

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**JUNE 23, 2021**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 23, 2021 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

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

Mr. Marshfield offered the invocation ending the prayer with Mr. Pigford's meaningful and committed statement ending "God Bless."

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

The minutes of the previous meeting and public hearing were accepted as presented.

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

Chairman Molé granted privilege of the floor to Supervisor Taggart. Mr. Taggart introduced Chief Planner Kent Manuel via Zoom for a presentation on renewable energy.

Mr. Manuel introduced Ampion Renewable Energy Director of Sales and Outreach Taro Gold and Community Outreach Specialist Corinna Ricard to give a brief overview of the Ampion Community Solar Campaign.

Mr. Gold expressed that Ampion is viewed as a facilitator of New York's Community Solar Program. They are involved in connecting municipalities to community solar farms and facilitating everything that has to go on with the connection of utilities to municipal, residential, and business customers.

Ms. Ricard stated the Community Solar program was adopted by New York State six years ago as a way for the state to reach its renewable energy goals. Many solar farms have been developed in the state and this program makes solar accessible to those who would not otherwise be able to access the benefits of solar. The solar farms do not have to be in your county or town; they just have to be within your utility territory. Both residents and businesses can sign up and enrollment is free of charge. After enrollment, Ampion assigns a portion of a solar farm based on the customer's 12-month electric usage history. The electricity generated by the solar panels at the farm goes straight onto the utility grid. The utility takes the electricity generated and converts it to a monetary credit on the utility bill. This is a guaranteed savings product that was built into the program as an incentive to boost participation.

She elaborated on key points of the Community Solar Campaign as well as various incentives for residents, businesses, and municipalities to enroll.

In answer to Mr. Marshfield, Ms. Ricard confirmed their campaign applies to New York State Electric and Gas (NYSEG) customers not rural electric cooperative customers. She clarified that due to a recent beneficial billing change, NYSEG now consolidates the charges and the solar credit on one monthly bill.

Chairman Molé thanked Mr. Gold and Ms. Ricard for their presentation.

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

**RESOLUTION NO. 101**

**TITLE: 2021 BUDGET ADMENDMENT  
RECEIPT OF COVID-19 ELC FUNDS FOR REOPENING SCHOOLS  
GRANT FUNDING  
PUBLIC HEALTH SERVICES**

**WHEREAS**, New York State Department of Health is providing grant funding to enable schools to establish COVID-19 screening testing programs to support and maintain in-person learning and keep schools operating safely; and

**WHEREAS**, the scope of activities includes conducting a needs assessment to determine testing needs and assistance, prioritizing resources, facilitating access to resources, assisting school to develop school screening testing implementation plans, collaborating with school districts and partners, utilizing school testing resources and information available by NYSDOH, notification of school testing resources and facilitate relationships with outside contractors to perform testing and serving as a technical assistance resource to schools; and

**WHEREAS**, a minimum of 85% of this funding must be allocated to directly fund and support school districts to develop and implement testing plans and utilize screening testing to support schools in ensuring the health and safety of all students.

**NOW, THEREFORE, BE IT RESOLVED** that the 2021 Budget be amended as follows:

**INCREASE REVENUE:**

10-14012-43345001/4012022/906	State PH Grants	\$1,383,725.00
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**INCREASE APPROPRIATION:**

10-14012-51327000/4012022/906	Personal Services-Grants	\$10,000.00
10-14012-54327000/4012022/906	General Grant Related Exp	\$1,372,960.00
10-14012-58332700/4012022/906	Social Sec Emplr Cont-Grant	\$620.00
10-14012-58932700/4012022/906	Medicare Emplr Contrib-Grant	\$145.00

The resolution was seconded by Mr. Marshfield.

In answer to Mr. Valente as to how this funding will be distributed, Mr. Merrill stated Public Health Services will be working with school districts if they want assistance. He concurred that a program will be set up as a pass-through of grant funding to individual school districts.

