

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JUNE 28, 2023

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 28, 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, Acting Chairman Mark Tuthill presiding.

The Clerk called the roll and all Supervisors were present except Mr. Hinkley. Mr. Davis arrived shortly after roll call.

Mr. Tuthill stated that pursuant to New York State retirement rules, he would require a motion to reaffirm Tina Molé as Chairman of the Board of Supervisors. Upon a motion by Mr. Merrill, seconded by Mr. Cetta, Ms. Molé was unanimously re-elected as Chairman.

Mr. Marshfield offered the invocation.

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

RESOLUTION NO. 104A

TITLE: EXECUTIVE SESSION

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

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

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

Chairman Molé granted privilege of the floor to Mr. Taggart, who introduced Director of Planning Shelly Johnson-Bennett. Mrs. Johnson-Bennett made note that the Innovative Readiness Training (IRT) will commence before the next Board meeting, and that everyone should be seeing posters and other advertising for the event. Anyone who has questions can call the Planning Department and all the Supervisors should have received an invitation to the dinner on July 20 to honor the military personnel who will be assisting with the IRT.

Ms. Molé added that the invitation for the Distinguished Visitors Day event on July 13 had also been sent to all Supervisors. Mrs. Johnson-Bennett furthered that staff from the Pentagon as well as a representative from the Governor's Office will be attending the luncheon as well as the bridge dedication ceremony in Walton honoring Medal of Honor recipient First Lieutenant Stephen H. Doane.

Mrs. Johnson-Bennett introduced Paul Rush, Deputy Commissioner of the New York City Department of Environmental Protection (NYC DEP). Mr. Rush thanked Mrs. Johnson-Bennett and the Supervisors for hosting the presentation. He furthered that he was going to discuss the planned shutdown of the Delaware Aqueduct for repairs, which has been in the planning process for a very long time. The Delaware Aqueduct takes water from the Rondout Reservoir and brings it to New York City. When he first started with the NYC DEP in 1992, one of his first assignments was to visit a site in Ulster County in Wawarsing to monitor for signs of tunnel leakage. It has taken a long time to plan the repairs in part due to the significant demand for water from the City and surrounding areas. Though demand peaked in the City in 1977 with 1.6 billion gallons a day for average usage, demand remained high throughout the 1990s. The volume of water passing through the tunnels from the Delaware Aqueduct made engineering a way to shut down the system to repair the tunnel damage incredibly difficult. Improvements in technology and investments in infrastructure have decreased the demand for water, including low-flow toilet devices and the installation of replacement showerheads. The City also invested in water meters to track consumption as well as replaced leaking water pipes to reduce demand. These changes have reduced demand enough to establish conditions under which repairs can be made. Water demand can be shifted to rely on the Catskill Aqueduct and the Croton System during the six- to eight-month duration of the repair to the Delaware Aqueduct.

Mr. Rush introduced Director of Outreach for the NYC DEP John Milgrim. He explained that Mr. Milgrim has been visiting the areas which will be impacted by the shutdown to discuss the project and will be giving a presentation which shares important information regarding the shutdown with stakeholders.

Mr. Milgrim stated that this project is the largest and most complex repair project which the DEP has undertaken and has been decades in the making. He explained that the NYC water supply is composed of the Delaware, Catskill, and Croton Systems. There are separate reservoirs for each system with a total of 19 reservoirs and three controlled lakes, and a capacity for 570 billion gallons of water throughout the two thousand square miles of the watershed which is spread across eight upstate counties. Approximately 1.1 billion gallons of water per day supplies 9.8 million people in NYC and the four counties north of the City. The Delaware Aqueduct is eighty-five miles long and is the longest tunnel in the world, conveying about fifty percent of the drinking water consumed by NYC on average. The Delaware Aqueduct consists of three segments: the Rondout to West Branch segment which is forty-four miles, the West Branch to Kensico segment which is twenty-seven miles, and the Kensico to Hillview segment which is fourteen miles.

Mr. Milgrim explained that the Delaware Aqueduct has been in service since 1944, which is notably towards the end of World War II. It was last fully drained for inspection between

1957 and 1958, and since that time it has been at its full capacity aside from a small dropdown which had been recently coordinated. In late 1990 the leak was discovered by an employee at the Central Hudson Gas & Electric Generating Station in Roseton who noticed water coming up through the ground. Another leak was located in 1992 in the town of Wawarsing in Ulster County. The total leakage rate between the two leaks is estimated at more than 30 million gallons per day into the ground water supply. About ninety-five percent of the leakage is from the area at Roseton near Newburgh by the Hudson River. A contributing factor to the leak was existing conditions encountered during construction, including faulted limestone where the tunnel is located approximately six hundred feet underground. Another contributing factor was steel used for the tunnel reinforcement had been discontinued at the points where the leak started, presumably because steel was being diverted to the war effort.

Mr. Milgrim furthered that to investigate the leaks in 2015, a ROV (Remotely Operated Vehicle) with high-definition cameras was used in conjunction with dye testing to determine exact locations which need repair. Previously in 2004, 2009, and 2014 an AUV (Autonomous Underwater Vehicle) was used to investigate the Rondout-West Branch segment near Newburgh. Sonar devices were also utilized to hear where water is coming through the leaks. In March of 2023 an aqueduct shutdown and partial dewatering test was performed to measure the groundwater infiltration, and an additional shutdown and dewatering test is anticipated in fall of 2023. In the test performed in March of 2023, the water level was brought down to ninety feet below grade, and the test was considered a preliminary staging of the actual dewatering which will occur when the repairs are to be made during the upcoming full eight-month shutdown.

Mr. Milgrim indicated that an aqueduct bypass was determined to be the solution to the dewatering concern. The bypass tunnel was commenced by building two seven-hundred foot deep shafts, one on each side of the river in Newburgh. The same was done in Dutchess County where two nine-hundred foot deep shafts were installed. Between the shafts are new tunnels waiting to connect to the structurally sound portions of the existing Delaware Aqueduct. The tunnel program will ultimately cost one billion dollars and will connect the aqueduct from Newburgh to Wappinger via the new two-and-a-half-mile bypass tunnel, and will be the first tunnel under the Hudson River since the south tube of the Lincoln Tunnel was completed in 1957. The construction of the bypass tunnel was mostly complete in 2021 and is approximately one hundred feet from the existing tunnel at the moment awaiting the shutdown of the Delaware System. Once the Delaware System is dewatered, the compromised section will be plugged and decommissioned. The Wawarsing leak will be grouted and the complete connection work will take approximately eight months to finalize.

