

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

APRIL 10, 2024

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, April 10, 2024 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.

Mr. Marshfield offered the invocation.

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

RESOLUTION NO. 63

**TITLE: 2023 BUDGET AMENDMENT
LEGAL AID TO INDIGENTS**

WHEREAS, the New York State Office of Indigent Legal Services (ILS) increased 18B assigned counsel rates effective April 1, 2023; and

WHEREAS, assigned counsel rates were budgeted at \$60.00 per hour for misdemeanor cases and \$75.00 per hour for felony cases in the 2023 Budget; and

WHEREAS, NYS ILS increased the assigned counsel rate for both crimes to \$158.00 per hour; and

WHEREAS, ILS has provided for partial reimbursement for increased costs due to the rate change; and

WHEREAS, the Public Defender's Office has submitted requests for reimbursement for the second, third and fourth quarters of 2023; and

WHEREAS, ILS approved the second and third quarter reimbursement requests in the amount of \$6,024.50 and \$15,545.16 respectively; and

WHEREAS, the County received the second and third quarter reimbursements on March 29, 2024.

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

INCREASE REVENUE:

10-11170-43302500	State Aid Indigent Legal Services	\$6,024.50
10-11170-43302500	State Aid Indigent Legal Services	\$15,545.16

INCREASE APPROPRIATION:

10-11170-54535060	Professional Fees - Attorney	\$21,569.66
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The resolution was seconded by Mr. Kosier.

In response to Mr. Marshfield, Clerk of the Board Penny Bishop confirmed that 50% of the total expense is reimbursed.

The resolution was adopted by the following vote: Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 64

**TITLE: FEDERAL EMERGENCY MANAGEMENT AGENCY FUNDING FOR
MITIGATION CULVERT PROJECT IN THE VILLAGE OF SIDNEY
PLANNING DEPARTMENT**

WHEREAS, the Village of Sidney was substantially impacted by the floods of 2006 and 2011, forcing evacuations and loss of property; and

WHEREAS, Delaware County in partnership with the Village of Sidney and New York State have been working to design and build mitigation projects that will reduce the impacts of future flooding; and

WHEREAS, Delaware County has completed a flood mitigation buyout program in the Village of Sidney to protect lives and property; and

WHEREAS, the Village of Sidney with their selected consultant team has designed a flood relief project that will allow flood waters to recede from the Village quicker and lower flood impacts in the future; and

WHEREAS, the installation of 5 large culverts under New York State Route 8 is the selected design with the greatest benefit; and

WHEREAS, the Village of Sidney is unable to secure the funding needed to fabricate the culverts and have them delivered prior to reimbursement from the Federal Emergency Management Agency (FEMA) as part of the construction in 2025; and

WHEREAS, the Village of Sidney has asked Delaware County to assist with the financing to be reimbursed through the Village FEMA grant award which will pay 100% of the

costs associated with the construction as a reimbursable program; and

WHEREAS, the Delaware County Planning and Watershed Affairs Department has agreed to manage the FEMA grant on behalf of the Village and the Delaware County Soil and Water Conservation District has agreed to provide construction oversight and management; and

WHEREAS, the Delaware County Finance Committee has recommended the Board support this project in partnership with the Village of Sidney as part of ongoing mitigation efforts to become more resilient with safe communities throughout Delaware County.

NOW, THEREFORE, BE IT RESOLVED accounts shall be established as follows:

INCREASE REVENUE:

10-18020-44496000/8020031	Federal Emergency Disaster Assistance	\$5,000,000.00
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INCREASE APPROPRIATION:

10-18020-54327000/8020031	General Grant Related Expense	\$5,000,000.00
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The resolution was seconded by Mr. Ellis.

Mr. Vernold introduced Planning Director Shelly Johnson-Bennett. She explained that for the past thirteen years, there have been flood mitigation efforts which have been supported by the County in the Village of Sidney. After the flood in 2006, the County acquired nine properties in the Flood Buyout, and worked with the Village to do an Army Corp study to determine what would benefit the village as a mitigation strategy. She furthered that in 2011, there was another significant flood, after which Amphenol had threatened to leave its location in Sidney. Amphenol is one of the largest employers in the County, and the Department of Economic Development worked very hard to retain them. This concern prompted the development of a long-term community development strategy project where various options were discussed, including removing people from the flood area to higher ground. Another flood buyout was coordinated, and 132 properties in the Village of Sidney have been acquired as of today. They have worked with Two Plus Four Construction Management to create two separate housing projects, one at Sherwood Landings which is single-family housing and one which is senior housing. Both of these projects went back on the tax rolls after completion in an effort to reduce the impact of the properties which had been removed from the tax base after being acquired by the County. As the buyouts have been coordinated, the Village of Sidney has been working with River Street Planning and Development as well as engineers from Fuss and O'Neill to design an engineered mitigation.