The resolution was adopted by the following vote: Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 102**

**TITLE: 2021 BUDGET ADMENDMENT  
RECEIPT OF ADDITIONAL COVID-19 ENHANCED DETECTION GRANT FUNDING  
PUBLIC HEALTH SERVICES**

**WHEREAS**, Delaware County is addressing the threat that COVID-19 poses to the health and welfare of its residents and visitors by maintaining a communicable disease surveillance, reporting and control program; and

**WHEREAS**, New York State Department of Health is providing increased funding to support local health departments providing case and contact investigations, isolation and quarantine monitoring and support and vaccination clinic activities; and

**WHEREAS**, this funding period has been extended from June 30, 2022, through March 31, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the 2021 Budget be amended as follows:

**INCREASE REVENUE:**

10-14012-43345001/4012020/906	State PH Grants	\$312,079.00
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**INCREASE APPROPRIATION:**

10-14012-54327000/4012020/906	General Grant Related Exp	\$312,079.00
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The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 103**

**TITLE: 2021 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 2021 Budget be amended as follows:

**INCREASE REVENUE:**

10-16010-44482002	Summer Youth Employment	\$120,084.00
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**INCREASE APPROPRIATION:**

10-16010-54665002	Summer Youth Employment	\$120,084.00
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The resolution was seconded by Mr. Kosier and adopted by the following vote:  
Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 104**

**TITLE: 2021 BUDGET AMENDMENT  
SUMMER YOUTH EMPLOYMENT PROGRAM  
DELAWARE COUNTY YOUTH BUREAU**

**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; and

**WHEREAS**, the Delaware County Youth Bureau will be hiring some of the participants, paying the related costs, and being reimbursed by the Department of Social Services.

**NOW, THEREFORE, BE IT RESOLVED** that the 2021 Budget be amended as follows:

**INCREASE REVENUE:**

10-17310-41128901	Otr Gnrl Dept Inc Otr Dept	\$68,400.00
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**INCREASE APPROPRIATION:**

10-17310-51000000	Personal Services	\$53,500.00
10-17310-58100000	State Retirement System	5,671.00
10-17310-58300000	Social Security Employer Contribution	3,317.00
10-17310-58400000	Workers Compensation	4,280.00
10-17310-58500000	Unemployment Insurance	134.00
10-17310-58900000	Medicare Employer Contribution	776.00
10-17310-54595320	Supplies Office	722.00

The resolution was seconded by Mr. Kosier.

Mr. Marshfield explained that \$68,400 of \$120,084 in Resolution No. 104 goes to fund the Youth Bureau and the remaining amount funds the CDO Workforce for the same group of youth workers.

The resolution was adopted by the following vote: Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 105**

**TITLE: 2021 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
ECONOMIC DEVELOPMENT**

**WHEREAS**, a vacancy in the Department will be filled by an individual of a higher grade, with the duties of the position justifying such higher grade; and

**WHEREAS**, there is not currently sufficient funds within the personnel line.

**NOW, THEREFORE, BE IT RESOLVED** that the following 2021 Budget amendment be authorized:

**TRANSFER FROM:**

10-16326-54308000	Future Development	\$8,532.77
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**TRANSFER TO:**

10-16326-51000000	Personnel Services	\$6,000.00
10-16326-58100000	State Retirement	\$2,500.00
10-16326-58300000	Social Security Emplr Cont.	\$26.56
10-16326-58900000	Medicare Emplr Cont.	\$6.21

The resolution was seconded by Mr. Davis and adopted by the following vote:  
Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 106**

**TITLE: 2021 BUDGET AMENDMENT  
AMEND FLOOD BUYOUT 2016-2018 AS ESTABLISHED BY RESOLUTION NO. 89  
OF 2018 FOR THE GOVERNOR’S OFFICE OF STORM RECOVERY (GOSR),  
OFFICE OF HOUSING AND URBAN DEVELOPMENT (HUD) AND  
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE  
HAZARD MITIGATION GRANT PROGRAM FOR A VOLUNTARY FLOOD BUYOUT  
IN THE VILLAGE AND TOWN OF SIDNEY  
PLANNING DEPARTMENT**

**WHEREAS**, on or about December 1, 2016, Delaware County was awarded \$18,915,104.00 from HUD to acquire 129 homes and elevate 7 homes; and

**WHEREAS**, the project is a reimbursable program that would require Delaware County to upfront funding for purchases and payments to contractors before submitting to the GOSR for reimbursement; and

**WHEREAS**, the project is considered a 100% reimbursable program with the exception of local expenses including Planning Department staff administration time, local taxes paid at closing and any environmental clean-up that may arise during demolition.

