

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

NOVEMBER 22, 2022

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 22, 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. Eisel and Mr. Ellis. Supervisor Wilson arrived shortly after roll call.

Mr. Marshfield offered the invocation.

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

The minutes of the previous Board 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 indicated that ADAC (Alcohol and Drug Abuse Council) had moved into the Behavioral Health Facility, concluding a process which had been worked on for a few months.

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

RESOLUTION NO. 211

**TITLE: 2022 BUDGET AMENDMENT
ACCEPTANCE FOR COST OF LIVING ADJUSTMENT (COLA)
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, NYS Office of Addiction Services and Supports (OASAS) has allocated Cost of Living Adjustment (COLA) for contract provider, Alcohol and Drug Abuse Council of Delaware County; and

WHEREAS, ADAC ensures that the COLA funds for 2022-23 State fiscal year will be used first to promote recruitment and retention of non-executive direct care staff, non-executive direct support professionals, non-executive clinical staff, or respond to other critical non-personal service costs, prior to supporting any salary increases or other compensation for executive level job titles.

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

INCREASE REVENUE:

10-14319-43349850 State Alcohol Info & Referral \$13,357.00

INCREASE APPROPRIATION:

10-14319-54458050 Alcohol Info & Referral \$13,357.00

The resolution was seconded by Mr. Valente and Mr. Marshfield and adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 212

TITLE: ADJUSTING THE TIPPING FEE SCHEDULE FOR WASTES AT THE SOLID WASTE MANAGEMENT CENTER

WHEREAS, several waste categories handled at the Delaware County Solid Waste Management Center have tipping fees for acceptance and disposal; and

WHEREAS, the tipping fee schedule is periodically adjusted in response to operating and market conditions; and

WHEREAS, the demand for management and disposal of additional waste streams necessitates the expansion of materials accepted at the Solid Waste Management Center; and

WHEREAS, Resolution No. 16 of 2020 was the last adjustment to the tipping fee schedule.

NOW, THEREFORE, BE IT RESOLVED that the tipping fees be adjusted to include two new waste material categories of Clean Soil and Clean Concrete; and

BE IT FURTHER RESOLVED, that the authorized tipping fee schedule:

Friable Asbestos	\$200 per ton
Box Springs and Mattresses	\$10 each
Construction and Demolition Debris	\$95 per ton
Contaminated Soils	\$40 per ton
Industrial Solids	\$50 per ton
NYC Upgrade WWTP Sludge	\$90 per ton
Wood – Clean & Unpainted Lumber	\$25 per ton
Clean Concrete	\$25 per ton
Clean Soil	\$25 per ton

BE IT FURTHER RESOLVED that the above tipping fee schedule become effective January 1, 2023.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 213

TITLE: CORRECTION OF CURRENT TAX ROLLS IN ACCORDANCE WITH SECTION 554 OF THE REAL PROPERTY TAX LAW

WHEREAS, the Director of the Real Property Tax Service Agency has been presented with an application for correction of the 2020 and 2021 tax roll by Supreme Court Order and after investigation recommends approval of the following:

BE IT RESOLVED that in accordance with Section 554 of the Real Property Tax law that the following be approved and the Chairman of the Board be authorized to sign the approval of the application on behalf of the Board.

TOWN OF MIDDLETOWN: Tax Map No. 285.-2-48.321, assessed to Catskill Watershed Corp., due to the total taxable assessment by exemption be reduced from 18,079,000 to 7,773,970. Due to the change in assessment, the 2021 tax bill be reduced from \$95,859.64 to \$82,439.30 and the 2022 tax bill from \$190,852.98 to \$82,066.77. A refund be issued to the Catskill Watershed Corp. in the amount of \$13,420.34 for the 2021 taxes and \$108,786.21 for the 2022 taxes for a grand total of \$122,206.55

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 214

TITLE: DIRECT TOWN TAX

BE IT RESOLVED that pursuant to §233a of the County Law, the nineteen towns of the County be and hereby are charged \$222,168.06 for the assessment rolls, field books, tax bills, etc.; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors be authorized and directed to apportion said sum against the taxable property of the nineteen towns of the County of Delaware and that said sum be incorporated into the County Treasurer's Preliminary Report of charges and credits to the said towns in accordance with the apportionment.

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 215

TITLE: LEVY OF TOWN ACCOUNTS

WHEREAS, there has been presented to the Board of Supervisors the County Treasurer's 2022 Preliminary Report with the following amounts to be charged to the several towns:

<u>TOWNS</u>	<u>CHARGES</u>
Andes	\$7,802.90
Bovina	\$3,888.87
Colchester	\$14,932.97
Davenport	\$4,613.85
Delhi	\$15,226.73
Deposit	\$7,912.36
Franklin	\$4,390.37
Hamden	\$5,223.31
Hancock	\$13,746.63
Harpersfield	\$5,542.31
Kortright	\$8,245.73
Masonville	\$4,665.47
Meredith	\$8,718.51
Middletown	\$77,955.09
Roxbury	\$15,863.35
Sidney	\$23,365.78
Stamford	\$9,335.09
Tompkins	\$2,493.44
Walton	\$14,017.20

The resolution was seconded by Mr. Taggart.