Mrs. Johnson-Bennett further explained that in 2011 there were two types of floods. In Middletown, there was a raging flood which abated overnight which allowed for them to inspect the impact and damage area in dry conditions the next morning. Though there was significant damage, the damage was able to be assessed quickly. Contrary to the situation in Middletown, the flooding in Sidney persisted for over a week as water continued to roar in from surrounding watercourses. After the water stopped flowing into the flood zone, it sat stagnant for nine days as well. All the structures in that flood area absorbed the water to a significant extent, soaking water up to the ceilings to the degree that they were still wet in attics twelve years later when the structures were demolished. She explained that where the Village of Sidney is situated is in a 'bowl' into which water is directed by surrounding infrastructure and has no way to drain. To

combat this issue, engineers designed a series of culverts which would connect to the floodplain and allow water to flow from the Village and more quickly back into the river. Implementation of this plan would remove some homes from the floodplain entirely, which would reduce their flood insurance costs. She explained that most of the homes the County acquired had more costly flood insurance than their mortgage payment. Another advantage would be the shift from houses flooding on the first floor to basement flooding.

The project has progressed to the point where the culverts now must be fabricated, they will be created this year to install next summer. Mrs. Johnson-Bennett explained that the Village has run into financial difficulties in the large payment which must be made in order to manufacture the culverts. This cost is 100% funded by the Federal Emergency Management Agency (FEMA) but being that it is a reimbursable program the money must be paid up front. She explained that the Industrial Development Agency (IDA) tried to step in to help financially but were unable to, as did the Delaware County Soil and Water Conservation District (DCSWCD) by offering to manage the construction of the flood relief culvert system. The purpose of this resolution is to support the project financially while the Planning Department takes over the administration of the FEMA grant. The grant will fund the work performed by DCSWCD as well as the project, which will also cover any interest lost on the five million dollars temporarily put forth. The project is expected to be completed by December of 2025.

In response to Ms. Walley, Mrs. Johnson-Bennett explained that the culverts are precast concrete, and would not be affected by lack of available steel. She further explained that Amphenol is not moving out of the community and they have plans to reconstruct their facility, which was confirmed by Director of Economic Development Glenn Nealis.

In response to Mr. Marshfield, Mrs. Johnson-Bennett explained that the culverts are installed in a series which allows the water to flow out of the industrial area back into the wetlands. She furthered that the five culverts will only have water in them when it is flooding. The Nature Conservancy has been working with the Planning Department to design a plan for possible recreational uses for the wetlands, as well as utilizing the culverts themselves to connect walking paths as they are large enough to walk through.

The resolution was unanimously adopted.

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

RESOLUTION NO. 65
TITLE: 2023 BUDGET AMENDMENT
AMEND FLOOD BUYOUT 2016-2018 AS ESTABLISHED BY RESOLUTION NO. 89 OF
2018 FOR THE GOVERNOR’S OFFICE OF STORM RECOVERY (GOSR),
OFFICE OF HOUSING AND URBAN DEVELOPMENT (HUD), AND
FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE HAZARD
MITIGATION GRANT PROGRAM FOR A VOLUNTARY FLOOD BUYOUT IN THE
VILLAGE AND TOWN OF SIDNEY AND
RECIND RESOLUTION NO. 52 OF 2024
PLANNING DEPARTMENT

WHEREAS, on or about December 1, 2016, Delaware County was awarded

\$18,915,104.00 from HUD to acquire 129 homes and elevate 7 homes; and

WHEREAS, the project is a reimbursable program that would require Delaware County to upfront funding for purchases and payments to contractors before submitting to the GOSR for reimbursement; and

WHEREAS, the demolition invoice received March 1, 2024, which is for work completed in 2023, exceeds the amount of money remaining in the account.

NOW, THEREFORE, BE IT RESOLVED Delaware County increases the amount of money in the reimbursable grant account to pay the demolition invoice; and

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

INCREASE REVENUE:

10-18020-43398901/8020025/908	State Otr Home & Comm Grant	\$1,366,332.24
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INCREASE APPROPRIATION:

10-18020-54327000/8020025/908	General Grant Related Exp	\$1,366,332.24
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BE IT FURTHER RESOLVED that Resolution No. 52 of 2024, entitled *2024 Budget Amendment to Amend Flood Buyout 2016-2018 as Established by Resolution No. 89 of 2018 for the Governor’s Office of Storm Recovery (GOSR), Office of Housing and Urban Development (HUD), and Federal Emergency Management Agency (FEMA) for the Hazard Mitigation Grant Program for a Voluntary Flood Buyout in the Village and Town of Sidney* be rescinded.

