

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JANUARY 25, 2023

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, January 25, 2023 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

The Clerk called the roll and all Supervisors were present with the exception of Mr. Axtell, Mr. Eisel, and Mr. Davis.

Mr. Marshfield offered the invocation.

Mr. Haynes 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.

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

RESOLUTION NO. 21

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF HEALTHCARE WORKER BONUS
SHERIFF'S OFFICE**

WHEREAS, NYS Department of Health has allocated funding for recruitment and retention bonuses to certain healthcare and mental hygiene workers; and

WHEREAS, Delaware County Sheriff's Office is a qualified employer and is required to claim the bonus for their employees; and

WHEREAS, qualified employees must be "front line health care and mental hygiene practitioners, technicians, assistants and aides that provide hands on health or care services to individuals."

NOW, THEREFORE, BE IT RESOLVED that the 2023 Budget be amended as follows:

ESTABLISH REVENUE:

10-13150-43349927

State Healthcare Worker Rev

\$8,612.00

INCREASE APPROPRIATION:

10-13150-51000000	Personal Services	\$8,000.00
10-13150-58300000	Social Security Emplr Contrib	\$496.00
10-13150-58900000	Medicare Emplr Contrib	\$116.00

The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 22

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF HEALTHCARE WORKER BONUS
PUBLIC HEALTH SERVICES**

WHEREAS, NYS Department of Health has allocated funding for recruitment and retention bonuses to certain healthcare and mental hygiene workers; and

WHEREAS, Delaware County Public Health Services is a qualified employer and is required to claim the bonus for their employees; and

WHEREAS, qualified employees must be “front line health care and mental hygiene practitioners, technicians, assistants and aides that provide hands on health or care services to individuals.”

NOW, THEREFORE, BE IT RESOLVED that the 2023 Budget be amended as follows:

ESTABLISH REVENUE:

10-14012-43349927	State Healthcare Worker Rev	\$14,532.75
10-14059-43349927	State Healthcare Worker Rev	\$3,229.50
10-14060-43349927	State Healthcare Worker Rev	\$3,229.50

INCREASE APPROPRIATION:

10-14012-51000000	Personal Services	\$13,500.00
10-14012-58300000	Social Security Emplr Contrib	\$837.00
10-14012-58900000	Medicare Emplr Contrib	\$195.75
10-14059-51000000	Personal Services	\$3,000.00
10-14059-58300000	Social Security Emplr Contrib	\$186.00
10-14059-58900000	Medicare Emplr Contrib	\$43.50
10-14060-51000000	Personal Services	\$3,000.00
10-14060-58300000	Social Security Emplr Contrib	\$186.00
10-14060-58900000	Medicare Emplr Contrib	\$43.50

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 23

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF HEALTHCARE WORKER BONUS
DEPARTMENT OF MENTAL HEALTH**

WHEREAS, NYS Department of Health has allocated funding for recruitment and retention bonuses to certain healthcare and mental hygiene workers and;

WHEREAS, Delaware County Community Services is a qualified employer and is required to claim the bonus for their employees and;

WHEREAS, qualified employees must be “front line health care and mental hygiene practitioners, technicians, assistants and aides that provide hands on health or care services to individuals” and;

WHEREAS, Delaware County Community Services has received this money in 2022.

NOW, THEREFORE, BE IT RESOLVED that the 2023 Budget be amended as follows:

INCREASE REVENUE:

10-14310-43349927	State Healthcare Worker Rev	\$17,762.25
10-14311-43349927	State Healthcare Worker Rev	\$1,614.75
10-14317-43349927	State Healthcare Worker Rev	\$8,073.75

INCREASE APPROPRIATION:

10-14310-51000000	Personal Services	\$16,500.00
10-14310-58300000	Social Security Emplr Contrib	\$1,023.00
10-14310-58900000	Medicare Emplr Contrib	\$239.25
10-14311-51000000	Personal Services	\$1,500.00
10-14311-58300000	Social Security Emplr Contrib	\$93.00
10-14311-58900000	Medicare Emplr Contrib	\$21.75
10-14317-51000000	Personal Services	\$7,500.00
10-14317-58300000	Social Security Emplr Contrib	\$465.00
10-14317-58900000	Medicare Emplr Contrib	\$108.75

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 24

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF HEALTHCARE WORKER BONUS
OFFICE FOR THE AGING**

WHEREAS, NYS Department of Health has allocated funding for recruitment and retention bonuses to certain healthcare and mental hygiene workers; and

WHEREAS, Delaware County Office for the Aging is a qualified employer and is required to claim the bonus for their employees; and

WHEREAS, qualified employees must be “front line health care and mental hygiene practitioners, technicians, assistants and aides that provide hands on health or care services to individuals.”