Mr. Milgrim continued that the decision points leading to the shutdown of the aqueduct for repair and diversion are vastly contingent on the hydrological conditions. If the season is dry and there is a water shortage, augmentation of the City's water supply may be required once the Delaware Aqueduct is shut off. Infrastructure conditions are also a contingency, and the Croton Water Filtration Plant in the Bronx will be expected to operate at 250 million gallons of water per day for the duration of the shutdown. One data point of note is that for the shutdown to be feasible, the East of Hudson inflow from precipitation must be greater than 6.5 billion gallons between July and September. If at any point any of these key factors are determined to be a no-go, the plan will be postponed until the next year, though commencement will always be planned

for October 1 of whatever year it is initiated. All decisions regarding proceeding with the shutdown or potential project bailout decisions will be made in real time based on precision data and in coordination with expert and regulatory partners. A project bailout to return to service during a shutdown would take between one and nine weeks.

Mr. Milgrim furthered that the shutdown and bypass tunnel connection could not be completed when the bypass tunnel was constructed for multiple reasons, primarily to ensure the redundancy of several water supply systems in communities north of the City. Secondly it was delayed to finalize a new connection between the Croton System and the City water supply in the Bronx. Further factors included enhancing the tunnel dewatering pump capacity as well as upgrading and testing the pump stations in the Hudson Valley. The water systems supply management plan for the shutdown has been nearly 20 years in the making and conservation measures have been key to ensuring adequate supply during the shutdown, as well as being subject to a full environmental review pursuant to the State Environmental Quality Review Act. A precursor capital project which needed to be completed prior to the shutdown was the two hundred million dollar repair and rehabilitation of the Catskill Aqueduct. Further precursor capital projects critical to the shutdown include improvements to the Shandaken Tunnel Intake Chamber, chemical addition facilities for the Catskill System, Rondout siphons, structural stabilization of the Honk Falls Dam, backup supply for the Town of Newburgh, upgrades to the Croton Falls pump station, shoreline stabilization at the Kensico Reservoir, and work on the Jerome Park Reservoir.

Mr. Rush stated that the original goal was to have all precursor projects completed to perform the shutdown in 2022. However, the contract for the shutdown was structured so that there is a three-year period for performance, the first year being 2022. Operationally, everything has been in place in preparation for the shutdown if conditions had allowed performance in 2022. He explained that in March of 2023, the DEP shut down the Delaware Aqueduct and began the process of dewatering the tunnel to an elevation of ninety feet below sea level which is also the lowest elevation of the Hudson River, the first such draining in nearly seventy years. The findings during the two-week shutdown test indicated that there was a higher volume of water which came into the tunnel than had been planned for or was contingent. An engineering analysis concluded that the level of groundwater infiltration potentially exceeded the capacity of the tunnel dewatering systems, and for the safety of the workers who will be seven hundred feet below ground, adjustments to the plan were necessary. These changes in the plan shifted the timeframe for performance, eliminating the ability to perform the shutdown this October due to the safety challenges posed by the amount of standing water which would flow into the work area. The commencement is now planned for October of 2024, and the entire timeframe between October 2024 and April of 2025 is needed in order to complete the project during the period which has the lowest demand for water in the City. Another dewatering test is scheduled for this coming fall to verify the functionality of the dewatering plan. Other coordination delays include supply challenges such as obtaining the control systems for the pumps, having new pumps manufactured, and new steel fabrication for the tunnel.

Mr. Milgram added that there are three primary facets of the plan's success, including ensuring the water supply demand can be met, maintaining high quality water during the shutdown, and mitigating any risks to both the water quality and supply reliability. Once the

shutdown is instituted, the water demand will be met by three other sources. The Catskill System has a max capacity of 600 mgd (million gallons per day), while the Croton Pump Stations have a max capacity of 240 mgd and the Croton System has a max capacity of 290 mgd. He explained that the timeline for the shutdown process begins in June 2024 and persists through September 2024. The contractor will be mobilizing and preparing for the shutdown in July 2024. In October 2024 they will shutdown of the Delaware Aqueduct, and in November 2024 the excavation of connection tunnels and Wawarsing repairs will begin. By March 2025 the bypass tunnel should be completed, and in May 2025 the tunnel will be refilled and resume operations. Post-outage rebalancing of the water supply system will be coordinated for June of 2025.

Mr. Milgrim confirmed that recreational use of the Delaware System will still be permitted, including boating and fishing, and that this will be the case for all the reservoirs. However, access to the water may be more difficult during the periods of lower reservoir levels. No restrictions will be placed on any land-based recreational activities such as hunting, hiking, and trapping.

In response to Mr. Davis, Mr. Rush confirmed that dye testing was performed quite a long time ago, and at that time there had been surface expressions of dye on the shore of the Hudson River. Regarding polluted inflow making its way back into the tunnel due to questionable limestone stability, Mr. Rush confirmed that any inflow water through the tunnel will be treated through the bypass pumping and returned to the Hudson River. He further confirmed that the sections discussed do not include any previous highly polluted areas of the river.

Mr. Davis asked if in the future once the project is complete and hopefully the current water capacity can be kept at a lower level in the absence of the leaks, can conversation regarding the continued water levels in the aqueducts be planned? Mr. Rush responded that there are always opportunities for conversation between the DEP and the stakeholders. He furthered that the DEP is always looking to improve management to ensure that they live up to their commitment to be a partner in trying to keep the reservoir levels below the level where flooding becomes a risk. He stated that independent of the repair project, the DEP is always working with the weather service coordination and has entered into agreements with Columbia University regarding their long-term climate forecast. They have also been working with The Weather Channel to have a secondary source of information to obtain better data for the long-term forecast. Recently they have also begun working with the U.S. Army Corps of Engineers who have an operation which forecasts weather that may impact reservoirs in the western United States. The DEP has made efforts to bring such forecasting to the eastern United States to help with management of reservoirs in Pennsylvania which affect the Delaware River. The goal is to use all this input to make better use of releases or diversions to mitigate flood risk and live up to their goal of being good partners with the stakeholders.

In response to Mr. Gladstone, Mr. Rush explained that last year when New York State was in drought conditions, the decision was made to delay the shutdown. However, if it would not put the system at risk, restrictions on water usage in the City would be a possibility to ensure the best chance of completing the repairs in a timely manner. Contractually, they need to inform the contractor in advance of the October 1 commencement date for them to mobilize, but they

have the ability up until October 1 to push the shutdown into the future if conditions are less than ideal. If at any point during the project it becomes urgent to resume usage of the Delaware Aqueduct and bail out of the repair, the timeframe to get water flowing either through the original tunnel or sufficiently completed bypass would be sixty days.

