

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS OCTOBER 9, 2013

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 9, 2013 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 James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present except Mr. Spaccaforo.

Mr. Marshfield offered the invocation.

Mr. Layton 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. Triolo who introduced Chamber of Commerce Executive Director Mary Beth Silano and Tourism Director Jim Thomson to provide an update of the Chamber's activities in 2013.

Ms. Silano noted that the Delaware County Chamber of Commerce is the appointed Tourism Promotion Agency for Delaware County by the Board of Supervisors on an annual basis. A powerpoint presentation focusing on tourism funding, guidelines and initiatives detailed the Chamber's activities over the past nine months.

The county's contribution to the Chamber allows them to market the tourism industry for Delaware County and apply for the I Love NY Matching Funds money. The Catskill Association for Tourism Services, better known as CATS, is the regional tourism organization for the Catskill Mountains tourism industry. CATS works directly with the I Love NY Tourism Campaign.

Ms. Silano stated that people are coming to the Catskill Mountains because it is an affordable vacation with activities for all seasons. Food and beverage producers are gaining in popularity creating another tourism market. The Chamber's advertising methods include television, video, internet and seasonally designed printed ads and brochures to introduce the many types of activities available to tourists in Delaware County and the Catskill Mountains.

As part of the I Love NY Program campaign the Chamber is participating in the Times Square Campaign. The Chamber provides 5,000 rack cards and maps on a monthly basis that are placed in designated rest areas. The program runs from September 2013 to September 2014.

The maps and rack cards have a printed QR code that when scanned by a smart phone brings up the Great Western Catskill website: www.greatwesterncatskills.com.

Mr. Thomson discussed the funding of the Chamber. He pointed out that Delaware County funds the Chamber \$95,000, while Sullivan County funds \$800,000 and Ulster and Greene Counties are each funding \$950,000. In addition to that funding, each county receives \$62,000 from the I Love NY Tourism Campaign. Out of the I Love NY Tourism money, the Chamber funds CATS \$30,000 to promote regional level advertising.

Referencing 2012 I Love NY traveler spending reports, Mr. Thomson shared that travelers through lodging, recreation, food and beverage, retail service station, transport, and second home tourism spent over \$87 million in the county. Regionally, tourism is a \$1 billion industry.

Additionally in 2012, tourism in Delaware County generated \$5.7 million in local taxes and \$4.8 million in state taxes. Delaware County received 8.1 percent of the regional share of tourism-generated taxes. The report indicates that the regional share of tourism-generated taxes translates to a saving per household of \$523 dollars in property tax in Delaware County.

Mr. Thomson stated in reply to Chairman Eisel, that Sullivan and Ulster Counties receive a significant amount of bed tax revenue in addition to money raised by the tax levy.

In answer to Mr. McCarthy, Mr. Thomson stated that the Great Western Catskills map was fully funded by ads purchased from tourism-related business. The 2014 Travel Guide, which will be ready by the end of the year, was also funded by ads. The printing cost will be paid with I Love NY funds. Ms. Silano added that I Love NY money restricts the type of businesses that can advertise in the travel guide to tourism-related businesses.

Mr. Thomson noted in response to Mr. Marshfield, that in 1997 when the Memorandum of Agreement was signed it took out of production 51 percent of the acreage that could be used for traditional economic development. To keep that 51 percent in the watershed viable the county has to look toward agriculture and tourism.

Ms. Silano added that this presentation was geared specifically to how the Chamber has used the funding provided by the County. The Chamber is involved with many other projects aimed at supporting the local community.

Ms. Silano stated that she and Mr. Thomson will be available after the meeting at the Chamber display in the lobby and would be happy to answer any questions. The display is interesting and informative and has been a successful marketing tool.

Ms. Silano answered in reply to Mr. Hynes, that the Chamber has about 600 members, 85 percent of which are sole proprietors paying the \$125 membership fee.

Mr. Marshfield commented that the initiatives discussed were commendable but noted that there is much more that needs to be done to bring economic stability to the county.

Chairman Eisel noted that he is impressed by the work of the Chamber and thanked Ms. Silano and Mr. Thomson for an informative update.

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

RESOLUTION NO. 156

**TITLE: 2013 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Foster Care account is in need of funding

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

FROM:

10-16101-54425000	Medical Assistance	\$300,000.00
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TO:

10-16119-54313150	Foster Child Care	\$300,000.00
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The resolution was seconded by Mr. Marshfield.

