

## REGULAR MEETING

### DELAWARE COUNTY BOARD OF SUPERVISORS

AUGUST 28, 2013

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 28, 2013 at 5:30 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present except Ms. Molé.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Mr. Dolph who introduced Director of Real Property Tax Services Michael Sabansky. Mr. Sabansky introduced Office of Real Property Tax Services Regional Director John Wolham to provide a presentation on the new Basic STAR (School Tax Relief) Exemption Registration Program.

Mr. Wolham explained that the new legislation is the result of a statewide review of the Basic STAR program by the New York State Office of the State Comptroller. The review of several counties within New York State found that a significant number of homeowners receiving the Basic STAR exemption were not eligible. The Basic STAR exemption is available for owner-occupied, primary residences where the combined income of resident owners and their spouses does not exceed \$500,000. The registration program is part of an initiative to protect against the costs of inappropriate or fraudulent STAR exemptions.

Resident homeowners applying for the Basic STAR for the first time are not affected by this year's registration procedure. A new homeowner needs to apply through their local assessor.

Homeowners currently receiving the Basic STAR exemption will be sent an initial notice from the New York State Department of Taxation and Finance Office of Real Property Tax Services containing a STAR Registration Fact Sheet and their Basic STAR code. The registration process can be completed on-line at [www.tax.ny.gov](http://www.tax.ny.gov) or by phoning the New York State Tax Department at 518-457-2036.

The following information is required to complete the registration process:

- (1) Basic STAR code
- (2) Social security numbers of all owners and their spouses
- (3) Information about any residency-based exemptions in other states received by any of the resident owners
- (4) The 2012 combined income of all resident owners and their spouse who reside at the property.

The registration deadline is December 31, 2013. Homeowners who have not registered by that date will not receive the Basic STAR exemption in 2014.

Property owners who are denied an exemption will receive a notice to appeal directly to the Department of Taxation and Finance. If the property owner is not satisfied with that determination, an appeal can be made to the State Board of Real Property Tax.

Mr. Wolham thanked the Board of Supervisors for providing this opportunity to educate the public. He advised that he will be available tonight to register homeowners and or provide further information to anyone interested.

In answer to Mr. McCarthy, Mr. Wolham noted that there are currently penalties in place for the inappropriate or fraudulent use of the Basic STAR. If a property owner owns more than one home regardless if it is out of state, they must declare which is their primary residence. The exemption is only applicable to a primary residence. He noted that the penalties are being strengthened as of October 2013.

Mr. Wolham stated in response to Mr. Hynes that in certain circumstances a husband and wife who have legally separated and live in and own two different places can each apply for the exemption as long as they can prove residency.

Chairman Eisel thanked Mr. Wolham for an informative presentation.

Chairman Eisel granted privilege of the floor to Mr. Axtell. Mr. Axtell introduced Delaware County Sheriff Thomas Mills and Undersheriff Craig DuMond to provide a review of the Sheriff's Office 2012 Annual Report.

The Delaware County Sheriff's Office has been in existence since 1797 with Sheriff Mills being the County's 58<sup>th</sup> Sheriff. Undersheriff DuMond referenced a few historical facts about the Office of the Sheriff, for example in the early years the Sheriff's powers were broad and extended beyond typical law-enforcement duties to include creating laws and collecting taxes. In addition, the Sheriff was considered the only constitutional law enforcement officer in the land and the Office was considered vital to our republic.

Undersheriff DuMond discussed the responsibilities and achievements of the department's four divisions: Civil, Communications, Corrections, and Law Enforcement.

He shared a summary of achievements taken from the Delaware County Sheriff's Office's 2012 Annual Report noting that the full report can be accessed on the County's web-site: [www.co.delaware.ny.us](http://www.co.delaware.ny.us) under the Sheriff's Department then by clicking on the "Reports" icon.

The Civil Division served 478 papers, 568 income executions, 155 Orders of Protection, 15 property evictions, and performed 230 pistol permit investigations. The revenue collected from fees and poundage amounted to \$75,511.03 which represents an increase of 5 percent over 2011.

The Communications Division is a 24-hour-a-day, 7-day-a-week operation servicing various county and state agencies as well as towns and villages. In addition, the Division

supports several local police and county departments and in 2012 logged 17,717 Computer Aided Dispatch (CAD) service incidents and 9,738 CAD incidents for other county, state and/or law enforcement agencies.

The Corrections Division (Jail) is responsible for a 103-bed facility. In 2012, there were 1,664 inmates processed and 789 jail transports. The average daily inmate population is about 80. The Undersheriff noted that jail transports are becoming increasingly more demanding on the daily operation of the facility.

