

REGULAR MEETING
DELAWARE COUNTY BOARD OF SUPERVISORS
FEBRUARY 23, 2022

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, February 23, 2022 at 1:03 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 in attendance except Mr. Merrill and Mrs. Scott. Supervisor Vernold attended via Zoom.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Molé introduced New York State Senator Mike Martucci.

Senator Martucci thanked Ms. Molé and the Supervisors for their warm welcome. He has had the opportunity to work with six Supervisors over the past year. He said he represents the 42nd State Senate District as of January 2021. The redistricting process just took place, which is done every ten years in this state, and one of the positive parts of the redistricting process is that Delaware County will be united in a single state Senate district much like it was years ago.

He believes it is a benefit to this County because it generates a single point of contact with respect to Senate issues. His goal was to introduce himself and to distribute his contact information. He wanted the Board to know he is a resource to them. He believes he can be helpful to Supervisors regardless of which of the 19 towns they are from or represent in the County, especially as they undergo this transition.

Many Supervisors know his colleagues Senator Oberacker and Senator Akshar who represent parts of this County along with him now. The three of them work very closely together. If there are any issues that they can be helpful with to feel free to send them over to his office and they will make sure they get to the right person.

One of the big things going on right now in Albany is the state budget. It is something that is undertaken largely in the month of March by the Legislature and voted on as close to April 1 as practical. One of his focuses is to make sure this county has the resources it needs to be successful, whether talking about highway money, school funding, aid to municipalities, all the things that are important to get the job done well. Certainly, if there is anything within that

scope of the budget you want to discuss with him afterward, please give him a call. He will be a resource for the Supervisors not only on countywide issues here, but also for things going on with their individual municipalities.

He thanked Ms. Molé and the Board.

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

RESOLUTION NO. 24

**TITLE: 2022 BUDGET AMENDMENT
APPROPRIATION OF AMERICAN RESCUE PLAN (ARP) FUNDING**

WHEREAS, the American Rescue Plan Act of 2021 appropriated funding to governmental municipalities to assist in the economic recovery from the COVID-19 pandemic; and

WHEREAS, Delaware County was awarded a total of \$8,572,706 from the US Department of Treasury (USDT) to be used for eligible costs incurred during the period March 3, 2021 and ending on December 31, 2024; and

WHEREAS, the American Rescue Plan (ARP) Committee has done a thorough and impartial review of proposals and has approved the following projects for funding:

- Delaware County Farm Enhancement Program to provide grants to local famers for eligible projects to improve farm efficiency and productivity: \$500,000.00
- Delaware Valley Agricultural Society Infrastructure improvements: \$265,000.00
- Village of Delhi Wastewater Treatment Facility engineering study: \$45,000.00
- Village of Franklin Septic System engineering study: \$4,000.00
- Restoration of the Soldiers Monument in the Courthouse Square: \$500,000.00

NOW, THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-11325-44408902/1327888/888	Fed Aid Other-ARP	\$765,000.00
10-11325-44408902/1327889/888	Fed Aid Other-ARP	\$549,000.00

INCREASE APPROPRIATIONS:

10-18750-54584000/1327888/888	Ag & Livestock-Farm Enhancement Program	\$500,000.00
10-18750-54584000/1327888/888	Ag & Livestock-Delaware County Fair	\$265,000.00
10-16326-54584000/1327889/888	Eco Dev-Water Treat Facility Engineering Study	\$45,000.00
10-16326-54584000/1327889/888	Eco Dev-Septic system Engineering Study	\$4,000.00
10-11620-54584000/1327889/888	Bldg & Maint-Soldiers Monument Restoration	\$500,000.00

The resolution was seconded by Mr. Taggart.

Mr. Marshfield stated that since the last ARP Committee update to the Board, the committee has agreed to fund three additional projects. One project is a \$4,000 grant to the Village of Franklin to do a septic study for a small onsite septic system for six commercial businesses in the village. Currently, these commercial businesses have subpar or no septic system at all. The benefits of this study will be to help retain and develop those businesses as they exist today. The economic benefits to the County would be substantial to help these businesses thrive and add to our economy.

Another project they approved was \$1,500,000 for a backup ambulance service to our much needed and appreciated County volunteer and paid ambulance squads. This resolution and ensuing discussion will be coming before this Board at the next Board meeting in March. It is not part of this resolution. As always, it is a decision of this Board as it is on any of these projects whether to give the final approval for funding.

The third project that was approved by the committee in February was \$265,000 to the Delaware Valley Agricultural Society. This funding is to pay for Department of Health pandemic recommendations as it relates to more hands free equipment such as automatic flush toilets, automatic urinal replacements, automatic sink faucets, automatic hand dryers and 1,100 feet of waterline replacement that needs to be done. The Agricultural Society is a nonprofit 501(c)(3) and they host many events during a year's time at their Walton property. Such events include one week of County Fair, snowmobile races, weddings, graduations, reunions, several horse shows, monster truck show, the Delaware County Highway truck rodeo, National Guard training, cattle sales, Relay for Life, and vacation bible schools. They also hold a Fall Festival as a benefit for cancer research. They have many events other than the fair. These events in total have around 125,000 visitors adding an estimated economic and physical impact to our County economy of between \$5 and \$6 million. We originally received their request for funding in June of 2021 for \$582,624 and we settled on the above-stated projects for \$265,000.

The committee focused on what was the best for Delaware County, our attendees, our youth, our 4-H Programs, Emergency and Fire services, for our farmers, our local residents in need of a place to hold events, fundraisers for needed research, and we wanted safety for all. Does it please 100% of our population? Probably not. But he stated they acted in the best interest of our County residents and businesses and well within the guidelines of the current state laws as approved by our Governor. The ARP Committee's responsibility is to spend our stimulus dollars on projects that will affect the larger part of our County, and to do it in a responsible and legal manner. With that, the ARP Committee continues to recommend support of this resolution for the Cornell Cooperative Extension grant, Delaware Valley Ag Society, Village of Delhi, Village of Franklin, and the Soldiers' Monument project in Delhi.

Mr. Taggart gave his support to the Committee saying they do a great job covering a lot of different areas of County needs.

Noting the sensitivity of one of the appropriations in the resolution, Mr. Gladstone asked if they are able to amend the motion to vote on them individually?

Mr. Marshfield recommended the Supervisors vote as a group saying if you are not in agreement with one of the appropriations, vote against the resolution.

Mr. Cetta emphasized the Committee focused on the recommendations from the Department of Health (DOH) in the original request. As Mr. Marshfield said, the original request was \$500,000 plus and the committee focused on what was in line with the COVID-19 restrictions in the grant requests. That was a big part of their discussion, focusing on what the DOH recommended. In regards to 125,000 visitors, the Delaware County Fair held in August, has a ten-year average of roughly 75,000 attendees. The 10 or 12 other events that happen throughout the year which benefit Delaware County has a combined attendance of about 50,000. He remarked this appropriation is not just about the Delaware County Fair, it's about the total Delaware Valley Agricultural Society's operations at the fairgrounds.

Lauding Mr. Cetta's comments, Mr. Marshfield said he had made an important point that they are granting funds to the Delaware Valley Agricultural Society, not the County Fair. The County Fair is just a portion of what they do.

Below are the public comments as submitted via email.

