

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 28, 2014**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 28, 2014 at 1:00 p.m. in the Tavern of the Gideon Frisbee House located at the Delaware County Historical Association, 46549 State Highway 10, Delhi, New York, Chairman James E. Eisel, Sr. presiding.

Chairman Eisel welcomed the Supervisors and thanked Delaware County Historical Association Executive Director Tim Duerden for inviting the Board to meet at the Gideon Frisbee House and for the tour of the buildings. The care and attention to the buildings and grounds is evident, he said, everything looks wonderful.

Mr. Duerden welcomed the Board sharing that this is a historical moment as it has been 215 years since the Board of Supervisors sat as group in the Tavern. The first Board meeting was held in the Tavern on May 31, 1797. In attendance at that meeting were the Towns of Colchester, Franklin, Harpersfield, Kortright, Middletown and Stamford and Walton (formed between March and May of 1797). The Board met two or three times a year and would spend several nights. The Board continued to meet at the Tavern until the county constructed the County Court House in the Village of Delhi in 1799. The last town to be formed was the Town of Deposit in 1880.

Mr. Duerden called the roll and all Supervisors were present, except Mr. Taggart and Ms. Miller.

Mr. Marshfield offered the invocation.

Mr. Triolo 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 Director of Public Health Bonnie Hamilton who introduced Sara Knapp as Employee of the Month.

Mrs. Knapp began her employment with the Public Health Nursing Service in 2002 as a Medical Auditor for the Certified Home Health Agency (CHHA) and the Long Term Home Health Care Program (LTHHCP).

Mrs. Hamilton stated that Mrs. Knapp has exceptional people skills, is well liked by her co-workers and clients and demonstrates a strong work ethic. In 2004, she passed the ICD-9 coding course and is currently taking courses prior to enrolling in the ICD-10 coding process this October. Her motivation and desire to excel in her field allows her to adapt quickly to the new billing situations in a variety of public health programs.

When the CHHA and LTHHCP were sold to HCR in 2012, Mrs. Knapp was responsible for the crossover billing associated with the sale. Her professional demeanor through the difficult transition period was recognized and appreciated by the department as well as the staff at HCR who sent a letter of commendation for her excellent work during the transition.

Mrs. Knapp's sense of humor, experience and dependability are assets the department has appreciated. She is a member of the nationally recognized American Academy of Professional Coders and the Corporate Compliance Committee. She also serves as co-chair for the Employee Recognition Committee at Public Health.

Mrs. Hamilton presented Mrs. Knapp with a \$50.00 check. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Triolo who introduced Director of Economic Development Glenn Nealis to discuss the proposed occupancy (bed) tax proposal.

Mr. Nealis noted the presentation would be sent electronically to all Supervisors for their review and reference. He explained the purpose of the occupancy tax, also known as the bed tax, which is to create a dedicated funding stream to promote and develop the tourism industry in the county.

Mr. Nealis' presentation addressed a variety of concerns raised by the public and members of the industry. He stated that the occupancy tax is not to increase the general fund revenues for the county or to raise money for the Delaware County Chamber of Commerce. He outlined how the tax would be administered and how the funds would be disbursed.

In answer to Mr. Merrill, Mr. Nealis stated that not-for-profit campsites are not subject to the bed tax or sales tax. Campgrounds are not listed in the definition of a hotel/motel.

Mr. Nealis stated in answer to Mr. Pigford, that if the camp were a for-profit business it would be subjected to the bed tax. If an owner operated multiple businesses in one location, only the business subject to the tax would be taxed.

The occupancy tax law is currently in a draft form. An evaluation process to determine if the law should be extended after the initial three-year period could be established in the law itself. The law is being drafted through the Economic Development Committee with input and

review from the County Treasurer and the County Attorney. This resolution is seeking permission from the legislature to allow the county to move forward with the bed tax.

In reply to Mr. Spaccaforno, Mr. Nealis stated that the Treasurer's Office would receive a 10 percent administration fee as allowed by the law. The burden of the bed tax requirement on the Treasurer's Office will lessen as the process becomes more familiar. Several options are being considered to aid with compliance.