Mr. Marshfield noted that the balance remaining in the Medical Assistance account may not be sufficient to meet expenses to the end of the year due to several transfers that have already been made out of the account. He noted that the amount budgeted for 2014 is significantly lower than 2013.

Mrs. Donofrio questioned if additional resolutions will come before the Board for transfers or adjustments. Commissioner Moon explained in answer to Mrs. Donofrio and Mr. Marshfield, that there has been more than a 40 percent increase in the number of children in the foster care program. Reimbursement rates for foster parents are set by the state based on the severity and symptomology of the child. As the state is reducing their fiscal support and the issues facing the foster care program are growing, the possibility of additional resolutions does exist.

In reply to Mr. McCarthy, Commissioner Moon explained that the increase in the number of foster care children is due in great part to the the growing drug problem the county is experiencing. As a result of addiction parents are unable to parent appropriately. The number of infants testing for high levels of toxins at birth has increased. Those infants are removed from the mother and placed in the safety of the foster care system pending the outcome of the situation. The major flow of children in foster care is now infants, toddlers and preschoolers.

In answer to Chairman Eisel, Commissioner Moon stated that in 2012 the average

number of children in foster care was in the mid to upper sixties. This summer there were 111 children in foster care. That number has since gone down to 99 but there are several foster care cases pending at Family Court that may result in placement if the problems have not been mitigated.

Commissioner Moon answered in reply to Mr. Bracci, that several county departments and agencies are working together to seek solutions to the evolving problems. The safety of the children is always the first priority. The department makes every effort to place children with relatives or other family resources when possible. There have been several incidents in communities the department has been made aware of that have resulted in infants and toddlers being removed from their home due to unsafe parenting.

In response to Mr. Bracci, Commissioner Moon also addressed Resolution No. 160 and 161.

Regarding Resolution No. 160, Commissioner Moon explained that historically the expense of the Safety Net Program was shared equally between local government and the State of New York. The 2011-12 state budget cuts lowered the state's percentage of fiscal responsibility to 29 percent. As a result, local government is now fiscally responsible for 71 percent of the program cost. In addition, counties are funding 100 percent of the administration support for the Safety Net Program.

Regarding Resolution No. 161, Commissioner Moon advised that Delaware County's local Juvenile Justice Program has been under control for several years. Although there are a few youths that have entered the foster care system through this program, juvenile justice issues are not a significant factor to foster care. The county has eight children that are residentially placed. A residential placement starts at \$150,000 a year per child. He pointed out that the department's budget includes funding for school district residential placements. There are three children that are not in foster care but it is the county's responsibility to pay for their board and maintenance during the school year.

He noted that the intent of these resolutions is to shed light on the issues and gain support of other counties and legislature in order to call upon the state to return the funding they have taken away from these programs. Without increased funding, local government has no alternative source of revenue other than the tax levy.

The resolution was adopted by the following vote: Ayes 4090, Noes 577 (McCarthy), Absent 132 (Spaccaforno).

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

RESOLUTION NO. 157

**TITLE: 2013 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the equipment account for the department is in need of funding

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

FROM:

10-16102-54200000 MMIS Medical Assistance-Contracted Srvs \$34,790.00

TO:

10-16010-52200000 Social Services-Equipment \$34,790.00

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

In answer to Mr. Marshfield, Commissioner Moon explained that MMIS stands for Medical Management Information System. The department was advised of a required upgrade of equipment and software but not in time to include the expense in the 2013 budget. The matter was discussed with the Social Services Committee who agreed the upgrade should be done as soon as possible.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaferno).

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

RESOLUTION NO. 158

**TITLE: 2013 BUDGET AMENDMENT
TRANSFER OF FUNDS
AMENDMENT TO RESOLUTION NO. 111-2012
REIMBURSEMENT OF EXPENDITURES
UNDER NEW YORK MAIN STREET GRANT (NYMS)
DEPARTMENT OF WATERSHED AFFAIRS**

WHEREAS, the Village of Franklin has been awarded funding in the amount of \$255,000 under the New York State Division of Housing and Community Renewal; and

WHEREAS, the Village of Franklin entered into a subrecipient agreement with the Delaware County Local Development Corporation (DCLDC), whereby the DCLDC, on behalf of the Village will assume responsibility for the delivery and administration of the NYMS funds; and