In response to Mr. Vernold, Mr. Rush and Mr. Milgrim confirmed that the shutdown has been delayed another year until October of 2024, and that information will be disseminated to the Supervisors and the public.

In response to Mr. Marshfield, Mr. Rush explained that the additional water inflow in the tunnel could not be identified as specifically from supply or infiltration. He explained that there has not been a large increase in the leakage rate, so water entering the tunnel from above could be the result of various factors.

Ms. Molé thanked Mr. Rush and Mr. Milgrim for the presentation, who in turn thanked the Board for their time.

Chairman Molé introduced Jessica Vecchione of Vecc Videography. Ms. Vecchione stated that they have done a lot of County-wide outreach, and that sign-ups for spay and neuter services are already filled so a waiting list has been established. She furthered that they are starting radio ads, but have been advertising in newspapers as well as distributing materials such as posters, flyers, and political signs physically out into the community. There will also be significant social media outreach while the event is going on with updates about lines or waiting times for specific services. Materials will be passed out to anyone who may want to distribute more information in their town, and she encouraged anyone who needs anything to reach out to her. She further stated that outreach has been in both English and Spanish, which should help cover all populations.

In response to Ms. Molé, Mrs. Johnson-Bennett stated that though there are a few volunteer slots left, some large local companies had stepped up to promote volunteering for the event to their employees which had filled the majority of the volunteer slots along with the general public. In response to Mr. Marshfield, Mrs. Johnson-Bennett stated that the slots left are not critical volunteer roles and could be covered by those already participating if necessary.

Chairman Molé granted privilege of the floor to Mr. Vernold, who commented that he was disillusioned by the lack of factual representation in a proposed resolution being circulated by the Chair of the Delaware County Democratic Committee Kathleen Hayek. Mr. Vernold introduced owner, editor, and publisher of The Hancock Herald Cindy Ray, stating that he hoped she could correct some of the misinformation included in the resolution which proposes the designation of a second newspaper for the publication of Local Laws and Public Notices for the Democratic Party.

Ms. Ray thanked Mr. Vernold, Chairman Molé, and the Board for allowing her to speak at the meeting. She stated that she took over management of the newspaper about two and a half years ago, and that she and her husband own several small businesses in the Town and Village of Hancock. She stated she has lived in Hancock most of her life, and that she and her husband

raised their six children there. She is passionate about rural life and communities, and it is an honor to be able to manage a small newspaper which is so integral to small town rural living. She considers our area fortunate to have so many small local newspapers and radio stations, because there are places in the country which are 'news deserts' without news coverage. She takes the responsibility of managing a small newspaper in a rural area seriously, which is why after she took over the newspaper she began covering the Board of Supervisors meetings, something her predecessor did not do. She thinks it is the newspapers' responsibility to relay what the elected officials are doing and saying. In March of 2022, the Board designated The Hancock Herald as one of the official papers of record for Delaware County. Once that responsibility fell to her, she immediately began placing The Hancock Herald on a wider range of newsstands in the towns of Walton, Hamden, and Delhi, making a concerted effort to improve and update the website as well.

For clarity, Ms. Ray stated that she wanted to refute some of the information put forth in the article published by The New York Times which was republished in The Reporter. The legal and classified section of The Hancock Herald is accessible to subscribers as well as non-subscribers digitally on the website, which does not include the archives. She further stated that in the two and half years since she took over the newspaper, she has increased the circulation fifteen percent, though it is likely still less circulated than The Reporter and The Mountain Eagle. The Hancock Herald may cover predominantly local news based in its vicinity, but a marked effort to cover County business in Delhi is made. She also recently made the decision to hire a contract reporter to cover the County committee meetings to ensure as much coverage of County business as possible. She reiterated that in the article originally published by The New York Times, The Reporter was purported to have lost thirteen thousand dollars worth of revenue by losing the designation as official paper of record for the County through published legal ads. According to her financial records since March of 2022, the annual increase of revenue to The Hancock Herald has been just shy of six thousand dollars. Obviously, that indicates that the advertising rates of The Hancock Herald are less costly than The Reporter, which is important for the taxpayers to know as well as the elected officials. With the increased revenue from County advertising, Ms. Ray stated that she was able to hire another part-time person to help with the distribution of the newspaper.

In response to Ms. Molé, Ms. Ray confirmed that if someone is a subscriber to The Mountain Eagle, The Hancock Herald is included in that subscription and vice versa. Therefore, anyone who subscribes to either newspaper then receives a free subscription to the other by proxy. She furthered that she and the owner of The Mountain Eagle, Matt Avitabile are very much collaborative, and are working together to ensure sufficient coverage as the County is quite large.

Mr. Gladstone stated that he thinks it is important for the resolution proposed by Chair of the Delaware County Democratic Committee Kathleen Hayek to go through the proper process, and not because of his party affiliation. It is important for the full transparency of the Board to allow it to go through legislative and be presented in committee.

In response to Mr. Gladstone, Ms. Molé confirmed that the resolution has been forwarded to the appropriate entities and will go through the proper process.

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

RESOLUTION NO. 105

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF FISCAL AFFAIRS**

WHEREAS, a budget module to streamline the annual budget process has been approved by the Finance Committee; and

WHEREAS, the budget module is being created by USL Financials at a cost of \$30,000.00 which is not included in the budget; and

WHEREAS, additional funding is needed to cover the one-time cost of creating the USL budget module.

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

TRANSFER FROM:

10-11990-54900000	Contingency	\$30,000.00
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TRANSFER TO:

10-11327-54420200	Software Maintenance Agreements	\$30,000.00
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 106

**TITLE: 2023 BUDGET ADMENDMENT
TRANSFER OF FUNDS
PUBLIC HEALTH SERVICES**

WHEREAS, Epidemiology and Laboratory Capacity (ELC) COVID-19 Enhanced Detection grant has approved the purchase of a tow vehicle and office trailer to store, transport and conduct mobile medical countermeasures throughout Delaware County; and

WHEREAS, a transfer of funds is necessary to purchase the approved equipment.

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

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Summer Youth Employment Program; and

WHEREAS, funding is to be used for summer youth employment and education training for economically disadvantaged youth and is 100% reimbursed.