Revenue received from the boarding-in of prisoners in 2012 amounted to \$237,366 which was above the amount projected. Since the current jail's inception in 2003 revenue earned from the boarding-in of prisoners has amounted to \$2.6 million.

The Law Enforcement Division is fully accredited by the New York State Division of Criminal Justice Services. In 2012, the Division's 9 deputies responded to 6,829 calls for service, answered 1,418 emergency-911 calls, opened 3,228 cases, handled 386 criminal investigations and made 300 arrests. The year closed with felonies up 16 percent, misdemeanors up 23 percent, violations up 15 percent and motor vehicle accidents up 3 percent with a 40 percent increase in personal injury accidents from the previous year.

The Drug Enforcement Unit focused on the eradication of illicit drugs. A Deputy Sheriff was re-assigned from the Road Patrol Division to the Criminal Investigation Division (CID) to work exclusively on drug cases. The introduction of a K-9 narcotics team and the reactivation of mounted patrol were also significant accomplishments made in 2012. There were 30 felony-level drug dealer arrests made which led to the removal of \$75,000 worth of illicit drugs from our communities. The Wilsey arrest made in 2012 was the most significant drug arrest ever made in the history of the Delaware County Sheriff's Office. Undersheriff DuMond also noted that so far this year the Drug Enforcement Unit has processed 30 felony-level drug cases.

The Criminal Investigation Division is also charged with monitoring all convicted sex offenders residing in the county's jurisdiction.

Chairman Eisel thanked the Sheriff and Undersheriff for their interesting and informative presentation.

For standing committee reports Commissioner of Public Works Wayne Reynolds provided an update on several county roads affected by this evening's heavy rainfall. Fortunately, at this time the rain has slowed and water is receding, however, County Routes 10, 14, 16 and 18 were affected by flash flooding and temporarily closed. County Route 10 received a significant amount of water between the Town of Meridale and Jersey Road. Highway Department engineers and road staff are currently out evaluating road conditions.

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

### **RESOLUTION NO. 123**

#### **TITLE: 2013 BUDGET AMENDMENT RECEIPT OF DONATIONS K-9 PROGRAM SHERIFF'S OFFICE**

**WHEREAS**, Resolution No. 91 of 2013 authorized the Delaware County Sheriff's Office to establish a K-9 Program; and

**WHEREAS**, the Sheriff's Office has dedicated an officer to the division, purchased a trained dog and assigned a patrol car; and

**WHEREAS**, the basic necessities, such as food and veterinary care have been donated in perpetum; and

**WHEREAS**, the K-9 Program will incur additional needs relating to its profession and the Sheriff's Office desires the K-9 Program to be supported by donations and would like to continue the acceptance of additional contributions

**NOW, THEREFORE, BE IT RESOLVED** that the 2013 budget be amended as follows:

**ESTIMATED REVENUE:**

10-13110-42270550/3110111/907	Gifts and Donations-Canine	\$20,000.00
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**ESTIMATED EXPENSES:**

10-13110-52228001/3110111/907	Equipment - Canine Law Enforcement	\$19,000.00
10-13110-54143050/3110111/907	Canine – Contractual	\$1,000.00

The resolution was seconded by Mr. Bower and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

**RESOLUTION NO. 124**

**TITLE: 2013 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
OFFICE OF THE DISTRICT ATTORNEY**

**WHEREAS**, the sum of \$8,969 has been made available to the District Attorney's Office to assist in the prosecution of offenses committed under New York State Penal Law Article 265 which deals with the possession of certain illegal weapons; and

**WHEREAS**, we are asking that the sum of \$666, be made available for use in purchasing one (1) computer for Assistant District Attorney Marybeth Dumont from the Office of the District Attorney

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

**FROM:**

10-11165-54-465000/1165002/964	Miscellaneous	\$666.00
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**TO:**

10-11165-52-200000/1165002/964	Equipment	\$666.00
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The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

**RESOLUTION NO. 125**

**TITLE: 2013 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, there has been a re-organization of staffing patterns resulting in the utilization of less per diem staff; and

**WHEREAS**, there are insufficient funds to pay for prescription fringe benefits

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

**FROM:**

10-14012-51000000	Personal Services	\$14,000.00
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**TO:**

10-14012-58750000	Prescriptions	\$14,000.00
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The resolution was seconded by Mr. Dolph.