**NOW, THEREFORE, BE IT RESOLVED** Delaware County will commit additional funds in the amount of \$50,000.00 to be used for those exceptions listed above; and

**BE IT FURTHER RESOLVED** that the 2021 Budget be amended as follows:

**TRANSFER FROM:**

10-11990-54900000	Contingency	\$50,000.00
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**TRANSFER TO:**

10-18020-54486000/8020025/908	Non-Reimb. Flood Buyout Expenses	\$50,000.00
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The resolution was seconded by Mr. Ellis and Mr. Davis and adopted by the following vote: Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 107**

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

**WHEREAS**, Resolution No. 29 of 2021 authorized the issuance of Bond Anticipation Notes (BAN) in an amount not to exceed \$29,000,000 for the construction of three new DPW facilities; and

**WHEREAS**, proceeds from the BAN have been received in the amount of \$19,800,000; and

**WHEREAS**, it is necessary to appropriate said funding in the DPW Capital Building Fund.

**NOW, THEREFORE, BE IT RESOLVED** that the funding be appropriated and the 2021 Budget amendment be authorized as follows:

**INCREASE REVENUES:**

41-15112-46573000	BAN Proceeds	\$19,800,000.00
41-15112-42271000	Premium on Obligations	\$154,638.00

**INCREASE APPROPRIATIONS:**

41-15112-51000000	Personal Services	\$75,000.00
41-15112-54000000	Contractual Expense	\$19,863,898.00
41-15112-55000000	Equipment Rental	\$10,000.00
41-15112-58300000	Social Security Emplr Contrib	\$4,650.00
41-15112-58900000	Medicare Emplt Contrib	\$1,090.00

The resolution was seconded by Mr. Valente and adopted by the following vote:  
Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 108**

**TITLE: CHANGE ORDER NO. 1 OF PROPOSAL NO. 28-21  
GENERAL BUILDING CONSTRUCTION CONTRACT  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution 71 of 2021 authorized award of Proposal No. 28-21 Construction of Three New Facilities for Delaware County Department of Public Works, General Building Construction Contract to Andrew R. Mancini Associates, Inc., 129 Odell Avenue, Endicott, NY 13760 for the amount of \$14,825,000; and

**WHEREAS**, the contractor proposes to provide standing seam roof in lieu of an HR5 Roof Panel; and

**WHEREAS**, the cost increase associated with these changes has been determined to be \$44,255.00 for the Bloomville Facility and \$37,207.00 for the Neale Road Facility for a net increase of \$81,462.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1GC in the amount of \$81,462.00 increasing the contract amount from \$14,825,000.00 to \$14,906,462.00.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 109**

**TITLE: CHANGE ORDER NO. 2 PROP 34-20  
DELAWARE COUNTY BRIDGE STRUCTURAL STEEL  
PRESERVATION PROJECT, PIN 9754.35, LD040117  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 138 of 2020 authorized the award of Proposal 34-20, “Delaware County Bridge Structural Steel Preservation Project, PIN 9754.35, LD040117” to Rover Contracting, Inc., 2424 Route 52, Suite 2F, Hopewell Junction, NY 12533 for the bid amount of \$411,360.00; and

**WHEREAS**, Resolution No. 12 of 2021 authorized the execution of Change Order 1 of Proposal 34-20 extending the contract completion date until January 31, 2021; and

**WHEREAS**, the consulting engineering firm that has been performing the construction inspection has been working with the contractor to reach agreement on the final quantities for the contract; and

**WHEREAS**, the final quantities have been determined resulting in a net decrease of \$89,414.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal 34-20 decreasing the contract by \$89,414.00 resulting in a final contract amount of \$321,946.00.