NOW, THEREFORE, BE IT RESOLVED that the 2023 Budget be amended as follows:

ESTABLISH REVENUE:

10-16772-43349927	State Healthcare Worker Rev	\$15,071.00
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INCREASE APPROPRIATION:

10-16772-51000000	Personal Services	\$14,000.00
10-16772-58300000	Social Security Emplr Contrib	\$868.00
10-16772-58900000	Medicare Emplr Contrib	\$203.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 25

**TITLE: 2023 BUDGET AMENDMENT
WINTER YOUTH EMPLOYMENT AND TRAINING PROGRAM
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Department of Social Services is the designated local agency to administer Foster Care programs; and

WHEREAS, the Department believes that this program will assist several Foster Children in attaining the skills necessary to become productive members of society; and

WHEREAS, 100% of the funding will be in the form of a grant from the O'Connor Foundation.

NOW, THEREFORE, BE IT RESOLVED that the 2023 Budget be amended as follows:

INCREASE REVENUE:

10-16010-42270500/6010647/971	Gifts & Donations	\$33,808.00
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INCREASE APPROPRIATION:

10-16010-51000000/6010647/971	Personal Services	\$26,664.00
10-16010-58100000/6010647/971	State Retirement System	\$4,949.00
10-16010-58300000/6010647/971	Social Security Employer Contribution	\$1,653.00
10-16010-58550000/6010647/971	Disability Insurance	\$155.00
10-16010-58900000/6010647/971	Medicare Employer Contribution	\$387.00

The resolution was seconded by Mr. Taggart and adopted by the following vote: Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 26

**TITLE: 2023 BUDGET AMENDMENT
DELAWARE COUNTY LIFEGUARD CERTIFICATION PROGRAM
DELAWARE COUNTY YOUTH BUREAU**

WHEREAS, the Delaware County Youth Bureau is the designated local agency to administer youth related programs; and

WHEREAS, the need exists to increase the number of certified lifeguards in Delaware County; and

WHEREAS, 100% of the funding will be in the form of a grant from the O'Connor Foundation.

NOW, THEREFORE, BE IT RESOLVED that the 2023 Budget be amended as follows:

INCREASE REVENUE:

10-17310-42207000/7310009/987	Contributions Private Agencies Youth	\$13,178.00
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INCREASE APPROPRIATION:

10-17310-54405050/7310009/987	Delaware County Lifeguard Certification Prg.	\$13,178.00
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The resolution was seconded by Mr. Taggart.

Mr. Marshfield expressed his gratitude to the O'Connor Foundation for the grant associated with the resolution.

The resolution was adopted by the following vote: Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 27

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

LETTING OF JANUARY 13, 2023

WHEREAS, the Department of Public Works has been tasked with the Demolition of the Flood Buyout houses in the Village of Sidney; and

WHEREAS, this project is driven by the New York State Department of Homeland Security & Emergency Services (DHSES) and the Governor's Office of Storm Recovery (GOSR); and

WHEREAS, DPW has issued bids for asbestos abatement in 31 houses in the Town of Sidney; and

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

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to make awards to the lowest bidder meeting specifications, once GOSR approval has been received, as follows:

PROPOSAL FB3-22 Asbestos Abatement – 31 Houses, Town of Sidney to:
Sullivan Contracting Inc., PO Box 502 Sauquoit, NY 13456

Bid Price: \$361,600.00

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 28

**TITLE: CHANGE ORDER NO. 2 OF PROPOSAL NO. SW4-21
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 12 of 2022 authorized the award of Proposal No. SW4-21, “General Construction” for Cell 4S to Marcy Excavation Services, LLC, 5835 State Route 5, Herkimer, NY 13350 for the bid amount of \$5,895,595.00; and