The resolution was seconded by Mr. Ellis and adopted by the following vote: Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 66

**TITLE: 2024 BUDGET AMENDMENT
APPROPRIATION OF UNEMPLOYMENT INSURANCE FOR 2024
PERSONNEL OFFICE**

WHEREAS, Unemployment Insurance was not budgeted for in the 2024 Adopted Budget due to a sufficient balance in the Unemployment Insurance Reserve account; and

WHEREAS, the General Fund is in need of appropriations to pay the quarterly UI claims for 2024.

NOW, THEREFORE, BE IT RESOLVED that the 2024 Budget be amended as follows:

INCREASE REVENUE:

10-19000-42280100	Interfund Revenue	25,000.00
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INCREASE APPROPRIATIONS:

10-19050-58500000	Unemployment Insurance	25,000.00
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TRANSFER FROM:

66-00000-34924000	Fund Balance Reserve	25,000.00
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TRANSFER TO:

66-19901-59990000	Operating Transfer OUT	25,000.00
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The resolution was seconded by Mr. Vernold and adopted by the following vote:
Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 67

**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 applications submitted under the tourism promotion and development grant program, and has recommended 47 proposals totaling \$243,875.00 for approval and funding by the Delaware County Board of Supervisors to support the investment of over \$2.1M 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 Promotion & Development Grant Program projects to be funded through occupancy tax revenues in 2024.

The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 68

**TITLE: 2024 BUDGET AMENDMENT
TRANSFER OF FUNDS
DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, the revenues received under the Hotel Occupancy Tax during 2023 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, by Resolution No. 67 of 2024 the Board of Supervisors approved the list of tourism promotion and 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 2024 Budget be amended as follows:

INCREASE REVENUE:

10-00000-34899000 Restricted Fund Balance - Hotel Occupancy Tax \$243,875.00

INCREASE APPROPRIATION:

10-16410-54614000 Tourism Development - Promotion \$243,875.00

The resolution was seconded by Mr. Merrill and adopted by the following vote:
Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 69

TITLE: COMPENSATION FOR DEFENSE ATTORNEYS

WHEREAS, the Court of Appeals has determined that counsel at the first appearance (CAFA) in court of a criminal defendant is required; and

WHEREAS, Delaware County is in great need of qualified attorneys to appear at these arraignments to satisfy this requirement. In an effort to meet this need, the County has determined that qualified attorneys will work on an “on-call” basis from seven (7) to ten (10) days at a time, 24 hours a day; and

WHEREAS, any qualified attorney participating in this rotation is eligible to receive the on-call rate of pay set by Legislative and Human Resources Committee; and

WHEREAS, this resolution shall be retroactive to January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED effective January 1, 2023, any qualified attorney participating in CAFA, shall be compensated at a rate then set by the Legislative

Committee and the Human Resources Committee.

The resolution was seconded by Mr. Ellis.

In response to Mr. Marshfield, County Attorney Amy Merklen explained that Counsel at First Appearance (CAFA) attorneys are required to call in twice a day to check whether their services are needed for arraignments. Typically they will need to go to the court between eight and ten times over a ten day period. She confirmed that the rate of pay is two hundred dollars per day, which would be two thousand dollars per ten-day period, and six hundred and seventy-five dollars of the total two thousand dollars per ten-day period is reimbursable.

In response to Mr. Merrill and Ms. Boukai, Ms. Merklen confirmed that the attorney would only be paid if they call in twice a day and appear for arraignments as required. She reinforced that the point of this arrangement is that the attorney must be on call, and if they do not show up, they would likely be removed from the rotation. She also affirmed that the justices are paid through funding for Indigent Legal Services, and that the Centralized Arraignment Part (CAP) Court is not an on-call situation so there is no pay when services are not required. When Counsel at First Arraignment became mandatory, an established centralized location for arraignments also became necessary.

In response to Mrs. Driscoll, Ms. Merklen lamented that not many attorneys participate in the CAFA; they are having a very hard time getting attorneys to take part.

In response to Mr. Marshfield, Ms. Merklen confirmed that every week there must be a CAFA attorney available. Chairman Molé added that the attorneys are on call seven days a week.

In response to Mr. Faulkner, Ms. Merklen explained that the two thousand dollars per ten-day period rate was established because the Legal Aid to Indigent Assigned Counsel rate is one hundred and fifty-eight dollars an hour, and being how much more expensive payment per hour would be, the rate for a set period was a compromise. She affirmed that there are counties which are paying more, and some which are paying less, but the difficulty is finding attorneys willing to participate.