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

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



**RESOLUTION NO. 110**

**TITLE: AUTHORIZATION TO PURCHASE A PROPERTY FOR VISITATION  
AND PARENTAL EDUCATION PROGRAMS  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Department of Social Services is the local agency responsible for providing access to supervised visitation for families with children in foster care, in a safe and secure setting, and provide educational parenting instruction to promote a safe return of foster children to their biological parents; and

**WHEREAS**, there is an increasing number of families unable to provide this safe and secure setting for visitation and parental education, which causes lengthier placements of children in foster care; and

**WHEREAS**, the Department of Social Services has budgeted for and located a residence that would meet this important service for our foster families and their children. The property at 60 Meredith Street in the Village of Delhi is centrally located. It will provide the structure needed to further success for families and their children in foster care and after foster care services.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Department of Social Services is authorized to acquire the property at 60 Meredith Street in the Village of Delhi to be used for a visitation and parenting education center at a purchase price of \$135,000; and

**BE IT FURTHER RESOLVED** that the Board of Supervisors authorizes the Chairman of the Board to sign the necessary documents for the purchase of said property.

The resolution was seconded by Mr. Vernold.

Mr. Marshfield stated this is a house on Meredith Street that was listed for sale at \$145,000 but the owners were willing to take \$135,000. Social Services had budgeted \$164,000 to purchase a house. He asked Commissioner of Social Services Sylvia Armanno to explain to the Board what this house will be used for.

Ms. Armanno expressed they need and have needed a place for supervised visitation between foster children and their parents and also for some of their preventive cases. Having a lengthy period of cold weather in Delaware County makes finding a place that is safe and secure and conducive to helping parents learn how to be better parents more difficult. There are currently about 86 cases where Social Services works with parents to learn proper parenting techniques and that runs the gamut of a newborn whose parents do not know how to care for a newborn. Over the past few months there were several newborns who were addicted to drugs. These newborns are difficult to parent to begin with; they have reactions and difficulties in the beginning and a lot of times these parents need a lot of education and a lot of one-on-one to learn how to care for an infant. These parents need our help. They need safe places. This house is in good shape. Buildings and Grounds Superintendent Pete Montgomery looked at the house as did

the Deputy Commissioner of Social Services. She has also looked at the house. It's a good house and it is close and centrally located. She believes they can help the parents they are working with get their children back faster because they will have a program that is focused and structured instead of trying to figure out where to hold visitations which has been a problem for the last year and a half. They have had people in cold weather meeting in parks at times. That is not conducive to helping. This is a house so when the children come, they're in a regular home. That helps because it is not some strange or scary place. Things will be stored there for return visits.

Ms. Armano stated that currently, there are about 50 children in foster care with approximately 35 children in direct placement. She has personally witnessed the success of this type of program noting the atmosphere and environment of a house helps make this seem more normal. She stated she hopes the Board will see the merit in this.

Mr. Davis commented that when they went through the process of adopting their children, they met with them at McDonalds every time so he understands. In response to his question on alternative facilities, Ms. Armano stated they have no other facility like this.

Mr. Marshfield mentioned he has witnessed visitations taking place in the park and of course, if the weather is bad, they have to cancel or go elsewhere.

Mr. Cetta said their church hosts visitations. Ms. Armano responded that churches have been very kind in helping them, however, they are a different type of facility. She said they would continue to use churches at times especially since they still have virus concerns. This is a place for parents to get the education in a home environment that isn't scary to the children that they can get used to it. She expressed that sometimes they have parents get upset during a visit so they have to stop the visit and that sometimes causes problems at the church.

In reply to Mr. Marshfield, Ms. Armano stated surveillance devices will be installed in the house to help support parents as they learn from their actions in the home environment.

In answer to Mr. Ellis, Ms. Armano said visits range from two to four hours. The goal is to have these visits in their own home but for some of the more difficult cases, that never happens and the children will end up being adopted at some point. It's a struggle.

Mr. Cetta opined this is a worthy cause, however, they just looked at a figure that the Town and Village of Sidney took 129 properties off the tax rolls which includes county taxes. To take another property off the tax roll is disturbing, especially a property in the Village of Delhi where they are strapped for nontaxable properties. He believes other options should be explored. In response to his question about operating and maintenance costs, Mr. Marshfield stated O&M is included in the \$164,000 budget. He expressed that they need this house. They are lucky to have it as there is very little available on the market for sale. It is not a big house but it suits their needs.

In reply to Mr. Marshfield, Ms. Armano stated families could visit the house many times. She said she understands the concern about the tax base. She expressed the house is

centrally located. Their staff is in Delhi. Delaware Opportunities participates in this and they are not far away. There will be a savings in the way they spend their money to make this happen. This is important to our community meaning Delaware County not just Delhi.