In response to Mr. Valente, the Clerk clarified that this resolution does not pertain to the apportionment of the Self Insurance budget.

The resolution was adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 216

**TITLE: YEAR-END ACCOUNTING MODIFICATIONS TO THE 2022 BUDGET
DEPARTMENT OF FISCAL AFFAIRS**

WHEREAS, there are many bookkeeping entries that are needed to close out the books for 2022; and

WHEREAS, there will be no increase in the actual spending, just a balancing of accounts between personal services, equipment, contractual, employee benefits and undistributed employee benefits; and

WHEREAS, an accounting of all transactions will be presented to the Board of Supervisors upon completion of the annual report.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Department of Fiscal Affairs to make the necessary adjustments to the 2022 Budget and to file a written report to the Finance Committee before the books for 2022 are actually closed.

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

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

RESOLUTION NO. 217

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
PUBLIC HEALTH SERVICES**

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 Department of Public Health is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Vehicle Identification No.</u>
PHS 96	2010 Ford Fusion	3FAHP0GA4AR332334
PHS 97	2010 Ford Fusion	3FAHP0GA4AR332335

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

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

RESOLUTION NO. 218

TITLE: APPORTIONMENT OF MORTGAGE TAX

WHEREAS, §261 of the Tax Law makes it mandatory to apportion the mortgage tax semi-annually and a report has been received from the recording officer and the County Treasurer for the period ending September 30, 2022.

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be directed to pay to the several towns and villages of Delaware County the amounts stated below; the same having been apportioned according to the aforementioned §261; and

BE IT FURTHER RESOLVED that the foregoing statement shall be to the County Treasurer a sufficient warrant for the payment of said monies.

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Andes	\$25,327.80	\$25,327.80	
Bovina	\$20,961.04	\$20,961.04	
Colchester	\$22,198.15	\$22,198.15	
Davenport	\$35,437.84	\$35,437.84	
Delhi	\$30,685.22	\$26,170.51	\$4,514.71
Deposit	\$53,909.22	\$50,368.48	\$3,540.74
Franklin	\$19,031.98	\$18,189.34	\$842.64
Hamden	\$12,411.94	\$12,411.94	
Hancock	\$39,502.22	\$36,229.48	\$3,272.74
Harpersfield	\$13,109.96	\$11,737.94	\$1,372.02
Kortright	\$18,922.78	\$18,922.78	
Masonville	\$5,676.19	\$5,676.19	
Meredith	\$14,762.77	\$14,762.77	

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Middletown	\$75,367.99	\$68,626.99 FL	\$2,013.35
		MV	\$4,727.65
Roxbury	\$45,617.68	\$45,617.68	
Sidney	\$23,550.38	\$17,084.21	\$6,466.17
Stamford	\$30,002.98	\$23,384.86 ST	\$2,877.48
		HO	\$3,740.64
Tompkins	\$8,050.82	\$8,050.82	
Walton	\$38,839.19	\$31,973.96	\$6,865.23
Totals ...	\$533,366.15	\$493,132.78	\$40,233.37

The resolution was seconded by Mr. Taggart.

Ms. Molé stated that the checks are in possession of the Clerk to be distributed after the meeting.

In response to Mr. Marshfield, the Clerk stated that County Clerk Debra Goodrich would look into why the apportionment for Deposit came to be as high as it was.

The resolution was adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

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

RESOLUTION NO. 219

**TITLE: 2022 BUDGET MODIFICATION
TRANSFER OF FUNDS FROM PERSONAL SERVICES TO EQUIPMENT
PLANNING DEPARTMENT**

WHEREAS, the Planning Director has requested and the Planning, Recreation, Culture and Community Committee in conjunction with the Finance Committee and Budget Officer,

have agreed that additional funding of appropriations needs to be added to the Equipment account; and

WHEREAS, the Planning Department drone was damaged during a training mission and repairs are not possible as the drone model is no longer supported, making the drone and all associated cameras obsolete; and

WHEREAS, a claim was submitted to insurance and settled in the amount of \$24,704.00; and

WHEREAS, the cost estimate for a new drone with new associated cameras is \$45,198.25 leaving a short fall of \$20,494.25 for replacement; and

WHEREAS, the Planning Department budget has money in Personal Services due to multiple vacancies throughout the year.

