

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 26, 2021**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 26, 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. Davis. Supervisor Pigford attended via Zoom.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

The 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. 92**

**TITLE: APPROPRIATION OF FUNDS FOR THE DPW COMPLEX  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, work is proceeding on the DPW Building project; and

**WHEREAS**, the bids have been awarded for the project; and

**WHEREAS**, invoices are expected prior to receipt of the BAN funds.

**NOW, THEREFORE, BE IT RESOLVED** that the following adjustments be made in the 2021 Budget:

**FROM:**

41-15112-34899000                      Restricted Fund Balance                      \$125,000.00

**TO:**

41-15112-54000000                      Contractual Expense                      \$125,000.00

The resolution was seconded by Mr. Valente and Mr. Kosier and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 93**

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

**LETTING OF MAY 5, 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. 27-21      Rehabilitation of Knox Ave Bridge over Wilson Hollow Brook  
(BridgeNY 2018) – BIN 3352080  
PIN 9754.77, LD036068, DELAWARE COUNTY

Bid Price:      \$848,224.00

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.

In answer to Mr. Marshfield’s question whether this is funded by a program, Commissioner of Public Works Sue McIntyre stated this is funded federal to state to county through BridgeNY.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 94**

**TITLE: ACQUISITION OF EASEMENTS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 155 of 2020 issued a Certification of Findings and Notice of Determination of Non-Significance – SEQR Negative Declaration for the Purchase and Development of County DPW Highway Facilities; and

**WHEREAS**, Resolution No. 23 of 2021 authorized the Chairman of the Board of Supervisors to purchase property from the Town of Kortright necessary for the development of the site for the Patrol and Specialty Shops portion of the DPW Building Highway Facility Project; and

**WHEREAS**, site development requires temporary construction access, permanent stormwater management features, utilities, access and access maintenance, and

**WHEREAS**, existing easements servicing the project site require modification, and new easement acquisitions are needed for site development of the parcel purchased pursuant to Resolution No. 23 of 2021; and

**WHEREAS**, the owners of easements to be modified and owners of adjacent property are willing sellers of temporary easements, permanent easements, and amendments to existing easements to accommodate necessary development features.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to acquire the new easements and amendments for existing easements.

Map of 30' Permanent Utility Easement on Lands Now or Formerly of Brian C. & Jeffrey L. Haynes, Tax Parcel # 106.-2-25.3, Liber 1425 Page 96

Permanent Easement                      \$1800.00

Map of Temporary Construction License Access Agreement on Lands Now or Formerly of Brian C. & Jeffrey L. Haynes, Tax Parcel # 106.-2-25.3, Liber 1425 Page 96

Temporary Easement                      nc

Map of Amendment to Permanent Utility Easement on Lands Now or Formerly of Rich Families Properties, LLC, Tax Parcel # 106.-2-24, Liber 1243 Page 37

Permanent Easement                      nc

Map of Permanent Utility Easement on Lands Now or Formerly of Bloomville Sewer District, Tax Parcel # 106.-2-25.22., Liber 1191 Page 349

Map of Existing Easements to Remain Unchanged and Ex. 50' Wide Access Agreement to be Amended on the Lands Now or Formerly of the Town of Kortright, Tax Parcel # 106.-2-25.21 (Lot One)

Map of Existing Easements to be Dissolved and New 24' Wide Access Easement on the Lands Now or Formerly of the Town of Kortright, Tax Parcel #106.-2-25.21 (Lot Two)

Map of Existing Easement to be Dissolved and New 24' Wide Access Easement on the

Lands Now or Formerly of the Town of Kortright, Tax Parcel # 106.-2-25.21, (Lot Three)

The resolution was seconded by Mr. Valente and Mr. Kosier and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 95**

**TITLE: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE  
TOWN OF SIDNEY FOR THE TRANSFER OF PROPERTY  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Department of Public Works owns lands described as 52 Center Street, Sidney Center, tax map number 141.4-2-17, Town of Sidney; and