Mr. Tuthill commented that his biggest concern is not the program; he likes the idea of the program, however, he has seen multiple vehicles slide down the driveway or stuck in the driveway. When snow is plowed in the winter, the snowbanks take up most of the parking in the driveway. There is absolutely no parking on Meredith Street. He is concerned there will not be enough room for cars that need to go in and out of the place.

Mr. Marshfield noted there is room for five cars to which Mr. Tuthill stated the parking area will not accommodate five cars in the winter. Ms. Armanno agreed that work will have to be done regarding parking on the property but she believes it is manageable.

Mr. Taggart alluding to the Sidney parcels removed from the tax rolls stated those were FEMA properties and have no comparison with this property. He stated he has mixed feelings about this resolution and he believes there is perhaps a need for this home; he is not saying there is not. We assist these people to no end, but he feels our system is broke. We need to make people change not just ask them to change. He opined that this house seems like a good buy in today's real estate market although he does have reservations about the plan as a whole.

Mr. Ellis shared his concerns for the maintenance department as this will be another property to manage and the Buildings and Maintenance crew is really shorthanded. When adding this property, the mental health facility, and more facilities, let's remember we are adding more square feet for the limited number of people we have taking care of our buildings. As we add this, we also need to add services to support this building as well.

County Attorney Amy Merklen added that her office represents the Department of Social Services, and they are required to show the court that for the children in foster care and these families requiring services that the department is doing what they have to do to try to reunite these families through reasonable efforts. One of these efforts is mandatory visits referred to as the mandatory minimum which is two hours every other week. Many families get way more than that. We are getting increasing pushback from the court about efforts that the County and the Department of Social Services is putting forth. If the court doesn't make those findings that we are taking reasonable efforts to reunite these families, then you lose that piece of funding from the state. This house goes a very long way to help satisfy that burden because it is becoming increasingly hard to find public places to have these visits. Since COVID-19, places are just telling us no anyway. It is very hard to find appropriate places to have these visits and these are things that are required under the law that we will in the end be reimbursed for through the state and the feds. There is a legal component to this.

Mr. Merrill stated he looks at this like he looks at all of these social programs. They are an investment in our children and that's our future and that's who we have to take care of. Whatever it takes, that's what we need to do.

Mr. Marshfield said the point is if we can reunite one family, we will be doing a lot for that family as well as saving tax dollars. That is the objective of this house.

The resolution was adopted by the following vote: Ayes 3152, Noes 1070 (Tuthill, Cetta), Absent 0, Vacant 577 (Sidney).

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

**RESOLUTION NO. 111**

**TITLE: CARRYOVER OF EXTRA VACATION TIME FOR  
DEPARTMENT HEADS FROM 2020 TO 2021  
PERSONNEL OFFICE**

**WHEREAS**, Resolution No. 6 of 1992 prohibits County Department Heads from carrying over or being paid for unused vacation days above 20 days from year to year unless authorized by resolution or local law of the Board of Supervisors; and

**WHEREAS**, as a result of the COVID pandemic there are Department Heads who were unable to reduce their vacation time to 20 days due to their required workload.

**THEREFORE, BE IT RESOLVED** that the Board of Supervisors hereby authorizes the carryover or payment of unused vacation time in excess of 20 days for said Department Heads.

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

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

**RESOLUTION NO. 112**

**TITLE: IN MEMORY OF R. EUGENE PIGFORD**

**WHEREAS**, God, in His infinite wisdom, has seen fit to remove from our presence and fellowship Supervisor R. Eugene Pigford; and

**WHEREAS**, Mr. Pigford served with distinction as Supervisor of the Town of Sidney from January 1, 2014 until his untimely passing on June 6, 2021; and

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

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

The resolution was seconded by Mr. Vernold.

Mr. Marshfield shared that he had known Mr. Pigford since the early 80's when they worked together to put electric into his camp on Sunshine Mountain in the Town of Sidney. He still has that camp today. Mr. Pigford was a gentle, kind and caring individual who loved his family, loved his community, and most of all, he loved his Lord and Savior.