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

INCREASE REVENUE:

10-16010-44482002	Summer Youth Employment	\$124,708.00
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INCREASE APPROPRIATION:

10-16010-54665002	Summer Youth Employment	\$124,708.00
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The resolution was seconded by Mr. Taggart.

Mr. Marshfield reiterated that the funds are fully reimbursable.

The resolution was adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 109

**TITLE: 2023 BUDGET AMENDMENT
HOMELESS SHELTER
CAPITAL PROJECT BUDGET
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, Resolution No. 107 was approved on June 22, 2022, authorizing the construction of a new homeless shelter at 161 Main Street, Delhi; and

WHEREAS, the same resolution also created a Capital Project entitled DSS-161 Main Street; and

WHEREAS, the Capital Project was funded with \$600,000.00 from the insurance recovery account; and

WHEREAS, the insurance reimbursement was only \$430,000.00.

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

DECREASE REVENUE:

43-16070-42268000	Insurance Recovery	\$170,000.00
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DECREASE APPROPRIATION:

43-16070-52000000	Equipment and Capital Outlay	\$170,000.00
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The resolution was seconded by Mr. Vernold.

Mr. Marshfield explained that originally, they had figured six hundred thousand dollars for the insurance reimbursement, but upon receiving only four hundred thirty thousand dollars, are making the adjustment.

The resolution was adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 110

**TITLE: 2023 BUDGET AMENDMENT
HOMELESS SHELTER
CAPTIAL PROJECT BUDGET
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, Resolution No. 107 was approved on June 22, 2022, authorizing the construction of a new homeless shelter at 161 Main Street, Delhi; and

WHEREAS, the same resolution also created a Capital Project entitled DSS-161 Main Street; and

WHEREAS, the Capital Project was funded with \$600,000.00 from the insurance recovery account; and

WHEREAS, Resolution No. 227 was approved on December 14, 2022 authorizing the transfer of \$600,000.00 to the Capital Project from the Department's 2022 Budget; and

WHEREAS, Resolution No. 109 was approved on June 28, 2023 reducing the amount authorized under Resolution No. 107 of 2022 by \$170,000.00, because the insurance reimbursement was only \$430,000.00; and

WHEREAS, based on the current bids and other projected expenditures, the revised project cost is \$1,700,000.00; and

WHEREAS, based on the revised project cost, \$670,000.00 in additional funding is required.

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

TRANSFER FROM:

10-16010-51000000	Personal Services	\$570,000.00
10-16010-58600000	Hospital & Medical Insurance	\$100,000.00

TRANSFER TO:

10-19901-59990430	Oper Trnsf Out Cap DSS-161 Main Street	\$670,000.00
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INCREASE REVENUE:

43-16070-45503100	Interfund Transfer In	\$670,000.00
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INCREASE EXPENSE:

43-16070-52000000	Equipment and Capital Outlay	\$670,000.00
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The resolution was seconded by Mr. Vernold.

Mr. Marshfield explained that the resolution adjusts for the insurance to be received. The bid for the project was \$1,400,000.00 and about \$250,000.00 is being allocated for paving the parking lot, stone for the sidewalks, the fire suppression system, security cameras, furniture, appliances, and other necessities. He stated that another \$500,000.00 is needed and is contained within the Personal Services budget due to vacancies which were not filled.

In response to Mr. Tuthill, Mr. Marshfield stated that he believed they would have to rebid the project. He furthered that there are still processes which they must go through regarding the Village of Delhi Board, and by the time those processes are completed it will be beyond the time period for issuing the contract.

In response to Mr. Cetta and Mr. Wilson, Mr. Marshfield confirmed that the total cost of the project is now \$1,700,000.00 for the just over 2000 square foot building which will have eight bedrooms.

Mr. Cetta stated that the average construction cost of municipal projects is four hundred dollars per square foot. Mr. Marshfield contended that cost is no longer accurate. Mr. Taggart added that the cost is part of why the project will be rebid, and that construction season will be over by the time all of the processes are completed through the Village of Delhi.

In response to Mr. Cetta, Mr. Taggart explained that the resolution was brought to the floor to help facilitate the project. Mr. Marshfield further explained that having the money in the reserve account will allow them to move forward more quickly, and that whatever is not spent will go back into the General Fund.

Mr. Cetta stated that regardless of the amenities, the cost of eight hundred and fifty dollars per square foot exceeds his comfort level. The cost of the new Department of Public Works building was closer to the average cost of four hundred dollars per square foot.

In response to Mr. Cetta, Mr. Marshfield stated that he did not think comparing the two buildings was equitable.

Ms. Molé noted that the project did need to be bid in four separate contracts. Mr. Cetta noted that the new Department of Public Works building did also and stated that he thinks the project should be reconsidered.

Mr. Marshfield asked where the homeless would be housed if this building was not constructed? The committee had spent many hours contemplating and discussing this issue, as has the Department of Social Services. The house will be able to accommodate up to ten homeless individuals within its eight bedrooms.

The resolution failed by the following vote: Ayes 1266, Noes 3283 (Gladstone, Valente, Tuthill, Axtell, Driscoll, Ellis, Davis, Wilson, Kosier, Layton, Cetta), Absent 250 (Hinkley).

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

RESOLUTION NO. 111

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF NEW YORK STATE
EMPIRE STATE DEVELOPMENT FUNDING
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, the Delaware County Department of Economic Development has been awarded a grant in the amount of \$250,000.00 through the NYS Economic Development Administration Tourism Partner Sub-Award grant program; and

WHEREAS, these funds will be used to develop and market an on-line, interactive map that showcases the outdoor recreation assets of the County in a user friendly and easily accessible format for visitors and residents.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby authorizes and directs the Chairman to formalize acceptance of the grant award by taking any and all steps necessary; and

BE IT FURTHER RESOLVED that the 2023 Budget be amended as follows:

INCREASE REVENUE:

10-16420-43390201	State Empire Development Grant	\$250,000.00
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INCREASE APPROPRIATION:

10-16420-54105000	Advertising	\$36,000.00
10-16420-54535000	Professional Services	\$214,000.00

The resolution was seconded by Mr. Tuthill.

Mr. Kosier stated that this grant would fund an interactive map managed by the Department of Economic Development.

The resolution was adopted by the following vote: Ayes 4308, Noes 241 (Taggart), Absent 250 (Hinkley).

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

RESOLUTION NO. 112

**TITLE: 2023 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 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.