Fair for All, <https://www.fairforallny.org/> by email dated February 18, 2022. Dear Ms. Schafer, Could you please forward the following correspondence to all members of the Board of Supervisors in relation to the request from the Delaware County Fair for ARPA funds? The supervisors should be aware that, under New York State law, the state agricultural commissioner is now empowered to "take any measures necessary to prohibit the sale, on the grounds of the state fair and any other fairs that receive government funding, of symbols of hate." We vehemently oppose having any of our tax dollars (federal, state, or local) go to prop up an organization that is actively supporting racism and profiting off symbols of violent white supremacy. In order to comply with New York State law, the Board of Supervisors must either:

1. Receive a public guarantee from the board that oversees the Delaware County fair that Confederate (and Nazi) merchandise will no longer be allowed for sale or display at the fair, or
2. Reject any request for public funds from the Delaware County fair.

We also request that this letter be included as part of the public record for the Board of Supervisors' next meeting. Thank you for your assistance.

Allison Bookhout, Town of Sidney by email dated February 19, 2022. I understand the county fair is asking for funding. Please consider making it contingent on a ban of confederate flags and similar racist symbols. An anti-racist Delaware County Resident.

Sharon Suess, Halcottsville, by email dated February 19, 2022. I just received an email from the Fair For All committee asking that vendors not be allowed to sell confederate flags, etc. at the county fair. I'm sure you're probably overloaded with emails just like this one, but I'm trying to understand the reasoning behind the Supervisors insisting it's not a problem.

Vendors can make their money selling other things. I for one would never enter a tent where those things are sold. They're losing a lot of customers because of it. They would make up the money they lose by not selling confederate flags by welcoming all customers.

I'm not sure why the Board of Supervisors continue to support them, but it only makes sense to no longer invite those vendors, or at least forbid them to sell those controversial items. It truly does represent hate.

Since the whole state is against selling confederate flags, etc., you would think that the Delaware County leaders would begin to understand that it's the right thing to do. It's OK to change their minds. They would be celebrated.

I hope in 2022 we will no longer see confederate flags sold at the fair.

Wendy Barckhaus, Treadwell, NY by email dated February 19, 2022. The Delaware County Fair has requested more than a quarter of a million dollars funding from the American Rescue Plan. They should not be able to receive taxpayer money while allowing the sale and display of Confederate flags. The receipt of government funding for fairs that sell white supremacist items is in direct violation of the law proposed by Senate Biaggi and passed by NYS. Among other things, the law gives power to "*the state agricultural commissioner to "take any measures necessary to prohibit the sale, on the grounds of the state fair and any other fairs that receive government funding, of symbols of hate."*" The Delaware County Fair has been pressured for years to prohibit the sale of racist items to no avail. They should not receive any relief money until THEY prohibit the sale and display of white supremacist items.

Kathryn Scullion, DeLancey by email dated February 19, 2022. It is my understanding that the Board of Supervisors will vote this week on whether to approve funding from the American Rescue Plan Act for the Delaware County Fair. Please do not approve this funding unless the Fair Board completely bans the display and sale of Confederate, racist, and white supremacist merchandise. It is absolutely sickening, embarrassing, and reprehensible that symbols of hate continue to be allowed at our fair. It is way past time to take a stand. Do not grant public funding until the fair is welcoming to all.

Barbara Ganey by email dated February 19, 2022. Dear Ms. Schafer, the Fair Board of the Delaware County Fair has consistently continued to sell hate and racist merchandise at the County Fair, despite years of requests from State, County and community members.

Now, they are asking for almost a half a million dollars from the American Rescue Act, of which \$265,000 has been approved. This is atrocious!

The grant will likely be voted on by the full Board of Supervisors this coming week, on February 23.

Public funds should not be used to support the fair unless the Fair Board ends the display and sale of Confederate flags and other white supremacist merchandise.

The Fair Board sponsored the sale and display of white supremacist merchandise at the Delaware County Fair once again in 2021.

They can't take public money and keep sponsoring hate. In late 2020, New York State passed Senator Biaggi's law that, among other things, empowers the state agricultural commissioner to "take any measures necessary to prohibit the sale, on the grounds of the state fair and any other fairs that receive government funding, of symbols of hate."

I am writing to you to ensure that the Board of Supervisors obeys the law and does not give our public funds to a fair that refuses to be welcoming to all in our community.

NO PUBLIC FUNDS FOR HATE! THAT'S NOT WHAT THE AMERICAN RESCUE ACT IS ABOUT!

THE COUNTY BOARD OF SUPERVISORS IS ACCOUNTABLE TO ALL ITS CITIZENS IN DELAWARE COUNTY THAT WANT TO PROMOTE INCLUSIVITY, NOT HATE!

Bonnie Ratnoff Seegmiller, PhD, by email dated February 19, 2022. Art, I understand that the Board of Supervisors will be voting at their Feb 23rd meeting to approve (yet additional) federal funds to the Delaware County Fair Board. I beseech you to vote against this proposal for a number of reasons, perhaps the most important of which is that the Fair Board has continued to permit the display and sale of racist merchandise despite what is morally right, despite the passage of Biaggi's Law in 2020 that empowers the state agricultural commission to "take any measures necessary to prohibit the sale on the grounds of the state fair and any other fairs that receive government funding, of symbols of hate," despite repeated requests by hundreds of people for them to stop doing so, despite the fact that other fairs have removed and prohibited such merchandise from being present, despite the white supremacist attitudes that such objects convey.

Furthermore, the Fair is a private organization. In my dealings over the years with the Fair Board about this matter, their attitude has continuously remained that they could do whatever they wanted to do because of this private status. I resent the fact that my tax dollars will be used to support such racism. I resent the fact that my tax dollars will be used to support such an insensitive, blind organization.

I strongly believe that, at the very least, the Delaware County Board of Supervisors has a moral obligation to not only NOT support such racist, discriminatory attitudes and behaviors, but to speak out in favor of non-discrimination. A first step in this direction would be for you to vote no, to do what is right and not give the fair any additional funds.

I understand that the Board of Supervisors may want to help the fair; it has not done well financially. I, personally, do not believe they should be given any public funds. But, at the very least, if the Board votes to grant them these public funds, at least make such a grant conditional on the complete absence (for sale OR display) of confederate materials at the fair. I would appreciate your sharing this with the other BOS members. Thank you.

Barbara Kaplan by email dated February 20, 2022. Dear Mr. Tuthill, I was shocked to read that the Delaware County Fair Board is requesting almost half a million dollars in public funds to refurbish the Fair.

Absolutely ZERO public funds should be awarded to the Delaware County Fair Board until they ban the sale and display of the Confederate flag and other white supremacist symbols of hate. It is a disgrace that they haven't done so before now.

In 2020, Dr. Martha Pollack, President of Cornell University, advocated the removal of all Confederate flag merchandise from county fairs with which they are associated, stating, "The Confederate flag is a toxic symbol of the country's racial history that sends a message that only certain people are welcomed and accepted at the fair."

The state of Mississippi has removed the Confederate flag from its state flag.

NASCAR has banned the Confederate flag from being displayed at its events.

Why on earth is Delaware County still allowing the Confederate flag at the county fair?

I hope you will not support this funding UNLESS and UNTIL the Fair Board does the right thing and bans the display and sales of white supremacist symbols at the Fair. These are public funds. ALL members of the public should feel welcome. Thank you.

Mina Takahashi, Town of Delhi by email dated February 20, 2022. To the Delaware County Board of Supervisors, I understand that the Delaware County Board of Supervisors will be voting on allocation of ARPA funds at the February 23, 2022 meeting, including the consideration of a nearly half million dollar allocation request from the Delaware County Fair.

