COMMITTEE APPROVAL
BY: Wayne Marshfield
DATE: 7/14/2025
BY PHONE: BY EMAIL: IN PERSON: √
PREFILED: √ NOT-PREFILED:

TITLE: 2025 BUDGET AMENDMENT CHILD CARE BLOCK GRANT ADDITIONAL ALLOCATIONS DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Delaware County Department of Social Services is the designated local Agency to administer the Child Care Block Grant Additional Allocations; and

WHEREAS, the funding is to be used for daycare and is 100% reimbursed; and

WHEREAS, funding is available under the Child Care Block Grant Additional Allocation (CCBG) in the amount of \$250,000.00.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

INCREASE REVENUE:

10-16055-43365500 State Daycare \$250,000.00

INCREASE APPROPRIATION:

10-16055-54200025 Daycare Services \$250,000.00

COMMITTEE APPROVAL
BY: Jim Ellis
DATE: 7/17/2025
BY PHONE: BY EMAIL: √ IN PERSON:
PREFILED: √ NOT-PREFILED:

TITLE: 2025 BUDGET AMENDMENT TRANSFER OF FUNDS PERSONNEL OFFICE

WHEREAS, the Personnel Office is in need of a new copier; and

WHEREAS, there is no funding in the equipment account to cover the purchase.

NOW, THEREFORE, BE IT RESOLVED that a transfer be authorized and the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11430-51000000	Personal Services	\$6,938.21
TRANSFER TO:		
10-11430-52200000	Equipment	\$6,938.21

COMMITTEE APPROVAL
BY: Allen Hinkley
DATE: 7/112025
BY PHONE: BY EMAIL: √ IN PERSON:
PREFILED: √ NOT-PREFILED:

TITLE: 2025 BUDGET AMENDMENT TRANSFER OF FUNDS BOARD OF ELECTIONS

WHEREAS, Center for Tech and Civil Life (CTCL) provided grant funding in the amount of \$50,000.00 in support of the Board of Elections nonpartisan work planning and operationalizing reliable and secure election administration; and

WHEREAS, grant expenses for equipment purchases varied from original budget allocation.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11450-54327000/1450015/961	Grant from Center f	for Tech and Civic Life	e \$11,661.21

TRANSFER TO:

10-11450-52200001/1450015/961 Grant Equipment \$11,661.21

COMMITTEE APPROVAL
BY: Joe Cetta
DATE: 7/15/2025
BY PHONE: BY EMAIL: √ IN PERSON:
PREFILED: √ NOT-PREFILED:

TITLE: 2025 BUDGET AMENDMENT TRANSFER OF FUNDS DEPARTMENT OF MENTAL HEALTH

WHEREAS, Delaware County inmates have been deemed incapacitated to meaningfully participate in their criminal defense proceedings and require care from a NYS Psychiatric hospital; and

WHEREAS, Delaware County is 100% responsible for inpatient psychiatric hospital costs; and

WHEREAS, additional funding is needed to cover current inpatient hospitalizations.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11990-54900000	Contingency	\$66,896.40
TRANSFER TO:	D 6 1 15 D 11 1	0.000.40
10-14390-54535420	Professional Fees Psychiatric	\$66,896.40

COMMITTEE APPROVAL
BY: Wayne Marshfield
DATE: 7/14/2025
BY PHONE: BY EMAIL: IN PERSON: √
PREFILED: √ NOT-PREFILED:

TITLE: 2025 BUDGET AMENDMENT TRANSFER OF FUNDS DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the 2025 Daycare Services appropriation account is in need of funds;

NOW, THEREFORE, BE IT RESOLVED that the subsequent transfers be made and the 2025 Budget be amended as follows:

TRANSFER FROM:

10-16145-54000000/81450001/971	RTA Contractual	\$350,000.00
10-16145-54313150/81450008/971	RTA Foster Child Care	\$620,000.00
10-16145-54372000/81450013/971	RTA Juvenile Delinquents	\$80,000.00

TRANSFER TO:

10-16055-54200025/6055001/971	Daycare Services	\$1,050,000.00
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COMMITTEE APPROVAL
BY: George Haynes
DATE: 7/16/2025
BY PHONE: √ BY EMAIL:
IN PERSON:
PREFILED: √ NOT-PREFILED:

TITLE: CHANGE ORDER NO. 1 OF PROPOSAL SW3-25

WHEREAS, Resolution No. 102 of 2025 authorized the award of Proposal SW3-25, Landfill Rain Cover – Cells 5 & 6 to: Chenango Contracting, Inc., 29 Arbutus Road, Johnson City, NY 13790 for the bid price of \$762,162.50; and

WHEREAS, the project has been delayed due to delays in the delivery of materials for the access path; and

WHEREAS, this caused the Contractor to be unable to complete the project by the contract completion date.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 1 for Proposal SW3-25 extending the Contract completion date until August 31, 2025, at no change in the Contract Amount of \$762,162.50.

