

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS MARCH 26, 2014**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 26, 2014 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Vice Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present except Mr. Eisel. Vice Chairman Molé shared that Mr. Eisel was out due to illness.

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 amended.

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

Vice Chairman Molé granted privilege of the floor to Commissioner of Social Services William Moon who presented Karen Laing as Employee of the Month.

Mrs. Laing began her employment as a Dispatcher in the Delaware County Sheriff's Office Communication Center. She joined the Department of Social Services as a Community Services Worker in 2001 while also serving as a part-time Dispatcher. In 2003, Mrs. Laing became a licensed security guard and was promoted to the position of Social Services Security and Safety Aide. In this capacity, Mrs. Laing is in charge of the reception desk at the 99 Main Street office building.

Commissioner Moon stated that Mrs. Laing provides a wide range of support functions. In the capacity of Community Services Worker she assists the Adult Services Unit with support tasks that include various applications, coordinating transportation, assisting with agency communications and taking clients into the community to accomplish tasks they are challenged to perform for themselves.

Mrs. Laing is a team player, always supportive to staff and respecting of the clients. She is vigilant and attentive in her role of security and in her dealings with the clients; she is genuine and approachable. Commissioner Moon shared that the entire Adult Protective Unit and Services Administrative Team join him in recognizing Mrs. Laing for Employee of the Month.

Commissioner Moon presented Mrs. Laing with a \$50.00 check. Vice Chairman Molé presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Vice Chairman Molé granted privilege of the floor to Mr. Triolo. Mr. Triolo introduced Commissioner of Watershed Affairs Dean Frazier who provided a powerpoint presentation on the Delaware County Action Plan for Watershed Protection (DCAP).

Commissioner Frazier stated that DCAP was adopted by resolution in August 1999 to assist communities in meeting water quality restrictions and objectives without loss of economic viability and growth. The program took root under the leadership of former Chairman of the Board Ray Christensen who wanted to ensure that Delaware County would have an effective means to respond to and negotiate with the powers controlling the watershed rules and regulations. Keith Porter, at that time the Director of the New York State Water Resources Institute, was also acknowledged with appreciation for his support, time, expertise and experience on the county's behalf for the development and implementation of DCAP.

The Core Group approach provides the expertise required to seek funding to research and pursue water based or other initiatives that support economic development and improve municipal infrastructure. The Core Group consists of the Departments of Code Enforcement, Economic Development, Emergency Services, Planning, Public Works and Watershed Affairs and the Delaware County Cooperative Extension and the Delaware County Soil and Water Conservation District.

DCAP contributors include the Army Corps, Catskill Watershed Corporation, Chamber of Commerce, Cornell Cooperative Extension, Delaware County Soil and Water Conservation District, Environmental Protection Agency, O'Connor Foundation, Watershed Agriculture Council, New York City Department of Environmental Conservation, New York State Department of Agriculture and Markets, New York State Department of Environmental Protection, New York State Department of Health, New York State Soil and Water Conservation Committee, Technical Advisory Group, United States Department of Agriculture and Young/Sommer LLC Attorneys at Law. These contributors offer the resources and expertise needed to address the complex issues of water quality. To date, DCAP grants totaling \$10,253,601 have supported projects related to flood mitigation, agricultural relief, and streams and stormwater.

Commissioner Frazier detailed the tasks ahead, among them, an update to DCAP, the Flood Mitigation Program and the Energy Plan. Future endeavors include retaining existing business, securing environmentally compatible economic opportunities in the watershed, pursuing economic opportunities outside the watershed to offset losses of economic opportunities resulting from enhanced watershed protection, seeking funding and technical support to mitigate existing challenges and working toward ensuring the ability to address future environment challenges prior to compliance.

In conclusion, Commissioner Frazier said that collaboration and teamwork is a positive direction for the county as it endeavors to protect home rule, earn credibility and accomplish the goals established by DCAP.

Ms. Molé thanked Commissioner Frazier for his very informative presentation.

For standing committee reports Vice Chairman Molé called the Supervisors' attention to their copy of a Community Services Board (CSB) Invitation to Submit Proposals. The proposal was approved by the CSB at their last regularly scheduled meeting for the consolidation of the Adult Mental Health Clinic, the Children and Family Services Clinic and Alcohol and Drug Abuse Services. An attempt to consolidate these services in 2013 was met with controversy over the Treadwell School location. She advised that printed copies of the proposal are available and encouraged the media and anyone else interested to take a copy.

