

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

OCTOBER 25, 2023

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 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 except Mrs. Driscoll and Mr. Hinkley.

Mr. Marshfield offered the invocation.

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

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

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

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

RESOLUTION NO. 183

**TITLE: 2023 BUDGET AMENDMENT
ACCEPTANCE OF 2022 DCJS DISCOVERY FUNDING
SHERIFF'S OFFICE**

WHEREAS, Delaware County is the recipient of a grant awarded by the Division of Criminal Justice Services (DCJS) in the amount of \$18,546.00; and

WHEREAS, the grant, to be administered by the Delaware County District Attorney's Office, was awarded for the specific purpose of helping offset Discovery Finding costs not to exceed \$18,546.00 during the period commencing on April 1, 2022 and ending on March 31, 2023, unless extended.

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

INCREASE REVENUE:

10-13110-43308900/3110065/907	State Other General Government	\$18,546.00
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INCREASE APPROPRIATIONS:

10-13110-51000000/3110065/907	Personal Services	\$16,055.00
10-13110-54595320/3110065/907	Supplies Office	\$1,224.00
10-13110-54180080/3110065/907	Communication	\$1,267.00

The resolution was seconded by Mr. Axtell and adopted by the following vote:
Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 184

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the following 2023 Appropriation accounts are in need of funds.

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

TRANSFER FROM:

10-16010-54400000	Legal Expense	\$201,213.00
10-16010-54418040	Maintenance-Repair Building	\$40,000.00
10-16010-54427026	Home Care Services	\$120,000.00
10-16123-54372000	Juvenile Delinquents	\$66,919.00

TRANSFER TO:

10-16102-54200000	MMIS	\$208,132.00
10-16055-54200025/6055001	Day Care Services	\$220,000.00

The resolution was seconded by Mr. Vernold.

Mr. Marshfield stated the transfer of funds was necessary due to loss of funding for both mandated programs.

The resolution was adopted by the following vote: Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 185

**TITLE: APPROPRIATION OF SURPLUS
SOLID WASTE OPERATIONS FUND**

WHEREAS, the 2023 Solid Waste Personal Services Budget is insufficient as budgeted due to unforeseen expenses; and

WHEREAS, a transfer from the Solid Waste Fund Balance is necessary.

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

DECREASE FUND BALANCE:

22-00000-34915000	Assigned Unappropriated Fund Balance	\$53,000.00
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INCREASE APPROPRIATION:

22-18160-51000000	Personal Services	\$49,000.00
22-18162-51000000	Personal Services	\$4,000.00

The resolution was seconded by Mr. Cetta and adopted by the following vote:
Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 186

**TITLE: APPROPRIATION OF SURPLUS
ROAD MAINTENANCE FUND
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the 2023 Road Maintenance Personal Services budget line is insufficient as budgeted due to unforeseen expenses; and

WHEREAS, a transfer from the Road Fund Balance is necessary.

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

DECREASE FUND BALANCE:

24-00000-34915000	Assigned Unappropriated Fund Balance	\$600,000.00
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INCREASE APPROPRIATION:

24-15110-51000000	Personal Services	\$600,000.00
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 187

**TITLE: APPROPRIATION OF SURPLUS
CAPITAL ROAD AND BRIDGE FUND
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the 2023 Capital Road and Bridge Contractual budget line is insufficient as budgeted due to unanticipated repairs and the addition of a major project; and

WHEREAS, a transfer from the Capital Road and Bridge Fund Balance is necessary.

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

DECREASE FUND BALANCE:

34-00000-34899000	Restricted Fund Balance Other	\$3,000,000.00
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INCREASE APPROPRIATION:

34-15112-54000000	Contractual Expenses	\$3,000,000.00
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The resolution was seconded by Mr. Vernold.

In response to Mr. Marshfield, Mr. Haynes confirmed that six hundred thousand dollars of the three million dollars is from the Flood Buyout, and there had been some unexpected bridge design projects which are fundable. Mr. Haynes furthered that there had also been some projects which had commenced in 2022 and carried over into 2023.

The resolution was adopted by the following vote: Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 188

**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 by the Tourism Promotion Agent (TPA) for Delaware County under the TPA grant program totaling \$104,498.00, and has recommended them for approval by the Delaware County Board of Supervisors.

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

The resolution was seconded by Mr. Merrill.

In response to Mr. Taggart, Director of Economic Development Glenn Nealis stated that these businesses are outside Delaware County, and are contracted to provide services. Granicus is the only entity that provides the service to identify active short-term rental establishments. The Brandman Agency proposal was selected two years ago in response to the County's RFP. They assist in broadening the reach of tourism advertising.