COMMITTEE APPROVAL
BY: Wayne Marshfield
DATE: 7/15/2025
BY PHONE: BY EMAIL: √ IN PERSON:
PREFILED: √ NOT-PREFILED:

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 trade-in, on-line auction or for scrap the following item:

Dept. Vehicle No.	Description	Serial Number/VIN
DSS 475	2022 Chevrolet Malibu	1G1ZC5STXNF179163

COMMITTEE APPROVAL
BY: Art Merrill
DATE: 7/17/2025
BY PHONE: BY EMAIL: √ IN PERSON:
PREFILED: √ NOT-PREFILED:

TITLE: APPOINTMENT DIRECTOR OFFICE FOR THE AGING

BE IT RESOLVED that Lyndsay Komosinski is hereby appointed as Delaware County Director Office for the Aging for the balance of the unexpired two-year term of the former director effective July 6, 2025, and ending December 31, 2026; and

BE IT FURTHER RESOLVED that said appointment shall be at the salary of \$81,394 and subject to a probationary period of 26 weeks as provided for in the Delaware County Civil Service Rules.

COMMITTEE APPROVAL
BY: John Kosier
DATE: 7/16/2025
BY PHONE: √ BY EMAIL: IN PERSON:
PREFILED: √ NOT-PREFILED:

TITLE: RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY DELAWARE COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN PROJECT FOR DELAWARE VALLEY HOSPITAL, INC.

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

WHEREAS, pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the "Enabling Act"), Revenue Ruling 57-187 and Private Letter Ruling 200936012, the Board of Supervisors of Delaware County, New York (the "Board of Supervisors") adopted a resolution on June 25, 2025 (the "Sponsor Resolution") (1) authorizing the incorporation of Delaware County Capital Resource Corporation (the "Issuer") under the Enabling Act and (2) appointing the initial members of the board of directors of the Issuer; and

WHEREAS, on June 27, 2025, a certificate of incorporation was filed with the New York Secretary of State's Office (the "Certificate of Incorporation") creating the Issuer as a public instrumentality of Delaware County, New York (the "County"); and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable revenue bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; and otherwise to carry out its corporate purposes in the territory in which the operations of the Issuer are principally to be conducted; and

WHEREAS, in June, 2025, Delaware Valley Hospital, Inc., a not-for-profit corporation organized and existing under the laws of the State of New York (the "Borrower"), submitted an application (the "Application") to the Issuer, which Application requested that the Issuer consider undertaking a project (the "Project") for the benefit of the Borrower, said Project to consist of the following: (A) (1) the construction of a four (4) story addition containing approximately 113,000 square feet (the "New Facility") to an existing 49,000 square foot hospital building (the "Existing Facility"), (2) the demolition of approximately 3,380 square feet of the Existing Facility to accommodate the New Facility, (3) the demolition of an approximately 11,000 square foot building currently used as a primary care center (the New Facility and the Existing Facility being collectively referred to hereinafter as the "Facility"), all on an approximately 6 acre parcel of land

located at 1 Titus Place (tax map no.: 273.11-7-29.1) in the Village and Town of Walton, Delaware County, New York (the "Land") and (4) the acquisition and installation thereon and therein of machinery and equipment (the "Equipment") (the Facility, the Land and the Equipment being collectively referred to hereinafter as the "Project Facility"), all of the foregoing to be owned and operated by the Borrower for use as a hospital providing inpatient, outpatient and ancillary care, including laboratory services, physical, occupational and speech rehabilitation any other directly and indirectly related activities; (B) the financing of all or a portion of the costs of the foregoing by the issuance of tax-exempt and/or taxable revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Project, together with necessary incidental costs in connection therewith, then estimated to be \$60,000,000 and in any event not to exceed \$70,000,000 (the "Obligations"); (C) the paying a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations and any reserve funds as may be necessary to secure the Obligations; (D) the granting of certain other financial assistance with respect to the foregoing, including exemption from certain mortgage recording taxes; and (E) the making of a loan (the "Loan") of the proceeds of the Obligations to the Borrower or such other person as may be designated by the Borrower and agreed upon by the Issuer; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the board of directors of the Issuer on June 27, 2025 (the "Preliminary Inducement Resolution"), the Executive Director of the Issuer (A) caused a certified copy of the Preliminary Inducement Resolution to be sent via certified mail, return receipt requested, on July 7, 2025 to the chief executive officer of the County and of each city, town, village and school district in which the Project Facility is located (collectively, the "Affected Tax Jurisdictions"), (B) caused notice of a public hearing of the Issuer (the "Public Hearing") pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and, as provided in the Certificate of Incorporation, pursuant to the applicable provisions of Section 859-a and Section 859-b of the General Municipal Law of the State of New York (the "GML"), to hear all persons interested in the Project and the financial assistance being contemplated by the Issuer with respect to the Project, to be published on July 10, 2025 in The Reporter, a newspaper of general circulation available to the residents of the Village and Town of Walton, Delaware County, New York, (C) caused notice of the Public Hearing to be posted on July 10, 2025 on a public bulletin board located at the Walton Town Hall located at 129 North Street in the Village and Town of Walton, Delaware County, New York; (D) caused notice of the Public Hearing to be posted on July 8, 2025 on the Issuer's website, (E) caused notice of the Public Hearing to be mailed on July 7, 2025 to the Affected Tax Jurisdictions, (F) conducted the Public Hearing on July 22, 2025 at 12:00 o'clock, p.m., local time at the Walton Town Hall located at 129 North Street in the Village and Town of Walton, Delaware County, New York, and (G) prepared a report of the Public Hearing (the "Public Hearing Report") which fairly summarized the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the board of directors of the Issuer and to the Board of Supervisors; and