As a taxpayer and resident of Delaware County, I am writing to express my strong opposition to any allocation of public funds to support the fair until the Fair Board explicitly passes a policy prohibiting the sale and display of racist merchandise and symbols of hate. Without such a policy in place, the County Fair would be in violation of state bill S8298B, signed into law by NY State Governor in 2020, that prohibits symbols of hate on the grounds of fairs that receive government funding.

I request that my public comment be circulated to the members of the Board of Supervisors and read into the public record at the February 23, 2022, meeting.

Krisy Gashler, Delhi by email dated February 20, 2022. Dear Supervisors Tuthill, Marshfield, and Ms Schafer, I'm writing today to urge you **not to give any ARPA funds to the Delaware County fair unless they publicly agree to stop allowing the sale and display of racist merchandise.**

Community members have been asking the board for 7 years not to allow Confederate flag-themed merchandise at the fair, as it is a potent symbol of violent white supremacy. This is

not a first amendment issue. Pornography is also first amendment protected, and the fair bans its sale or display because they recognize that it's offensive at a family event. Racism is also offensive, anywhere, but especially at a family event.

Over a thousand Delaware County residents have signed petitions asking the fair to be rid of that merchandise and be welcoming to all in our community. It is beyond galling that a fair board that has steadfastly refused to be welcoming to everyone in the public would come begging for half a million dollars in public funds. They can't have it both ways.

Legally, they cannot have it both ways. New York State recently passed a law empowering the state agricultural commissioner (who has also urged fairs to ban racist merchandise) to “take any measures necessary to prohibit the sale, on the grounds of the state fair and any other fairs that receive government funding, of symbols of hate.”

<https://www.nysenate.gov/legislation/bills/2019/s8298>

Please use the powers of your office to protect all in our community!

Ms. Schafer, could you please share my letter with the rest of the board of supervisors and put my letter into the public record for Wednesday's meeting. Thank you.

Jehed Diamond, Town of Delhi by email dated February 22, 2022. To the Board of Supervisors: I write to urge that you condition your contemplated dispersal of government funds to the Delaware County Fair Board on their agreement to prohibit the sale of confederate flags and memorabilia at the fair. State law enables ag and markets to "take any measures necessary to prohibit the sale, on the grounds of the state fair and any other fairs that receive government funding, of symbols of hate" (which includes confederate flags in the laws definitions).

By taking pro-active steps to ensure these funds are used properly and legally, this Board can reflect the values we hold dear and avoid the necessity of legal actions down the line against the Fair (which is community minded in so many other ways). Many officials and concerned parties have written to implore the fair board to ban these hateful symbols (see <https://www.fairforallny.org/>) and to join the several other county fairs which have done so, to no avail. By conditioning these funds, this Board can help speed the process. As Martin Luther King said, "the arc of the moral universe is long but it bends toward justice." Please show you care. Please forward the following to all members of the Board of Supervisors prior to tomorrow's meeting and enter it into the record. Many thanks.

Mary van Valkenburg, Hobart by email dated February 22, 2022. To all members of the Board of Supervisors: I am deeply opposed to any public funding of the Delaware County Fair as long as Confederate flags are sold at that event.

Our New York ancestors died fighting the Confederate traitors. That flag is an insult to our nation. Thank you.

Susan Dapkins by email dated February 22, 2022. Good morning Christa, Attached is my letter regarding the Board of Supervisors' anticipated decision to grant ARP funds to the Delaware Valley Agricultural Society. I'd appreciate it if the letter could be disseminated to the members of the Board and entered into the public record. Thank you.

Dear Members of the Delaware County Board of Supervisors, It appears that the Delaware County Board of Supervisors is poised to grant \$265,000 in public funds to the Delaware Valley Agricultural Society, the private entity that sponsors the Delaware County Fair. If this is indeed the intention of the Board, I urge the Board to make it clear that the DVAS must prohibit the sale of Confederate flag merchandise at the Fair in order to receive these taxpayer dollars. The flag is a symbol of a system of white supremacy and terror used for a century to deprive African American citizens of their rights to life, liberty and the pursuit of happiness. It sends a chilling message to any fair goer of color that they are in hostile territory. After the hideous display of this symbol in the halls of Congress during the insurrection of January 6, 2021, it should be obvious to the Board that its sale has no place in a family friendly, welcoming event that is supposed to highlight all that is good and wholesome about Delaware County life. Please enter my letter into the public record for Wednesday's meeting.

Jenifer Green, Greentree Home Candle by email dated February 22, 2022. |Hello Delaware County Board of Supervisors, I am writing to strongly urge you to NOT GIVE FEDERAL FUNDING OR ANY PUBLIC FUNDING FOR THT MATTER TO THE DELWARE COUNTY FAIR. I ask that you send my statement to all of the supervisors and include it in the public record for this meeting.

I have lived in Delaware County for 30 years and have always loved the Delaware County Fair **until** they refused to ban all Confederate Flags and memorabilia. The Confederate Flag symbolized haltered, white supremacy and I will not support or patronize any organization that celebrates racism by refusing to ban this oppressive symbol. Please do not support public/federal money to the Del. Co Fair **UNLESS** they **PROHIBIT THE SALE OF ALL RACIST AND HATEFUL ITEMS**. The Delaware County Board needs to stand up to racism in **OUR** county. Send a message that racism will not be tolerated in this county. Thank you for your time.

Robert Lidsky, Ridge Road, Andes by email dated February 22, 2022. Please do not use public funds for the Delaware County Fair unless it first stops sponsoring white supremacy. Thank you.

Carla Nordstrom, Franklin, NY by email dated February 22, 2022. Please forward this email to all County Supervisors. Thanks.

To the Delaware County Supervisors: According to the Daily Star a vote will take place on February 23rd on a resolution "to use \$265,000 of its American Rescue Plan Act funds to upgrade water pipes and install new automatic flush toilets, urinals, sinks and hand dryers in the bathrooms at the fairground."

Using public money to enhance a restrictive private enterprise is a misuse of funds. For years the Delaware County Fair has permitted the sale of racist merchandise such as confederate flags and racists symbols. We have a duty to make sure that federal funds are used in a way that benefits our entire community.

The Delaware County Board of Supervisors has an opportunity, with this resolution, to do something positive for our county and to make the county fair more welcoming. A requirement for getting these funds must be that the fair must stop permitting the sale of racist merchandise. This simple change to the resolution benefits everybody so that all will feel welcome to use their newly renovated bathrooms.

Aaron Gell by email dated February 22, 2022. Dear Board of Supervisors, As an educator and a journalist, I repudiate censorship. Nonetheless, I am writing to you today to ask that you refuse to allocate the community's tax money to the county fair until they restrict the display and sale of hate merchandise.

I don't believe this is a contradiction, and I'll explain why. Despite the clear historical record showing that the so called "rebel flag" was flown to celebrate a criminal insurrection (not only against our nation as a whole but against Delaware County, which sent boys to fight and die on behalf of the union), and that secession by southern states was based on a desperate attempt to maintain chattel slavery, I believe in our constitutionally protected right to sell or purchase this banner, wave it around and even emblazon it on a car's bumper. However the county fair is not a proper venue in which to profit from this detested symbol.

The flag as currently displayed carries a clear message: "Black people are not welcome here." It's brandished to intimidate our fellow citizens and it often succeeds in doing so. It means, "This community harbors racists. It may be unsafe for you to be here." That's a hell of a message to support with our tax dollars and a sickening one to include at a community event meant to celebrate and welcome everyone.