Mr. Nealis stated in answer to Mr. Valente, that the request made by Franklin County to impose a bed tax was denied last year based on the No New Tax Pledge that came about in 2012. Franklin County is reapplying again this year. Delaware County may be faced with the same possibility.

Mr. Rowe noted that the bed tax revenue would help to bring advertising for Delaware County onto a level playing field with neighboring counties. Additionally, there needs to be a level playing field for all of Delaware County, pointing out that enhanced promotional efforts are needed for the Delaware River. This county has everything young people want in a destination; our advertising has to pull it all together for the visitors to this county. He opined that this might also be a way to keep our young people in the county. It is also important for municipalities to consider dedicating funds to recreational activities as it draws visitors and is a means of economic development.

Mr. Axtell stated that business owners in the Town of Deposit are not in support of the bed tax. He spoke with an owner who is a member of the Chamber and was told there had been no communication about the bed tax that he was aware of. Mr. Nealis asked that Supervisors refer any businesses that are against the bed tax or would like to discuss it in greater depth to call him. He would appreciate the opportunity to address their specific concerns.

Mr. Rowe noted that the 58 counties that have implemented the bed tax are seeing positive results.

Mr. Marshfield noted that he recently stayed at a motel in Columbia County and paid a 3 percent bed tax. In speaking with the motel owner, he learned that the county implemented the tax in 2011. Because so much is dependent on the tourism industry, it was a rocky road before the implementation but it has turned out well the owner said.

Mr. Nealis stated in answer to Mr. Hynes that 2 percent is the lowest rate. The majority of counties are at 4 percent or higher.

In answer to Mr. Spaccaforno, Mr. Nealis stated that based on the 2012 lodging expenditures of \$9.7 million the county could potentially raise about \$194,000 in bed tax revenue.

Mr. Dolph, speaking as the County Budget Officer, asked that the Board support the implementation of the occupancy tax. The income generated from the tax will be used to increase advertising that will in turn increase tourism bringing in outside money to support local businesses and provide opportunity for employment.

Mr. Nealis added that the county budgets \$95,000 to the Delaware County Chamber of Commerce as its designated tourism agency. Every dollar the county spends on tourism generates \$915 in visitor spending.

Mr. Tiolo noted that tourism in the county is an \$87 million industry. If that figure could be increased just 10 percent our sales tax revenue would increase by \$348,000 or almost 1.5 percent of our tax levy. The possibility exists that the increase could be even greater. Because of the lack of advertising people are not aware of what the county has to offer.

Chairman Eisel thanked Mr. Nealis for an informative presentation.

For standing committee reports Chairman of the Public Works Committee Samuel Rowe explained as a follow up to Mr. Pigford's request for a summary of spending at the May 14<sup>th</sup> Board meeting that typically winter operations expend about 75 percent of the snow and ice budget. However, this year despite the rough winter the department expended only 65 percent and the salt domes are filled with the exception of Fishs Eddy. Two line items went over budget, propane because it is seasonal and safety supplies as the department spent money on protective equipment at the end of the spring gearing up for summer.

The Solid Waste Capital Budget is \$4 million; \$2.5 million has been expended to date. Solid Waste Capital is 63 percent expended for contractual mostly related to the MRF building. All other spending is in line.

Mr. Rowe pointed out that the Department of Public Works (DPW) is assisting the Department of Emergency Services with the Public Safety Communication System tower project. Over an eighteen-month period, the department, in shared services, spent \$212,000, \$120,000 in salary and \$82,000 in equipment. Working on the tower project does not affect the normal operations of the DPW as that work is being done when regular duties cannot be done. If the work the department did on the project was farmed out it is anticipated with prevailing wage the cost would have been about \$500,000 to \$600,000.

Chairman Eisel thanked Mr. Rowe for his report and bringing the saving to the Board's attention.