In answer to Mr. Marshfield, Director of Public Health Services Bonnie Hamilton explained that the transfer relates to the New York State Nursing Association union and their prescription benefit plan the county's five members receive. The expense was unforeseen and therefore, not budgeted for. The increase is related to either a high volume user or expensive medications. The matter will be corrected by moving high volume users to another program.

The resolution was adopted by the following vote: Ayes 4159, Noes 577 (McCarthy), Absent 63 (Molé).

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

**RESOLUTION NO. 126**

**TITLE: 2013 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, Delaware County Public Health Services was awarded a higher amount of money than was budgeted for the purchase of child safety restraints from the New York State Governor's Traffic Safety Grant; and

**WHEREAS**, Delaware County Public Health Services believes it is important to provide events and seats to educate the community on the proper use and installation of child safety

restraints

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

**FROM:**

10-14059-54360000	Itinerate Providers EI	\$6,000.00
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**TO:**

10-14051-54144001	Equipment	\$6,000.00
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The resolution was seconded by Mr. Triolo and Mr. Dolph and adopted by the following vote: Ayes 4159, Noes 577 (McCarthy), Absent 63 (Molé).

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

**RESOLUTION NO. 127**

**TITLE: 2013 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, it is necessary to provide adequate funds to cover expenses; and

**WHEREAS**, a Certified Home Health Agency (CHHA) and a Long Term Home Health Care Program (LTHHCP) are required to submit an annual Medicaid cost report; and

**WHEREAS**, cost reports provide official financial and statistical data related to revenues and expenses

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

**FROM:**

10-14059-54360000	Itinerate Providers EI	\$14,000.00
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**TO:**

10-14012-54535020	Prof Fees Accounting	\$14,000.00
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The resolution was seconded by Mr. Dolph and Mr. Rowe.

Mrs. Hamilton explained that funding for this expense was omitted from the 2013 budget. The expense represents a mandated final Medicaid cost report prepared by an accountant for the LTHHCP and CHHA for the 2012 year ending May 15, 2012 when the CHHA was sold.

The resolution was adopted by the following vote: Ayes 4159, Noes 577 (McCarthy), Absent 63 (Molé).

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

**RESOLUTION NO. 128**

**TITLE: 2013 BUDGET AMENDMENT  
TRANSFER OF ROAD FUNDS  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the cost of the materials necessary for the maintenance of the County Roads is significantly more than budgeted in the 2013 budget; and

**WHEREAS**, we are estimating that we will exceed our current budget by approximately \$250,000.

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

**FROM:**

24-00000-34915000	Fund Balance Otr Unreserved	\$250,000.00
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**TO:**

24-15110-54000000	Contractual Expenses	\$250,000.00
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The resolution was seconded by Mr. Valente.

In answer to Mr. Bracci, Commissioner Reynolds stated that the Department continues to do what it typically does on road rotation however; the cost of liquid asphalt has increased tremendously.

Mr. Valente, speaking as a member of the Public Works Committee, said that funding for the Highway Department has remained flat. A transfer from the Fund Balance is what happens when expenses go up and revenue does not.

The resolution was adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Mole).

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

**RESOLUTION NO. 129**

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

**LETTING OF AUGUST 14, 2013**

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. 33-13 Purchase of New Guide Rail Components II to:

Lot I: Elderlee, Inc.  
729 Cross Rd.  
Oak Corners, NY 14518

Bid Price: \$37,125.00

Lot II: Chemung Supply Corp.  
PO Box 527  
Elmira, NY 14902

Bid Price: \$28,147.58

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. Layton and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé),

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

**RESOLUTION NO. 130**

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

**LETTING OF AUGUST 21, 2013**

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. 35-13 Purchase of New Brush Chipper to:

Thompson & Johnson Equipment Inc.  
15 Corporate Drive  
Binghamton, NY 13904

Bid Price: \$29,506.00

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. Spaccaforo and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).



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

**RESOLUTION NO. 131**

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

**WHEREAS**, County Bridge 101P, Lake Switzerland Pedestrian Bridge Street over Vly Creek in the Village of Fleischmanns was destroyed in Hurricane Irene; and

**WHEREAS**, FEMA has authorized a project worksheet for the replacement of the structure; and

**WHEREAS**, the Department of Public Works has undertaken an approved consultant selection process and has completed the negotiation phase.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to Modjeski and Masters, P.C., 301 Manchester Road, Suite 102, Poughkeepsie, NY 12603 for professional services of design and construction phase services.

Proposal Fee: Maximum Amount Payable \$196,800

The resolution was seconded by Ms. Miller.