The First Amendment in no way obligates you to support the propagation of this message with our money. If you do so, you are quite simply enabling hate speech, bringing harm and discredit to our community and failing to exercise the authority entrusted in you by the voters.

The longtime insistence on allowing an out of state vendor to profit from hate speech on our behalf is an embarrassing failure of your leadership. Please withhold our funding from the fair until it becomes a welcoming and inclusive event. I ask that this letter be included in the public record and sent to all members of the Board. Kind regards.

Pamela Benson and Alan McPheely, Bovina Center by email dated February 22, 2022. To the Delaware County Board of Supervisors: We would happily support using our tax money to fund the Delaware County Fair -- but only if and when the fair bans the selling of merchandise that are symbols of hate. It has been a long time coming: Let's together create a world we can be proud of. Thank you.

Tracey Hancock, DeLancey by email dated February 22, 2022. To the Delaware County Board of Supervisors: I believe the Delaware County Fair is beneficial to the county and I think it's fine to use American Rescue Plan funds to help with fair infrastructure.

However, considering these are public funds intended for public improvements, and the fair is privately run, then the funds should only be given on the condition that the Delaware County Fair ends the sale of racist merchandise, including and especially the Confederate flag. Taxpayer money should not be used to support an event that profits off of racism.

I'd also like to add that keeping the Confederate flag out of the fair is better for fair attendance and the local economy. I know many families (mine included) who are uncomfortable bringing kids, friends, and family members to the fair because of the prominence of the flag there. It's a shame because the fair has so many wonderful things to offer.

Please make the \$265,000 request from the fair board conditional on banning the sale of the Confederate flag. Thank you.

Hannah Leighton, Bovina by email dated February 23, 2022. To the Board of Supervisors, I am writing because it has come to my attention that over a quarter million dollars in federal ARPA funds is potentially being allocated to the Delaware County Fair. I'm writing to urge you not to give the Fair this money **unless they publicly guarantee that confederate flags and other racist merchandise will not be allowed for sale or display at the fair.** The fair is meant to be a place for community gathering that is welcoming and inclusive to all and the sale of these hateful and racist products sends a very clear message that this is not a safe or welcoming place for all community members. Many in the community have been peacefully asking the Fair to ban the sale of confederate flags for years with no results. **For the Board of Supervisors to provide this level of funding to a private entity without this stipulation sends a very clear message to your constituents that creating safe, inclusive, anti-racist spaces is not a priority.** As you vote today, I urge you to consider the power you have to make a positive impact on this community. This is one of those moments where you get to choose to be on the right side of history. You get to lead our community towards progress. I really hope you take this opportunity to help make the Fair the place we all know it can be. Please send my statement to all supervisors and include my comments in the public record. Thank you.

Carl and Elyse Segelken, Meredith by email dated February 22, 2022. Dear Christa, Please send the following statement to all the town supervisors and include it in the public record of the Board of Supervisors' meeting on Feb. 23, 2022. Thank you!

Dear Members of the Board of Supervisors, Having read "Group: Fair Should Ban Confederate Flag to Get Federal Funds" (Daily Star, February 21) and then, moments later, learning of the federal hate-crime convictions of the three men who murdered Ahmaud Arbery, we feel compelled to ask that you, our elected representatives, stand against hate and racism by opposing the allocation of public funds to any organization or individual that permits racism and hatred.

In the hate-crime trial of the murderers of Ahmaud Arbery, federal prosecutors documented a history of hate speech. To what extent is the murderers' community culpable, for having sufficiently tolerated, rather than discouraging, these men's racist speech and actions until the trio felt emboldened to take a man's life? Delaware County supervisors have a moral responsibility to demonstrate that our community does not tolerate hatred and racism. We ask you to exercise that responsibility by refusing to allocate ARPA funds to the organization that runs the county fair, until it bans the sale of Confederate memorabilia.

We strive to live peacefully, harmoniously and respectfully toward all. That's not easy these days. But it will be easier when our elected representatives lead by example. We hope that Delaware County's leaders will make us proud by showing that hate has no place here.

Lee Fisher, President, NAACP Oneonta Area Branch by email dated February 22, 2022. "The NAACP Oneonta Area Branch strongly opposes the sale and distribution of confederate flag symbols at the Delaware County Fair. Furthermore, we urge that no public funds be provided to the Board of Delaware county Fair supervisors if they insist on continuing the practice of allowing the sale of such hateful symbols in the future. In counties throughout New York State and elsewhere such practices have rightfully been discontinued in recent years. We urge that you support the aptly-named 'Fair For All' group in their effort to end the sale of Confederate paraphernalia at the Delaware County Fair."

Robert H Ackerman, Franklin by email dated February 22, 2022. Dear County Board Members: I am writing to say that giving public monies to the Delaware County Fair should be contingent on not allowing vendors to offer racist memorabilia ever again. The sale or display of Confederate flags or anything else of that nature creates a state of alienation for people of color and most citizens. Further, my family was represented in the Army of the United State in the Civil War (and other wars). Thank God our Union prevailed. The Confederate flag is a disgusting representation of secession, hundreds of thousands of deaths, the KKK, lynching, segregation and stands for discrimination and also violence towards our democracy and sacred constitutional government.

I certainly believe in and cherish freedom of speech and all of the first amendment. Though many have written and demonstrated regarding the sale of Confederate flags at the Delaware County Fair, the practice has continued. This, however gross and offensive is clearly a first amendment right.

Yet, this activity should not be supported by our tax dollars just as the United States government should never award funds to the many offensive groups that represent the dissolution of our Constitutional government and the harassment of our citizens. I sincerely hope that the Fair owners will put a stop to the sale of such offensive merchandise. This should be guaranteed in perpetuity before they receive a penny of bailout money. I am sending a copy of my remarks to all relevant elected officials for their consideration.

The resolution was adopted by the following vote: Ayes 3907, Noes 552 (Gladstone, Valente, Layton), Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 25

**TITLE: 2021 BUDGET AMENDMENT
ACCEPTANCE OF 2022 BULLETPROOF VEST PARTNERSHIP GRANT
SHERIFF'S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the US Department of Justice and administered by the Bulletproof Vest Partnership (“BVP”) in an amount not to exceed \$2,826.20; and

WHEREAS, the grant, to be administered by the Delaware County Sheriff’s Office, was awarded for the specific purpose of reimbursing Delaware County 50% of the cost of purchasing Bullet Proof Vests at a price not to exceed \$2,826.20 during the period commencing on April 1, 2021 and ending on August 31, 2023, unless extended.

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

INCREASE REVENUE:

10-13110-44432000/3110063/907	Federal Crime Control	\$2,826.20
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INCREASE APPROPRIATION:

10-13110-52200001/3110063/907	Equipment Grant-Bulletproof Vests	\$2,826.20
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The resolution was seconded by Mr. Axtell and adopted by the following vote:
Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 26

**TITLE: 2022 BUDGET AMENDMENT
ESTABLISHMENT OF DELAWARE COUNTY TOURISM BUDGET
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, tourism promotion and development activities for Delaware County are being coordinated and directed by the Delaware County Department of Economic Development; and

WHEREAS, it is necessary to establish a budget for the Delaware County Tourism program for 2022.