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

**RESOLUTION NO. 59**

**TITLE: RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO CONTINUE TO SUPPORT A REDUCTION IN THE LOCAL SHARE OF MEDICAID COSTS BY AUGMENTING AUTOMATIC FEDERAL SAVINGS THAT ACCRUE TO NEW YORK COUNTIES UNDER THE AFFORDABLE CARE ACT  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, Medicaid is a federal and New York State designed and controlled health care program, whose costs represent the largest component of the state and county fiscal relationship, with total Medicaid program costs exceeding \$54 billion annually; and

**WHEREAS**, Governor Andrew Cuomo and the State Legislature have made important strides controlling cost growth in this program by fundamentally realigning the delivery of health care services in New York, while implementing a zero annual growth cap of local Medicaid costs effective in 2015; and

**WHEREAS**, enhanced federal financial support available under the Affordable Care Act (ACA) is required to be passed through to counties to alleviate local Medicaid cost shares; and

**WHEREAS**, even with these new federal resources nearly \$7.5 billion in mandated local Medicaid costs is embedded into counties' current aggregate tax base, and for a typical county Medicaid costs equal about one-half of the property tax levy; and

**WHEREAS**, the State Legislature and Governor have made the reduction in property tax growth a top priority; and

**WHEREAS**, the ACA provides continued opportunities for New York State to lower Medicaid program costs beyond those related to enhanced federal matching funds

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors does hereby request that the Governor and New York State Legislature diligently pursue the implementation of the Affordable Care Act (ACA) and to work closely with the New York Congressional Delegation to preserve the enhanced Medicaid matching rates available to the state under the law; and

**BE IT FURTHER RESOLVED** that in an effort to lower the property tax burden in New York, the Delaware County Board of Supervisors also request that the Governor and Legislature continue to: fully leverage all federal health reform flexibilities and enhanced payment rates available under the ACA, maximize federal resources available through the 1115 Medicaid waiver process, lower state and local Medicaid costs by examining current State eligibility and benefits levels in Medicaid that can be shifted to health insurance coverage supported with federal dollars under the ACA, maximizing expenditure controls through enhanced Medicaid Program integrity efforts in conjunction with the counties and New York City, and work to direct a portion of any further savings from these actions toward lowering and eventually eliminating the local contribution counties and New York City provide to support the State's Medicaid Program; and

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Andrew Cuomo, Senator John Bonacic, Senator James Seward, Senator Thomas Libous, Assemblyman Clifford Crouch, Assemblyman

Peter Lopez and Assemblywoman Claudia Tenney, other New York Counties, and the New York State Association of Counties (NYSAC).

The resolution was seconded by Ms. Miller.

Mr. Marshfield noted that this resolution is similar to one passed by several other counties. He explained that the county is funding the Medicaid program about \$9 million annually and it is the largest single program expense to the county. The Affordable Care Act provides an opportunity for the state to lower the Medicaid program costs beyond those related to the enhanced federal matching funds. A reduction to the Medicaid obligation would make a significant difference to the county's budget when calculating the property tax levy.

In answer to Mr. Rowe, Commissioner Moon stated that over 500,000 new applicants now qualify for Medicaid because of the Affordable Care Act. He noted that to his knowledge the state Medicaid fees are still being split 50/50 between the state and federal government.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 60**

**TITLE: 2014 BUDGET AMENDMENT  
STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM  
SHERIFF'S OFFICE**

**WHEREAS**, the New York State Office of Homeland Security and Emergency Services has announced the availability of a grant that will subsidize 100% of the costs associated with the State Law Enforcement Terrorism Prevention Program for the Delaware County Sheriff's Office; and

**WHEREAS**, this grant was established to purchase cameras and related items that will be utilized throughout Delaware County in monitoring hazards and extreme weather conditions in order to facilitate appropriate law enforcement intervention.

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 budget be amended as follow:

**INCREASE REVENUE:**

10-13110-43330500/3110043/907	State Homeland Security	\$22,500.00
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**INCREASE APPROPRIATION:**

10-13110-52200001/3110043/907	Equipment Grant	\$22,500.00
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The resolution was seconded by Mr. Spaccaforo.