In answer to Mr. Marshfield, Commissioner Reynolds noted that there are five pedestrian bridges in the county, adding most of them have become pedestrian bridges as a result of closing a vehicular bridge.

Ms. Miller added that going forward the Lake Switzerland Pedestrian Bridge will be owned and maintained by the Village of Fleischmanns.

The resolution was adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

**RESOLUTION NO. 132**

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

**WHEREAS**, County Bridge 80, BIN 3353090, Bridge Street over Bush Kill in the Village of Fleischmanns was destroyed in Hurricane Irene; and

**WHEREAS**, FEMA has authorized a project worksheet for the environmental services, hydraulic analysis and design of the bridge replacement; and

**WHEREAS**, the Department of Public Works has undertaken an approved consultant selection process and has completed the negotiation phase.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Public Works is authorized to make award to Modjeski and Masters, P.C., 301 Manchester Road, Suite 102, Poughkeepsie, NY 12603 for professional services of environmental studies, hydraulic analysis, final design and construction phase services.

Proposal Fee: Maximum Amount Payable \$240,700

The resolution was seconded by Ms. Miller.

In answer to Mr. Marshfield, Commissioner Reynolds stated that this is a FEMA project that upon completion will be owned and maintained by the Village of Fleischmanns.

Commissioner Reynolds answered in reply to Chairman Eisel, that the original structure is 68 feet; however the new structure will need to be considerably longer. At this point, the span of the new structure is subject to a detailed study.

Ms. Miller thanked the Public Works Committee and Commissioner Reynolds for seeing this project through. She noted that Mr. Valente and Mr. Layton made a trip to the Village of Fleischmanns to understand the importance and impact of this bridge to that community.

The resolution was adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

### **RESOLUTION NO. 133**

**TITLE: AUTHORIZATION TO ENTER INTO A CONTRACT  
TO ACQUIRE PROPERTY FOR THE REHABILITATION, REPLACEMENT,  
MODIFICATION AND EXPANSION OF THE  
DELAWARE COUNTY EMERGENCY RADIO COMMUNICATIONS SYSTEM  
PINE HILL SITE (PINE HILL ROAD, TOWN OF SIDNEY)  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, the Delaware County Department of Emergency Services is progressing with the project of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System as previously authorized, and

**WHEREAS**, a site in the Town of Sidney has been identified as being a site which will provide increased and improved coverage to that area of the county as set forth in Resolution No. 136 of 2012 (dated September 26, 2012), and

**WHEREAS**, the Department of Emergency Services is following the appropriate requirements for acquisition of property for public agencies, and is negotiating with the owner, William P. Whallon, for the purchase of a 1.782 acre parcel of land off Pine Hill Road in the Town of Sidney (a portion of tax map number 139.-1-4.12) on which to erect a communications tower and related appurtenances, and

**WHEREAS**, the Board of Supervisors has previously reviewed the Full Environmental

Assessment Form and issued a Negative Declaration as its SEQRA determination for the Overall Project. Additional environmental review and due diligence has been conducted for this site which confirms the appropriateness of the Negative Declaration, and

**WHEREAS**, the Department of Emergency Services seeks authorization to enter into a contract for the purchase of the property, subject to the completion of any remaining environmental reviews and due diligence, with the construction of the tower to be the subject of a future request to the Board of Supervisors for authorization based upon the completion of any remaining environmental reviews and due diligence.

**NOW, THEREFORE, BE IT RESOLVED** that the County Department of Emergency Services is herewith authorized to enter into a contract for and to purchase, in the name of the County of Delaware, up to 1.782 acres of Tax Map Parcel Number 139.-1-4.12 in the Town of Sidney for the sum of \$4,526.00 Dollars per acre plus the amount of 2013 Town, County and School taxes on said parcel prorated for the date of sale and to pay any usual and customary closing costs associated with the transaction.

The resolution was seconded by Mr. Spaccaformo and Mr. Rowe and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

#### **RESOLUTION NO. 134**

#### **TITLE: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF DELAWARE INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

Be it enacted by the Board of Supervisors of the County of Delaware, as follows:

SECTION 1. Section 4-A of Resolution No. 144, enacted by the Board of Supervisors of the County of Delaware on June 13, 1990, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2003, and ending November 30, 2015. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been

incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (C) of subdivision (1) of section 11 of Resolution No. 144, enacted by the Board of Supervisors of the County of Delaware on June 13, 1990, imposing sales and use taxes, as amended, is amended to read as follows:

(C) With respect to the additional tax of one percent imposed for the period beginning December 1, 2003, and ending November 30, 2015, in respect to the use of property used by the purchaser in this county prior to December 1, 2003.