NOW, THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16420-43390201	NYS Matching Funds	\$52,347.00
10-16420-41128900	Other Revenues	\$283,148.87

INCREASE APPROPRIATION:

10-16420-54105000	Advertising	\$70,019.00
10-16420-54245000	Membership/Dues	\$25,502.00
10-16420-54465000	Miscellaneous	\$50,623.27
10-16420-54520000	Postage	\$6,249.80
10-16420-54535000	Professional Services	\$174,565.00
10-16420-54579000	Social Media	\$2,912.00
10-16420-54595000	Supplies	\$3,124.89
10-16420-54625000	Travel	\$2,499.91

The resolution was seconded by Mr. Eisel.

Mr. Valente shared that they have squared up with the Chamber of Commerce. That case is now closed. Delaware County is fully the Tourism Promotion Agency. All the money is in the right place; all of the money is accounted for.

The resolution was adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 27

**TITLE: 2021 BUDGET AMENDMENT
ACCEPTANCE OF SHINE FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$2,604.00 from New York State to provide nutrition information through the Seniors' Health Improvement & Nutrition Education (SHINE) program; and

WHEREAS, the program has been designed to break the state up in area clusters for the provision of service; and

WHEREAS, there are residents who struggle with proper nutrition and obesity; and

WHEREAS, this funding will be used to provide nutrition education through direct education, workshops, and various other events through Delaware, Greene and Sullivan Counties.

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

INCREASE REVENUE:

10-16772-43377200/6772067/977 State Programs for Aging \$2,604.00

INCREASE APPROPRIATION:

10-16772-54327470/6772067/977 Grant Nutritionist \$2,604.00

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 28

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP ADRC VACCINE ACCESS FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$9,656.00 from New York State to provide COVID-19 vaccinations to senior citizens who are homebound; and

WHEREAS, there are older residents in Delaware County that are unable to leave their homes to go public locations where COVID-19 vaccinations are administered; and

WHEREAS, this funding will be used to offer medical means to lower the risks brought on by COVID-19 to a vulnerable population.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772068/977 Federal Programs for Aging \$9,656.00

INCREASE APPROPRIATION:

10-16772-54327800/6772068/977 Grant Vaccine \$9,656.00

The resolution was seconded by Mr. Cetta

Mr. Marshfield stated Public Health Services has contracted with an outside agency to do these homebound vaccinations. Contact the Office for the Aging or Public Health if you are aware of anyone who is in need of either the first vaccines or a booster.

The resolution as adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 29

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP VAC5 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$8,430.00 from New York State to provide COVID-19 vaccinations to senior citizens who are homebound; and

WHEREAS, there are older residents in Delaware County who are unable to leave their homes to go to public locations where COVID-19 vaccinations are administered; and

WHEREAS, this funding will be used to provide public advertising and offer information on COVID-19 vaccinations as a medical means to lower the risks brought on by COVID-19 to a vulnerable population.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772069/977 Federal Programs for Aging \$8,430.00

INCREASE APPROPRIATION:

10-16772-54327105/6772069/977 Grant Advertising \$8,430.00

The resolution was seconded by Mr. Taggart and Mr. Kosier and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 30

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP CMC6 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$49,381.00 from New York State to provide home delivered meals to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County that continue to be unable to leave their homes to go to restaurants to order meals for dining in or taking out, or are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced daily meal throughout the COVID-19 pandemic.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772070/977 Federal Programs for Aging \$49,381.00

INCREASE APPROPRIATION:

10-16772-54327300/6772070/977 Grant Home Delivered Meals \$49,381.00

The resolution was seconded by Mr. Eisel and Mr. Kosier.

Mr. Marshfield stated many of these resolutions are for home delivered meals like this one and funding is needed in the program. It is more costly to deliver meals than to have them at congregate sites.

In response to Mr. Taggart, Mr. Marshfield said the senior meal sites are not open due to a local decision between Office for the Aging and Delaware Opportunities. While COVID-19 is present, they prefer to keep everything separate at this time.

Ms. Molé noted home meals are being delivered.

Mr. Cetta added they did not think attendance would be sufficient to open the sites.

Mr. Marshfield said that they surmise that maybe the attendance is not going to be what it used to be but some seniors want socialization so they are anxious to get back.

The resolution was adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 31

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP HDC6 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$73,922.00 from New York State to provide home delivered meals to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County’s State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County that continue to be unable to leave their homes to go to restaurants to order meals for dining in or taking out, or are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced daily meal throughout the COVID-19 pandemic.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772071/977 Federal Programs for Aging \$73,922.00

INCREASE APPROPRIATION:

10-16772-54327300/6772071/977 Grant Home Delivered Meals \$73,922.00

The resolution was seconded by Mr. Cetta and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 32

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP SSC6 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$76,479.00 from New York State to provide home delivered meals to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County’s State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County that continue to be unable to leave their homes to go to restaurants to order meals for dining in or taking out, or are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced daily meal throughout the COVID-19 pandemic; and

WHEREAS, this funding will provide needed sanitization supplies for the bus and non-emergency medical transportation systems as well as other supply expenses deemed necessary.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772072/977	Federal Programs for Aging	\$76,479.00
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INCREASE APPROPRIATION:

10-16772-51327000/6772072/977	Grant Personal Services	\$10,000.00
10-16772-54327300/6772072/977	Grant Home Delivered Meals	\$60,000.00
10-16772-54327595/6772072/977	Grant Supplies	\$6,479.00

The resolution was seconded by Mr. Kosier and adopted by the following vote:
Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 33

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP FCC6 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$25,410.00 from New York State to provide home delivered meals to elderly residents of Delaware County throughout the COVID-19 pandemic; and

WHEREAS, the Delaware County Office for the Aging congregate dining centers were closed effective immediately following Delaware County’s State of Emergency declaration on March 14, 2020; and

WHEREAS, there are older residents in Delaware County that continue to be unable to leave their homes to go to restaurants to order meals for dining in or taking out, or are unable to cook a well-balanced meal for themselves on a daily basis; and

WHEREAS, this funding will be used to improve the nutritional intake of these individuals by providing a hot, nutritionally-balanced daily meal throughout the COVID-19 pandemic.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772073/977 Federal Programs for Aging \$25,410.00

INCREASE APPROPRIATION:

10-16772-54327300/6772073/977 Grant Home Delivered Meals \$25,410.00

The resolution was seconded by Mr. Eisel and adopted by the following vote:
Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 34

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE OF COVID-19 ARP PHC6 FUNDING
OFFICE FOR THE AGING**

WHEREAS, the Office for the Aging has been granted \$7,590.00 from New York State to connect with senior citizens in their homes, in a safe and efficient manner, throughout the COVID-19 pandemic; and

WHEREAS, the Delaware County Office for the Aging workers only made limited home visits, in the interest of safety, for the county's senior citizens following Delaware County's State of Emergency declaration on March 14, 2020; and

WHEREAS, this funding will be used to provide new equipment and better technology to serve the county's senior citizens throughout the COVID-19 pandemic.

THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

INCREASE REVENUE:

10-16772-44477200/6772074/977 Federal Programs for Aging \$7,590.00

INCREASE APPROPRIATION:

10-16772-52200001/6772074/977 Grant Equipment \$7,590.00

The resolution was seconded by Mr. Cetta and adopted by the following vote:
Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

The resolution was adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 36

**TITLE: APPROPRIATION OF SURPLUS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, there was no money budgeted for engineering software in the 2022 Budget; and

WHEREAS, we have been informed by the Information Technology Department that our software licenses are due.