WHEREAS, the Borrower has requested that interest on the Obligations be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 145(a) of the Code (referred to hereinafter as the "Tax-Exempt Obligations"); and

WHEREAS, the Board of Supervisors has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Tax-Exempt Obligations from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Tax-Exempt Obligations will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Tax-Exempt Obligations is approved by the "applicable elected representative" of the County after the Issuer has held a public hearing on the nature and location of the Project and the issuance of the Tax-Exempt Obligations; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Tax-Exempt Obligations to be treated as excludable from gross income for federal income tax purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Delaware County, New York, as follows:

Section 1. The Board of Supervisors hereby finds and determines that:

- (A) We have reviewed the Public Hearing Report with respect to the issuance of the Tax-Exempt Obligations.
- (B) It is desirable and in the public interest for the Issuer to issue and sell the Tax-Exempt Obligations in the aggregate principal amount presently estimated not to exceed \$70,000,000 upon such terms and conditions as the Issuer shall determine, all for the purpose of paying all or a portion of the costs of the Project.
- Section 2. For the sole purpose of qualifying the interest payable on the Tax-Exempt Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Board of Supervisors, as the elected legislative body of Delaware County, New York, hereby approve and authorize the issuance by the Issuer of the Tax-Exempt Obligations in the aggregate principal amount not to exceed \$70,000,000 (or such lesser amount as the Issuer shall determine) for the purpose of paying all or a portion of the costs of the Project, subject to the conditions provided in Section 3 hereof.
- Section 3. The Tax-Exempt Obligations shall provide that they are not and shall never be a debt of the State of New York or Delaware County, New York, and neither the State of New York nor Delaware County, New York shall be liable thereon. The Tax-Exempt Obligations, together with interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the sale or other disposition of the Issuer's interest in the Project and from any other security granted to the holders of the Tax-Exempt Obligations by, or on behalf of, the Borrower.

Section 4. This resolution shall take effect immediately.

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JUNE 25, 2025

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 25, 2025, 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. Scott and Mr. Hinkley.

Reverend Larry Light offered the invocation.

Mr. Kelso 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.

Ms. Molé granted privilege of the floor to Supervisor Kosier, who introduced Roland Bojo, Delaware Valley Hospital CEO for an update on the UHS-DVH Medical Neighborhood project.

Mr. Bojo explained that the UHS-DVH Medical Neighborhood project is a modern four-story facility that will bring all the services that are offered to one place as well as the potential for additional services added. There are also plans to expand the parking lot and the current pharmacy. LaChase has been chosen as the construction management company to assist with the completion of the project. They are anticipating sending out bids mid-August and the start of construction to begin mid-September. They are in the process of purchasing two acres which border the current property for additional staff parking.

A Certificate of Need (CON) from the Department of Health is required for anything involved with healthcare in New York. The CON was approved June 18, 2025, with contingencies, which is normal. Mr. Bojo said that they received full site approval from the Village of Walton. The Village Board has been extremely supportive of the project. They were approved to move forward with the final CON at a cost of eighty million dollars, with bonding up to sixty million dollars. Twenty million will be contributed to the project from savings, and fundraisers have been planned. The total cost is projected to be eight million and six-hundred thousand dollars.

He explained that they are currently working with the Delaware County IDA. Mr. Bojo thanked the IDA for all their hard work helping with Bond Consultant Kauffman Hall to finalize the issuance of the bond. Mr. Bojo thanked the Board of Supervisors for their support and asked

that they approve the resolution that has been submitted to allow them to continue with this project. This project is not only going to impact Walton, but the entire county.

In response to Supervisor Cetta, Mr. Bojo stated that they will take bids for about three weeks with the anticipated start date of mid-September and project completion in September 2027. They expect to be in the building by June of 2027 because the last phase will be to demolish the primary care facility to create a parking lot and an awning for the entrance.