The resolution was adopted by the following vote: Ayes 4150, Noes 241 (Taggart), Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 189

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

WHEREAS, the revenues received under the Hotel Occupancy Tax are 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, by Resolution No. 188 of 2023 the Board of Supervisors approved the use of Hotel Occupancy Tax revenues and the authorization of the use of Occupancy Tax revenues requires such funds 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	\$104,498.00
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INCREASE APPROPRIATION:

10-16420-54535000 Professional Services \$104,498.00

The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 4150, Noes 241 (Taggart), Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 190

**TITLE: RESCIND RESOLUTION NO. 146 OF 2023
SALE OF TAX-ACQUIRED PROPERTY**

BE IT RESOLVED that the Delaware County Board of Supervisors rescind Resolution No. 146 of 2023 entitled *Sale of Tax Acquired Property Amend Resolution No. 102 of 2023* in order to keep with the buyer's conveyed name and address for Tax Map No. 154.-1-8.2 as J & M Devco LLC., 716 S. Columbus Avenue, Mount Vernon, NY 10550.

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

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

RESOLUTION NO. 191

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

WHEREAS, Section 215 of the County Law stipulates that the Board of Supervisors must authorize for the disposition of personal property no longer necessary for public use.

NOW, THEREFORE, BE IT RESOLVED that the Department of Social Services is authorized to sell by on-line auction or scrap the following item:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
DSS 445	2017 Chevrolet Malibu	1G1ZC5ST9HF120075

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

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

RESOLUTION NO. 192

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

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 Economic Development is authorized to sell by on-line auction or scrap the following item:

<u>Dept. Vehicle No.</u>	<u>Description</u>	<u>Serial Number/VIN</u>
ED 426	2014 Ford Focus	1FADP3E26EL150876

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

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. 193

**TITLE: 2023 BUDGET AMENDMENT
TRANSFER OF FUNDS
TREASURER'S OFFICE**

WHEREAS, there is a need for additional funding for the remainder of the year for the Community College Tuition account.

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

TRANSFER FROM:

10-11990-54900000	Contingency	\$100,000.00
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TRANSFER TO:

10-12490-54184000	Community Colleges	\$100,000.00
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The resolution was seconded by Mr. Tuthill.

Mr. Taggart stated that the County contributes to the Community College fund, which is short of funding.

The resolution was adopted by the following vote: Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 194

TITLE: SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE (VETERAN STATUS)

WHEREAS, the residents of Delaware County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Delaware County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, New York State's Veteran population has decreased by 44% over the last 20 years; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, and civil service; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20% increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, Delaware County appreciates the sacrifices our United States Military personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned.

NOW, THEREFORE, BE IT RESOLVED with designation as a Green Light for Military Service County, the Delaware County Board of Supervisors hereby declares from October through Veterans Day, November 11, 2023 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; and

BE IT FURTHER RESOLVED that in observance of Operation Green Light, the Delaware County Board of Supervisors encourages its citizens in patriotic tradition to recognize the importance of honoring all those who the immeasurable sacrifices helped to preserve

freedom by displaying a green light in a window of their place of business or residence.

The resolution was seconded by Mr. Vernold and Mr. Ellis.

Mr. Vernold explained that having a green light illuminate houses and businesses from October through Veterans Day, November 11 shows support for the sacrifices of our men and women transitioning from active military service. Director of Veterans Services Mark Dunlop expressed his support for the resolution.

The resolution was unanimously adopted.

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

RESOLUTION NO. 195

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,242,709.85 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	\$1,565,398.11
OET	\$19,210.01
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main	\$5.38
CAP MH	\$12,619.99
CAP DSS	\$217,505.60
Highway Audits, as Follows:	
Weights & Measures	\$0.00
Solid Waste/Landfill	\$72,164.42
Road	\$10,501.07
Machinery	\$70,708.84
Capital Solid Waste	\$20,886.75
Capital Road & Bridge	\$888,122.11
CAP DPW Complex	\$365,587.57

The resolution was seconded by Mr. Gladstone and Mr. Taggart and adopted by the following vote: Ayes 4391, Noes 0, Absent 408 (Driscoll, Hinkley).

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

RESOLUTION NO. 196

TITLE: EXECUTIVE SESSION

BE IT RESOLVED that the Delaware County Board of Supervisors convene in executive session to discuss an ongoing criminal investigation.

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

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

RESOLUTION NO. 197

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. Ellis and Mr. Davis and unanimously adopted.

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

Upon a motion, the meeting was adjourned at 2:14 p.m.