NOW, THEREFORE, BE IT RESOLVED that the 2022 Budget be amended as follows:

DECREASE FUND BALANCE:

24-00000-34915000	Assigned Unappropriated Fund Balance	\$25,548.00
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INCREASE APPROPRIATION:

24-15020-54580000	Software	\$25,548.00
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The resolution was seconded by Mr. Valente and Mr. Kosier and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 37

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

LETTING OF JANUARY 26, 2022

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

BE IT RESOLVED, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 1-22	Rental of Construction Equipment to: Admar Supply Co., Inc., 1950 Brighton-Henrietta Trail Road, Rochester, NY 14623; Alta Construction Equipment NY LLC, 5985 Court St. Road,
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Syracuse, NY 13206; Bothar Construction, LLC, 170 East Service Road, Binghamton, NY 13901; Broome Bituminous Products, Inc., 416 Prentice Road, Vestal, NY 13850; Clark Companies, Inc., P.O. Box 427, Delhi, NY 13753; Cobleskill Stone Products, Inc., P.O. Box 220 Cobleskill, NY 12043; Delaware Bulldozing Corp., 5700 Co. Hwy 18, Bloomville, NY 13739; DG Construction Service, LLC, 220 State Road, Andes, NY 13731; Donegal Construction Corporation, PO Box 450, New Stanton, PA 15672; Oneonta Equipment Rental and Sales, 532 Co. Hwy. 58, Oneonta, NY 13820; Schulz's Trucking, 1838 Swantack Road, Bloomville, NY 13739; Robert H. Finke & Sons, Box 127, Selkirk, NY 12158; ; Stephenson Equipment Inc., 3 Industry Drive, Waterford, NY 12188; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Sullivan County Paving & Construction Inc., 1936 State Route 17B, White Lake, NY 12786; Tri-Town Development Corp., PO Box 237, Sidney, NY 13838; Tweedie Construction Services Inc., 90 Crystal Creek Road, Walton, NY 13856; Vestal Asphalt Inc., 201 Stage Road, Vestal, NY 13850.

Bid Price: See Summary Sheet

Towns may participate in this bids.

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. Kosier and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 38

TITLE: AUTHORIZATION FOR AWARDS DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS

LETTING OF JANUARY 27, 2022

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

BE IT RESOLVED, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 6-22 Liquid Bituminous Concrete & Related Equipment Bid to:
Gorman Asphalt DBA American Asphalt, 200 Church Street,

Albany, NY 12202; Peckham Road Corp., 375 Bay Road, Suite 201, Brewster, NY; Suit-Kote Corp., 1911 Lorings Crossing Rd., Cortland, N.Y. 13045; Peckham Materials Corp., 763 Schoharie Turnpike, Athens, N.Y. 12015; Vestal Asphalt Inc., 201 Stage Road, Vestal, N.Y. 13850.

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Kosier and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 39

TITLE: AUTHORIZATION FOR AWARDS DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS

LETTING OF JANUARY 26, 2022

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

BE IT RESOLVED, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 22-22 Cutting & Tree Trimming to: Asplundh Tree Expert, LLC, 5154 NY Rt. 26, Whitney Point, NY 13862: Dom's Lawn Maker Inc., 101 Harbor Road, Port Washington, NY 11050

Bid Price: See Summary Sheet

Towns may participate in these bids.

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. Kosier and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 40

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

LETTING OF JANUARY 28, 2022

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

BE IT RESOLVED that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. SW1-22 Supply & Install Conveyor to: Green Machine Sales LLC., 11 E. Genesee Street, Baldwinsville, NY 13027

Bid Price with Option 1: \$113,200.00

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

The resolution was seconded by Mr. Kosier.

In reply to Mr. Marshfield, Commissioner of Public Works Sue McIntyre explained this is the conveyor in the compost facility that goes from the initial waste receiving hopper into the bioreactor. It takes the most abuse of all the conveyors.

Concurring with Mr. Marshfield, Ms. McIntyre stated this is the supply and install price.

Ms. McIntyre verified with Mr. Marshfield that it has been 17 years.

The resolution was adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 41

**TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. 28-21
GENERAL BUILDING CONSTRUCTION CONTRACT
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 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, Resolution No. 108 of 2021 authorized the Department of Public Works to execute Change Order No. GC-1 for a contract amount of \$14,906,462; and

WHEREAS, in response to field conditions and design adjustments for the Administration Office currently under construction in Delhi, the following changes have been made:

Item #1 CCD GC-3 \$4,804
Rebar changes associated with Delhi foundation wall finishing flush with finished floor
RFI B3-15.1

Item #2 CCD GC-9 \$5,151
Interior shear wall changes and additional sheathing as per RFI B3-11

Item #3 CPR GC-1 \$756
Delhi base plate adjustments as per RFI B3-54

Item #4 CCD GC-8 \$25,841
Delhi additional I-joists

Item #5 \$12,229
Delhi hold downs and anchor bolts, and shear wall length adjustments; and

WHEREAS, these changes are reasonable and provide improved long-term performance of the building.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works be authorized to execute Change Order No. GC-2 – Combining Construction Change Directive (CCD's) and Change Proposal Requests (CPR's) in the amount of \$48,781 increasing the contract amount from \$14,906,462 to \$14,955,243.

The resolution was seconded by Mr. Kosier.

In reply to Mr. Eisel, Ms. McIntyre said this is not a reflection in change of material costs.

The resolution was adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 42

**TITLE: CHANGE ORDER NO. 3 FOR THE
DELAWARE COUNTY BEHAVIORAL HEALTH FACILITY**

WHEREAS, Resolution No. 74 of 2020 authorized the award for the plumbing contract for the Behavioral Health Facility to Louis N. Picciano & Son, Inc. for the bid amount of \$575,370.00; and

WHEREAS, the New York State Department of Health required changes to the bathrooms and the addition of shock arrestors due to the water pressure on site resulting in an increase of \$7,982.00; and

WHEREAS, Louis N. Picciano & Son, Inc. has completed the plumbing for the Behavioral Health Facility and submitted their final bill.

THEREFORE, BE IT RESOLVED that Change Order No. 3 is hereby authorized for the additional payment of \$7,982.00 increasing the plumbing contract to \$583,352.00.

The resolution was seconded by Mr. Marshfield.

Mr. Tuthill stated this resolution will finish out the plumbing contract and the following resolution will finish the HVAC contract. All that is left is the electrical, which everything is done, they are just waiting on final paperwork, and Upstate Companies, the general contractor, has some work they have to finish this spring.

The resolution was adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 43

**TITLE: CHANGE ORDER NO. 4 FOR THE
DELAWARE COUNTY BEHAVIORAL HEALTH FACILITY**

WHEREAS, Resolution No. 74 of 2020 authorized the award for the HVAC contract for the Behavioral Health Facility to J & K Plumbing & Heating Co., Inc. for the bid amount of \$1,065,000.00; and

WHEREAS, due to a change in the design for the placement of windows in the stair wells the cabinet unit heaters needed to be relocated resulting in an increase of \$5,119.59; and

WHEREAS, J & K Plumbing & Heating has completed the HVAC for the Behavioral Health Facility and submitted their final bill.

THEREFORE, BE IT RESOLVED that Change Order No. 4 is hereby authorized for the additional payment of \$5,119.59 increasing the HVAC contract to \$1,070,119.59.

The resolution was seconded by Mr. Cetta and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

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

RESOLUTION NO. 44

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
ECONOMIC DEVELOPMENT**

WHEREAS, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

NOW, THEREFORE, BE IT RESOLVED that the Economic Department is authorized to sell by trade-in, online auction or for scrap the following item:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
ED 99	2010 Ford Fusion	3FAHPOGAXAR332337

The resolution was seconded by Mr. Eisel and Mr. Axtell and unanimously adopted.

