONTINUATION OF OPERATIONS PLAN SPECIFIC TO A PUBLIC HEALTH  
EMERGENCY INVOLVING A COMMUNICABLE DISEASE  
PLANNING DEPARTMENT**

**WHEREAS**, the spread of the Novel Coronavirus (COVID-19) pandemic has caused a public health emergency throughout the United States and indeed the world; and

**WHEREAS**, said pandemic has resulted in a number of changes to operations of local governments as a result of previously unforeseen conditions and impacts; and

**WHEREAS**, amendments to the NYS Labor Law Education Law require all public employers to be prepared for a public health emergency involving a communicable disease by requiring the drafting and publication of a Continuation of Operations Plan for use during such an emergency; and

**WHEREAS**, Delaware County has prepared a Continuation of Operations Plan and has afforded all applicable duly recognized or certified representatives of the Delaware County employees an opportunity to comment and provide input on the Plan and the actions in the Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors hereby adopts the above referenced Continuation of Operations Plan, effective immediately; and

**BE IT FURTHER RESOLVED** that the finalized plan be published in conspicuous locations within the County as well as on the municipal website and employee handbook (if applicable).

The resolution was seconded by Mr. Ellis.

Ms. Molé expressed that the Board all has a copy of the plan. She thanked the Planning Department for assisting the County and the towns that participated.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 57**

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF  
AGRICULTURAL DISTRICT NO. 1**

**WHEREAS** The Delaware County Agricultural and Farmland Protection Board and the Delaware County Planning Board have presented recommendations for the modification of Agricultural District No. 1 located in the Towns of Harpersfield, Kortright, Roxbury and Stamford during the scheduled 8-year review period.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held by the Delaware County Board of Supervisors on the proposed modifications to Agricultural District No. 1 on Wednesday, April 14, 2021 at 12:45 p.m. in the Board of Supervisors' Room of the County Office Building located at 111 Main Street, Village of Delhi, at which time all interested parties will be given an opportunity to be heard.

**Town of Harpersfield**

Removed	0
New Additions	0
District 1 after modifications	15,096.42

**Town of Kortright**

Removed	0
New Additions	0
District 1 after modifications	4,667.39

**Town of Roxbury**

Removed	0
New Additions	0
District 1 after modifications	20,441.32

**Town of Stamford**

Removed	0
New Additions	0
District 1 after modifications	17,930.44

The resolution was seconded by Mr. Ellis.

Ms. Molé stated the public hearing will be on Wednesday, April 14, at 12:45 p.m.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 58**

**TITLE: EARLY VOTING POLLING SITE  
EXEMPTION OF NEW YORK STATE CHAPTER 344 OF 2020  
BOARD OF ELECTIONS**

**WHEREAS**, New York State Chapter 344 of 2020 requires each county board of elections to include at least one early site “in the municipality with the highest population in such county based on federal decennial census;” and

**WHEREAS**, Chapter 344 also provides that, “to the extent practicable, if such municipality has public transportation routes, such a polling place shall be situated along transportation routes;” and

**WHEREAS**, the Town of Sidney is the largest populated municipality in Delaware County and is located in the most north west border of the County. Delaware County is an area of 1,467 miles and has no public transportation; and

**WHEREAS**, there is a high cost of hiring and travel of election staff and transporting equipment daily to and from the Town of Sidney if the early voting site is in the Town of Sidney; and

**WHEREAS**, the Delaware County Board of Elections is situated in the Town of Delhi, the county seat, which is centrally located within the County and has proven to be an efficient use of time, money and resources necessary for conducting early voting in Delaware County for both the elections board and our voters.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Elections Office located in Delhi, New York is hereby declared to be the early voting polling site in Delaware County; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew Cuomo, New York State Senators Frederick J. Akshar II, Peter Oberacker and Mike Martucci, Assembly members Brian Miller, Chris Tague, and Joe Angelino, New York State Board of Elections and the New York State Association of Counties.

The resolution was seconded by Mr. Valente.

In answer to Mr. Marshfield, Mr. Eisel stated the feeling is Sidney is located at the northern end of the county, Delhi being the county seat and the center of the county, we want to keep the one early voting place here. We'd rather do that for economic reasons, moving staff and everything else that's involved.