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

INCREASE REVENUE:

10-16772-43377200/6772067/977 State Programs for Aging 108,184.00

INCREASE APPROPRIATION:

10-16772-54327470/6772067/977	Grant Nutritionist	\$17,500.00
10-16772-54327200/6772067/977	Grant Contractual	\$25,325.00
10-16772-54327625/6772067/977	Grant Travel	\$5,010.00
10-16772-52200001/6772067/977	Grant Equipment	\$5,189.00
10-16772-54327595/6772067/977	Grant Supplies	\$37,174.00
10-16772-54327520/6772067/977	Grant Postage	\$500.00
10-16772-54327000/6772067/977	General Grant Related Exp.	\$17,486.00

The resolution was seconded by Mr. Marshfield and Mr. Vernold and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 113

**TITLE: 2023 BUDGET AMENDMENT
SUMMER YOUTH EMPLOYMENT PROGRAM
DELAWARE COUNTY YOUTH BUREAU**

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Summer Youth Employment Program; and

WHEREAS, funding is to be used for summer youth employment and education training for economically disadvantaged youth and is 100% reimbursed; and

WHEREAS, the Delaware County Youth Bureau will be hiring some of the participants, paying the related costs, and being reimbursed by the Department of Social Services.

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

INCREASE REVENUE:

10-17310-41128901	Otr Gnrl Dept Inc Otr Dept	\$66,880.00
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INCREASE APPROPRIATION:

10-17310-51000000	Personal Services	\$53,960.00
10-17310-58100000	State Retirement System	\$4,425.00
10-17310-58300000	Social Security Employer Contribution	\$3,346.00
10-17310-58400000	Workers Compensation	\$4,317.00
10-17310-58900000	Medicare Employer Contribution	\$783.00
10-17310-54595320	Supplies Office	\$49.00

The resolution was seconded by Mr. Vernold.

Mr. Marshfield stated that the funding is fully reimbursable.

The resolution was adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 114

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department has established that there is insufficient funds in the maintenance line to complete the scheduled projects for this construction season; and

WHEREAS, a request to the Finance Committee to share the increase between the General Fund and the Department’s Fund balance was approved.

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

DECREASE FUND BALANCE:

24-00000-34915000	Assigned Unappropriated Fund Balance	\$400,000.00
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INCREASE APPROPRIATION:

24-15110-54000000	Contractual Expenses	\$400,000.00
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DECREASE FUND BALANCE:

10-00000-34917000	Assigned Unappropriated Fund Balance	\$600,000.00
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INCREASE APPROPRIATION:

10-19901-59990240	Operating Transfer OUT to ROAD	\$600,000.00
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TRANSFER FROM:

24-15110-45503100	Transfer from General Fund	\$600,000.00
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TRANSFER TO:

24-15110-54000000	Contractual Expenses	\$600,000.00
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The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 115

**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 proposals submitted under the tourism business development grant program (Round II), and has recommended 19 proposals totaling \$90,615.50 for approval and funding by the Delaware County Board of Supervisors to support the investment of over \$381,296.00 in Delaware County's tourism industry.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors approves the recommendations of the Tourism Advisory Board regarding the Tourism Business Development Grant Program projects to be funded through occupancy tax revenues in 2023.

The resolution was seconded by Mr. Merrill.

Mr. Taggart stated that the occupancy tax affects the towns more than anyone else, and that the County then takes the money for disbursement where it chooses. He added that he sees no benefit to the towns with this arrangement, though the towns are the ones that have to pay for it. Oversight and inspections of short-term rentals fall upon the towns, and he feels that something should be disbursed back to the towns to help mitigate these costs. There isn't justification for the County to take all of the funding without reinvesting back into the towns.

In response to Mr. Taggart, Director of Economic Development Glenn Nealis explained that the County uses the funding raised to reinvest in the tourism industry.

Mr. Taggart responded that he sees some of the reinvestments are into improvements of short-term rentals, and though he understands the funds are being reinvested into the tourism industry, there is still no recourse for towns to manage problems with these rentals which incur expenses which the towns must take on. Being that the County bears none of the expense should an issue occur such as the need for litigation or costs associated with code enforcement, some of the benefit should be passed to the towns directly. Towns are inundated with extra expenses and extra complaints, and it is clear to him that it is a growing problem.

Ms. Molé added that there are many recipients of the funding, and many of those recipients are selected specifically to promote festivals, events, and other occurrences which draw tourism into the towns.

Mr. Nealis stated that there are two rounds of funding, one which promotes events which help bolster the local tourism industry. He furthered that there is funding available to help short-term rentals come into compliance with code enforcement.

Mr. Taggart responded that the issue with that is short-term rentals are not always owned by residents but by investors. The consequences of this are homeowners and long-term rentals cannot afford to compete with out-of-county money available to the investors. Helping short-term rentals come into compliance does not help the others in our towns who are already established as homeowners, nor does it help towns recover any of the lost money spent on code

enforcement. The other issue is emergency services, and the added burden upon the towns to provide for those patronizing the short-term rentals. He stated that this funding is Delaware County tax money, and he would like to see it reinvested into the towns.

In response to Mr. Davis, Mr. Nealis confirmed that the grant for the NYC Footy business cooperative promotion and marketing allocated to pay for the U-Haul rental and referees for the soccer tournament doesn't fit the typical criteria. However, because the annual soccer festival brings five to six hundred people to the area, it was determined to be a worthy investment. The event itself does fit the criteria for funding, even if the funding use is somewhat atypical.

In continued response to Mr. Davis, Mr. Nealis stated that a short-term rental must be in business and registered for at least three years to qualify for funding which would cover remodeling or renovation.

Mr. Merrill stated that he has sat on the Tourism Advisory Board since its inception, and that the essence of the occupancy tax disbursement is to spread the wealth back into the communities. Perhaps they do help some of the short-term rentals make more money, but those who patronize the short-term rentals bring substantial cashflow into the local communities in turn. He stated that many of the small businesses in our local communities are in business because of these patrons, because locals cannot support these businesses at the level needed to sustain them.

In agreement with Mr. Merrill, Mr. Kosier stated that the entire program was set up to encourage tourism in Delaware County, and has accomplished that goal.

The resolution was adopted by voice vote with one opposed (Taggart).