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

**WHEREAS**, the Town of Sidney would like the property to ease access to the community playground.

**NOW, THEREFORE, BE IT RESOLVED** that the land be declared surplus property; and

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

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

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

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

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

**RESOLUTION NO. 96**

**TITLE: 2021 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the following 2021 appropriation account is in need of funds:

**NOW, THEREFORE, BE IT RESOLVED** that the following transfer be made:

**FROM:**

10-16129-54200015                      Contracted Services Training Schools                      \$14,770.00

**TO:**

10-16123-54372000                      Juvenile Delinquents                      \$14,770.00

The resolution was seconded by Mr. Taggart and adopted by the following vote:  
Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 97**

**TITLE: OPPOSITION TO MANDATED FAMILY ASSISTANCE RESPONSE (FAR)  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, there is pending legislation in the New York State Senate, introduced by Senator Jabari Brisport, seeking to require all New York State Local Department of Social Services Districts to implement a Family Assessment Response (FAR) program. Currently, FAR is a “differential response” to Child Protective Services Investigations that is optional for counties to participate in.

**WHEREAS**, since 2008, the New York State Office of Children and Family Services (OCFS) has approved the applications of twenty-nine (29) counties to implement a FAR program. Of those twenty-nine (29) local districts, only sixteen (16) continue to employ FAR as a response to child protective reports. It has been reported by former FAR counties that the overall approach to FAR cases is virtually identical to that of a traditional Child Protective Services (CPS) case, with the major exception being that FAR cases are not “determined (indicated/unfounded)” at the closure of the report. Some counties that withdrew from the FAR program reported that adding another unit to the local child welfare landscape caused dissention among staff and that the additional expectations/requirements of maintaining another child welfare unit became unmanageable. It was also reported that FAR did not necessarily result in a reduction of required child welfare interventions (i.e., family court, removals).

**WHEREAS**, implementing and maintaining a FAR unit would be an unfunded mandate that would require additional casework staff, additional training, additional supervisory staff, and additional office space.

**WHEREAS**, the Delaware County Department of Social Services respectfully requests that the Delaware County Board of Supervisors pass a resolution objecting to Senator Brisport’s proposed legislation to mandate counties to develop and implement a FAR program. Delaware County Department of Social Services continues to support FAR as an optional differential response where the decision should remain with the local districts as to whether to implement this service.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors, formally and entirely, object to any legislation that would mandate local Social Services Districts to develop and implement a Family Assessment Response (FAR) unit.

The resolution was seconded by Mr. Vernold.

Mr. Marshfield stated this is a time-sensitive resolution as this would be a mandated program that is essentially going to duplicate a program we already have except that this program is going to require more staff, more training, etc. He introduced Commissioner of Social Services Sylvia Armanno for further explanation.

Ms. Armanno stated that basically this program has been around for a while. There are 16 counties that use this program already. A number of counties tried this program and then stopped because of the cost and duplication of work involved.

Ms. Armanno further stated someone has decided that this should be a mandated program. She has studied the program and spoke with other commissioners and she does not believe this is worth the money it cost to run nor do they have the room to add staff to run it. She stated they are against the mandate not the program. It is fine if other counties have found it works. Others have decided to try it and it did not work, but many counties have just declined to get involved in the program.

She believes it is a lot of money for what they already do and she does not believe our county would be better for it. She noted that most of the counties that are not using the program are smaller counties. She asked the Supervisors for their support to not mandate this program.

Ms. Armanno agreed with Mr. Taggart that this is an unfunded mandate. She expressed her appreciation to the Supervisors for their support to reject the mandate.

The resolution was unanimously adopted.