Ms. Molé indicated the early voting site will just be in Delhi.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 59**

#### **TITLE: RESOLUTION CALLING ON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE MORE OPTIONS FOR LOCAL GOVERNMENTS TO INVEST THEIR CASH**

**WHEREAS**, local governments in New York are restricted under state law to a very short list of investment options for cash management purposes; and

**WHEREAS**, the lack of investment options hinders local government's ability to safely manage their liquidity, while maximizing interest income; and

**WHEREAS**, a recent State Comptroller cash-management audit recommended that municipalities across New York take more proactive steps to maximize their interest income; and

**WHEREAS**, there are many very safe financial instruments available in the marketplace beyond what are currently allowed for municipalities under state law; and

**WHEREAS**, many states provide more options for their local governments to safely invest their cash resources; and

**WHEREAS**, New York City has been granted temporary authority to expand its investment portfolio beyond what counties and other localities can invest in; and

**WHEREAS**, the Governor's SFY 2021-22 budget recommendation proposes to expand the enhanced investment authority granted to New York City to other municipalities, which allows for investments such as:

- General obligation bonds and notes of any state other than New York, provided that such bonds receive the highest rating of at least one independent rating agency,
- Obligations of any corporation organized under the laws of any state, provided that such obligations received the highest rating of two independent rating services and that no more than \$250 million is invested in any one corporation,
- Bankers' acceptances maturing within 270 days which are eligible for purchase in the open market by federal reserve banks,
- Obligations of, or instruments issued by, any agency or instrument of the USA, including federal home loans banks, the Tennessee Valley Authority, the Federal National Mortgage Association, Federal Home Loan Mortgage Association, and the United State Postal Service, provided that no more than \$250 million is invested in any one agency, and
- No load money market mutual funds, provided that such funds are limited to investments in obligations of agencies or instrumentalities of the USA, where payment is guaranteed by the USA; and

**WHEREAS**, when combined with a comprehensive liquidity management program, a broader array of safe investment options for municipalities can play an important role in strengthening a municipality's credit rating and providing the opportunity for lower borrowing costs, while stretching the value of local tax dollars.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls upon the Governor and State Legislature to support the Governor's budget proposal to expand the investment options provided to New York City to other municipalities; 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**, the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Marshfield.

Mr. Marshfield stated this resolution is similar to the two resolutions from the last meeting. This resolution through Resolution No. 64 were drafted and recommended by the New York State Association of Counties (NYSAC). They have the support of the Association of Counties and have been looked over by the committees and the departments fully supported them.

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 60**

#### **TITLE: RESOLUTION CALLING ON THE GOVERNOR AND THE LEGISLATURE TO END THE STATE DIVERSION OF LOCAL SALES TAX**

**WHEREAS**, over the last two budget cycles the State has enacted legislation to divert local sales tax so it can be spent in support of a state program, or to fill state budgets gaps; and

**WHEREAS**, these diversions are approaching nearly \$500 million annually in local sales tax; and

**WHEREAS**, in addition to the state sales tax diversions counties are scheduled for a five percent state aid cut that could reach \$160 million, while also being required to fund expanded state programs with no state fiscal support, and combined, these state funding cuts are approaching \$1 billion annually for counties, outside of New York City; and

**WHEREAS**, sales tax is the number one revenue source for many counties across the state and the primary local revenue to support services in our communities, especially for front line workers responding to the pandemic; and

**WHEREAS**, sales tax is also the number one local revenue source for counties that help keep property taxes lower, including those of hundreds of cities, towns and villages across the state that receive a share of the county sales tax; and

**WHEREAS**, the latest diversion is to support a temporary \$250 million fiscally distressed health facilities pool; and

**WHEREAS**, the support of fiscally distressed health facilities has been a federal and state responsibility for decades as they set nearly all the rules of operation for the health care system, as well as the reimbursement levels for Medicare, Medicaid and other public health programs which account for nearly half of all health care spending in the United States; and



**WHEREAS**, in recent years and in the state fiscal year 2022 budget proposal, the state has cut hundreds of millions of dollars in state funding for fiscally distressed health facilities, as well as funding to incentivize health care facilities and providers to deliver higher quality health care; and