WHEREAS, Resolution No. 234 of 2022 authorized a no cost time extension; and

WHEREAS, the following changes have been made and agreed upon:

- PCO-001** Modifications to dual contained HDPE wet well at Pump Station 3 totaling \$6,722.20.
- PCO-003** Additional force main fittings and addition of insulation given force main bury depth totaling \$14,354.03.
- PCO-006** Modification to Cell 4S subgrade based on actual location of existing Cell 4 line totaling \$24,183.22 (includes credit of \$10,125.00).
- PCO-007** Credit to Owner for use of blended on-site soil instead of specified and imported basin soil totaling \$8,943.00.
- PCO-008** Additional work to address unforeseen conflict at crossing of new 6/10 dual contained force main with existing 6/10 dual contained force main totaling \$2,977.08.
- PCO-009** Additional work to address unforeseen removal of buried tires and additional subgrade backfill totaling \$65,000.00.
- PCO-013** Additional work for unforeseen repair of existing Cell 4 secondary liner totaling \$3,647.23; and

WHEREAS, the total of these changes results in an increase of \$125,040.76.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal No. SW4-21 in the amount of \$125,040.76 bringing the contract total to \$6,020,635.76.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 29

**TITLE: TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OVER
RESCIND RESOLUTION NO. 16 OF 2023
REAL PROPERTY TAX SERVICES**

WHEREAS, Resolution No. 16 of 2023 to change the real property tax exemption income schedule for persons 65 years of age or older contained erroneous income limits;

THEREFORE, BE IT RESOLVED that Resolution No. 16 of 2023, entitled: *Tax Exemption for Persons 65 Years of Age or Over*, is hereby rescinded and the following be adopted for granting real property tax exemption for persons 65 and older in Delaware County.

BE IT RESOLVED, that, pursuant to the authority granted by §467 of the Real Property Tax Law, real property within the County of Delaware owned by one or more persons, each of who is 65 years of age or over, or real property within the county owned by husband and wife, one of who is 65 years of age or over, shall be exempt from county tax levy according to the following schedule based on income of the owner or combined income of the owners of the property for the tax year immediately preceding the date of application:

Income below	\$22,000	50% exemption
Income range of	\$22,000 – \$22,999	45% exemption
Income range of	\$23,000 – \$23,999	40% exemption
Income range of	\$24,000 – \$24,999	35% exemption
Income range of	\$25,000 – \$25,999	30% exemption
Income range of	\$26,000 – \$26,799	25% exemption
Income range of	\$26,800 – \$27,700	20% exemption
Income more than	\$27,700	NO exemption

BE IT FURTHER RESOLVED that all of the provisions of §467 of the Real Property Tax Law shall apply in the administration and interpretation of this resolution and such exemption shall not be granted unless the applicant qualified thereunder.

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

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

RESOLUTION NO. 30

**TITLE: APPOINTMENT OF DELAWARE COUNTY
FIRE ADVISORY BOARD
DEPARTMENT OF EMERGENCY SERVICES**

BE IT RESOLVED that the following appointments be made to the Delaware County Fire Advisory Board in accordance with 225-a of the County Law for year 2023:

Chairman: John Gilmore, Sidney
Vice Chairman: Blaise Bojo, Hancock
Secretary: Mike Pietrantonio, Bloomville

Voting Departments:

Andes – Chief Dale Tait
Arena – Chief Mike Sarrubi

Hobart – Chief Josh Mason
Margaretville – Chief Nelson Delameter

Arkville – Chief Rob Sweeney
Bloomville – Chief Mike Pietrantonio
Bovina – Chief Kevin Brown
Delhi – Chief Bill Cairns
East Meredith – Chief David Briggs
Fleischmanns – Chief Todd Wickham
Franklin – Chief Tom Worden
Grand Gorge – Chief Hank Gockel
Hancock – Chief Blaise Bojo

Masonville – Chief Matt Jones
Meridale – Chief Brad Hitchcock
Sidney – Chief John Gilmore
South Kortright – Andrew VanBuren
Stamford – Chief Don VanEtten
Treadwell – Chief Tony DeDominicis
Trout Creek – Chief Josh LaTourette
Walton – Chief Frank Wood

Alternate Departments:

Cooks Falls – Chief Chris Jaindl
Davenport – Chief Phil Gerster
Deposit – Chief Shaun Rynearson
Downsville – Chief Sterling Murphy
East Branch – Chief Rod Kessler

Halcottsville – Chief Jeff Slauson
Pindars Corners – Chief Matt Accordino
Roxbury – Chief Jim Bouton, Jr.
Sidney Center – Chief Codey Lambrecht

Voting departments were selected based on meeting attendance for the previous year.