SECTION 3. This enactment shall take effect December 1, 2013.

The resolution was seconded by Mr. Marshfield.

Chairman Eisel explained that the language in this resolution comes directly from New York State. The resolution allows the county to continue to collect the extra 1 percent sales tax.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 135**

**TITLE: RESCISSION OF RESOLUTION NO. 174 OF 2007  
COUNTY INSURANCE**

**WHEREAS**, Resolution No. 174 of 2007 provided Department Heads the authority to assign county vehicles to staff to use for commuting purposes as a part of their direct service function on a trial basis; and

**WHEREAS**, the trial period has expired and an evaluation of the use of county vehicles needs to be conducted

**NOW, THEREFORE, BE IT RESOLVED** that Resolution No. 174 of 2007 is hereby rescinded.

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

Chairman Eisel stated in answer to Mr. McCarthy, that the resolution is being rescinded as part of the evaluation process that the Human Resources Committee will be conducting into the county vehicle policy.

Mr. Dolph further explained that the resolution adopted in 2007 provided authorization for Department Heads to assign vehicles to staff and this resolution rescinds that authorization.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 136**

**TITLE: APPROVAL OF MODIFICATIONS AND RENEWAL OF AGRICULTURAL DISTRICT NO. 1**

**WHEREAS**, Delaware County has complied with the eight-year review procedure of Agricultural District 1 in the Towns of Harpersfield, Kortright, Roxbury & Stamford; and

**WHEREAS**, the Delaware County Board of Supervisors held a Public Hearing on Wednesday, July 24, 2013 for any public comment; and

**WHEREAS**, the Agricultural and Farmland Protection Board and the County Planning Board have reviewed said District and have recommended that said Agricultural District No. 1 be renewed with the following modifications:

**Town of Harpersfield**

Removed	1,308.85
New Additions	246.55
District 1 after modifications	15,358.64

**Town of Kortright**

Removed	87.89
New Additions	779.38
District 1 after modifications	4,762.11

**Town of Roxbury**

Removed	1,677.5
New Additions	669.83
District 1 after modifications	20,487.59

**Town of Stamford**

Removed	736.55
New Additions	1,009.09
District 1 after modifications	18,360.83

Agricultural District No. 1 after the 2013 8-year review: 58,969.17 acres

**NOW, THEREFORE, BE IT RESOLVED** that Agricultural District No. 1 be renewed with the above recommended modifications.

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

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

**RESOLUTION NO. 137**

**TITLE: RESOLUTION IN SUPPORT OF EQUITABLE INVESTMENT  
IN DELAWARE COUNTY SKI CENTERS  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Delaware County Board of Supervisors is committed to, and strongly supports, the development of the Belleayre Resort at Catskill Park project and the accompanying implementation of the Unit Management Plan for the Belleayre Ski Center; and

**WHEREAS**, the implementation of the Unit Management Plan calls for the investment of \$74 million by New York State in the Belleayre Ski Center for the development of new trails, infrastructure upgrades and additional improvements; and

**WHEREAS**, this level of investment is necessary to aid in the establishment of the Catskill Mountains as a regional outdoor recreation and tourism destination; and

**WHEREAS**, small, family-owned ski centers find it difficult to leverage even a fraction of this amount of funding through private sector investment; and

**WHEREAS**, in order to maintain their position as a component of the Catskill Mountains' regional outdoor recreation and tourism destination small, family-owned ski centers must continue to upgrade equipment, trails and infrastructure.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby urge New York State to develop additional public financing opportunities, such as interest free and/or convertible loans, to be made available to small, privately-owned ski centers and to develop joint marketing opportunities with regional ski centers for the express purpose of creating a public/private partnership to more fully establish the Catskill Mountains as a regional outdoor recreation and tourism destination; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Andrew Cuomo, New York State Senator John Bonacic, New York State Assemblymen Peter Lopez and Kevin Cahill, DEC Commissioner Joe Martens and Pat Barrett, Chairman of the NYS Olympic Regional Development Authority.

The resolution was seconded by Mr. Rowe and Mr. Dolph and unanimously adopted.

Chairman Eisel waived Board Rule 10 to permit the introduction without objection of the following not-pre-filed resolutions.