Chairman of the Community Health Committee Tina Molé stated that Mrs. Hamilton handed each Supervisor a letter requesting that each town appoint a person to perform the 10-day

rabies confinement check and respond back to her. Mrs. Hamilton will be available after the meeting to address any questions or concerns a Supervisor may have.

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

**RESOLUTION NO. 109**

**TITLE: 2014 BUDGET AMENDMENT  
PURCHASE OF VAN  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services contracts with the Delaware County Veterans' Service Agency to provide services for veterans; and

**WHEREAS**, the Department of Social Services provides the van to transport veterans; and

**WHEREAS**, the Veterans' Service Agency has informed the department of the need for a new van; and

**WHEREAS**, this equipment purchase was not included in the original 2014 budget.

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

**INCREASE REVENUE:**

10-16010-43361000	State Social Services Administration	\$5,314.00
10-16010-44461000	Federal Social Services Administration	\$10,626.00

**INCREASE APPROPRIATION:**

10-16010-52200000	Equipment	\$15,940.00
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The resolution was seconded by Mr. Hynes.

Mr. Marshfield explained that the purchase of a new van was an unexpected expenditure and a new one will cost between \$20,000 to \$30,000. The current van has about 200,000 miles on it and is no longer cost effective to continue using. The existing van can either go to another department or be sold.

Chairman Eisel said this is a much needed purchase as the vehicle is on the road every day going to Albany with our veterans.

The resolution was adopted by the following vote: Ayes 4183, Noes 0, Absent 616 (Taggart, Miller).

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

**RESOLUTION NO. 110**

**TITLE: 2014 BUDGET AMENDMENT  
SUMMER YOUTH EMPLOYMENT PROGRAM  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the Summer Youth Employment Program; and

**WHEREAS**, funding is to be used for summer youth employment and education training for economically disadvantaged youth and is 100% reimbursed.

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

**INCREASE REVENUE:**

10-16010-44482002	Summer Youth Employment	\$83,276.00
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**INCREASE APPROPRIATION:**

10-16010-54665002	Summer Youth Employment	\$83,276.00
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The resolution was seconded by Mr. Hynes.

Mr. Marshfield noted that at the last meeting Commissioner of Social Services William Moon provided an informational packet on the program. This is money obtained from the state for the youth program.

The resolution was adopted by the following vote: Ayes 4183, Noes 0, Absent 616 (Taggart, Miller).

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

**RESOLUTION NO. 111**

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

**LETTING OF MAY 20, 2014**

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 bidder meeting specifications as follows:

PROPOSAL NO. SW2-14: Transportation & Disposal of Non-Hazardous Mixed Waste Debris to:

Seneca Meadows Inc., 1786 Salcman Rd.,  
Waterloo, NY 13165; Tweedie Enterprises, Inc., 90  
Crystal Creek Rd., Walton, NY 13856; Waste  
Recovery Enterprises, LLC, PO Box 2189 Sidney,  
NY 13838

**BID PRICE:** See Summary Sheet  
(bids other than low will only be used in the event  
that the low bid cannot supply the necessary  
services)

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 and Mr. Haynes.

Mr. Rowe noted that this bid is for the demolition debris that will come from the FEMA flood buy-outs. The county keeps what it can use and ships the rest of the debris out of county. The expense involved is 100 percent covered by FEMA.

Commissioner of Public Works Wayne Reynolds explained in answer to Mr. Marshfield, that once the County Planning Department takes ownership of the properties the department has 90 days to do the demolition. By awarding all of the bids, the department has options if the amount of debris exhausts the capacity of the lowest bidders. FEMA pays the higher rate once the department proves that they had no other choice.

The resolution was adopted by the following vote: Ayes 4183, Noes 0, Absent 616 (Taggart, Miller).