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

RESOLUTION NO. 116

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, the revenues received under the Hotel Occupancy Tax during 2022 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 December 31, 2021 the Restricted Fund Balance (Hotel Occupancy Tax) had a fund balance of \$631,877.46; and

WHEREAS, by Resolution No. 115 of 2023 the Board of Supervisors approved the list of tourism business development grant projects to be funded through Hotel Occupancy Tax revenues, and the funding of the approved contracts requires such revenues to be transferred

from the restricted fund balance.

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

INCREASE REVENUE:

10-00000-34899000 Restricted Fund Balance Hotel Occupancy Tax \$90,615.50

INCREASE APPROPRIATION:

10-16410-54614000 Tourism Development Promotion \$90,615.50

The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4308, Noes 241 (Taggart), Absent 250 (Hinkley).

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

RESOLUTION NO. 117

**TITLE: CHANGE ORDER NO. 3 (FINAL) OF PROPOSAL 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, Resolution No. 28 of 2023 authorized an increase of \$125,040.76 bringing the contract total to \$6,020,635.76; and

WHEREAS, the project has been completed and the final quantities have been agreed upon as follows:

<u>Item/Code</u>	<u>Description</u>	<u>Increase/Decrease</u>	<u>Amount</u>
009.00 B-1	AST Inspection and Penetration	Decrease	\$ (5,957.50)
010.00 B-2	Soil Testing	Decrease	\$ (3,184.84)
011.00 C-1	Additional Excavation	Decrease	\$(17,228.64)
012.00 C-2	Special Backfill Material	Decrease	\$ (6,006.34)
	Encountered Waste Removal &		
013.00 C-3	Relocation	Decrease	\$ (3,782.89)
013.10 C-3	Cover Soil Removal & Stockpile	Increase	\$ 12,153.95
014.00 C-4	Intermediate Cover	Decrease	\$ (3,503.25)
015.00 C-5	Rain Cap	Decrease	\$ (2,526.90)
016.10 C-6	Temp Leachate Bypass Pumping	Decrease	\$ (1,421.39)
	Landfill Cover Top Soil Removal &		
017.00 C-7	Stockpiling	Increase	\$ 1,098.65

018.00 D-1	Additional Leachate Piping	Increase	\$ 1,607.90
019.00 E-1	Remove & Replace Slabs at UST	Decrease	\$ (3,466.00)

WHEREAS, these changes result in a decrease of \$32,217.25.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 3 for Proposal SW4-21 in the amount of (\$32,217.25) bringing the contract total to \$5,988,418.51.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 118

**TITLE: CONTROL OF SNOW AND ICE ON COUNTY HIGHWAYS
BY TOWN FORCES
SECTION 135-A OF THE HIGHWAY LAW
DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED that pursuant to Section 135-a of the Highway Law, the Board of Supervisors of Delaware County hereby authorizes the Delaware County Commissioner of Public Works to enter into an agreement with the Town Highway Superintendents of the Towns of Colchester, Harpersfield, Kortright, Masonville, Roxbury, Stamford and Tompkins for the performance, by the Towns, of the work of control of snow and ice on the County Roads within the boundaries of the County, upon terms and regulations as are contained in such agreements for a two-year period from September 1, 2023 – August 31, 2025.

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

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

RESOLUTION NO. 119

**TITLE: CONTROL OF SNOW AND ICE ON NEW YORK CITY ROADS
BY TOWN FORCES
DEPARTMENT OF PUBLIC WORKS**

BE IT RESOLVED that pursuant to an agreement between New York City and the County of Delaware, and by Resolution No. 46 of 1991, Delaware County hereby authorizes the Delaware County Commissioner of Public Works to enter into agreements with the Town Highway Superintendents of the Towns of Andes, Colchester, Middletown, Roxbury and Tompkins for the performance, by the Towns, of the work of control of snow and ice on the New York City roads within the boundaries of the County, upon terms and regulations as are contained in such agreements for a two-year period from September 1, 2023 – August 31, 2025;

and

BE IT FURTHER RESOLVED that if the City at any time does not renew its contract with the County, the County's contracts with the Towns for the plowing of the City roads will also be terminated.

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

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

RESOLUTION NO. 120

**TITLE: RESOLUTION OBJECTING TO NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S DRAFT
NEW YORK STATE SOLID WASTE MANAGEMENT PLAN**

WHEREAS, Delaware County ("County") is a rural community, with a hands-on history of problem solving that is the natural evolution of an agricultural and natural resources economy, and, in keeping with this history, the County has developed over forty (40) years of operational experience managing its own municipal solid wastes and construction and demolition ("C&D") debris and is the sole owner/operator of a multi-faceted solid waste facility situated in the center of the County; and

WHEREAS, through the County's long tradition of progressive and community-based materials management, spanning several generations of regulatory advancements, it has unique insight and knows what it takes to provide effective, reliable, sustainable, environmentally protective, and cost competitive waste management services to its residents; and

WHEREAS, Resolution No. 136 of 1990 states that the County funds its waste management systems through a dedicated percent of the County sales tax which enables Delaware County to provide comprehensive solid waste management services at minimal direct cost to County residents; and

WHEREAS, the Delaware County Department of Public Works ("DCDPW") has significant concerns about the New York State Department of Environmental Conservation's ("NYSDEC") Draft New York State Solid Waste Management Plan, made available for public comment on March 15, 2023. Specifically, the DCDPW is concerned about the proposed recommendation in the Plan that the legislature enact a law mandating a per ton "Disposal Disincentive Surcharge" on the disposal of solid waste in a landfill or incinerator; and

WHEREAS, NYSDEC has declared that the goal of the Disposal Disincentive Surcharge is to discourage waste generation and disposal and provide funds to New York State for waste reduction, recycling, and other waste management programs; and

WHEREAS, Delaware County believes that the Disposal Disincentive Surcharge will not discourage waste generation because most residential waste management in the State is

provided as a municipal service. As a result, there is no direct link between the quantity of waste generated by homeowners and the cost of disposal, and thus no basis for the proposed Disposal Disincentive Surcharge to reduce waste generation; and

WHEREAS, Delaware County believes that the Disposal Disincentive Surcharge will disproportionately impact rural communities such as Delaware County and may lead to additional illegal waste disposal. Rural homeowners must pay private parties to manage their solid waste. The proposed Disposal Disincentive Surcharge would likely be passed on to customers, effectively imposing a regressive tax on rural homeowners. Residents who cannot afford a private hauler may be more likely to illegally dispose of waste if disposal costs increase as a result of the proposed Disposal Disincentive Surcharge; and

WHEREAS, Delaware County believes that the Disposal Disincentive Surcharge could significantly increase the costs of operating the County's solid waste management center, adversely affecting its ability to provide the comprehensive waste management services for which it is known; and

WHEREAS, DCDPW's comments regarding the Draft New York State Solid Waste Management Plan will be submitted to NYSDEC for its consideration on June 29. The full text and import of DCDPW's comments are incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED the Delaware County Board of Supervisors joins the Delaware County Department of Public Works in its comments concerning the Draft New York State Solid Waste Management Plan and hereby adopts the Delaware County Department of Public Works' comments concerning the Draft Plan, dated June 28, 2023, which have been submitted to NYSDEC for its review and consideration.