In response to Mr. Spaccaforo, Undersheriff DuMond stated that the funding must be used for anti-terrorism and the purchase of a canine does not fall under the criteria established by the State Law Enforcement Terrorism Prevention Program for the use of the funds.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 61**

**TITLE: 2014 BUDGET AMENDMENT  
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Supplemental Nutrition Assistance Program (SNAP); and

**WHEREAS**, New York State has informed Delaware County that additional funding is available due to the recently enacted Farm Bill; and

**WHEREAS**, these additional expenditures will be 100% reimbursed with federal funds

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 Budget be amended as follows:

**INCREASE REVENUE:**

10-16010-44461100	Federal FS Administration	\$45,410.00
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**INCREASE APPROPRIATION:**

10-16010-54311000	FS Nutrition Education	\$45,410.00
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The resolution was seconded by Ms. Miller

Mr. Marshfield stated that additional funding became available through the enhanced Farm Bill. He shared that about 42 percent of the recipients currently participating in this program are employed.

Ms. Miller added that the 42 percent reflects the “under employed,” those working but not earning enough.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 62**

**TITLE: 2014 BUDGET AMENDMENT  
HOME ENERGY ASSISTANCE PROGRAM (HEAP)  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Home Energy Assistance Program (HEAP); and

**WHEREAS**, New York State has informed Delaware County that additional funds are available to fund HEAP administrative costs; and

**WHEREAS**, these additional expenditures will be 100% reimbursed with federal funds

**NOW, THEREFORE, BE IT RESOLVED** that 2014 budget be amended as follows:

**INCREASE REVENUE:**

10-16141-44464100	Federal Aid – HEAP	\$14,862.00
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**INCREASE APPROPRIATION:**

10-16141-54200012	Contracted Srvs – DELOPP	\$14,862.00
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The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 63**

**TITLE: 2014 BUDGET AMENDMENT  
HOME ENERGY ASSISTANCE PROGRAM (HEAP)  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Home Energy Assistance Program (HEAP); and

**WHEREAS**, additional mandated local payments are being made; and

**WHEREAS**, these additional expenditures will be 100% reimbursed with federal funds

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 budget be amended as follows:

**INCREASE REVENUE:**

10-16141-44464100	Federal Aid – HEAP	\$10,660.00
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**INCREASE APPROPRIATION:**

10-16141-54342040	HEAP-Emergencies	\$10,660.00
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The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 64**

**TITLE: BRIDGE TAKEOVER  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 234 of 1994 created the 21<sup>st</sup> Century Bridge Program; and

**WHEREAS**, the program included taking steps to acquire all publically owned bridges in the County having a span of more than 20 feet; and

**WHEREAS**, Resolution No. 173 of 2008 established the Bridge Takeover and Construction Standards for bridges; and

**WHEREAS**, the Town of Bovina has followed the standards identified in Resolution No. 173 of 2008 and constructed a new bridge at the Bovina Road over the Little Delaware River; and

**WHEREAS**, the Department made intermittent inspections during construction and a final inspection at the completion of Construction to ensure that the standards were being fully adhered to; and

**WHEREAS**, the NYS DOT has assigned the bridge an identification number (BIN) of 2271020.

**NOW, THEREFORE, BE IT RESOLVED** that the following structure be added to the County inventory.

BIN 2271020 Bovina Road over Little Delaware River, Town of Bovina

The resolution was seconded by Mr. Haynes and Mr. Spaccaforno.

Vice Chairman Molé stated that the 21st Century Bridge Program has been a very successful program for the county and asked Commissioner of Public Works Wayne Reynolds to provide an overview of the program.

Commissioners Reynolds explained that the 21<sup>st</sup> Century Bridge Program began in 1994 in response to calls from municipalities asking for county help in addressing NYSDOT flagged deficiencies on their bridges and the Public Works Committees need to address county bridges that were in the poorest shape. The program was intended to be a 10-year program to address deficiencies in 192 structures at a cost of \$26.5 million dollars.

He defined a bridge as a span greater than 20 feet in length further explaining that all bridges in the nation are regulated by the Federal Highway Administration (FHA) and are on the national bridge inventory. The New York State Department of Transportation (NYSDOT) is required to inspect all bridges on a biennial basis unless the bridge is deemed deficient or load posted, then it is inspected annually. The bridges are rated on a scale from 0 to 7, with 7 being a new bridge.