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

#### **RESOLUTION NO. 112**

#### **TITLE: AUTHORIZATION TO ENTER INTO AGREEMENTS FOR ACCEPTANCE OF SELECT OUT-OF-COUNTY WASTE GENERATED FROM THE VILLAGE OF WALTON WASTE WATER TREATMENT FACILITY DEPARTMENT OF PUBLIC WORKS/SOLID WASTE**

**WHEREAS**, the Village of Walton owns a waste water treatment facility for processing domestic and commercial liquid waste generated within the Village; and

**WHEREAS**, the Village of Walton's waste water treatment facility can effectively treat milk-based liquid production waste water from multiple sources; and

**WHEREAS**, capacity to process milk-based liquid production waste water is limited in New York, thereby creating an opportunity for the Village of Walton's waste water treatment facility to be an attraction for economic development; and

**WHEREAS**, the Village of Walton is actively working to expand Village located milk-based production facilities that will provide employment opportunities and greater economic development locally and County wide; and

**WHEREAS**, there is a solid waste biosolid/sludge generated from the acceptance and treatment of milk-based liquid production waste water from multiple sources at the Village's waste water treatment facility, and this biosolid is classified as out-of-county waste when the liquid sources are located outside of Delaware County boundaries; and

**WHEREAS**, the acceptance of out-of-county waste is prohibited under Delaware County Local Law No. 5 of 1991 - Making It Unlawful to Dump Out Of County Waste at a Delaware County Solid Waste Disposal Facility; and

**WHEREAS**, the Delaware County Board of Supervisors, pursuant to Local Law No. 5 of 1991, can authorize acceptance of waste from sources outside of Delaware County; and

**WHEREAS**, the Department of Public Works has determined that the quantity and quality of the resulting out-of-county waste biosolids are acceptable for disposal at the Solid Waste Management Center and Compost Facility; and

**WHEREAS**, the Village of Walton has committed to provide any and all records verifying the quantity and characteristics of out-of-county liquid waste accepted into the waste water treatment facility and the resulting out-of-county biosolids/sludge, subject to audit review; and

**WHEREAS**, the County supports the Village of Walton's efforts to bring new businesses into Delaware County and further expand local economic opportunities.

**NOW, THEREFORE, BE IT RESOLVED** the Department of Public Works is authorized to accept from the Village of Walton, at the Solid Waste Management Center and Compost Facility, the resulting quantity of biosolids generated from the receipt of "out-of-county" milk-based liquid production waste water for a period of one year (ending May 31, 2015), subject to the applicable and prevailing tipping fee and capacity availability as established by the Department of Public Works.

The resolution was seconded by Mr. Valente.

Mr. Rowe stated that about a month ago, the department became aware that the Village of Walton had contracted with Sunrise Family Farms in Norwich, New York, to accept their milk-based liquid production waste at their Village Wastewater Treatment Facility for processing and was subsequently sending the residual sludge to the County's Solid Waste Management Center and Compost Facility (SWC). The Village of Walton is charging to receive material from an out-of-county source, sending the sludge material to the landfill at no cost and then the county taxpayers are paying the Village of Walton to take back any leachate that might emanate from the sludge. The department is still researching the matter, however, a letter was sent to the Village of Walton asking them to cease operation immediately based on Local Law No. 5 of

1991 making it unlawful to dump out-of-county waste at a SWC Facility. The local law states that a request to take out-of-county waste must be approved by the Board of Supervisors.

Mr. Dolph shared that the Village of Walton did not realize a local law was in place preventing them from doing this. Once they realized they were violating the local law they paid a fee to the county to cover what they had delivered to the SWC. The village has been acting in good faith since the notification and is working with the Public Works Committee to resolve the matter. As the fact finding is going on, he was unable to provide additional details. There is a great deal depending on an agreement and he is asking for the Board's support of the resolution.

Chairman Eisel pointed out that authorizing the acceptance of this material for one year might have the potential of bringing in new businesses and further expand local economic opportunities. At the end of one year, the agreement can be revisited.

Mr. Marshfield shared that a few years ago he received a complaint from a business owner in the Town of Hamden who felt that local waste was being pushed out by out-of-county waste. He would like to make sure that this is not going to happen as a result of this agreement.

