

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 24, 2023

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 24, 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 except Mr. Davis.

Mr. Marshfield offered the invocation.

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

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

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

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

RESOLUTION NO. 98

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
COUNTY CLERK**

WHEREAS, there is a need for additional funding due to missing film that needs to be replaced and to put the books that go with the film onto the records system.

NOW, THEREFORE, BE IT RESOLVED that authorization is given to amend the 2023 Budget as follows:

TRANSFER FROM:

10-11990-54900000	Contingency	\$14,488.40
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TRANSFER TO:

10-11410-54415020	Maintenance & Repair Services	\$14,488.40
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The resolution was seconded by Mr. Vernold.

In response to Mrs. Valente, County Clerk Debra Goodrich explained that the film encompassed the years 2021 through 2022.

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

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

RESOLUTION NO. 99

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF PUBLIC HEALTH INFRASTRUCTURE
WORKFORCE & DATA SYSTEMS GRANT
PUBLIC HEALTH SERVICES**

WHEREAS, the program of work under this funding opportunity addresses long-standing weaknesses due to chronic underinvestment in New York’s public health system and strengthens preparedness to address new challenges and future public health emergencies; and

WHEREAS, the investments in the local public health workforce and foundational capabilities supports Local Health Departments (LHDs) to address health inequities and disparities more effectively across populations and regions throughout their jurisdiction and better meet the ongoing and future public health needs of New Yorkers; and

WHEREAS, grant funds may be used to strengthen the public health workforce through hiring of public health positions, supporting retention of current staff, making upgrades to the workplace to increase employee satisfaction, providing public health training, and providing public health support services to the public health department; and

WHEREAS, the short-term outcomes of this funding include improvements in the LHD workforce to include hiring new or vacant positions, retaining current staff through various investments or services, or improving foundational public health capabilities through training and other staffing enhancements; and

WHEREAS, the long-term outcomes of this funding include improvements in the public health of the jurisdiction, especially among socially and economically marginalized communities.

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

INCREASE REVENUE:

10-14012-44440101/4012026/906	Federal PH Grants	\$ 135,969.00
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INCREASE APPROPRIATION:

10-14012-54327000/4012026/906	General Grant Related Exp	\$ 135,969.00
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The resolution was seconded by Mr. Marshfield 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. 100

TITLE: CHANGE ORDER NO. 1 PROP 31(2)-2022

WHEREAS, Resolution No. 189 of 2022 authorized the award of Proposal No. 31(2)-2022, “Delaware County Bridge Structural Steel Preservation Project, PIN 9754.60, LD040413” to Rover Contracting, Inc., 251 Upper North Road, Highland, NY 12528 for the bid amount of \$633,320; and

WHEREAS, the project has been delayed due to delays in structural steel repair detail preparation by the engineers; 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. 31(2)-22 extending the Contract completion date until July 14, 2023 at no change in the Contract Amount of \$633,320.

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

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

RESOLUTION NO. 101

TITLE: MODIFICATION OF SALARY SCHEDULE FOR DEPARTMENT HEADS AND OTHER NON-UNION PERSONNEL

WHEREAS, a comprehensive review of the County’s salary schedules for Corrections Officers and Deputy Sheriffs has been completed; and

WHEREAS, as a result of this review, the Human Resources Committee and the Personnel Office have recommended that the following titles be reallocated and salaries adjusted to maintain an appropriate salary structure.

NOW, THEREFORE, BE IT RESOLVED that pursuant to the policies and procedures contained in Resolution No. 251 of 1999, the salary schedule for department heads and other non-union personnel is hereby modified effective April 2, 2023 as follows:

Upgrade the salary ranges for the following positions as indicated:

Corrections Lieutenant	Labor Grade 36 to Labor Grade 38
Deputy Sheriff Lieutenant	Labor Grade 34 to Labor Grade 40
Sheriff Major	Labor Grade 39 to Labor Grade 42
Undersheriff	Labor Grade 45 to Labor Grade 47

The resolution was seconded by Mr. Gladstone and unanimously adopted

Mr. Ellis recalled Local Law Intro. No. 19 to set the 2023 salary of Sheriff Craig DuMond at \$100,422. The local law was seconded by Mr. Merrill and adopted by the following vote: Ayes 4424, Noes 0, Absent 375 (Davis).

Chairman 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. 102

TITLE: SALE OF TAX ACQUIRED PROPERTY

RESOLVED that the following described parcels of tax acquired property be sold to the party 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.