BE IT FURTHER RESOLVED that this resolution be sent to NYSDEC for inclusion in the record of proceedings on the Draft New York State Solid Waste Management Plan; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors shall forward certified copies of this resolution to Governor Kathy Hochul, Senator Peter Oberacker, Assemblyman Christopher Tague, Assemblyman Joe Angelino, and Assemblyman Brian Maher.

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

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

RESOLUTION NO. 121

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990
PUBLIC DEFENDER'S OFFICE**

WHEREAS, Resolution No. 269 of 1990 prohibited County employees from holding more than one County position simultaneously, except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

WHEREAS, the Public Defender’s Office has experienced difficulties recruiting attorneys, and

WHEREAS, the Public Defender’s Office has received approval from the Appellate Division and the Human Resources Committee to employ eligible law students and law graduates as interns.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2023, to allow qualified employees to work on a per-hour, as-needed basis in the Public Defender’s Office as Student Interns under this program.

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

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

RESOLUTION NO. 122

TITLE: CHANGE OF HOURS FOR THE SHERIFF’S OFFICE CIVIL DIVISION

WHEREAS, in a review of County Law §206, it was found that the mandated Civil Office hours had been modified so that counties could set their own hours of work; and

WHEREAS, the Delaware County Sheriff’s Office Civil Division has found that there are more telephone calls and people coming into the office during the hours of 8:00 a.m. - 9:00 a.m. than between the hours of 4:00 p.m. - 5:00 p.m.; and

WHEREAS, the Delaware County Sheriff’s Office desires to have the hours of the Delaware County Sheriff’s Office Civil Division changed from 9:00 a.m. - 5:00 p.m. to 8:00 a.m. - 4:30 p.m. To meet new Civil Office Accreditation mandates, a formal resolution adopting the new hours needs to be in place; and

WHEREAS, the Delaware County Sheriff’s Office has placed notice on their windows and has placed notice on the Delaware County Sheriff’s Office Civil Division website.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors grant permission to the Delaware County Sheriff’s Office to change the hours for its Civil Division from 9:00 a.m. - 5:00 p.m. to 8:00 a.m. - 4:30 p.m. effective immediately.

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

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

RESOLUTION NO. 123

TITLE: TRANSACTIONS INVOLVING TREASURY SECURITIES

WHEREAS, Delaware County requires persons with the ability to execute any and all transactions relating to United States Treasury Securities; and

WHEREAS, this authority will include but not be limited to the right to execute tax documents related to said securities and to execute the Bond of Indemnity as either the principal or surety; and

WHEREAS, the Delaware County Treasurer, Beverly J. Shields, and Deputy Treasurer, Randi J. Moxham, are duly qualified to perform said transactions.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Treasurer, Beverly J. Shields, and Deputy Treasurer, Randi J. Moxham, are hereby authorized to act separately; representing Delaware County with Tax Identification Number 15-6000453 until revoked or no longer serving as Delaware County Treasurer or Deputy Treasurer.

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

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

RESOLUTION NO. 124

TITLE: APPOINTMENT OF DIRECTOR OF VETERANS SERVICE AGENCY

WHEREAS, Charles Piper is retiring from the position of Director of Veterans Service Agency before his term would have expired on December 31, 2024;

THEREFORE, BE IT RESOLVED that Mark Dunlop is hereby appointed as Director of Veterans Service Agency to fulfill the remainder of his term from July 1, 2023 through December 31, 2024 at the base salary for the position; and

BE IT FURTHER RESOLVED that in accordance with Section 148 of the General Municipal Law, Mark Dunlop is hereby designated as the person to oversee the burial of members of the Armed Forces of the United States and their families who do not have sufficient means to defray their funeral expenses.

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

Director of Veterans Service Agency Charles Piper introduced Mark Dunlop. He stated that Mr. Dunlop is an Army veteran who served over twenty years and has a lot of experience. He relates well to the veterans and is also a local resident and farmer.

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

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

RESOLUTION NO. 125

TITLE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the Delaware County Bridge Structural Steel Preservation Program (2024), PIN 9754.61 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of said program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Delaware desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

NOW, THEREFORE, the Delaware County Board of Supervisors, duly convened does hereby

RESOLVE that the Delaware County Board of Supervisors hereby approves the above-subject project; and it is further

RESOLVED that the Delaware County Board of Supervisors hereby authorizes the County of Delaware to pay in the first instance 100% of the Federal and non-Federal share of the cost of Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED that the sum of \$25,000.00 is hereby appropriated from 34-15112-54000000 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED that in the event the full Federal and non-Federal share costs of the Project exceeds the amount appropriated above, the Delaware County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED that the Chairman of the Board of the Delaware County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Delaware with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED this resolution shall take effect immediately.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 4549, Noes 0, Absent 250 (Hinkley).

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

RESOLUTION NO. 126

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,554,658.09 were hereby presented to the Finance Committee for approval for payment on June 14, 2023 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	\$1,475,259.04
OET	\$6,062.03
Public Safety Comm System	\$6,133.75
Insurance Risk	\$0.00
CAP 97 Main	\$4,059.00
CAP MH	\$0.00
CAP DSS	\$1,398.16
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Solid Waste/Landfill	\$27,004.49
Road	\$304.70
Machinery	\$32,493.57
Capital Solid Waste	\$0.00
Capital Road & Bridge	\$0.00
CAP DPW Complex	\$1,943.35

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$3,355,768.41 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	\$1,295,036.89
OET	\$52,033.44
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main	\$0.00
CAP MH	\$0.00
CAP DSS	\$2,022.34
Highway Audits, as Follows:	
Weights & Measures	\$327.07
Solid Waste/Landfill	\$140,941.99
Road	\$273,864.62
Machinery	\$47,146.15
Capital Solid Waste	\$198,694.03
Capital Road & Bridge	\$992,480.75
CAP DPW Complex	\$353,221.13

The resolution was seconded by Mr. Gladstone and adopted by the following vote:
Ayes 4549, Noes 0, Absent 250 (Hinkley).