In answer to Mr. Marshfield, Mr. Nealis said that he was not certain of the extent in-county milk plants used the county facility but he knew that the milk processing plant in Fraser (Town of Delhi) was sending their waste out to a facility in the Ithaca area.

Commissioner Reynolds stated there are some wastes the county cannot accept because it is too difficult to process. He further stated that every effort is made to accommodate all in-county businesses.

In answer to Mr. Pigford, Commissioner Reynolds confirmed that the only waste being discussed is the milk-based liquid production waste. The agreement proposed through this resolution is not negating the local law but following the proper process to allow for an exception to the law.

Mr. Rowe pointed out that the Village of Walton is not the only party involved in this fact finding.

Mr. Triolo commented that he thought some of the milk shipped to Sunrise Family Farms was coming from Delaware County and making its way back around.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 113**

**TITLE: RESCISSION OF RESOLUTION NO. 78-2014  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Resolution No. 78 entitled: Authorization to Commence an Eminent Domain Proceeding to Acquire Property for the Rehabilitation, Replacement, Modification and Expansion of the Delaware County Emergency Radio Communications System and Related Determination of De Minimis Nature of Acquisition Johnson Hill Site (Ed Klug Road, Town of Franklin) was unanimously adopted at the Board of Supervisors meeting of April 9, 2013; and

**WHEREAS**, it is necessary to rescind Resolution No. 78 due to various changes; and

**WHEREAS**, the required changes are incorporated in Resolution No. 114 being presented for adoption.

**NOW, THEREFORE, BE IT RESOLVED** that Resolution No. 78-2014 is hereby rescinded.

The resolution was seconded by Mr. Spaccaformo and Mr. Triolo.

Chairman Eisel explained that additional language needed to be added so Resolution No. 78 is being rescinded and replaced with Resolution No. 114.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 114**

**TITLE: AUTHORIZATION TO COMMENCE AN EMINENT DOMAIN PROCEEDING  
TO ACQUIRE PROPERTY FOR THE REHABILITATION, REPLACEMENT,  
MODIFICATION AND EXPANSION OF THE DELAWARE COUNTY EMERGENCY  
RADIO COMMUNICATIONS SYSTEM AND RELATED DETERMINATION OF  
DE MINIMIS NATURE OF ACQUISITION  
JOHNSON HILL SITE (ED KLUG ROAD, TOWN OF FRANKLIN)  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, as reflected in Resolution No. 136 of 2012, the Delaware County Department of Emergency Services is progressing with a public use project consisting of rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System as previously authorized; and

**WHEREAS**, a site in the Town of Franklin has been identified as being a site which will provide increased and improved coverage to that area of the county, and

**WHEREAS**, in addition, the site is in the area of an existing Delaware County Emergency Communications tower and the County is endeavoring to replace the existing tower sites at or near the same locations whenever possible; and

**WHEREAS**, the Department of Emergency Services for approximately 2 years has been following the appropriate requirements for acquisition of property by public agencies, and has been pursuing negotiations with owners of lands in the area of the Site, Salvatore T. Leva and Renee Leva, for the purchase of an approximately 24,000 square foot parcel of land off Ed Klug Road in the Town of Franklin (a portion of tax map number 143.-1-22.11 which contains approximately 30 acres of land) on which to erect a communications tower and related appurtenances; and

**WHEREAS**, for various reasons including a pending divorce between the owners, an agreement to sell was not obtained; and

**WHEREAS**, one of the above property owners appeared at the public hearing on eminent domain and requested the County consider acquiring for use in the Project a portion of the approximate 50 acre property on the other side of Ed Klug Road (Section 144 Block 1 Lot 30) (Liber 1111 at Page 275) owned by his mother, Maria Leva (the "Site"), and offered it for sale with power to be supplied from an existing line on adjacent property owned by his relative, Umberto Leva (133-1-24) (Liber 532 at Page 661) ("Utility Easement Site"); and

**WHEREAS**, after numerous attempts, the owners and their representatives for the foregoing properties have failed to return phone calls and/or letters by the County to move forward with the sale, including for the Site and Utility Easement Site; and