COL18TX.007

BRIAN DELUCIE

ASSESSED TO:

TOWN OF:	122400:COLCHESTER
TAX MAP NO:	454.-5-4, 454.-5-3, 454.-4-3, & 454.-4-27
SCHOOL DISTRICT:	484401:ROSCOE
ACREAGE:	1.00A, 1.20A, 2.80A & 3.90A ACRES
CONVEYED TO:	DAVID NICOLE PROTECH & HEATHER ANNE NICOL 25 HIGH STREET BEACON, NY 12508
CASH CONSIDERATION:	\$40,000.00
TAX DEFICIT:	\$14,034.44

BOV18TX.003

ASSESSED TO:

A CIOLLI INC

TOWN OF:

122200:BOVINA

TAX MAP NO:

154.-1-8.2

SCHOOL DISTRICT:

122801:DELAWARE ACADEMY

ACREAGE:

97.50A ACRES

CONVEYED TO:

J & M DEVCO LLC
716 S. COLUMBUS AVENUE
MOUNT VERNON, NY 10550

CASH CONSIDERATION:

\$200,000.00

TAX DEFICIT:

\$14,317.15

The resolution was seconded by Mr. Gladstone and Mr. Taggart.

Mr. Merrill indicated that the two properties are from this years sale, and that there is a list of fourteen remaining properties which either did not get bid on or did not receive significant bids. He explained that those remaining properties will be put out in sealed bids, which will conclude this years tax sale. All of the properties are 2018 foreclosures.

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

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

RESOLUTION NO. 103

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,667,386.92 are hereby presented to the Board of Supervisors for approval of payment;

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	\$1,002,713.99
OET	\$22,770.66
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main	\$0.00
CAP MH	\$0.00
CAP DSS	\$3,506.10
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Solid Waste/Landfill	\$76,870.04

Road	\$52,803.71
Machinery	\$81,295.20
Capital Solid Waste	\$44,761.55
Capital Road & Bridge	\$445,996.37
CAP DPW Complex	\$936,669.30

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

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

RESOLUTION NO. 104

TITLE: EXECUTIVE SESSION

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

The resolution was seconded by Mr. Merrill and unanimously adopted

The meeting reconvened in regular session with all Supervisors present except Mr. Davis.

Chairman Molé introduced Director of Planning Shelly Johnson-Bennett, and asked for her input regarding her call with Congressman Marc Molinaro and the placement of migrant populations by New York City. Mrs. Johnson-Bennett made the following statement:

“Congressman Marc Molinaro convened a meeting of the County and City leaders of the 19th Congressional District to discuss the influx of migrants and asylum seekers that could be relocated to the upstate Districts from New York City.

The Congressman met with NY City Mayor Adams to discuss the City’s plans to relocate migrants and asylum seekers being bussed to the NY Metropolitan area from both the northern and southern borders. Based on the Congressman’s recap, the Mayor was less than forthcoming about the City’s plans to relocate migrants upstate and what criteria would be used to determine where, when, and how. He did however, get a commitment from the Mayor to hold calls with upstate communities to provide updates on how many migrants were being bussed out and where they are seeking shelter. Mayor Adams also committed to reimbursing counties for costs associated with sheltering the migrants. There was little detail about how or when these reimbursements would be made. The invites for these calls with the Mayor should happen in the next week or two.

The Congressman also reported that he has met with Governor Hochul and briefed everyone on the tools the state can use to make sure the transition of migrants and asylum seekers to the upstate region is done fairly without causing unnecessary hardship on the upstate counties and communities. He made her aware of these tools and executive privileges at her disposal, however, she did not make any commitments at this time.

County Executive Jason Garner from Broome County states several hotels in the Broome County area have already been contacted by an agent from NY City seeking one-year agreements for housing migrants. He expressed a concern that this will compete with the same hotels/motels the County uses to house the local homeless or housing insecure population. The loss of this housing for the local population will put local residents out on the street, exacerbating an already increasing homeless population and costs associated with the needs of this local population.

The County Chair for Tioga County expressed the same concerns as did the Mayors of Norwich and Hudson. All local executives expressed similar concerns about a lack of housing to meet local demands and a frustration that any additional strain on the housing currently available will displace local families in need, creating and exacerbating an already growing need in our communities, shifting the burden of that cost from NY City and the migrants to the local counties and cities to address the needs of their own residents.

Concerns regarding the impact on the local economy as a result of migrant placement in hotel/motel rooms primarily used for the local tourist economy were raised. Concerns about impacts on school districts to meet the needs of non-English speaking students and costs associated with additional aids needed to help these students acclimate to the rural school systems were also raised. The Congressman stated the Mayor indicated they would not be moving families upstate so there should be little impacts to the schools. The migrant population that will be moved upstate are people that have been in the NY City region for a while and new migrants would remain in the City. All local executives on the call expressed concern that this will not be the case and that the Mayor cannot be trusted to keep that promise as the migrant situation in the City grows. The congressman also said it is unlikely they will target rural areas, as they will need the services of City areas with more housing availability, public transit services and walkability to places.

The congressman encourages the local communities to track the costs associated with the City bussing asylum seekers to the region and encourages local leaders to ask school districts to do the same. He also asked that if Mayor Adams does not begin the update calls he promised within the next week or so to let him know so he can address it. He wants to reconvene this group for a call with him in a couple of weeks to give updates. He is working at the federal level and with state officials to address the concern, but cautioned it will take time.”