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

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

RESOLUTION NO. 31

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
DEPARTMENT OF PUBLIC WORKS**

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 Works is authorized to sell by on-line auction or scrap the following items and all spare parts:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
DPW 2420	2012 Ford	3FAHP0HG7CR4192
DPW 521	2002 Chrysler	1C4GJ25382B646100
DPW 398	2009 Western Star	5KKHAEDE09PAF2975
DPW 399	2009 Western Star	5KKHAEDE49PAE2126
DPW 62	2013 Ford	1FT7X2B62DEB14226

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

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

RESOLUTION NO. 32

**TITLE: PUBLIC HEARING ON EIGHT-YEAR REVIEW OF
AGRICULTURAL DISTRICT NO. 6
PLANNING DEPARTMENT**

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. 6 located in the Towns of Hancock, Colchester and Hamden during the scheduled eight-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. 6 on Wednesday, February 22, 2023 at 1:00 p.m. in the Board of Supervisors Room of the County Office Building.

Town of Hancock

MODIFICATION	ACREAGE
Additions	149
Removed	580

Town of Colchester

MODIFICATION	ACREAGE
Additions	147
Removed	8

Town of Hamden

MODIFICATION	ACREAGE
Additions	0
Removed	0

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

Ms. Molé stated that the public hearing will be held at the next Board of Supervisors meeting on Wednesday, February 22 at 1:00 p.m.

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

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

RESOLUTION NO. 33

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
TIER GRANT
BOARD OF ELECTIONS**

WHEREAS, the Board of Elections needs more funds in their Grant Software account to cover 2023 expenses;

NOW, THEREFORE, BE IT RESOLVED that the following transfer be authorized:

TRANSFER FROM:

10-11450-52200001/1450012/961 Grant Equipment \$722.41

TRANSFER TO:

10-11450-54327580/1450012/961 Grant Software \$722.41

The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 34

**TITLE: RESOLUTION OF THE COALITION OF WATERSHED TOWNS
SUPPORTING THE DECEMBER 2022 REVISED FAD**

WHEREAS, in the Spring of 2022 the New York State Department of Health (DOH) released for comment a draft Revised Filtration Avoidance Determination (FAD) as part of the mid-term review of the 2017 FAD; and

WHEREAS, the West of Hudson Communities (including, but not limited to, the Coalition of Watershed Towns, Delaware, Greene, and Schoharie Counties, the Towns of Windham, Ashland, Lexington, Prattsville, Jewett, Olive, Shandaken, Conesville, Gilboa, Roxbury, Middletown, Andes, Bovina, Stamford, Kortright, Tompkins, Harpersfield, Walton, Delhi,) submitted comments/Board resolutions to DOH (the “West of Hudson Communities Comments”) which focused upon

- (1) the need to end the core land acquisition program as recognized in the 2020 findings of the National Academies of Sciences, Engineering and Medicine (NASEM) of its study of the watershed protection program;
- (2) the need to revise the Streamside Acquisition Program (SAP) to require local governments consent for participation in the program;

- (3) support for a community based streamside protection program in which the land owners are compensated for stewardship;
- (4) a requirement that the Conservation Easement granted by the City to NYSDEC for all fee acquisitions be modified to incorporate the requirements and the objectives of the 1997 Memorandum of Agreement (“MOA”); and
- (5) assure greater compliance by New York City with its MOA obligations as exemplified by the 2022 dispute regarding the acceptance of septage waste at City-owned wastewater treatment plants and a sustainable contract administration process; and

WHEREAS, in December 2022 DOH issued the final Revised FAD (together with a Comment/Response Document) which directly incorporated and responded to the West of Hudson Comments and specifically stated as follows:

- (1) “NYSDOH agrees that strategic, well-reasoned acquisition of water quality protective parcels should be the focus of the LAP, while allowing future community growth to occur in a manner that is consistent with the existing character and planning goals of each of the Watershed communities.”
- (2) “NYSDOH agrees that changes to core LAP are necessary in the West of Hudson watershed, as guided by the recommendations of the NASEM expert panel. The program should be focused on the most sensitive areas for water quality protection, including floodplains, riparian areas, wetlands, and steep slopes. NYSDOH agrees that both the Long-Term Land Acquisition Plan and the successor Water Supply Permit should be shaped by the NASEM Expert Panel recommendations and stakeholder input.”
- (3) “The reduction in LAP solicitation goal from 300,000 acres to 200,000 acres through 2024 is based on recommendations of the NASEM Expert Panel as well as stakeholder input. Solicitation beyond 2024 is contingent upon re-issuance of a WSP authorizing continuation of the LAP beyond 2025.”
- (4) NYSDOH understands that there are several areas of interest that stakeholders have regarding the current and future implementation of SAP. NYSDOH encourages stakeholders to engage in productive discussions with the City and CCCD to integrate common-sense program modifications which will position SAP to operate with wide-spread municipal support in the future. To encourage the resolution of these issues, the Revised 2017 FAD now includes a requirement for a dedicated SAP workgroup and a specific reporting requirement on the workgroup’s recommendations. While the determination for the expansion of the Pilot SAP to the remainder of the WOH watershed has not yet been made by NYSDEC, as described in Special Condition 29 paragraph (f), NYSDOH notes that paragraph (f) states that “Such written determination shall include addressing NYCDEP recommendations.”

- (5) “Under the Conservation Reserve Enhancement Program (CREP), administered by the US Department of Agriculture’s Farm Service Agency and the Watershed Agricultural Council, farmers can receive annual rental payments in exchange for removing environmentally-sensitive land from production and installing conservation practices like vegetated streamside buffers, exclusion fencing, and animal crossings. These rental agreements usually run for 10-15 years, unlike watershed conservation easements which run in perpetuity. The commentors are suggesting a similar program be explored as an option for owners of non-agricultural land. This potential program should be explored in the context of the streamside acquisition workgroup.”
- (6) “NYSDOH and the City acknowledge the existing conservation easement language may need to be revised in light of some recent conflicts with public benefit projects. The City agrees to work with the communities to explore potential language changes to future conservation easements which would allow for such activities to take place. The Revised 2017 FAD has been updated to reflect this new activity.”
- (7) NYSDOH supports the recreational use of protected land in the Catskill/Delaware Watershed where such use does not threaten to have an adverse impact on NYC water quality. Paragraph 72 of the 1997 Memorandum of Agreement included mountain bicycling as a recreational activity not likely to be allowed on City land. The City has opened over 135,000 acres of watershed lands to other recreational opportunities, where it can be demonstrated that recreational use will not harm water quality. The City may consider requests to open specific City-owned parcels to connect existing or planned trail networks where municipal and organizational partners have the capacity to effectively steward the activities and ensure no threats to water quality.”

NOW, THEREFORE, LET IT BE RESOLVED that the Delaware County Board of Supervisors hereby thanks the Department of Health for carefully considering the comments of the West of Hudson Communities and incorporating those comments in the Revised FAD and accepts the Revised FAD as a reasonable compromise to assure the continued protection of New York City’s water supply while recognizing the needs of the watershed communities; and

LET IT BE FURTHER RESOLVED that the Delaware County Board of Supervisors is committed to continuing to work with the other watershed stakeholders to develop a revised LAP and SAP that is consistent with the MOA, the NASEM findings, the Revised FAD and the evolving needs of the watershed communities.

The resolution was seconded by Mr. Ellis.

In response to Mr. Marshfield, Mr. Gladstone indicated that he is a member of the Coalition, and that the Coalition members support relooking at the program and proceeding in the future with a more CREP-like (Conservation Reserve Enhancement Program) program to keep local land in private ownership as opposed to the City buying all of the streambanks.