NOW, THEREFORE, BE IT RESOLVED that the following 2022 Planning Budget amendment be made:

TRANSFER FROM:

10-18020-51000000	Personal Services	\$20,500.00
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TRANSFER TO:

10-18020-52200000	Equipment	\$20,500.00
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The resolution was seconded by Mr. Davis and adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 220

TITLE: APPORTIONMENT OF COUNTY SELF INSURANCE BUDGET

RESOLVED that the budget for the County Self Insurance Fund for Workers' Compensation and Volunteer Firemen's Benefits in the total amount of \$1,750,000, as set forth below be accepted as part of the records of this Board.

<u>Participant</u>	<u>Full Value Assessment</u>	<u>Apportioned Amount to Raise</u>
County of Delaware	6,924,407,663	\$821,419.75
<u>Towns</u>		
Andes	525,342,072	\$62,319.60

Bovina	191,442,974	\$22,710.25
Colchester	897,915,816	\$106,516.81
Davenport	270,117,063	\$32,043.10
Delhi	395,337,857	\$46,897.63
Deposit	372,601,995	\$44,200.55
Franklin	250,342,906	\$29,697.36
Hamden	198,078,176	\$23,497.36
Hancock	502,332,327	\$59,590.03
Harpersfield	179,821,925	\$21,331.68
Kortright	202,219,517	\$23,988.64
Masonville	124,679,722	\$14,790.35
Meredith	179,429,749	\$21,285.16
Middletown	869,794,094	\$103,180.82
Roxbury	562,546,942	\$66,733.10
Sidney	344,588,609	\$40,877.42
Stamford	206,734,009	\$24,524.18
Tompkins	211,180,285	\$25,051.62
Walton	439,901,625	\$52,184.09
<u>Villages</u>		
Delhi	116,331,871	\$13,800.07
Deposit	48,944,690	\$5,806.15
Franklin	22,167,752	\$2,629.69
Hancock	83,235,983	\$9,874.01
Stamford (Harpersfield)	37,638,400	\$4,464.92
Stamford (Stamford)	39,654,246	\$4,704.05
Fleischmanns	46,470,573	\$5,512.65

Sidney	189,225,702	\$22,447.22
Hobart	51,549,373	\$6,115.13
Walton	155,514,336	\$18,448.16

Fire Districts

Arena, Hardenburgh	18,784,547	\$2,228.35
Midd.-Hard., Hardenburgh	53,433,276	\$6,338.61
Deposit	40,391,324	\$4,791.49
TOTAL	14,752,157,399	\$1,750,000.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 221

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,240,526.22 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	\$1,693,942.83
OET	\$5,427.25
Public Safety Comm System	\$19,335.27
Insurance Risk	\$0.00
CAP 97 Main	\$69.39
CAP MH	\$3,020.10
CAP DSS	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Solid Waste/Landfill	\$118,458.11
Road	\$205,646.72

Machinery	\$60,117.11
Capital Solid Waste	\$30,765.72
Capital Road & Bridge	\$60,878.30
CAP DPW Complex	\$1,042,865.42

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 222

TITLE: ADOPTION OF 2023 DELAWARE COUNTY BUDGET

WHEREAS, the Tentative Budget for the year 2023 has been presented to the Board by the Budget Officer and duly discussed and a public hearing having been held thereon as required by law;

NOW, THEREFORE, BE IT RESOLVED that pursuant to §360 of the County Law, the Tentative Budget, as amended, for 2023 be adopted.

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

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

RESOLUTION NO. 223

TITLE: APPROPRIATION RESOLUTION

WHEREAS, this Board by Resolution No. 222, dated November 22, 2022 adopted a budget for the fiscal year 2023;

RESOLVED that the several amounts specified in the column, "Adopted" be and hereby are appropriated for the objects and purposes specified effective January 1, 2023.

The resolution was seconded by Mr. Taggart.

Mr. Merrill thanked the Finance Committee for their excellent work.

Mr. Taggart added a thanks to Mr. Merrill as well as the departments for their efforts and providing good numbers to work with. It was a team effort, and the efforts of all involved are appreciated.

The resolution was adopted by the following vote: Ayes 4488, Noes 0, Absent 311 (Eisel, Ellis).

Ms. Molé made the following committee appointment:

TOURISM ADVISORY BOARD
3-year term ending December 31, 2025

Appoint:
Todd Pascarella

Chairman of the ARPA Committee Wayne Marshfield stated that the total federal award to the County being \$8,572,706.00, not quite half of that amount has been doled out to specific projects. Their current goal is to continually review projects as the committee meets, ensuring timely reports and progress updates on the projects.

In response to Mr. Taggart, Mr. Marshfield confirmed that all the funds have been allocated.

Upon a motion, the meeting was adjourned at 1:19 p.m.