In agreement with Ms. Merklen and in response to Mr. Marshfield, Supervisor Smith explained that the two thousand dollars per ten days rate is only for the arraignment and separate from any other pay for a different service. Ms. Merklen furthered that were there not a set rate for being on call, and attorneys would likely be billing their services at an hourly rate. However, being there is such a dearth of attorneys, the only ones participating at the moment are the public defenders.

The resolution was adopted by the following vote: Ayes 200, Noes 0, Absent 0.

Mr. Kosier introduced Local Law Intro. No. 17 of 2024 entitled *Local Law Authorizing 12- and 13-year old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter.*

LOCAL LAW INTRO. NO. 17 OF 2024

LOCAL LAW AUTHORIZING 12- AND 13-YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER

BE IT ENACTED by the Delaware County Board of Supervisors as follows:

Section 1. Legislative Intent

The intent of this Local Law is to authorize Delaware County to permit 12- and 13-year old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2025 if a county authorizes such action within their municipality. Delaware County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

Section 2. Pilot Program Authorization

Pursuant to Environmental Conservation Law, ECL 11-0935, Delaware County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025.

Section 3. State Requirements to Adhere Once Authorized

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and

- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

Section 4. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Conservation as well as the NYS Department of State

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Mr. Kosier explained that after a successful pilot program, the local law is to allow 12- and 13-year-old hunters to continue to be able to hunt deer under supervision of an adult licensed hunter.

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

RESOLUTION NO. 70

TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 17 OF 2024

LOCAL LAW AUTHORIZING 12- AND 13-YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER

WHEREAS, a proposed local law authorizing 12- and 13-year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter in Delaware County has been offered for adoption by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro No. 17 of 2024 on Wednesday, April 24, 2024, at 1:00 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY.

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

Ms. Molé stated that the Public Hearing will be held at the next meeting on April 24, 2024 at 1:00 p.m.

Mr. Ellis introduced Local Law Intro. No. 18 of 2024 entitled *Salary Increase District Attorney*.

LOCAL LAW INTRO NO. 18 OF 2024

TITLE: SALARY INCREASE DISTRICT ATTORNEY

Section 1. The salary of Shawn Smith, District Attorney, shall be Two hundred, twenty-one thousand, one hundred dollars [\$221,100] per annum effective April 1, 2024, pursuant to Judiciary Law §183-a.

Section 2. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 3. This Law shall take effect forty-five (45) days after it shall be adopted.

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

RESOLUTION NO. 71

TITLE: PUBLIC HEARING ON LOCAL LAW INTRO. NO. 18 OF 2024

WHEREAS, Local Law Intro. No. 18 has been introduced to increase the 2024 salary of District Attorney Shawn Smith.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro No. 18 on Wednesday, April 24, 2024, at 1:05 p.m. in the Board of Supervisors Room of the County Office Building, 111 Main Street, Delhi, NY

The resolution was seconded by Mr. Hinkley.

In response to Mr. Marshfield, Ms. Merklen confirmed that the salary increase is dictated by the State. Personnel Officer Carrara Knoetgen confirmed that the current salary of the District Attorney is \$200,400 annually.

The resolution was unanimously adopted.

Ms. Molé stated that the Public Hearing will be held at the next meeting on April 24, 2024 at 1:05 p.m.

Mr. Ellis introduced Local Law Intro. No. 19 of 2024 entitled *Salary Increase Public Defender*.

LOCAL LAW INTRO. NO. 19 OF 2024

TITLE: SALARY INCREASE PUBLIC DEFENDER

Section 1. The salary of Joseph Ermeti, Public Defender, shall be One hundred eighty-seven thousand, six hundred fifty dollars [\$187,650] per annum plus additional compensation for “on-call” work performed. The compensation for on-call work shall be in accordance with the amount set in Resolution No. 69 of 2024, as approved by the Board of Supervisors. Said salary shall be effective January 1, 2024.

Section 2. Local Law No. 7 of the Year 2024 shall be rescinded.

Section 3. This Local Law shall be subject to permissive referendum according to the provisions of Section 24 of the Municipal Home Rule Law.

Section 4. This Law shall take effect forty-five (45) days after it shall be adopted.

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

RESOLUTION NO. 72

**TITLE: PUBLIC HEARING
LOCAL LAW INTRO. NO. 19 OF 2024**

WHEREAS, Local Law Intro. No. 19 has been introduced to increase the salary of Joseph Ermeti, Public Defender.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro. No. 19 on the 24th day of April, 2024, at 1:10 p.m. in the Supervisors’ Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Merrill.