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

RESOLUTION NO. 45

TITLE: INCREASE IN RATE FOR MILEAGE REIMBURSEMENT

WHEREAS, the IRS has increased the 2022 mileage rate to .585 cents per mile; and

WHEREAS, the Finance Committee has determined that an increase in the mileage reimbursement rate is warranted due to the rise in fuel prices.

THEREFORE, BE IT RESOLVED that Resolution No. 140 of 1975, as amended, is hereby further amended, to increase the mileage reimbursement for use of personal vehicles for official county business from .56 cents to .585 cents per mile for travel occurring on and after March 1, 2022.

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

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

RESOLUTION NO. 46

**TITLE: APPROVAL TENTATIVE AGREEMENT
BETWEEN NEW YORK STATE NURSES ASSOCIATION
(NYSNA) AND DELAWARE COUNTY**

WHEREAS the Human Resources Committee has reached a tentative agreement with the Delaware County New York State Nurses Association for the terms and conditions of employment for the years 2021, 2022 and 2023.

NOW, THEREFORE, BE IT RESOLVED that said tentative agreement is hereby approved as presented to the Board, and the Chairman of the Board is authorized to execute a collective bargaining agreement which incorporates the terms of said tentative agreement.

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

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

RESOLUTION NO. 47

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF
AGRICULTURAL DISTRICT NO. 3**

WHEREAS, the Delaware County Agricultural and Farmland Protection Board and the Delaware County Planning Board have presented recommendations for the modification of Agricultural District No. 3 located in the Towns of Andes, Bovina, Colchester, Delhi, Middletown and Roxbury during the scheduled 8-year review period;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held by the Delaware County Board of Supervisors on the proposed modifications to Agricultural District No. 3 on Wednesday, March 9, 2022 at 1:00 p.m. in the Board of Supervisors’ Room of the County Office Building located at 111 Main Street, Village of Delhi, at which time all interested parties will be given an opportunity to be heard.

<u>Town</u>	<u>Additions</u>	<u>Removals</u>
Andes	1585.28	0
Bovina	721.59	0
Colchester	109.45	0
Delhi	0	59.64
Middletown	860.12	49.1
Roxbury	0	0

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

Chairman Molé noted that the public hearing will be held at the next Board meeting on March 9, 2022 at 1:00 p.m.

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

RESOLUTION NO. 48

TITLE: AUTHORIZATION TO ENTER INTO A LICENSE AGREEMENT WITH THE TOWN OF MIDDLETOWN IN CONNECTION WITH THE CONSTRUCTION OF THE SEWAGE COLLECTION SYSTEM SERVING ALONG COUNTY ROUTE 6 IN THE HAMLET OF NEW KINGSTON

WHEREAS, the Town Board of the Town of Middletown previously entered into an agreement with the Catskill Watershed Corporation (“CWC”) to participate in the Community Wastewater Management Program, which program will provide for the design and construction of a wastewater management project in the Hamlet of New Kingston (“Project”); and

WHEREAS, in order to proceed with the planning and permitting for the Project, the Town of Middletown (“Town”) must select and acquire property for use in the construction of the sewer collection system and community septic system; and

WHEREAS, the County of Delaware (“County”) is the owner of a right-of-way/access road in the Town, Delaware County, New York (the right of way/access road shall be referred to as “County ROW”); and

WHEREAS, the County is the owner of a vehicular conveyance structure, County inventory number 6-3 carrying County Route 6 crossing a tributary to the Plattekill referred to as Tuttle Hollow Creek on map shown as Exhibit A to License Agreement Town; and

WHEREAS, as part of the New Kingston Sewer District Project, the Town wishes to install a portion of a sewage force main pipeline (the sewage force main and related infrastructure shall be collectively referred to as “Pipeline”) and related infrastructure within the County ROW in proximity to structure 6-3; and

WHEREAS, the County is willing to accommodate the Town and grant a license so that the Town may install and operate the Pipeline within the County ROW, but only in accordance with the provisions of a License Agreement, in the form attached hereto and made a part hereof; and

WHEREAS, the Town Board of the Town of Middletown approved and authorized entering into the License Agreement with the County on October 13, 2021 with adoption of Resolution 26 of 2021.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board is herewith authorized to sign the License Agreement with the Town, to sign any and all documents necessary to implement this resolution, and

BE IT FURTHER RESOLVED that the County request from the Town a Replacement Bond as stipulated in the License Agreement.

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

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

RESOLUTION NO. 49

**TITLE: IN OPPOSITION TO DECREASING THE FARM LABOR
OVERTIME THRESHOLD
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, agriculture is one of New York State's largest industries; and

WHEREAS, on January 28, 2022 the Farm Laborers Wage Board passed a resolution to decrease the farm labor overtime threshold from 60 to 40 hours of work each week; and

WHEREAS, farms are the most vital component of our food supply chain and a critical component of our local economy; and

WHEREAS, the COVID-19 pandemic provided great inset into how fragile the current food supply is across the nation; and

WHEREAS, from the outset of the COVID-19 pandemic, farmers have stepped up and ensured their operations continued and were responsible for donating thousands of pounds of food to local food banks at a time of significant need; and

WHEREAS, farmers face a tremendous number of challenges outside of their control including changes in consumer demand leading to price change, obtaining labor, climate change, land management policies, foreign market competition, livestock and crop disease; and

WHEREAS, in addition to the practical issues related to growing and selling food products, New York farmers have to contend with wavering levels of government regulations; and

WHEREAS, one of the more pressing issues for the farming community has been mandated overtime requirements since the 2019 Farm Laborers Fair Practice Act, currently gives farmworkers a right to overtime after sixty (60) hours of work each week and allows the Farm Laborers Wage Board to arbitrarily decrease the overtime threshold again thereby increasing costs to local farms; and

WHEREAS, decreasing the overtime threshold will negatively impact the farming community by increasing costs to farmers, who are already operating under very tight margins and will potentially cut into work opportunities for farm workers.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby opposes any decrease to the 60 hour farm worker overtime threshold proposed by the Farm Laborers Wage Board and directs the Clerk of the Board to forward a copy of this resolution to Governor Hochul, Senate Majority Leader Stewart-Cousins, NYS Assembly Speaker Heastie, Assemblymen Joe Angelino, Brian Miller, and Chris Teague, NYS Senators Mike Martucci, Peter Oberacker and Fred Akshar, NYS Labor Commissioner Roberta Reardon, NYS Agriculture and Markets Commissioner Richard Ball, NYS Farm Bureau President David Fisher, and the NYS Farm Laborers Wage Board.

The resolution was seconded by Mr. Kosier.

Mr. Valente's shared that for instance the hay is down and it is going to rain tomorrow, help is needed at first light and to work until dark, tomorrow you can work in the barn to fix a few things because it will be raining all day. That is how a farm operation runs. That is something that the people who propose this never heard of in their life. In the greenhouse business, he often tells family members but also some production employees, if you want a weekend off to take it in January through February because he needs workers seven days a week in May. His workers are there when he needs them. That's the way agriculture works. There is someone else who sets their office scene, there is no temperature control, there are no building managers. They work under God's sky and that is a little harder to predict and a little harder to work with. This is ridiculous! It is clearly written by people who are clueless.

Mr. Taggart opined that food waste will increase, especially for vegetable growers. If they have to pay overtime after 40 hours, some of the crop will not get harvested because they cannot afford to pay the overtime. There is not the profit to do that. If food is wasted because of this overtime deal, it's a terrible waste for society, not just for the owners. The public will lose, too. There are starving people in this country and in this world.