Mr. Pigford left the area many times to go work with the Salvation Army to areas of disaster and special needs. That's what he did; that's the type of person he was. Even in his deteriorating health, he dealt with zoning issues in his town. On the night of his calling hours, the Deputy Supervisor Eric Wilson said they were having a board meeting to make a final decision on that zoning. The issue had progressed quite far and Mr. Pigford worked very hard at it. Mr. Marshfield recalled him saying, "We care about our community and we want what's best for it."

Mr. Marshfield said he served on four oversight committees with Mr. Pigford: Office for the Aging, Social Services, Public Health, and Mental Health as did Art Merrill, Joe Cetta, and Betty Scott and they accomplished a lot of work together.

Mr. Pigford will truly be missed and hopefully we are better people for knowing him. He is in good hands now and sure to be offering his kindness and caring self to the Lord. He would end saying to us all "God Bless" and now we are here saying "God Bless you Eugene." He was a good man and good for our world.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 113**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,586,774.06 were hereby presented to the Finance Committee for approval for payment on June 9, 2021 prior to presentation to the Board of Supervisors;

**THEREFORE**, the County Treasurer was directed to pay said expenditures as listed below and this Board now approves of said payment as follows:

General Fund	\$751,646.07
OET	\$38,461.27
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main	\$1,636.21
CAP MH	\$748,258.29

Highway Audits, as Follows:

Weights & Measures	\$0.00
Solid Waste/Landfill	\$5,044.04
Road	\$91.67
Machinery	\$41,636.51
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
CAP DPW Complex	\$0.00

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,028,106.72 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	\$1,217,320.04
OET	\$23,302.63
Public Safety Comm System	\$28,055.66
Insurance Risk	\$0.00
CAP 97 Main	\$3,406.70
CAP MH	\$103,083.73

Highway Audits, as Follows:

Weights & Measures	\$0.00
Solid Waste/Landfill	\$147,913.68
Road	\$42,181.55
Machinery	\$58,788.15
Capital Road & Bridge	\$79,675.45
Capital Solid Waste	\$9,278.87
CAP DPW Complex	\$315,100.26

The resolution was seconded by Mr. Gladstone and adopted by the following vote:  
Ayes 4222, Noes 0, Absent 0, Vacant 577 (Sidney).

Ms. Molé announced that the Governor will lift the New York State Declaration of Emergency tomorrow, June 24. She stated the next meeting scheduled for July 28 will be held in person and no longer on Zoom.

Mr. Marshfield shared that the Public Health Committee met last week and he expressed that the Public Health Department is highly stressed for various reasons. Delaware County currently has the highest number of positive COVID-19 cases in the 17-county capital region. In our last County Public Health report, we had 11 positive cases. These cases range in people from 35 to 50 years old and they are all very very sick. The doctor who is on this committee concurs that the cases today are sicker than they have been in the past. Neighboring Otsego County during the same time period only had 2 cases. Their vaccination rate is 53 to 54 percent; Delaware County's vaccination rate is 45 percent. Some parts of our county are under 30 percent. He said that recently an out-of-county unvaccinated person came into the county to visit one of our unvaccinated families. Both parents and the child became infected. One parent has passed away and the other parent is very ill today as is their child. Ms. Walsh wants to remind everybody that the variants are here.

He stressed that as leaders of our communities, we need to encourage our residents to get vaccinated. Those who do not wish to get vaccinated must continue to wear masks and social distance. To continue the way we are is putting a tremendous strain on our Public Health Department. They have been working nonstop for over a year now and it's not letting up because some people are not getting vaccinated, saying nothing about the financial costs to our taxpayers. We need, as leaders, to encourage our communities to at least contact our Public Health Department and talk with them, schedule a vaccination, and listen to them if they have time to talk with you. We need to do something different in this county than what's going on right now because it's not working and it's still bad. For our residents and our taxpayers, we need to encourage more vaccinations. He found that Delaware County is in the bottom 20% of all 62 counties in the state.

Mr. Cetta stated that he made a public service announcement and posted it on social media yesterday and emphasized those exact points from the document Ms. Walsh had distributed. It is vitally important to get information out to the public. He said he was very surprised when he saw the data because he thought they had a much higher vaccination rate and it was disappointing.

Mr. Marshfield stated the highest counties in the state are at 67%. We do not have a large Public Health Department and they are very stressed out.

Ms. Molé said last week Ms. Walsh expressed it is worse now for the department then it was at the height of last year and they have been going since February of 2020 and we are almost into July.