In response to Mrs. Driscoll, Ms. Merklen stated that the prior local law is being rescinded, which is why the timeframe is retroactive to January 1 of 2024.

In response to Mr. Marshfield, Ms. Merklen confirmed that the public defender can be on call as often as needed, being there must be coverage for the CAFA.

The resolution was unanimously adopted.

Ms. Molé stated that the Public Hearing will be held at the next meeting on April 24, 2024 at 1:10 p.m.

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

RESOLUTION NO. 73

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY
NO LONGER NECESSARY FOR PUBLIC USE
CLERK OF THE BOARD**

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 Clerk of the Board’s Office is authorized to sell by trade-in, on-line auction or for scrap the following item:

<u>Description</u>	<u>Serial Number</u>
2011 Konica Minolta Bizhub 423 Multifunction Copier	A1V4WY4029331

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

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

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

RESOLUTION NO. 74

**TITLE: APPOINTMENT OF DELAWARE COUNTY
FIRE ADVISORY BOARD**

BE IT RESOLVED that the following appointments be made to the Delaware County Fire Advisory Board in accordance with 225-a of the County Law for year 2024:

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

Voting Departments:

- | | |
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| Andes – Chief Dale Tait | Hobart – Chief Josh Mason |
| Arena – Chief Mike Sarrubi | Margaretville – Chief Nelson Delameter |
| Arkville – Chief Rob Sweeney | Masonville – Chief Matt Jones |
| Bloomville – Chief Mike Pietrantonio | Meridale – Chief Brad Hitchcock |
| Bovina – Chief Kevin Brown | Sidney – Chief John Gilmore |
| Delhi – Chief Bill Cairns | South Kortright – Chief Andrew VanBuren |
| East Meredith – Chief David Briggs | Stamford – Chief Don VanEtten |
| Fleischmanns – Chief Todd Wickham | Treadwell – Chief Tony DeDominicis |
| Franklin – Chief Tom Worden | Trout Creek – Chief Josh LaTourette |
| Grand Gorge – Chief Hank Gockel | Walton – Chief Bob Brown |
| Hancock – Chief Blaise Bojo | |

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

RESOLUTION NO. 76

**TITLE: 2024 BUDGET AMENDMENT
APPROPRIATION OF AMERICAN RESCUE PLAN (ARP) FUNDING**

WHEREAS, the American Rescue Plan Act of 2021 appropriated funding to governmental municipalities to assist in the economic recovery from the COVID-19 pandemic; and

WHEREAS, Delaware County was awarded a total of \$8,672,706 from the US Department of Treasury (USDT) to be used for eligible costs incurred during the period March 3, 2021 and ending on December 31, 2024; and

WHEREAS, the American Rescue Plan (ARP) Committee has done a thorough and impartial review of proposals and has approved the following project for funding:

- County Clerk’s Office/Records Management to digitize mortgage indices: \$54,900.00; and

WHEREAS, the remaining balance of ARP funds to allocate is \$67,479.49, and additional funds are needed for the project listed above.

NOW, THEREFORE, BE IT RESOLVED that the 2024 Budget be amended as follows:

INCREASE REVENUE:

10-11325-44408902/1327889/888	Fed Aid Other-ARP	\$54,900.00
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INCREASE APPROPRIATION:

10-11410-54584000/1327889/888	CC – Digitize Records for Preservation	\$54,900.00
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The resolution was seconded by Mr. Cetta and adopted by the following vote: Ayes 200, Noes 0, Absent 0.

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

RESOLUTION NO. 77

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,059,974.25 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	\$611,619.85
OET	\$12,608.61
Public Safety Comm System	\$1,391.25
Insurance Risk	\$0.00
CAP 97 Main	\$0.00
CAP MH	\$0.00
CAP DSS	\$35,045.26
Highway Audits, as Follows:	
Weights & Measures	\$36.85
Solid Waste/Landfill	\$83,289.80
Road	\$67,885.50
Machinery	\$49,711.19
Capital Solid Waste	\$2,553.66
Capital Road & Bridge	\$94,474.43
CAP DPW Complex	\$101,357.85

The resolution was seconded by Mr. Gladstone and adopted by the following vote:
Ayes 200, Noes 0, Absent 0.

Chairman Molé made the following committee appointment:

DELAWARE COUNTY LOCAL DEVELOPMENT CORPORATION BOARD
3-year term ending December 31, 2026

Appoint:

Christopher Price, Cadosia

Upon a motion, the meeting was adjourned at 1:36 p.m.