In response to Chairman Molé, Mrs. Johnson-Bennett confirmed that if a State of Emergency is declared, it would prevent the influx of migrants in the immediate future, and allow local communities to assess their capacity to house as well as how to negotiate appropriate compensation for the costs of housing migrants which is to be reimbursed by the City. There are a lot of unknowns without any answers. She indicated that one of the prevailing concerns is how our local school districts would accommodate an influx of students, and that additional resources would need to be brought in to fulfill their obligations. She reiterated that our rural communities simply do not possess the infrastructure to handle the population of individuals who would require services beyond what communities have capacity to accommodate, especially housing and medical care.

Chairman Molé added that should they decide to send migrants to the State University of New York Delhi Campus, the Board would not be able to control or prevent that influx. She felt it was made clear that rural counties such as ours would be a last resort for the City because we do not have the services required to sustain the increase in population.

In agreement with Chairman Molé, Mrs. Johnson-Bennett furthered that the City was targeting urban areas such as the City of Binghamton which already have the capacity to house migrants in hotels or motels, have public transportation, and can provide meals at soup kitchens or provisions from food banks.

In response to Mr. Marshfield, Mrs. Johnson-Bennett indicated that though the Mayor of New York City has promised to reimburse rural communities that house migrants, the immediate responsibility of accommodating the influx of migrants would ultimately fall on the communities in the interim. However, it raises the question of the state law regarding Social Services which requires the local entity to support these individuals, and how this will balance with the fact that the influx of migrants will also eliminate our own emergency housing capacity for our own residents. There is no way for the City to mitigate that cost, which will inherently become the responsibility of the local community, and make it difficult to house our own homeless or perhaps a family which loses their home to a fire. If the migrant population takes up those spaces, there will not be any capacity left to serve our community members who need emergency housing. Being able to continue to serve our own communities emergency needs appeared to be the number one concern of all rural counties.

In agreement with Mrs. Johnson-Bennett, County Attorney Amy Merklen stated that one of the issues the declaration of a State of Emergency would address is that municipalities currently have contracts with local hotels and motels to utilize their rooms for emergency housing. If these contracted hotels and motels decide they can profit more from a temporary contract with the City to house migrants, there could be an emergency housing conflict. Regardless of promises made by the Mayor of New York City to reimburse for temporary housing, those reimbursements do not include any other demand on local infrastructure such as medical care or food. Another facet of the issue is there is nothing in place to allow the migrants to work; the federal government has not addressed this conflict.

In agreement with Ms. Merklen, Ms. Molé stated that the timeframe for accommodating the migrants is not short term, but would be more like a year contract as opposed to a couple of months.

Ms. Merklen further explained that it is also expected to be a continued influx and not just a single occurrence, and that the concern is local municipalities will be left to pay the expenses of these migrants indefinitely as we cannot send them back once they have been placed here.

Mr. Marshfield added that the staff of our Department of Social Services cannot handle the current volume of people in need of services, let alone an influx of additional individuals.

Mr. Taggart furthered that another concern is how much funding would need to be put

forth before it is reimbursed. He questioned the State and City funding available to reimburse the expenses at all. When we don't have housing for our own local homeless people, senior citizens, or people in need, how can we have housing for any additional individuals?

In response to Mr. Cetta, Mrs. Johnson-Bennett stated that it is unclear the role which the state law requiring the housing of homeless individuals will play, and that the New York State Association of Counties is working on researching answers to that question. It is appreciated that the City is offering to reimburse the costs of this housing, but the concern is at what point does state law supersede that promise, and require us to pay for those expenses.

Mr. Marshfield asked where the migrants were coming from, wondering if they are being bussed from as far away as Texas. He stated that some of the northern rural counties are very concerned by this possibility.

Ms. Merklen added that to the extent of her knowledge, one of the busses which was sent to Sullivan County was ultimately turned around due to their declaration of a State of Emergency.

Chairman Molé stated that after the meeting adjourns, she will be submitting a State of Emergency for Delaware County. Ms. Molé indicated that there are copies of the declaration of the State of Emergency available as well as copies of the conversation with Congressman Molinaro.

In response to Mrs. Driscoll, Ms. Merklen clarified that the order declaring a State of Emergency must be renewed every five days. There are two parts to the order, one being the declaration which stays in place for thirty days unless renewed prior to expiration, and the order which enforces the declaration which must be renewed every five days.

Mr. Cetta noted that the coming weekend is Memorial Day and expressed that the holiday is not just about barbecues and picnics. It is most importantly a day of honor and remembrance for our service members who lost their lives for our country. He invited anyone who does not have a parade in their community to join them in Walton for their parade scheduled for Memorial Day at 10:00 a.m.

Mr. Marshfield reminded everyone that Youth Bureau employment applications were due last week, though if any towns have youth who still have interest in participating, they need to contact Youth Program Director Lara Yambor. There are still slots left to be filled, and towns that do not use their full allotment can also accommodate youth from other towns where the allotment has already been filled but still have youth interested in participating.

Upon a motion, the meeting was adjourned at 2:28 p.m.