WHEREAS, the Department of Watershed Affairs has been assisting the DCLDC in the administering of the New York Main Street Grant; and

WHEREAS, the Delaware County Local Development Corporation will reimburse the Department of Watershed Affairs for administrative tasks in the amount of \$4,500; and

WHEREAS, the Department of Watershed Affairs is in need of an equipment upgrade; and

WHEREAS, the funds for this purchase need to be transferred to the following line items listed below; and

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

FROM:

10-18740-54595320	Supplies	\$1,300.00
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TO:

10-18740-5220000	Equipment	\$1,300.00
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The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 159

**TITLE: RESOLUTION REQUESTING INTRODUCTION OF HOME RULE
LEGISLATION AUTHORIZING IMPOSITION OF
A WIRELESS SURCHARGE IN DELAWARE COUNTY
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, the County is working toward improving its 911 capabilities to provide enhanced wireless 911 services; and

WHEREAS, the ever increasing use of wireless telephones is such that the provision of enhanced wireless 911 services becomes more important to public safety for wireless telephone users residing in or traveling through Delaware County; and

WHEREAS, almost all of the counties in New York have obtained State legislation authorizing the imposition of a surcharge not to exceed thirty cents per month on wireless communications service within each County and have utilized the revenue derived from such authority to enhance public safety wireless 911 services; and

WHEREAS, the State legislation provides that such revenues shall only be used for eligible wireless 911 service costs

NOW, THEREFORE, BE IT RESOLVED that Delaware County hereby requests its New York State Legislators to assist in the preparation and introduction of appropriate Home Rule legislation authorizing Delaware County to adopt, amend or repeal local laws to impose a surcharge not to exceed thirty cents per month on wireless communications service within 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 M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Thomas W. Libous, Assemblyman Clifford W. Crouch, Assemblyman Peter D. Lopez and Assemblywoman Claudia Tenney and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Bower.

Mr. Axtell advised that this is the first step in the process toward the introduction of a home rule legislation authorizing Delaware County to impose a surcharge on wireless communication service.

The resolution was unanimously adopted.

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

RESOLUTION NO. 160

**TITLE: RESOLUTION URGING NEW YORK STATE TO RESTORE THE HISTORIC 50/50 STATE/LOCAL COST SHARING FOR THE STATE'S MANDATED SAFETY NET PROGRAM OR PROVIDE MORE PROGRAM CONTROL TO LOCAL SOCIAL SERVICE DISTRICTS COMMENSURATE WITH COUNTIES INCREASED FISCAL RESPONSIBILITY FOR THE PROGRAM
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the 2011-12 final State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent county / 29 percent State, severing the historic 50 percent State / 50 percent county partnership; and

WHEREAS, the State Division of the Budget and Legislature stated that this funding shift, in conjunction with fully federalizing New York's TANF (Family Assistance) costs, would generate up to \$50 million annually in net cost reductions for counties and New York City; and

WHEREAS, actual spending through the end of calendar year 2012 indicates that these aggregate savings have not materialized for counties and New York City; and

WHEREAS, with the recent economic downturn and slow recovery, Safety Net Assistance enrollment has increased across the State in record numbers, which will shift even more costs from the State Budget to local taxpayers to support this state mandated program; and

WHEREAS, counties' initial concerns regarding the state funding shift in Safety Net that it would leave counties paying a larger share of a much faster growing public assistance program are being verified in the most recent caseload data, with Safety Net caseload growing at an average annual rate of nearly 4.5 percent the last five years compared to the TANF caseload that is virtually unchanged from where it was in 2008; and

WHEREAS, the steady pullback in state funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, Child Support Enforcement, juvenile justice and programs designed to help recently released state incarcerated offenders return to the community creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, forcing this state constitutional responsibility on county government and local property taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors calls on the State to restore the historic 50/50 State/county cost sharing, or grant greater decision making authority and administrative flexibility over program management to

ensure even more costs are not shifted to local tax payers in support of this state mandated program; and

BE IT FURTHER RESOLVED the State of New York should prioritize the modernization of the Welfare Management System (WMS) to promote efficiencies in the administration of the Supplemental Nutrition Assistance, Safety Net and Family Assistance Programs; and

