

**REGULAR MEETING**

**DELAWARE COUNTY BOARD OF SUPERVISORS**

**MAY 11, 2022**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 11, 2022 at 1:02 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. Davis. Mr. Hinkley arrived shortly after roll call.

Mr. Marshfield offered the invocation.

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

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

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

For standing committee reports, Chairman of the Mental Health Committee Joseph Cetta reminded Supervisors their presence is greatly appreciated next Tuesday, May 17 at 3:00 p.m. for the ribbon cutting ceremony at the new Behavioral Health Facility in Walton.

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

**RESOLUTION NO. 88**

**TITLE: 2022 BUDGET AMENDMENT  
ACCEPTANCE OF SNAP ED FUNDING  
OFFICE FOR THE AGING**

**WHEREAS**, the Office for the Aging has been granted \$108,184.00 from New York State to provide nutrition information through the Seniors' Health Improvement & Nutrition Education (SHINE/SNAP ED) 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 that 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 estimated revenues and appropriations for the year 2022 will be increased as follows:

**INCREASE REVENUE:**

10-16772-43377200/6772067/977	State Programs for Aging	\$108,184.00
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**INCREASE APPROPRIATION:**

10-16772-54327470/6772067/977	Grant Nutritionist	\$79,985.00
10-16772-54327200/6772067/977	Grant Contractual	\$5,199.00
10-16772-54327625/6772067/977	Grant Travel	\$1,500.00
10-16772-52200001/6772067/977	Grant Equipment	\$1,200.00
10-16772-54327595/6772067/977	Grant Supplies	\$9,000.00
10-16772-54327520/6772067/977	Grant Postage	\$662.00
10-16772-54327000/6772067/977	General Grant Related Exp	\$10,638.00

The resolution was seconded by Mr. Kosier and adopted by the following vote:  
Ayes 4174, Noes 0, Absent 625 (Davis, Hinkley).

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

**RESOLUTION NO. 89**

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

**WHEREAS**, the Office for the Aging plans to purchase a vehicle from the 2022 Budget;  
and

**WHEREAS**, the total cost of a vehicle will be higher than the amount in the equipment line in the agency's 2022 Budget; and

**WHEREAS**, there is available money to cover this cost in the agency's Grant Supplies and Grant Personal Services budget lines.

**THEREFORE, BE IT RESOLVED** that the transfer of funds in the 2022 Budget be authorized as follows:

**INCREASE APPROPRIATIONS:**

10-16772-52200001/6772072/977	Grant Equipment	\$16,479.00
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**DECREASE APPROPRIATIONS:**

10-16772-51327000/6772072/977	Grant Personal Services	\$10,000.00
10-16772-54327595/6772072/977	Grant Supplies	\$6,479.00

The resolution was seconded by Mr. Kosier.

In reply to Mr. Marshfield, Mr. Merrill said this is to purchase a vehicle.

Deputy Director of Office for the Aging Wayne Shepard clarified this will be either a replacement or a new vehicle. He indicated their office has two vehicles which is down from three, and with COVID-19 behind us, the staff is going back out into the community. They are now sharing with Public Health Services and Social Services and with their staffs also going back out, the vehicles are not readily available.

In reply to Mr. Taggart, this resolution is for one vehicle which would bring them back to three total. The purchase would not cost the County anything.

Mr. Eisel welcomed Mr. Shepard back to the County.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 90**

**TITLE: 2022 BUDGET AMENDMENT  
TRANSFER OF SENIOR CLERK POSITION  
COUNTY CLERK'S OFFICE AND SHERIFF'S OFFICE**

**WHEREAS**, the position of Senior Clerk in the County Clerk's Office handles the function of processing pistol permits and either approves or denies pistol applications based upon the information gathered; and

**WHEREAS**, the position is currently overseen by the County Clerk and by transferring the position of the Senior Clerk to the Sheriff's Office would provide direct access to the data needed to process applications; and

**WHEREAS**, the County Clerk and Sheriff have evaluated the merit of the transfer and have determined that it would quicken the pistol licensing procedure.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Supervisors authorize the transfer of the Senior Clerk position to the Sheriff's Office; and

**BE IT FURTHER RESOLVED** that the following 2022 Budget amendment be authorized:

**TRANSFER FROM:**

10-11410-5100000	County Clerk - Personal Services	\$21,120.00
10-11410-5810000	County Clerk – Retirement	\$2,754.00
10-11410-5830000	County Clerk – Social Security	\$1,310.00
10-11410-5855000	County Clerk – Disability	\$42.00
10-11410-5890000	County Clerk – Medicare	\$307.00

**TRANSFER TO:**

10-13110-5100000	Sheriff’s Office - Personal Services	\$21,120.00
10-13110-5810000	Sheriff’s Office – Retirement	\$2,754.00
10-13110-5830000	Sheriff’s Office – Social Security	\$1,310.00
10-13110-5855000	Sheriff’s Office – Disability	\$42.00
10-13110-5890000	Sheriff’s Office – Medicare	\$307.00

The resolution was seconded by Mr. Vernold.

Mr. Eisel explained that the Legislative Committee unanimously supports this move. It makes a lot of sense. The Senior Clerk, also known as the Pistol Clerk, is retiring soon and they believe the position belongs with the Sheriff’s Office.