Mr. Marshfield said this is a crazy thing to even think about doing. In 2019 he went to Kingston and presented a similar resolution to a group of State and Assembly representatives that met there. He asked how many in the group have been on a farm, specifically a dairy farm; not one raised their hand. Some have never been on a dairy farm and here they were trying the same thing back in 2019. They finally settled on 60 hours which he felt was some kind of a win but not what it should have been.

He asked the group if they realize that farmworkers get benefits over and above pay. Some of them get housing and some get beef or milk products. The state representatives were not aware of that. They finally ruled to go down to 60 hours and now they are trying this 40-hour threshold again. Having a dairy farming background, he knows the daily requirements of farming as most of this Board knows. The weather has much to do with the hours needed to gather crops, especially when the sun shines. The crop gathering has to neatly fit in between two milking times, usually 5:00 in the morning and 7:00 or 8:00 at night He also knows that a

farmworker may get called to the barn at 2:00 a.m. to deliver a calf, spend countless hours trying to repair machinery in order to harvest the crops, sanitize equipment for the next milking, and many other farm-related projects too numerous to mention.

If this law goes through, more farmers will close their businesses. Some could downsize to something where only their families can manage the farm, laying off farmworkers that they no longer will need. Today's farmers are receiving rock bottom prices for their products and we're asking them to cover more expenses. He believes it is ridiculous and we need to support this resolution.

The resolution unanimously adopted.

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

RESOLUTION NO. 50

TITLE: RESOLUTION CALLING FOR SUPPORT OF 2022 STATE OF THE STATE PROPOSALS FOR VETERANS AND MILITARY FAMILIES THROUGHOUT NEW YORK STATE

WHEREAS, it is proposed for County/City Veterans Service Agencies to have their annual funding increased from a minimum of \$10,000 apiece to a minimum of \$25,000 apiece; and

WHEREAS, this represents a 150% increase in the annual allocation from New York State to these agencies that provide vital services in their areas of operation; and

WHEREAS, \$225,000 new, additional funds will be added to the Fresh Connect Checks for Veterans program, bringing the total to over \$800,000 in fresh food vouchers for New York's Veteran families; and

WHEREAS, for the first time ever, Fresh Connect Checks will be distributed from County Veterans Service Agency and City Veterans Service Agency offices in addition to New York State Division of Veterans' Services offices; and

WHEREAS, the Joseph P. Dwyer Program will be funded to expand statewide, providing any interested county with the ability to establish a chapter of this successful program focusing on the reintegration of Veterans to their new communities in their post-military lives; and

WHEREAS, eligibility will be expanded for the Hire-A-Vet Tax Credit, making it available for Veterans of any era of service rather than just post-9/11 service, allowing the credit for part-time work, and removing the current distinction between disabled and non-disabled veterans – thereby opening the door for a larger number of private sector employers than ever before to utilize this tax credit; and

WHEREAS, Digital Veterans Welcome Centers – the first of which was established at the Capitol Region Welcome Center on Veterans Day 2021 – will be implemented throughout New York State at New York State Thruway Welcome Centers, airports, train stations, and other locations where they can provide easily accessible information and key points of contact for Veterans, Service Members, and Military Families; and

WHEREAS, New York State will commit resources and partnerships to provide mentors in every county for the Expiration of Term of Service (ETS) sponsorship program which helps transitioning Service Members in their return home; and

WHEREAS, this still-new federal program offers a game-changing solution to ensure that Service Members are linked with a trained mentor in the community to which they are going to be returning six-to-ten months prior to their discharge date, setting up a smoother glide path in the ever-challenging transition of military service to civilian life; and

WHEREAS, New York State will increase affordable housing resources throughout each of the next three years for Veterans and their families.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors call upon the Governor and the New York State Legislature to fully support these State-of-the-State proposals for 2022; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors forward copies of this resolution to Governor Kathy Hochul, Senator Kirsten E. Gillibrand, Senator Charles Schumer, Congressman Antonio R. Delgado, Senator Mike Martucci, and Assemblyman Brian D. Miller.

The resolution was seconded by Mr. Taggart.

Mr. Marshfield echoed Senator Martucci's comment from earlier that now is state budget time and this resolution has a lot to do with the support of many of the proposed pieces of the Veterans Service Agencies. Currently \$10,000 a year is given to the agencies to support veterans and families that are having financial difficulties and there is a proposal to increase that to \$25,000. Fresh food vouchers are part of this resolution. Hire-A-Vet tax credit, digital veterans welcome centers, affordable housing, and other support is also in this resolution.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 51

TITLE: IN MEMORY OF BOB McCARTHY

WHEREAS, Bob McCarthy passed away on February 20, 2022 having served as Town of Sidney Supervisor from 2010 until 2013; and

WHEREAS, he served with distinction and will be remembered for his dedication and hard work;

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

The resolution was seconded by Mr. Valente and Mr. Cetta.

Mr. Wilson stated that Mr. McCarthy served the Town very well in the time he was there. He was not afraid to express his opinion. He did a fantastic job handling the financial affairs of the Town and did a really good job.

Ms. Molé expressed that you always knew where you stood with him.

Mr. Valente expressed that he really liked working with Mr. McCarthy. Bob McCarthy was a straight shooter and a man of his word. He was fond of controversy and was a terrific man; he considered him a friend.

The resolution was unanimously adopted.

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

RESOLUTION NO. 52

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,525,434.33 were hereby presented to the Finance Committee for approval for payment on February 9, 2022 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	\$2,412,624.21
OET	\$8,765.76
Public Safety Comm System	\$12,562.50
Insurance Risk	\$0.00
CAP 97 Main	\$649.99
CAP MH	\$31,778.59
CAP DSS	\$0.00

Highway Audits, as Follows:

Weights & Measures	\$0.00
Solid Waste/Landfill	\$9,671.33
Road	\$53.20
Machinery	\$49,149.84
Capital Solid Waste	\$110.00
Capital Road & Bridge	\$68.91
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 \$2,823,875.97 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	\$1,246,605.29
OET	\$15,269.47
Public Safety Comm System	\$468,177.50
Insurance Risk	\$0.00
CAP 97 Main	\$95.63
CAP MH	\$286.99
CAP DSS	\$0.00

Highway Audits, as Follows:

Weights & Measures	\$117.64
Solid Waste/Landfill	\$147,207.10
Road	\$338,359.69
Machinery	\$115,165.68
Capital Solid Waste	\$98,163.20
Capital Road & Bridge	\$75,808.49
CAP DPW Complex	\$318,619.29

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

Ms. Molé made the following committee appointment:

COMMUNITY SERVICES BOARD

1-year term ending December 31, 2022

Appoint:

Dr. Christine Rackley

In response to Mr. Valente, Mr. Marshfield stated the ARP fund contains approximately \$3.7 million in unallocated funds. He indicated that there will be a representative for county broadband at the next meeting.

Mr. Valente recalled Local Law Intro. No. 13 of 2022 entitled *Delaware County Occupancy Tax Law for Lodging Establishments and Short-Term Rentals*.

The Local Law was seconded by Mr. Taggart and adopted by the following vote: Ayes 4459, Noes 0, Absent 340 (Merrill, Scott).

Ms. Molé announced that starting with the next meeting on March 9, the Board Room will be moved back to the traditional setup.

Upon a motion, the meeting was adjourned at 1:55 p.m.