BE IT FURTHER RESOLVED the State of New York must take on a greater fiscal and programmatic responsibility in ensuring incarcerated offenders returning to the community are provided appropriate state assistance including housing, work supports and training, health care, counseling, substance abuse and other critical services to prevent recidivism and reduce the impact on local social service district fiscal and staff capacity, which is already strained due to increased caseloads and years of reduced state financial support; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the other counties of New York State encouraging them to enact similar resolutions; and

BE IT FURTHER RESOLVED that certified copies of this resolution be sent to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Thomas W. Libous, Assemblyman Clifford W. Crouch, Assemblyman Peter Lopez, Assemblywoman Claudia Tenney, New York State Department of Health Commissioner Nirav R. Shah, New York State Comptroller Thomas DiNapoli, Office of Children and Family Services Commissioner Gladys Carrión, Esq., and the New York State Association of Counties (NYSAC).

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

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

RESOLUTION NO. 161

TITLE: RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO CONTINUE TO PARTNER WITH COUNTIES TO SUCCESSFULLY REFORM JUVENILE JUSTICE PROGRAMS WHILE AVOIDING COST SHIFTS TO COUNTIES DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the State of New York and counties have made important progress in addressing the needs of juvenile delinquents placed into the care and custody of New York State; and

WHEREAS, New York State and New York City continue to reform the juvenile justice system through the implementation of the Close to Home Initiative; and

WHEREAS, New York State has developed pilot sites for addressing the treatment of youth in our juvenile justice system, maintaining a commitment to raising the age of criminal responsibility from 16 to 18 years of age for certain offenses; and

WHEREAS, New York State in an effort to reduce their own costs and risk, has capped funding streams for non-secure and secure detention costs, shifting risk, cost and responsibility to county taxpayers; and

WHEREAS, New York State has continued to struggle with maintaining rate setting in a timely manner, placing counties at risk of significant retroactive financial liabilities by not publishing rates in a timely manner; and

WHEREAS, counties across the state serve as the front door and often first contact with New York's juvenile justice system through local probation departments, which continue to face limitations, reductions and elimination in resources brought on by years of cost shifts from the State to counties.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to continue to work with counties in addressing juvenile justice reform in a way that avoids shifting costs and risk, while adding responsibility to county taxpayers.

BE IT FURTHER RESOLVED that the Delaware County Board of Supervisors is calling on the Governor and State Legislature to support reform of the system, in consultation with counties, for youth at risk of entering the juvenile justice system that achieves services provided as close to home as possible, that includes innovative and effective practices, and emphasizes prevention through flexible funding; and

BE IT FURTHER RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to engage counties while considering proposals to change the age of criminal responsibility including the need to align and provide sufficient state funding under the proposal to support needed services for 16- and 17-year olds at risk, while not shifting new costs to county tax payers; and

BE IT FURTHER RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to provide sufficient funding and resources to support the Close to Home initiative, comprehensive after care and regional planning/advisory groups that promote coordination without a duplication of efforts; and

BE IT FURTHER RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to hold counties outside New York City harmless for increased costs as it proceeds through the Close to Home Initiative, as a reduction in the number of youth in New York State Office for Children and Family Services placements will significantly increase the per diem cost to Upstate counties, as the State moves quickly to eliminate the excess capacity and commensurate per diem rate increases; and

BE IT FURTHER RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to prioritize rate setting for State Training Schools, removing the potential financial liability of retroactive rate adjustments, which place significant strain on local budgets and accounting procedures; and

BE IT FURTHER RESOLVED that the Delaware County Board of Supervisors calls on the Governor and State Legislature to reconsider the detention block grant and Supervision

and Treatment Services for Juveniles Program funding caps, which hinder juvenile justice reform and place financial limitations and restrictions on counties in their efforts to address the needs of juvenile delinquents and Persons in Need of Supervision (PINS); and

BE IT FURTHER RESOLVED, that the Delaware County Board of Supervisors calls on the Governor and State Legislature to strengthen diversion and adjustment services across the State by developing a new dedicated funding stream with enhanced state funding for juvenile probation that honors the importance of their role in meeting the needs of at-risk youth in a safe, effective manner without diverting funding from other sources; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the other counties of New York State encouraging them to enact similar resolutions; and

BE IT FURTHER RESOLVED that certified copies of this resolution be sent to Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Thomas W. Libous, Assemblyman Clifford W. Crouch, Assemblyman Peter Lopez, Assemblywoman Claudia Tenney, New York State Department of Health Commissioner Nirav R. Shah, New York State Comptroller Thomas DiNapoli and the New York State Association of Counties (NYSAC).