**WHEREAS**, the first annual diversion of \$250 million in local sales tax is just weeks away and the state has provided no criteria for determining what a fiscally distressed health facility is, nor a list of these facilities, nor whether their own funding cuts are placing health facilities in fiscal stress; and

**WHEREAS**, health facilities in New York have been hit hard by the pandemic; and

**WHEREAS**, Congress has recognized the fiscal stress that health facilities have shouldered during the pandemic; and

**WHEREAS**, Congress has authorized \$178 billion in direct payments to health care facilities and providers through several different federal COVID response bills; and

**WHEREAS**, health care facilities and providers in New York State have received \$11.5 billion in federal assistance so far, with \$70 billion of the federal funding still to be distributed; and

**WHEREAS**, according to press statements from Senators Schumer and Gillibrand, the most recent payments from these federal emergency funds replaced 87 percent of the lost revenues for health facilities in New York through the first half of 2020; and

**WHEREAS**, the counties of New York have not received unrestricted federal aid to fight COVID pandemic and ensure economic stability and recovery.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors calls on the Governor and State Legislature to suspend the diversion of local sales tax for the fiscally distressed health facilities pool given the alignment of federal aid to health facilities and the state funding cuts to counties; 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**, the Clerk of the Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Legislature and all others deemed necessary and proper.

The resolution was seconded by Mr. Gladstone.

In reply to Mr. Eisel, Mr. Merrill explained this is relative to taking sales tax and using it for other purposes like AIM funding and similar items. We want to stop the state from doing that.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 61**

**TITLE: RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO NOT SHIFT MORE COSTS TO COUNTIES AND NEW YORK CITY FOR STATE CONTROLLED SOCIAL SERVICES PROGRAMS DEPARTMENT OF SOCIAL SERVICES**

**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 costs to counties and New York City; and

**WHEREAS**, these 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 in full, sometimes including added or more comprehensive service levels, but with less resources; and

**WHEREAS**, the State, with the onset of the COVID pandemic, has resorted to cutting Aid to localities spending across the board, five percent in the state fiscal year 2021 and at least five percent in state fiscal year 2022; 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 at least \$300 million 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**, in state fiscal year 2022 the proposed budget would expand state funding cuts to nearly every social service program the state requires counties and New York City to fund; 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.

**NOW, THEREFORE, BE IT RESOLVED** Delaware County calls on the Governor and State Legislature to not impose new social services cost shifts on counties and to place social services programs at the top of the list when restorations are made; and

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

**BE IT FURTHER RESOLVED** 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. Merrill stated this harkens back to former Town of Masonville Supervisor Michael Spaccaferno's days of mandates without funding.

The resolution was unanimously adopted.

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

#### **RESOLUTION NO. 62**

**TITLE: RESOLUTION CALLING ON THE GOVERNOR TO COMPLETE AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE RECONCILIATIONS THAT ARE YEARS OVERDUE AND IMMEDIATELY RELEASE THE FEDERAL FUNDS OWED TO COUNTIES AND NEW YORK CITY  
DEPARTMENT OF SOCIAL SERVICES**

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

**WHEREAS**, the state requires the counties and New York City to contribute \$7.6 billion annually to pay for the federal and state defined and controlled program; and

**WHEREAS**, the locally required share of Medicaid funding paid in New York is the highest of any state in the country; 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**, under the Affordable Care Act the federal government provided an enhanced Medicaid matching share (map), which has saved New York state billions of dollars; and

**WHEREAS**, the state is required under federal law to share these savings with counties and New York City based on the proportionate share localities pay of the nonfederal match; and

**WHEREAS**, the state has utilized a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue; and

**WHEREAS**, the balance of savings owed to counties is supposed to be reconciled annually to ensure the withheld savings are transferred to county budgets and local taxpayers, as well as meeting the intent of federal law; and

**WHEREAS**, the last completed reconciliation was for state fiscal year 2015-16; and

**WHEREAS**, this leaves reconciliations four years behind the normal schedule, with more than \$800 million in federal funds being withheld from counties and New York City; and

**WHEREAS**, by not providing these federal funds it requires counties and New York City to reserve funds locally to make up for the loss, meaning local taxes have been kept higher than they need to be over multiple years, or local services had to be scaled back or eliminated; and

**WHEREAS**, in the years leading up to the last completed eFMAP reconciliation, counties were provided an estimate of their coming year Medicaid costs by September, in time to incorporate the savings in their budgets, which ceased when regular reconciliations ended.