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

### **RESOLUTION NO. 98**

#### **TITLE: IN MEMORY OF HARRY A. PETERSON**

**WHEREAS**, Harry A. Peterson passed away on April 15, 2021 having served as Town of Harpersfield Supervisor from January 1, 1982 to May 20, 1987; and

**WHEREAS**, he served with distinction and will be remembered for his dedication, community service and hard work.

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

The resolution was seconded by Mr. Marshfield.

Mr. Eisel stated that Mr. Peterson was an amazing person. He was town Supervisor for almost 6 years and served on the town board for 6 years. He was highway superintendent for 17 years and he rebuilt the town roads and they have beautiful, great roads. He served on many boards. He was on the Delaware County Electric Cooperative (DCEC) Board as a trustee for 33 years. He owned and operated a sawmill and he had a farm at one time. Mr. Peterson was very conservative and was easy to talk with. He was an all-around good guy and he really made quite a contribution to their town.

Mr. Marshfield commented that Mr. Peterson was Supervisor when he was on the council for the town of Hamden and they would kibitz back and forth quite a bit. Mr. Marshfield noted that the supervisor role of going to meetings really was not Mr. Peterson's thing. Although he was tied in as Supervisor, he resigned before his term was up. He went from supervisor to highway superintendent because then he could do what he really loved to do. Mr. Peterson was a great person. He was a hands-on guy. He was from the old school. He liked to see his roads and he liked to see his employees work hard. He was a good, old-fashioned guy. He loved sawmills and he had his own. In fact, he died looking at sawmill equipment, doing something he really loved. He was a hardworking man.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 99**

**TITLE: IN MEMORY OF DENNIS S. HILL**

**WHEREAS**, Dennis Stanley Hill passed away on April 19, 2021 having served as Town of Harpersfield Supervisor from June 1, 1987 to December 31, 1987; and

**WHEREAS**, he served with distinction and will be remembered for his dedication, community service and hard work.

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

The resolution was seconded by Mr. Kosier.

Mr. Eisel stated that Mr. Hill had a farm and a maple syrup business and was very involved in the community. He served on the Soil & Water Conservation District Board and was

a state representative for them. He was a member of the state NYS Maple Producers Association and a member of the Grange. He was Town Supervisor for 7 months and was on the town council for 16 years and deputy supervisor for 4 years. He contributed immeasurably to their town. He will be missed.

Mr. Kosier shared that he grew up with Mr. Hill's children and one thing that Dennis and his wife did every year was to bring a bus full of inner-city children to Delaware County through Fresh Air Kids. They had them for the summer on their farm. Many of them came back year after year to see him. It was a great honor knowing him.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 100**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,470,300.32 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	\$999,951.31
OET	\$0.00
Public Safety Comm System	\$270,609.65
Insurance Risk	\$0.00
CAP 97 Main	\$356.03
CAP MH	\$679,778.20
Highway Audits, as Follows:	
Weights & Measures	\$872.81
Solid Waste/Landfill	\$80,080.40
Road	\$204,482.82
Machinery	\$161,285.83
Capital Solid Waste	\$44,174.00
Capital Road & Bridge	\$28,709.27
CAP DPW Complex	\$0.00

The resolution was seconded by Mr. Gladstone and Mr. Taggart and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).



Mr. Valente recalled Local Law Intro. No. 16 entitled *Local Law Authorizing 12- and 13-Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow during Hunting Season with the Supervision of an Adult Licensed Hunter*. The Local Law was seconded by Mr. Kosier and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

In response to Mr. Taggart's request to set public hearing times to 1:00 p.m. as many public hearings are unattended, Ms. Molé said they will start that with the next public hearing.

Mr. Cetta encouraged all Supervisors to attend their local Memorial Day Services on Monday. Participate if you can. Remember what the day is for. If you do not have a local Memorial Day ceremony or parade, you are more than welcome to come to Walton. Theirs will be held at the cemetery at 10:00 Monday morning.

Ms. Scott stated Masonville will hold a small parade that will end at the church and all are welcome.

Upon a motion, the meeting was adjourned at 1:22 p.m.