The resolution was seconded by Mr. Marshfield 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. 162

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.

	SID11TX.030
<u>ASSESSED TO:</u>	<u>ANTHONY M HARTT</u>
TOWN OF:	125089:SIDNEY
TAX MAP NO:	141.2-2-31
SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	33.00'F x 75.00'D: 0.05A ACRES
CONVEYED TO:	BRITTANY M BONACCI 17503 COUNTY HWY 23 SIDNEY NY 13838
CASH CONSIDERATION:	\$1,000.00
TAX DEFICIT:	\$1,956.83

	SID11TX.054
<u>ASSESSED TO:</u>	<u>GEORGE PITTET AND EFFIE Y PITTET</u>
TOWN OF:	125001:SIDNEY
TAX MAP NO:	115.16-5-8

SCHOOL DISTRICT:	125001:SIDNEY
ACREAGE:	85.00'F x 92.25'D: 0.25A ACRES
CONVEYED TO:	LEON RULING JR 54 BEALE BLVD SIDNEY NY 13838
CASH CONSIDERATION:	\$22,510.00 VILLAGE SHARE \$11,255.00 COUNTY SHARE \$11,255.00
TAX DEFICIT:	\$1,927.56

The resolution was seconded by Mr. Donnelly and Mrs. Capouya and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaferno).

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

RESOLUTION NO. 163

TITLE: ADOPTION OF STATE ADVISORY EQUALIZATION RATES

BE IT RESOLVED that the following State Equalization Rates be adopted for the apportionment of the 2014 County Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law:

ANDES	100.00
BOVINA	24.35
COLCHESTER	3.13
DAVENPORT	72.66
DELHI	56.00
DEPOSIT	4.77
FRANKLIN	92.00
HAMDEN	18.50
HANCOCK	13.90
HARPERSFIELD	27.05
KORTRIGHT	100.00
MASONVILLE	100.00
MEREDITH	100.00
MIDDLETOWN	100.00
ROXBURY	32.00
SIDNEY	82.00
STAMFORD	27.37
TOMPKINS	4.44
WALTON	27.35

The resolution was seconded by Ms. Molè and adopted by the following vote Ayes 4667, Noes 0, Absent 132 (Spaccaferno).

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

RESOLUTION NO. 164

**TITLE: 2013 BUDGET AMENDMENT
ACCEPTANCE OF GRANT MONEY
FROM THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT (NYS
OEM) AND FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FOR THE HAZARD MITIGATION GRANT PROGRAM
FOR A VOLUNTARY FLOOD BUYOUT
PLANNING DEPARTMENT**

WHEREAS, in August/September, 2011, Delaware County experienced widespread catastrophic flooding from Hurricane Irene and Tropical Storm Lee, adversely affecting many of its towns and villages, warranting the declaration of a countywide “State of Emergency”; and

WHEREAS, NYS OEM and FEMA announced funds available for a voluntary flood buyout program; and

WHEREAS, the Delaware County All-Hazards Mitigation Plan was accepted by the Delaware County Board of Supervisors to ensure Delaware County eligibility for State and Federal Hazard Mitigation monies; and

WHEREAS, the Delaware County Planning Department has applied for funding from NYS OEM and FEMA for a voluntary flood buyout program; and

WHEREAS, on or about March 21, 2013, Delaware County was awarded \$4,206,150 from NYS OEM and FEMA with a 75% federal share of \$3,154,613 and a 25% non-federal matching share of \$1,051,537 for a voluntary flood buyout program; and

WHEREAS, on or about March 21, 2013, Delaware County was awarded \$259,399 from NYS OEM and FEMA with a 75% federal share of \$194,549 and a 25% non-federal matching share of \$64,850 for a voluntary flood buyout program; and

WHEREAS, as a result of the Flood Events and pursuant to the Hazard Mitigation Grant Program, Delaware County and New York City will be executing a contract with FEMA and NYS OEM to fund property acquisitions from willing sellers and demolition projects that will be administered by the County under a County-established Flood Buyout Program (the “Flood Buyout Program”); and

WHEREAS, New York City has agreed to participate in the Flood Buyout Program by providing funds to cover certain costs incurred in connection with real property acquisition and demolition projects and taking title to certain such properties that meet certain criteria (except where the County or another local government has opted to take title); and