**NOW, THEREFORE, BE IT RESOLVED** Delaware County urges the Governor to complete these unfinished reconciliations as soon as possible and to provide counties and New York City a full accounting of the federal funds owed, and to take immediate steps to release the funds to localities; and

**BE IT FURTHER RESOLVED** the state should also renew its practice of providing timely notice to counties of coming year Medicaid costs so we can appropriately budget those savings for local taxpayers and to preserve highly desired quality of life services provided locally; 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. Taggart and unanimously adopted.

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

## **RESOLUTION NO. 63**

### **TITLE: URGING THE GOVERNOR AND LEGISLATURE TO INVEST MORE STATE RESOURCES IN TRAINING COUNTY OFFICIALS TO COMPLY WITH RECENTLY ENACTED MEDICAID LONG-TERM CARE CHANGES AND ALSO PROVIDE INCENTIVES TO ADDRESS THE SEVERE DEFICIT OF QUALIFIED HOME HEALTH CARE PROFESSIONALS IN UPSTATE NEW YORK DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, New York State has enacted substantial reforms to its Medicaid program to ensure future cost growth remains within state law limits; and

**WHEREAS**, a large share of these Medicaid changes are directed at modifying administration of long-term care services, as well as implementing eligibility and beneficiary limits for these Medicaid services; and

**WHEREAS**, these changes include instituting an eligibility Lookback Period of 30 months: the 30-month period immediately preceding the date that such non-institutionalized individual applies for Medicaid coverage of long-term care services; and

**WHEREAS**, the Governor and Legislature enacted statutory reforms almost a decade ago to streamline the administration of Medicaid, with a goal of improving uniformity and enhancing accountability through a gradual state takeover of all local Medicaid administrative functions; and

**WHEREAS**, counties have been operating under the direction of the state to reduce local Medicaid staffing and personnel in preparation of the state takeover of these functions, which is now three years overdue and placed on an indefinite pause; and

**WHEREAS**, since asset and income lookback for potential recipients comprise one of the most labor-intensive and complex eligibility and administrative functions in the entire Medicaid program, this will require in depth regional training, frequent ongoing dialogue requiring support from desk guides, administrative directives and other technology tools; and

**WHEREAS**, OTHER REFORMS INCLUDE CHANGING ELIGIBILITY CRITERIA FOR Personal Care Services (PCS), the Consumer Directed Personal Assistance Program (CDPAS) and eligibility criteria for enrollment in Medicaid managed long term care partial plans; and

**WHEREAS**, these proposals would change the current eligibility criteria for individuals to receive PCS and CDPAS as a Medicaid benefit, transfer rules will be applied to services provided through managed long care and fee-for-services, but exclude services provided through mainstream managed care; and

**WHEREAS**, these changes will require all local district staff to have a far greater understanding of complex financial instruments and the need to provide more comprehensive health care needs assessments; and

**WHEREAS**, the changes to eligibility for Personal Care could lead to Level 1 services being eliminated from Medicaid and shifting these services to county adult protective services requiring a local cost share of 51 percent, representing a significant cost shift to county taxpayers; and

**WHEREAS**, recent state law changes are creating two different worlds for accessing Medicaid services, one for those that might be financially eligible and one for those that can afford their own legal team to force their way into being eligible for Medicaid through a variety of mechanisms including avoiding any fiscal responsibility through legal maneuvers; and

**WHEREAS**, COVID has changed the demand for homecare even more, with clients and their families preferring to receive care in their own homes rather than in nursing homes; and

**WHEREAS**, Upstate New York has not been able to attract enough support and professional health care staff to fulfill these needs before COVID, with the new system changes only exacerbating an already desperate situation; and

**WHEREAS**, the Governor's budget recommendation for state fiscal year 2022 proposes to cut funding for health care workforce recruitment and retention.