The county appealed to the state legislature requesting the changes to the Highway Law that would allow the county to take over the bridges. The PWC then embarked on a program to identify and evaluate all of the bridges in the county. At that time, there were 213 bridges, 131 owned by the county and an additional 82 owned by municipalities. The PWC made a proposal to the municipalities that the county would assume responsibility for the bridges they owned. After the county takeover the total inventory was 266 structures with 112 considered deficient resulting in a 42 percent deficiency rate. The county, during its inventorying of the large culverts, found 25 bridges missed by NYSDOT and the FHA during their original inventorying. The county inventory currently consists of 291 bridges with 35 considered deficient resulting in a 12 percent deficiency rate. Although the county would like to achieve a 10 percent deficiency rate, the 12 percent deficiency rate is one of the best percentages in state.

Commissioner Reynolds concluded stating that in 2008, the county adopted a set of uniform standards for the building of a bridge. These standards ensure that the county is not

taking over a sub-standard bridge. The resolution before the Board is to add a new bridge to the county's inventory, the Bovina Road over the Little Delaware River that was built by the Town of Bovina in accordance to the county's takeover policy. The 21<sup>st</sup> Century Bridge Program effectively meets the needs of the municipalities and the county without a significant financial impact.

Mr. Rowe commented that because the county established a uniform standard for their bridges, FEMA is able to pay the full amount to bring the structure to the uniform standard. He noted that after a FEMA reimbursable event in the Town of Hancock replacing a structure to the county's uniform standard cost about \$330,000. The committee's vision and development of the 21<sup>st</sup> Century Bridge Program provided a means in which the towns were able to enhance their infrastructure. He pointed out with pride that the Department of Public Works bridge design is now being recognized by the state.

Ms. Miller thanked Commissioner Reynolds for providing her with a bridge comparison by counties. The comparison shows that Delaware County has the second highest number of bridges owned with the lowest population handling the expense of those bridges. She opined that the 21<sup>st</sup> Century Bridge Program has been very successful for the county and complimented the vision and foresight of the PWC committee at that time.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 65**

**TITLE: AMENDMENT TO RESOLUTION NO. 47-14  
SALE OF COUNTY OWNED PROPERTY  
TREASURER'S OFFICE**

**WHEREAS**, the purchaser of Tax Map No. 429.17-2-56 in the Town of Hancock has asked to change the deeded name

**NOW, THEREFORE, BE IT RESOLVED** that the County of Delaware convey this property to K & P Real Properties LLC instead of KMW Properties LLC.

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

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

**RESOLUTION NO. 66**

**TITLE: SUPPORT FOR THE UPPER DELAWARE RIVER TAILWATERS  
COALITION (UDRTC) POSITION STATEMENT SEEKING CHANGES FOR  
IMPROVED WATER RELEASES UNDER THE DECREE PARTY REVISED  
FLEXIBLE FLOW MANAGEMENT PLAN (FFMP) AND  
OPERATION SUPPORT TOOL (OST)  
DEPARTMENT OF WATERSHED AFFAIRS**

**WHEREAS**, the OST/FFMP has produced a number of incremental improvements in water releases to the river since its inception in 2008, there remains an opportunity to improve

upon those management decisions for the economic and ecological benefit of communities and the fishery below the reservoirs; and

**WHEREAS**, the Upper Delaware River Tailwaters Coalition was formed to represent the interests of the Towns of Colchester, Deposit, and Hancock, the Villages of Deposit and Hancock, and the Friends of the Upper Delaware River through the promotion of sustainable and consistent releases from the Delaware River Basin Reservoirs to improve local economic and environmental conditions, enhance recreational attributes of the cold water portion of the river, and strengthen resiliency to flooding impacts and benefit the needs of all parties downstream; and

**WHEREAS**, the current interim OST/FFMP is under review for renewal on June 1 of 2014; and

**WHEREAS**, water releases from the Cannonsville, Pepacton and Neversink reservoirs directly impact municipalities below the dams related to:

- the social-economic impacts resulting from flooding
- the positive economic impacts of a world renowned cold water fishery and other recreational attributes
- inadequate sediment transport yielding unnatural sediment depositions affecting the tributaries to the East and West Branches of the Delaware and the main stem

**NOW, THEREFORE, BE IT RESOLVED** the Delaware County Board of Supervisors supports the following UDRTC positions:

1. Recognizing drought circumstances must be a priority, we support the UDRTC efforts to seek new standards and protocols for improved management of the NYC Delaware River basin reservoirs including consistent year-round water releases with special consideration during the months of May through September that:
  - Improve flood protection from spills that effect downstream communities and manage reservoir releases to correspond with natural bank-full runoff events which enhance sediment transport in the main stems delivered by tributaries.
  - Increase releases to the maximum extent possible to balance reservoir management objectives for flood-related issues and the economic value of the tailwater system.
  - Maintain a thermal condition for a safe fish habitat with an optimal goal of 68°-72° F at Lordville, NY.
  - Provide water flows adequate to protect people, communities and the economic vitality of the region.
  - Manage both conservation and directed releases for smoother transition in river flows.
2. The request for improved transparency regarding the management of the entire NYC water supply and the development of the OST/FFMP is needed to understand how it affects releases from the NYC reservoirs and the local impacts. It is imperative that DEP and Decree Parties provide a forum for education and transparency on the OST so interested parties understand OST impacts.