**WHEREAS**, as reflected in Resolution No. 136 of 2012, 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 and for the area of land for the Site and Utility Easement Site; and

**WHEREAS**, the County has undertaken additional studies concerning the Project; and

**WHEREAS**, the Board of Supervisors has determined that the rehabilitation, replacement, modification and expansion of the Emergency Radio Communications System is in the best interest of the County and, as a result, that the contemplated acquisitions from the Site and the Utility Easement Site are in the best interests of the health, safety and welfare of the County, as it is in the public's best interest that the Project be properly constructed and maintained; and

**WHEREAS**, the County has endeavored and will continue to endeavor to acquire the property rights necessary for the Project by voluntary compliance with the land owners – including relative to the Site and Utility Easement Site, but the Board of Supervisors acknowledges that voluntary compliance may not be achieved for the necessary acquisitions requiring the County to exercise its powers of Eminent Domain; and

**WHEREAS**, the Board of Supervisors hereby determines that the contemplated acquisitions from the Site and Utility Easement Site are all minor in nature, only affecting small portions of the respective individual properties (as reflected in the accompanying map depicting the lands needed from the Site and Utility Easement Site), and therefore any of the individual acquisitions by Eminent Domain would be de minimis in nature so that the public interests will

not be prejudiced by the acquisition of those property interests for construction of the Project; and

**WHEREAS**, the Board of Supervisors had previously complied with the mandates of SEQRA for the Project; and

**WHEREAS**, pursuant to the terms of SEQRA, the Board of Supervisors has determined that its findings and determinations are consistent with the prior Negative Declaration and there are no negative adverse impacts.

**NOW, THEREFORE, BE IT RESOLVED** As Follows by the Board of Supervisors of Delaware County, New York:

**THAT** the Board of Supervisors of Delaware County hereby determines that voluntary compliance to acquire easements or fee acquisitions in furtherance of the Project for the Johnson Hill Site is not practicable and will prejudice the Project; and

**BE IT FURTHER RESOLVED** the County of Delaware and its legal agents are authorized to acquire the lands or interests by use of Eminent Domain; and

**BE IT FURTHER RESOLVED** that the Board of Supervisors hereby authorizes the County of Delaware and its legal agents to make offers of reasonable compensation to acquire the de minimis lands or interests that cannot be practically acquired by voluntary compliance; and

**IT IS FURTHER RESOLVED** that the Department of Emergency Services and the attorneys for the County are hereby directed to take such actions as are necessary to implement this resolution.

The resolution was seconded by Mr. Spaccaforo and Mr. Triolo.

In reply to Mr. Pigford, Director of Emergency Services Steve Hood shared that the reference to “a pending divorce between the owners” in the fifth paragraph of the resolution was brought forth at a public hearing and is among the reasons an agreement to sell has not been obtained.

The resolution was unanimously adopted

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

#### **RESOLUTION NO. 115**

#### **TITLE: LEGISLATIVE APPROVAL FOR IMPOSITION OF A HOTEL/MOTEL OCCUPANCY TAX IN DELAWARE COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, Senate Bill S.7277 and Assembly Bill A.9616 have been introduced authorizing Delaware County the option to impose a 2% hotel/motel occupancy tax in Delaware County.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors requests the passage and enactment of Senate Bill S.7277 and Assembly Bill A.9616 entitled, "An act to amend the tax law relating to the imposition of a two percent occupancy tax in the county of Delaware."

**BE IT FURTHER RESOLVED** that the Clerk of the Board of Supervisors is directed and authorized to file with the Senate and Assembly the Home Rule messages and/or forms as necessary to certify this resolution.

The resolution was seconded by Mr. Dolph.

Chairman Eisel stated that if this resolution is approved today the bed tax request will move on to the state legislature. Once reviewed by the state legislature it will come back to the county for a local law and public hearing.

Mr. Donnelly stated that he will be voting against this resolution although he personally believes it is the right thing to do. He has been asked by a number of people in his town to vote against the bed tax because they believe it is discriminatory.