WHEREAS, for purposes of Flood Buyout Program, FEMA and NYS OEM (with the cooperation and participation of the County) has conducted a comprehensive review under SEQRA and NEPA; and

WHEREAS, due to the property damage from the Flood Events and in order to obtain the participation of impacted property owners, Delaware County classifies the Flood Buyout Program as an emergency action and is committed to proceed with all due expedience; and

WHEREAS, in order to proceed with the Flood Buyout Programs, Delaware County must execute funding agreements with NYS OEM (two funding agreements entitled: State of New York Multi-Year Agreement) and one funding agreement with New York City (Memorandum of Agreement Between the City of New York and Delaware County Related to the Delaware County Flood Buy-Out Program). Under those agreements, the County agrees, in consultation with NYS OEM to manage, coordinate and administer the disbursement of Federal and State funds received pursuant to the Flood Hazard Mitigation Grant Program for real property acquisition and demolition projects and be responsible for ensuring that each project receiving Federal and State funds satisfies Federal Regulations at 44 C.F.R. Part 80 and any other requirements of FEMA or NYS OEM under the Flood Hazard Mitigation Grant Program; and

WHEREAS, in order for New York City to participate in the Flood Buyout Program, the NYC Department of Environmental Protection (DEP) has requested a modification to Special Condition 7(b) of the 2010 Water Supply Permit to allow the fair market value of buyout properties to be determined in accordance with the Applicable FEMA Procedures and a modification to Special Condition 7(b) of the 2010 Water Supply Permit to clarify that acquisitions by local communities of properties in any Federal or State buyout program do not require DEP to grant a conservation easements (“LAP Permit Modification”); and

WHEREAS, in order to facilitate that LAP Permit Modification, Delaware County must execute an agreement consenting the LAP Permit Modification entitled: Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning DEP’s Participation in Federal or State Flood Buy-Out Programs.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors accepts these grant moneys and authorizes the Chairman of the Board to enter into contracts with NYS OEM, FEMA, New York City and others necessary to implement the Flood Buyout Program; and

BE IT FURTHER RESOLVED that the 2013 budget be amended as follows:

ESTIMATED REVENUES:

10-18020-43396000/8020023/908	State Emergency Disaster Asst	\$1,116,387.00
10-18020-44496000/8020023/908	Federal Emergency Disaster Asst	\$3,349,162.00

ESTIMATED APPROPRIATIONS:

10-18020-54327000/8020023/908	Grant Contracts	\$4,465,549.00
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The resolution was seconded by Ms. Miller.

This resolution, Planning Department Director Nicole Franzese explained, is to accept grant moneys and enter into contract with the necessary agencies in order to implement the Flood Buy-Out Program. The resolution covers two grants. The first grant for substantially damaged properties includes 24 properties located in the New York City Watershed. The second grant

approval is for two properties, one in Roxbury and one in Sidney. The appraisals for these properties have been completed. There are 20 plus Sidney properties awaiting approval that has been held up by the State Office of Historic Preservation. There are additional grants waiting to be approved.

The resolution was unanimously adopted.

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

RESOLUTION NO. 165

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,982,444.62 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	\$773,954.56
OET	\$19,265.08
Public Safety Comm System	\$188,301.04
Highway Audits, as Follows:	
Weights and Measures	\$194.77
Landfill	\$39,049.12
Road	\$5,941.74
Machinery	\$81,721.81
Capital Road & Bridge	\$843,321.20
Capital Solid Waste	\$30,695.33

The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforo).

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

RESOLUTION NO. 166

DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS

LETTING OF SEPTEMBER 26, 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 specification as follows:

PROPOSAL NO. SW7-13 Supply and Install New Truck Scales to:

C.S. Freeman Co., Inc./Freeman Scale
5858 East Molloy Rd., Suite 108
Syracuse, NY 13211

Bid Price: \$80,555.00

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. Valente.

Mr. Rowe noted that the truck scales at the Solid Waste Management Center are 20 years old and are not long enough for the modern trucks. Installation and scale certification is included in the bid price.

In answer to Mr. Marshfield, Ms. McIntyre stated that the lowest bidder did not meet specifications.

The resolution was adopted by the following vote: Ayes 4667, Noes 0, Absent 132 (Spaccaforno).

Upon a motion, the meeting adjourned at 1:50 p.m.