**NOW, THEREFORE, BE IT RESOLVED** Delaware County Board of Supervisors calls on the Governor and Legislature to ensure the state provides timely and comprehensive training for local district staff by April 1, 2021; and

**BE IT FURTHER RESOLVED** the state needs to invest resources now, not cut them, to ensure families and individuals can find qualified home health care aides and professionals in Upstate New York; and

**BE IT FURTHER RESOLVED** counties should be granted immunity for any fiscal penalties, that could reach 100 percent of all costs, for errors that are governed by state policy that has become vastly more complicated under new statutory changes in the face of a failure by the state to takeover local Medicaid administrative functions as required under state law; and

**BE IT FURTHER RESOLVED** that the Clerk of Delaware County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo, our Federal and State Legislators and all others deemed necessary and proper.

The resolution was seconded by Mr. Vernold.

Mr. Marshfield declared they want to get these resolutions in before the state budget is adopted.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 64**

**TITLE: FULL RESTORATION FOR OMH, OASAS, AND OPWDD STATE AID MENTAL HEALTH DEPARTMENT**

**WHEREAS**, the Local Governmental Units (LGUs)/Directors of Community Services (DCSs) have specific responsibilities and authority under the Local Services provisions of Article 41 of the NYS Mental Hygiene Law (MHL) for planning, development, implementation, and oversight of services to adults and children in their counties affected by mental illness, addiction, and intellectual/developmental disabilities (I/DD); and

**WHEREAS**, all LGUs provide oversight and statutory responsibility to assure access to not only clinic services but a comprehensive array of mental health, addiction and developmental disability services to those in need; and

**WHEREAS**, county governments are experiencing financial devastation as a result of the COVID-19 virus, which has severely impacted the ability of LGUs to meet their statutory responsibilities; and

**WHEREAS**, to offset State fiscal deficits due to the pandemic, the Division of Budget (DOB) initiated 20 percent funding withholds on essential State Aid funding to Local Governmental Units (LGUs) and the FY 2022 Executive Budget proposal recommends permanent 5 percent cuts, along with hundreds of millions of dollars in additional state funding cuts, while requiring counties to expand services mandated by the state with no additional fiscal support; and

**WHEREAS**, this reduction in funding has led to severe impacts on access, capacity, and the delivery of behavioral health services in the community at a time when mental health and addiction services needs have never been higher; and

**WHEREAS**, Delaware County has experienced increases to inpatient/outpatient needs, calls to crisis services lines, homelessness, overdose deaths, addiction relapse, and suicide attempts; and

**WHEREAS**, if these withholds were to become permanent cuts the local service system will face devastating consequences as adequate State Aid is linked to well established and vetted needs identified by each county; and

**WHEREAS**, Delaware County is looking to the State for financial assistance to sustain the mental health care system in order to meet the growing needs of our communities in response to COVID-19 and the anticipated long-term mental health impact of the pandemic and corresponding stressors.

**NOW, THEREFORE, BE IT RESOLVED** Delaware County calls on the Governor to restore the previously withheld State Aid to the LGUs and commit to fully funding LGU State Aid going forward so that they may preserve their statutory responsibility to effectively plan for and facilitate essential safety-net programming that our most vulnerable residents, their families and the communities rely on each and every day; and

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

The resolution was seconded by Mr. Merrill.

Mr. Cetta stated Mental Health Director Cindy Heaney informed him and the committee that the percentage of increase in services requested over this last year has significantly increased and the state is continuing to cut funds and it is really straining all aspects of mental health. We have to give Ms. Heaney's crew a lot of credit for continuing to provide those with services with the decrease and lack of resources.

Ms. Molé commented that was one of the two largest issues that were found doing the police reform plan was mental health and addiction.

Mr. Merrill shared that Colchester found the same thing with their plan. A third of their police business has to do with domestic difficulties, abuse, and drugs.

The resolution was unanimously adopted.

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. 65**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,441,131.70 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	\$672,434.22
OET	\$6,959.66
Public Safety Comm System	\$12,314.78
Insurance Risk	\$0.00
CAP 97 Main	\$703.51
CAP MH	\$187,500.00
Highway Audits, as Follows:	
Weights & Measures	\$49.13
Solid Waste/Landfill	\$64,545.34
Road	\$78,342.76
Machinery	\$60,328.25
Capital Solid Waste	\$40,131.24
Capital Road & Bridge	\$74,456.81
CAP DPW Complex	\$243,366.00

The resolution was seconded by Mr. Gladstone and adopted by the following vote:  
Ayes 4799, Noes 0, Absent 0.

Upon a motion, the meeting was adjourned at 1:16 p.m.