Mr. Marshfield stated the department still has to do all of the contact tracing.

Mrs. Merklen stated the state is starting to cut back on how much they are helping the counties. When the state was helping with contact tracing, it was a big help but now they are starting to pull back on all of that assistance so it's all on local public health departments.

Mr. Cetta stressed that the variants are extremely severe; however, the vaccines do work on them.

Mrs. Scott voiced that in terms of the vaccines, if people are hesitant, have them talk to their primary care provider. Bassett, school-based health centers, primary care locations, and pharmacies all have the vaccine now and they are able to vaccinate on demand. Also they are vaccinating people on the lawn at Public Health. The vaccines are available. The Johnson & Johnson vaccine is one dose and you're done. The side effects are minimal and the peace of mind it brings to ourselves and our families and to our communities is well worth it.

Mr. Marshfield echoed that Public Health has a tent set up as an outdoor clinic in front of their building on Wednesdays and they are offering the Johnson & Johnson vaccine to anyone who wants to walk in.

Supervisor Davis expressed his concerns about the stretch code coming to municipalities, especially to towns that have renewable energy projects such as they have in the Town of Middletown, where they will guarantee you a \$5,000 grant if you agree to adopt the stretch code. Because of conversations he has had with Attorney Kevin Young and Planning Director Shelly Johnson-Bennett, he and Middletown Code Enforcement Officer Hiram Davis worked through it and he wanted to share a few important notes with the Board.

He explained that the New York Department of State adopted an energy code in 2010 and then for the following code, they adopted the International Code Council (ICC) code which is the code for the entire United States. New York State had not done that before because the ICC does not apply very well in the Northeast because of our snow and wind loads, excessive storms, and cold weather. It only lasted for five years. The state got rid of it and no longer uses it. The Department of State has gone back to the New York State Building Code and that is the code we have been working with for the last three or four years. There is another rotation coming up and the Department of State is going to adopt another code. They will not adopt the ICC anymore.

NYSERDA understands what Home Rule is and New York State is the last Home Rule state in the United States, and what that means is municipalities do not have to go to Albany or to the Department of State to get rules adopted. Municipalities have the right to adopt additional rules. NYSERDA is telling towns to adopt the stretch code because they know the Department of State will not.

Currently the entire stretch code is based off the ICC. It is not based off the New York State Building code. New York State has not adopted the ICC and the entire stretch code is an appendices of the ICC. The ICC is not law anymore. You cannot adopt an appendix of a law without adopting the law. The stretch code is based on nothing and municipalities have nothing to come back on. There is no enforcement authority whatsoever.

In addition, inspections in the stretch code are set up to be done by an outside agency. You are not allowed to do that in New York State. The stretch code allows an approved agency to complete inspections and guarantee the methods and all the components. However, you are liable for the outside agency's inspection. At the end of the day, if you try fixing an issue, you cannot because it is based on the ICC which is not adopted in this state. It's a backwards way of doing this.



Mr. Marshfield noted NYSERDA is giving points to communities to adopt this stretch code.

Mr. Davis elucidated that any time someone offers to pay you to adopt a rule, you should be careful of it. Remember the \$1 million of good neighbor money that New York City DEP gave each of our towns to adopt those rules and regulations back in 1996. He urged Supervisors to be careful of what's going on and to ask the right questions.

In reply to Mr. Marshfield's comment that a third party vendor told him the stretch code would become state law in about two years, Mr. Davis said there is a rotation and every five years a new code is adopted. The vendor is going to the towns because the ICC is not going through the Department of State. He reiterated that's the part everyone needs to know.

He opined if municipalities are not enforcing the code anyway, it really doesn't matter in one aspect. But the other aspect of it is that if you adopt the stretch code, you will get \$5,000 for an energy credit; however, if you do a renovation or addition over \$60,000 or you get a permit for a new house, you are looking at a \$7,000 to \$12,000 increase for every permit.

He has passed along his findings to Planning Director Shelly Johnson-Bennett and recommended she review it with Attorney Kevin Young. He urged Supervisors to be careful with this. Read and understand what it is all about and realize the stretch code is based off the ICC which is not adopted in New York State.

Upon a motion, the meeting was adjourned at 2:33 p.m.