3. The revised FFMP be extended for just one year to determine the impacts of the newly reactivated East-of-Hudson NYC Croton Water Supply System and other factors that may require timely changes to the OST/FFMP.

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to the Governors of New York, Pennsylvania, New Jersey and Delaware, the Mayor of New York City, the 5 Decree Party Principals, United States Senators Kirsten E. Gillibrand and Charles Schumer, Congressmen Chris Gibson and Tom Marino, New York State Senators John Bonacic, Tom Libous, James Seward, Assemblypersons Cliff Crouch, Peter Lopez and Claudia Tenney, the Delaware River Basin Commission Executive Director and Upper Delaware River Council.

The resolution was seconded by Mr. Rowe and Ms. Miller.

Mr. Merrill shared that the UDRTC started about two months ago under the leadership of Commissioner Frazier. It is extremely important to respond in a uniform voice and this resolution is seeking the support of the Board. Noting that as it states in the resolution, the coalition is also seeking other avenues of support for this initiative.

Mr. Rowe extended his thanks to Commissioner Frazier for his efforts to provide leadership in and out of the watershed. He felt the Commissioner's efforts have been instrumental in getting the county where it is today.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 67**

**TITLE: 2014 BUDGET AMENDMENT  
TRANSFER OF FUNDS**

**EARLY INTERVENTION AND PRESCHOOL SPECIAL EDUCATION PROGRAMS  
DEPARTMENT OF PUBLIC HEALTH SERVICES**

**WHEREAS**, Public Health Services strives to operate in the most efficient manner; and

**WHEREAS**, the purchase of an iPad with 3G capability would allow our Speech Pathologist to document session notes in the field, thereby decreasing office time and increasing billable therapy visits; and

**WHEREAS**, there is not sufficient funds in the Early Intervention and Preschool Special Education equipment accounts

**NOW, THEREFORE, BE IT RESOLVED** that the 2014 budget be amended as follows:

**FROM:**

10-14059-54360000

Itinerate Providers EI

\$290.00

10-14060-54360000	Itinerate Providers PreK	\$290.00
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**TO:**

10-14059-52200000	Equipment	\$290.00
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10-14060-52200000	Equipment	\$290.00
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The resolution was seconded by Mr. Triolo.

Ms. Molé explained that it was necessary to submit this resolution as a not-prefiled as the equipment purchase has to be made by the end of March 2014.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

**RESOLUTION NO. 68**

**TITLE: CHANGE OF PROTOCOL FOR 911 EMERGENCY CALLS  
IN THE TOWN OF HALCOTT, GREENE COUNTY, NEW YORK  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, due to geographical distances is it difficult for Greene County to respond to Town of Halcott 911 emergency calls in a timely manner; and

**WHEREAS**, Delaware County Sheriff Thomas Mills and Emergency Services Director Steve Hood have met with Greene County Sheriff, Greg Seeley and Emergency Services Director, John Farrell and all are in agreement that Delaware County is more proximately located to the Town of Halcott and is therefore better suited to handle 911 emergency calls in the Town of Halcott; and

**WHEREAS**, the Town of Halcott is situated within the Fleischmanns Fire District and the Margaretville Memorial Hospital Ambulance District and these units already respond to calls in the Town of Halcott; and

**WHEREAS**, any calls from the Town of Halcott that are law enforcement related or require a law enforcement response will be transferred back to Greene County 911 by Delaware County 911.

**NOW, THEREFORE, BE IT RESOLVED** that all 911 calls from the Town of Halcott will now be routed to and received by Delaware County 911.

The resolution was seconded by Mr. Spaccaforno.

In response to Mr. Axtell, Undersheriff DuMond explained that routing the Town of Halcott's 911 calls directly to the Delaware County 911 center will provide an added measure of safety to the residents of Halcott.

The resolution was adopted by the following vote: Ayes 4641, Noes 0, Absent 158 (Eisel).