Chairman Molé made the following statement:

“When it comes to Charlie, what can I say? Charlie is that person who makes us all comfortable, often using laughter to put us at ease. Charlie distinguishes himself from others with his wit and sense of humor, but we all know it is his compassion and drive to help others that has made him a tremendous advocate for the veterans here in Delaware County.

When Charlie became the Director of Veterans Services it was clear he not only understood the complicated programs and requirements, that only the federal government could come up with, but he knew the veterans. He understood how important it is to guide and empower our local veterans to get the services they have earned and deserve. He has worked tirelessly to bring programs to Delaware County to support our local veterans, but also to make sure our veterans are honored and respected along the way. Through his efforts he has educated so many of us on the importance of helping our veterans and understanding the uniqueness associated with being part of the brotherhood, or sisterhood, of our military. That unique bond among those who have chosen to serve is something only another veteran like Charlie, could understand.

One thing that always strikes me about Charlie is the way he addresses his people and their situations. Charlie is a direct and honest person that doesn't give the typical “government answer,” yet he never makes people feel like they are bothering him or that their situation isn't important. He provides information, guidance, and solutions and most importantly he is always willing to put the work in while going above and beyond to help. I truly believe it is his direct manner that allows our local heroes to feel like they are being treated with dignity and that their service to our country is appreciated. Charlie has truly touched the lives of so many and in true

Charlie fashion he has brushed it all off as “just a day on the job”.

Charlie, we all know how much you mean to the veterans here and I hope you also know how much you means to all your colleagues as well. You are a true leader and we have been blessed to be able to work with you throughout your tenure. You will be dearly missed, but we hope you enjoy a very well-deserved retirement.”

On behalf of Assistant to Director of Veterans Services Roxanne Heannings, Ms. Molé made the following statement:

“So, as I read this speech for Roxanne, Charlie is not a bit surprised that Roxanne isn’t able to, because as he would say, “You’re such a crybaby.”

I interviewed for the position in early 2020 and knew there were several others that had applied but figured what the heck. One day Charlie came over to my office at DPW and said to me, “I am not the type of person that likes to deliver bad news via phone, or email, so I thought I would do it in person.” My heart sank, I was so hoping that I would get the job. He then continued with, “I am sorry to say that I decided to hire you and you are stuck working with me.” With that being said, the rest is history.

Seriously, in my 14 years working for Delaware County, I have never had such an amazing boss. His dedication to the Veterans, his undying love for his family and understanding and caring attitude towards his co-workers is beyond compare.

Charlie was always willing to “fight” for the veteran if he needed to. Sometimes it would just be easier if the VA had seen it his way from the beginning, but I guess they didn’t know who they were dealing with. There was one veteran in particular who had a somewhat complicated claim, that Charlie said, and I quote ‘I want to see this one get awarded, before I retire.’ Well, unfortunately for me, but fortunately for the veteran, Charlie ended up winning the fight and the veteran was awarded, as they should have been.

Charlie’s love and pride for his family. Well that’s yet another story. Everyone who knows Charlie, knows that Nancy is his “rock.” Their relationship is the kind that the rest of us dream of. I have never met any of Charlie’s children, only a few of the grandkids, but I feel as if I know each one personally, he speaks of them often and so fondly.

Now, on to the personal side of life. Since it is primarily Charlie’s fault that “I was **never** going to fall in love again, **never** letting anyone move in our house with us and **never** ever going to get married again”, it seems only fitting that Charlie foot the bill for the upcoming wedding in October! By the way Charlie, “it’s not a question.” Seriously, Charlie has been so good to me and helped me both professionally and personally and I don’t know how I will manage without our daily conversations. I am truly so lucky to have had you as a part of my life for the past three years and I thank you for EVERYTHING!!

Although I couldn’t read this myself, Charlie would be proud that I came up with more than three sentences (if this was a compensation claim).”

Ms. Molé noted that it is clear what an impact Mr. Piper has had on Ms. Heannings life. She asked him to please come to the podium so that she can present him with a small token of congratulations on behalf of the Board of Supervisors and the employees of Delaware County. She presented Mr. Piper with a book entitled 'Humor in Uniform' and asked him to share his story with everyone about how he and his wife Nancy chose to live in Delaware County.

Mr. Piper thanked Ms. Molé and the Board for the book and recognition. He stated that he has appreciated working with everyone, and how supportive everyone has always been in the face of issues or challenges.

He explained that when he and his wife were looking to settle down, they were in New Mexico and very much wanted to be on the East Coast. They decided to take a month to travel around seeking the place they wanted to settle. They traveled through the New England and northern East Coast area looking for land to purchase, including New York. They came to Delhi and went to the Delhi Diner for lunch. He explained that everywhere they went, they spoke to the locals and asked how they liked living in the area. There happened to be a young lady at the diner who had grown up in Delhi, and she expressed to them how much she loved living in Delhi. As they continued to ask other local people, everyone universally said the same thing about loving the area and what a wonderful place it is to live. This was the indicator they had been looking for, and made the decision to actively pursue looking for land in this immediate area. Eventually a parcel which fit their expectations became available, and they jumped on it sight unseen. Once they came to the area to see it, they felt even more strongly that this was the right place for them to be. Not only was their parcel next to a road which had the same name as the town in Rhode Island where he and his wife grew up, but their neighbors across the street had the same last name as his wife's maiden name. These coincidences made them feel even more confident that this is the place they are supposed to be. He stated how much he appreciated the kind words, and how unique it is to find a place where such thoughtful comments are shared at a Board meeting. As an individual who spent decades in military service and has been many places, this place and its people are special.

Mr. Piper expressed sincere gratitude for the opportunity he had been given as Director of Veterans Services, and how rewarding it has been. It has been such a pleasure to be in a position to help our veterans, and as much as he appreciated the thanks for his time as Director, he reiterated that it was his job regardless of the tremendous reward he got from simply helping veterans. He added how integral Ms. Heannings has been to his ability to achieve goals on behalf of veterans, and how her dedication to being there for veterans both in her capacity as assistant as well as just being there to listen if they need to talk. He expressed how relatable she is, and how fortunate Mr. Dunlop is to have her.

Mr. Piper gave a final thank you for the book of humor and for the kind words.

Upon a motion, the meeting was adjourned at 3:37 p.m.