Chairman Eisel stated in reply to Mr. Donnelly, that he hoped there was a possibility of discussing the opportunities a bed tax has to offer with them before the local law, public hearing and final vote.

Mr. Valente stated that he is supporting this resolution although he is not in support of the bed tax because he supports the opportunity for proponents and opponents to speak at a public hearing.

The resolution was adopted by the following vote: Ayes 3611, Noes 572, (Donnelly, Molè, Merrill, Axtell), Absent 616 (Taggart, Miller).

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

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

**RESOLUTION NO. 116**

**TITLE: 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.

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:

**ROBERT H JANMAAT AND LINDA J JANMAAT**

KOR12TX.018  
124000:KORTRIGHT  
38.-2-37

125201:STAMFORD  
1.50A ACRES

ROBERT H JANMAAT AND LINDA J JANMAAT

8961 COUNTY HWY 33  
BLOOMVILLE NY 13739  
\$10,764.10  
\$9,087.98

CASH CONSIDERATION:  
TAX DEFICIT:

KOR12TX.029

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:

**MARIO RUTELLA**  
124000:KORTRIGHT  
37.-2-13  
125202:SOUTH KORTRIGHT  
6.07A ACRES  
MARIO RUTELLA  
21 KALINA DRIVE  
SAUGERTIES NY 12477

CASH CONSIDERATION:  
TAX DEFICIT:

\$7,100.04  
\$5,969.54

KOR12TX.030

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:

**MARIO RUTELLA**  
124000:KORTRIGHT  
37.-2-14  
125202:SOUTH KORTRIGHT  
5.74A ACRES  
MARIO RUTELLA  
21 KALINA DRIVE  
SAUGERTIES NY 12477

CASH CONSIDERATION:  
TAX DEFICIT:

\$1,053.78  
\$746.21

MID12TX.020

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:

**DENNIS FICKERIA JR AND TRICIA FICKERIA**  
124689:MIDDLETOWN  
305.-1-52.22  
124601:MARGARETVILLE  
12.23A ACRES  
DENNIS FICKERIA JR AND TRICIA FICKERIA  
PO Box 16  
HALCOTTSVILLE NY 12438

CASH CONSIDERATION:  
TAX DEFICIT:

\$7,688.36  
\$6,150.61

ROX12TX.030

**ASSESSED TO:**

TOWN OF:  
TAX MAP NO:  
SCHOOL DISTRICT:  
ACREAGE:  
CONVEYED TO:

**JOSE ANTONIO HURTADO**  
124800:ROXBURY  
157.3-2-33  
124802:ROXBURY  
100.00'F x 205.00'D: 0.50A ACRES  
JOSE ANTONIO HURTADO  
133 41<sup>ST</sup> STREET APT 2  
UNION CITY NJ 07087

CASH CONSIDERATION:  
TAX DEFICIT:

\$5,748.09  
\$4,551.94

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4183, Noes 0, Absent 616 (Taggart, Miller).

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

**RESOLUTION NO. 117**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,622,975.72 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	\$592,527.23
OET	\$61,558.74
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$48.21
Landfill	\$83,116.85
Road	\$24,564.39
Machinery	\$103,242.81
Capital Road & Bridge	\$15,485.94
Capital Solid Waste	\$742,431.55

The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4183, Noes 0, Absent 616 (Taggart, Miller).

Chairman Eisel appointed Meghan Staring to the Youth Bureau Board of Directors.

Chairman Eisel thanked Superintendent of Buildings and Grounds Pete Montgomery and his staff for their assistance in coordinating this meeting. He announced that members of the Historical Association have prepared refreshments for the Board to enjoy. He encouraged the Supervisors to take a walk around the property and appreciate the history. He thanked the Delaware County Historical Association for providing refreshments and hosting the Board meeting.

Mr. Duerden noted that the Delaware County Historical Association is a not-for-profit organization and thanked the Board of Supervisors for their financial support.

Upon a motion, the meeting adjourned at 2:20 p.m.