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

## RESOLUTION NO. 69

### TITLE: COMMENTS OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR CONSTITUTION PIPELINE AND WRIGHT INTERCONNECT PROJECTS – FERC EIS 0249D DOCKET NOS.: CP13-499-000; CP13-502-000; PF12-9-000 PLANNING DEPARTMENT

**WHEREAS**, the staff of the Federal Energy Regulatory Commission (FERC) has prepared a draft environmental impact statement (EIS) for the Constitution Pipeline Project and Wright Interconnect Project (projects), proposed by Constitution Pipeline Company, LLC (Constitution) and Iroquois Gas Transmission System, L.P. (Iroquois), respectively, in the above-referenced dockets; and

**WHEREAS**, Constitution and Iroquois request authorization to construct and operate certain interstate natural gas pipeline facilities in Pennsylvania and New York to deliver up to 650,000 dekatherms per day<sup>1</sup> (Dth/d) of natural gas supply to markets in New York and New England; and

**WHEREAS**, the draft EIS assesses the potential environmental effects of the construction and operation of the projects in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the projects would have some adverse environmental impacts; however, these impacts would be reduced to less than significant levels with the implementation of Constitution's and Iroquois' proposed mitigation and the additional measures recommended by staff in the draft EIS; and

**WHEREAS**, the U.S. Environmental Protection Agency (EPA), the U.S. Army Corps of Engineers (COE), the Federal Highway Administration (FHWA), and the New York State Department of Agriculture and Markets (NYSDAM) participated as cooperating agencies in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis; and

**WHEREAS**, the COE would adopt the final EIS if, after an independent review of the document, it concludes that its comments and suggestions have been satisfied; and

**WHEREAS**, the draft EIS addresses the potential environmental effects of the construction and operation of the following project facilities in Susquehanna County, Pennsylvania and Broome, Chenango, Otsego, Delaware, and Schoharie Counties, New York:

- 124.4 miles of new 30-inch-diameter natural gas pipeline and appurtenant facilities that include two new meter stations, two pipe interconnections, eleven mainline valves and one pig launcher and receiver;
- Expansion of the existing Wright Compressor Station with the addition of 22,000 horsepower of incremental compression and other miscellaneous Modifications; and
- Modification and upgrade of the existing delivery meter to the Tennessee Gas Pipeline or possible construction of a new delivery meter; and

**WHEREAS**, the Delaware County Core Group members: Cornell Cooperative Extension, Soil and Water Conservation District, Department of Public Works, Economic Development, Emergency Services, Watershed Affairs and Planning Department reviewed the draft EIS to determine if the Constitution's and Iroquois' proposed mitigation and the additional measures recommended by staff in the draft EIS are adequate to address the potential adverse impacts identified in the EIS; and

**WHEREAS**, the Delaware County Core Group members have prepared comments to be submitted to the Commission on behalf of the Delaware County Board of Supervisors; and

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors submit these comments to the Federal Energy Regulatory Commission for the Constitution Pipeline Project and Wright Interconnect Project Docket Nos.: CP13-499-000; CP13-502-000; PF12-9-000.

The resolution was seconded by Ms. Miller.

Mr. Hynes asked Chief Planner Shelly Johnson-Bennett to shed some light on this resolution.

Mrs. Johnson-Bennett shared that the Federal Energy Regulatory Commission (FERC) prepared a draft environmental impact statement (EIS) for the projects outlined in the resolution. The draft EIS assesses the potential environmental effects of the construction and operation of the projects in accordance with the requirements of the National Environmental Policy Act. The CORE group was put in charge of reviewing the document and submitting their comments to FERC to be included.

In answer to Ms. Molé, Mrs. Johnson-Bennett stated that the resolution is not in favor or opposed to the project. The resolution is seeking the support of the Board to submit the comments outlined by the CORE Group based on the information available in the draft EIS to FERC for review prior to them giving their authorization to move ahead.

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

**RESOLUTION NO. 70**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,244,163.63 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	\$799,250.84
OET	\$25,963.43
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$191.25
Landfill	\$56,220.05

Road	\$122,667.64
Machinery	52,391.05
Capital Road & Bridge	\$18,526.67
Capital Solid Waste	\$168,952.70

The resolution was seconded by Mr. Spaccaforno and adopted by the following vote:  
Ayes 4641, Noes 0, Absent 158 (Eisel).

Upon a motion, the meeting adjourned at 2:15 p.m.