Mr. Taggart stated he believes the NYS Department of Health also supports this change. There was a study done two to three years ago by the National Academy with a 15-member panel, and this resolution follows those recommendations. Delaware County is not the only county affected but surrounding counties are as well. The goal is to try to keep control locally and allow for local input instead of letting the City have free rein.

Chief Planner of the Department of Planning Kent Manuel stated that the resolution also thanks and acknowledges the NYS Department of Health for their input as well as the National Academy.

In response to Mr. Marshfield, Mr. Taggart agreed that it is important to support the National Academy as it is a team effort.

Mr. Gladstone furthered that the County should oppose the City owning the stream program. There is a lack of stewardship under City ownership as opposed to the type of approach taken by private owners and farms participating in CREP, which allows for renewal.

In agreement with Mr. Gladstone, Mr. Hinkley furthered that when the City owns properties, obtaining easements for utilities and rights-of-way is beyond control and is irreversible. This becomes a problem for emergency services in particular.

Mr. Gladstone added that when the City owns a property, only certain access is permitted. This very much restricts things which may need to be changed or improved in the future, especially for farms.

In response to Mr. Gladstone, Mr. Hinkley agreed that if a decade into the future there is a need for improvement, increased access, or installation of utilities, access would be impossible.

Mr. Gladstone added that another restriction is the inability to subdivide a property for any reason such as to pass along to our children. There are a lot of unknowns.

In agreement with Mr. Gladstone and Mr. Hinkley, Mr. Taggart added that most towns have planning and zoning, and CREP is just for environmentally sensitive areas where there could be pollution. They would have to buy properties from the road frontage to the creek to take away the possibility of development of a residence in the front two-thirds of the lot. The ability to expand utilities is important and should be kept in the control of the local people.

In response to Mr. Cetta, Mr. Ellis confirmed that this resolution includes the reduction of the number of acres of land in a year which the City can acquire from 300,000 to 200,000 acres through 2024. In regards to easements, any development of adjoining properties is either restricted or complicated by having to go around the exempt property. The goal is to be able to develop and improve our hamlets.

Mr. Gladstone added that the SAP (Streamside Acquisition Program) doesn't necessarily restrict easements though it does make it more challenging.

Mrs. Scott furthered that these programs are in perpetuity as opposed to a ten to fifteen year timeframe where change can be accommodated.

Mr. Marshfield added that while working with the utility business he had to obtain many easements from the City, which is an annual and revocable easement with annual fees. Avoiding these constraints would be ideal.

The resolution was unanimously adopted.

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

RESOLUTION NO. 35

**TITLE: SALE OF TAX ACQUIRED PROPERTY
TREASURER'S OFFICE**

RESOLVED that the following described parcel of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon, upon receipt of cash consideration hereinafter set forth.

<u>ASSESSED TO:</u>	ROX16TX.021
TOWN OF:	<u>ANDREW N HINKLEY</u>
TAX MAP NO:	124800:ROXBURY
SCHOOL DISTRICT:	157.3-2-9
ACREAGE:	124802:ROXBURY
CONVEYED TO:	140'F x 175'D: 0.66A ACRES
	ANDREW HINKLEY
	54058 STATE HWY 30
	ROXBURY NY 12474
CASH CONSIDERATION:	\$6,871.70
TAX DEFICIT:	\$3,971.92

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

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

RESOLUTION NO. 36

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,704,592.36 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	\$2,070,146.39
OET	\$19,747.46
Public Safety Comm System	\$17,265.00
Insurance Risk	\$0.00
CAP 97 Main	\$0.00
CAP MH	\$0.00
CAP DSS	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$535.33
Solid Waste/Landfill	\$135,509.88
Road	\$387,826.04
Machinery	\$329,862.35
Capital Solid Waste	\$24,441.05
Capital Road & Bridge	\$55,520.51
CAP DPW Complex	\$663,738.35

The resolution was seconded by Mr. Gladstone and adopted by the following vote:
Ayes 4095, Noes 0, Absent 704 (Axtell, Eisel, Davis).

Chairman Molé stated that all supervisors will find their committee assignments on their desks, and the committee schedule will be posted on the County website.

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

RESOLUTION NO. 37

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss contract negotiations.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Axtell, Mr. Eisel, and Mr. Davis.

Upon a motion, the meeting was adjourned at 1:45 p.m.