In answer to Mr. Marshfield, Mr. Eisel stated the office would be relocated to the Public Safety Building. There are two employees in the Civil Office and they will handle the work.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 91**

**TITLE: OCCUPANCY TAX DISBURSEMENT APPROVAL  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, Delaware County established a Hotel Occupancy Tax for the purpose of promoting the tourism industry in Delaware County; and

**WHEREAS**, the Law stipulates that revenues derived from the occupancy tax are to be allocated for the promotion and development of the tourism industry in Delaware County; and

**WHEREAS**, pursuant to the Law, Delaware County established and empowered the Tourism Advisory Board to solicit, review and recommend proposals for the use of the funds raised from the occupancy tax for the promotion and development of the tourism industry in Delaware County; and

**WHEREAS**, the Tourism Advisory Board reviewed the second round of proposals submitted under the tourism promotion and development grant program, and has recommended 12 proposals totaling \$76,628 for approval by the Delaware County Board of Supervisors.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors approves the recommendations of the Tourism Advisory Board regarding second round projects to be funded through occupancy tax revenues in 2022.

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

Mr. Taggart thanked the committee for doing a good job.

Mr. Valente stated the Tourism Advisory Board is made up of a nice group of volunteers. They received a lot of good applications and they will have another round of grants.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 92**

**TITLE: 2022 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the revenues received under the Hotel Occupancy Tax during 2021 were set aside and placed into the Restricted Fund Balance (Hotel Occupancy Tax) for the purpose of the promotion and development of the tourism industry in Delaware County; and

**WHEREAS**, as of 12/31/2021 the Restricted Fund Balance (Hotel Occupancy Tax) had a fund balance of \$506,092.61; and

**WHEREAS**, by Resolution No. 91 of 2022 the Board of Supervisors approved the list of the second round of tourism promotion and development grant projects to be funded through Hotel Occupancy Tax revenues; and

**WHEREAS**, these approved contracts require funding from the restricted fund balance.

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

**INCREASE REVENUE:**

10-00000-34899000	Restricted Fund Balance Hotel Occupancy Tax	\$76,628
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**INCREASE APPROPRIATION:**

10-16410-54614000                      Tourism Development Promotion                      \$76,628

The resolution was seconded by Mr. Eisel and adopted by the following vote:  
Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 93**

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

**LETTING OF APRIL 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. 30-22	Replacement of Bridge 10-2 Superstructure, BIN 3352870, Meridale-Davenport Rd (CR 10) over Kortright Creek, Town of Meredith, Delaware County to: ING Civil Inc., 11 Arch Street, Watervliet, NY 12189
	Bid Price:    \$424,000.00

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. Cetta.

Mr. Ellis indicated there will be a NYS DOT detour on Route 20A. Commissioner of Public Works Sue McIntyre stated she understands the state will be maintaining traffic for that detour, whereas the County project will completely close the road, which is unavoidable. It is unfortunate that this will have an impact. Regarding alternate routes, she said there are no designated alternate routes. Their plan is to get signage up well in advance so regular travelers can start to figure out their own alternate routes now.

In reply to Mr. Marshfield, Mr. Valente said the road is by the Hanford Mills Museum.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 94**

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

**LETTING OF APRIL 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. 31-22	Slope Stabilization-Soil Nails to: GeoStabilization International LLC., 4475 E 74 <sup>th</sup> Ave., Suite 100, Commerce City, CO 80022
Bid Price:	\$581,683.49

Other municipalities may participate in this bid.

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. Vernold.

In answer to Mr. Marshfield, Ms. McIntyre indicated there are no specific locations for these soil nails. Mr. Haynes stated they will be used as they need them.

In reply to Mr. Ellis, Ms. McIntyre said the dollar value represents a theoretical top and the practical matter is ala carte. They fully engage using the practical matter. Right now they have a project on County Route 37 in Fleischmanns where some of these will be used.

The resolution was adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 95**

**TITLE: CHANGE ORDER NO. 1 PROPOSAL 30-21  
DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, Resolution No. 120 of 2021 authorized the award of Proposal No. 30-21, “Delaware County Bridge Structural Steel Preservation Project, PIN 9754.36, D040259” to

Rover Contracting, Inc., 2424 Route 52, Suite 2F, Hopewell Junction, NY 12533 for the bid amount of \$574,945.00; and

**WHEREAS**, the project has been delayed, as a result of delayed on-site steel inspections, and

**WHEREAS**, this caused the Contractor to be unable to complete the project by the contract completion date.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal No. 30-21 extending the Contract completion by 57 days at no change in the contract amount of \$574,945.00.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

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

**RESOLUTION NO. 96**

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 2**

**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. 2 in the Towns of Delhi, Franklin, Hamden, Meredith, and Walton 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. 2 on Wednesday, May 25, 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>
<b>Delhi</b>	<b>454.25</b>	<b>379.61</b>
<b>Franklin</b>	<b>595.74</b>	<b>1135.92</b>
<b>Hamden</b>	<b>433.28</b>	<b>920.92</b>
<b>Meredith</b>	<b>472.81</b>	<b>367.72</b>
<b>Walton</b>	<b>1000.98</b>	<b>1579.19</b>

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

Chairman Molé noted that the public hearing will be held at the next Board meeting, Wednesday, May 25, 2022 at 1:00 p.m.



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

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

**RESOLUTION NO. 97**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,724,660.18 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	\$1,261,057.56
OET	\$31,414.08
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main	\$3,295.11
CAP MH	\$446.89
CAP DSS	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Solid Waste/Landfill	\$60,923.34
Road	\$43,766.13
Machinery	\$259,973.43
Capital Solid Waste	\$42,749.76
Capital Road & Bridge	\$21,033.88
CAP DPW Complex	\$0.00

The resolution was seconded by Mr. Gladstone and Mr. Taggart and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

Upon a motion, the meeting was adjourned at 1:16 p.m.