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

**RESOLUTION NO. 138**

**TITLE: SALE OF TAX ACQUIRED PROPERTY**

**RESOLVED** that the following described parcels of tax acquired property be sold to the party indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

DEP11TX.012

**ASSESSED TO:**

**ROGER JOHNSON**

TOWN OF:	123001:DEPOSIT
TAX MAP NO:	349.17-8-5
SCHOOL DISTRICT:	034201:DEPOSIT
ACREAGE:	47.00'F x 80.00'D: 0.13A ACRES
CONVEYED TO:	RITE WAY COMMUNICATIONS LLC 1 MARVIN ST DEPOSIT NY 13754
CASH CONSIDERATION:	\$5,786.46 VILLAGE SHARE \$1,860.86 COUNTY SHARE \$3,925.60
TAX DEFICIT:	\$3,173.20

SID11TX.068

**ASSESSED TO:**

**JOHN TAORMINA AND JANET TAORMINA**

TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.12-7-4
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	67.00'F x 111.00'D: 0.17A ACRES
CONVEYED TO:	BRITTANY M BONACCI 17503 COUNTY HWY 23 SIDNEY NY 13838
CASH CONSIDERATION:	\$4,500.00 VILLAGE SHARE \$1,620.00 COUNTY SHARE \$2,880.00
TAX DEFICIT:	\$5,494.09

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

**RESOLUTION NO. 139**

**TITLE: AMENDMENT OF RESOLUTION NO. 121-13  
SALE OF TAX ACQUIRED PROPERTY**

**RESOLVED** that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

MID10TX.030

**ASSESSED TO:**

**CHARLES W INGRAM**

TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	285.-1-12
SCHOOL DISTRICT:	124601:MARGARETVILLE
ACREAGE:	2.78A ACRES

CONVEYED TO:

ARISTIDIS STAMATOPOULOS  
ILIAS STAMATOPOULOS  
132 ANCHOR AVE  
OCEANSIDE NY 11572

CASH CONSIDERATION:

\$31,500.00

TAX DEFICIT:

\$11,741.79

The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

**RESOLUTION NO. 140**

**TITLE: AMENDMENT OF RESOLUTION NO. 121-13  
SALE OF TAX ACQUIRED PROPERTY**

**WHEREAS**, the cash consideration on parcel no. 445.-2-36.5 formerly assessed to Christopher A Grote in the Town of Colchester, was erroneously understated in the amount of \$1,102.62;

**NOW, THEREFORE, BE IT RESOLVED** that it be corrected in the amount of \$1,120.62.

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

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

**RESOLUTION NO. 141**

**TITLE: ADOPTION OF THE DELAWARE COUNTY MULTI-JURISDICTIONAL  
ALL-HAZARDS MITIGATION PLAN UPDATE  
PLANNING DEPARTMENT**

**WHEREAS**, the Delaware County Board of Supervisors adopted the original Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan on August 23, 2006 via Resolution No. 196; and

**WHEREAS**, Delaware County, with the assistance of Tetra Tech, Inc., has gathered information and prepared a new Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan; and

**WHEREAS**, the Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, Delaware County is a local unit of government that has afforded the citizens an opportunity to comment and provide input on the Plan and the actions in the Plan; and

**WHEREAS**, the Delaware County Board of Supervisors has reviewed the Plan and



affirms that the Plan will be updated no less than every five years;

**NOW, THEREFORE, BE IT RESOLVED** by the Delaware County Board of Supervisors that Delaware County adopts the Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan as this jurisdiction's All-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

The resolution was seconded by Ms. Miller and unanimously adopted.

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

**RESOLUTION NO. 142**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,214,628.57 were hereby presented to the Finance Committee for approval for payment on August 23, 2013 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	\$1,010,351.22
OET	\$44,034.55
Public Safety Comm System	\$41,159.13
Highway Audits, as Follows:	
Weights & Measures	\$13.12
Road	\$472.09
Machinery	\$98,746.82
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$277.20
Solid Waste/Landfill	\$19,574.44

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,960,415.20 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	\$518,758.68
OET	\$41,626.11
Public Safety Comm System	\$15,496.51
Highway Audits, as Follows:	
Weights and Measures	\$191.37
Road	\$953,460.71
Machinery	\$147,789.67

Capital Road & Bridge	\$36,207.53
Capital Solid Waste	\$106,873.00
Solid Waste/Landfill	\$140,011.62

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4736, Noes 0, Absent 63 (Molé).

Chairman Eisel appointed Adolf Schaefer from the Town of Deposit to the Agricultural & Farmland Protection Board.

Upon a motion, the meeting adjourned at 6:35 p.m.