In reply to Chairman Molé, Director of Economic Development Glenn Nealis explained that Resolution No. 116 is a request from Delaware County IDA to form a Capital Resource Corporation. The purpose of that is the need for the sixty-million-dollar bond that is needed for the project. The IDA can issue tax exempt bonds, however that ability to issue to nonprofit organizations called Public Facility Bonds expired in 2008. Since that time municipalities have used Capital Resource Corporations for projects such as this. They have the ability, if formed for the benefit of the County, to issue tax-exempt bonds. There is no liability to the County or the State of New York. The resolution authorizes the IDA to form a new corporation that will be run by the same board of directors, subject to the same type of oversight from the County, which includes providing reports and appointing members of the Board to a committee appointed by the Chairman. It is a financial tool to help them undertake this project. It is significant working through tax exempt bonds, as it will save twenty to thirty million dollars over the life of the bond. In turn it helps keep healthcare affordable.

Mr. Nealis explained further that this will come back to the Board. If the Capital Resource Corporation is formed, the paperwork would be submitted to the state tomorrow with the first meeting on Friday. At that meeting they will entertain a resolution to accept the application from Delaware Valley Hospital, and there will be a public hearing on the issuance of the bond. It will then come back to the Board of Supervisors to authorize the issuance of the bond.

Mr. Faulkner made a statement acknowledging Mr. Bojo as an individual who is compassionate and caring with a vision to help others. Other facilities have reached out to Mr. Bojo, and he had given them guidance and support. That is the sign of a stellar individual.

Mr. Bojo thanked Mr. Faulkner for his kind words.

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

RESOLUTION NO. 110

TITLE: 2025 BUDGET AMENDMENT ACCEPTANCE FOR TARGETED INFLATIONARY INCREASE (TII) DEPARTMENT OF MENTAL HEALTH

WHEREAS, NYS Office of Addiction Services and Supports (OASAS) has allocated additional state aid for targeted inflationary increases; and

WHEREAS, Alcohol/Drug Abuse Council of Delaware County, Friends of Recovery Dedicated to Others, Inc and Delaware County Department of Mental Health, have been included in the state aid increase; and

WHEREAS, Delaware County Mental Health will receive this state aid with the third quarter advance for July 2025.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

INCREASE REVENUES:

10-14317-43349300	State Aid Alcohol Clinic	\$14,037.00
10-14317-43349302	State Aid Loc Asst Alcohol Clinic	\$6,825.00
10-14319-43349850	State Alcohol Info & Referral	\$7,249.00

INCREASE APPROPRIATIONS:

10-14317-51000000	Personal Services Exp – AC	\$9,340.00
10-14317-54455020	Medications – MAT	\$4,697.00
10-14317-54200013	FORDO	\$6,825.00
10-14319-54458050	Alcohol Info & Referral	\$7,249.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 111

TITLE: 2025 BUDGET AMENDMENT SUMMER YOUTH EMPLOYMENT PROGRAM DEPARTMENT OF SOCIAL SERVICES

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 2025 Budget be amended as follows:

INCREASE REVENUE:

10-16010-44482002 Summer Youth Employment \$147,217.00

INCREASE APPROPRIATION:

10-16010-54665002 Summer Youth Employment \$147,217.00

The resolution was seconded by Mr. Faulkner and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

TITLE: 2025 BUDGET AMENDMENT DELAWARE COUNTY RENTAL SUPPLEMENT PROGRAM (RSP) DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Rental Supplement Program; and

WHEREAS, the Department believes that this program will assist up to 20 households/individuals who are experiencing homelessness and up to 30 households/individuals who are at risk of homelessness; and

WHEREAS, the County will be 100% reimbursed by the State.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

INCREASE REVENUE:

10-16109-43360900 State Family Assistance \$121,902.00

INCREASE APPROPRIATION:

10-16010-54427029 Rental Supplement Program \$121,902.00

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 113

TITLE: 2025 BUDGET AMENDMENT ADOPTION AND LEGAL GUARDIANSHIP INCENTIVE PAYMENT PLAN (AIPP) GRANTS TO ENHANCE ADOPTION AND FOSTER CARE RECRUITMENT DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Delaware County Department of Social Services is the designated local Agency to administer the Adoption and Legal Guardianship Incentive Fund for Local Department of Social Services Recruitment Activities; and

WHEREAS, the Funding is to be used to promote and increase permanent stable placements for youth; and

WHEREAS, funding is available under the Adoption and Legal Guardianship Incentive Payments Plan (AIPP) in the amount of \$25,000.00.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

INCREASE REVENUE:

10-16119-44468902/6010662/971 Federal Adoption Subsidy \$25,000.00 (Adopt Guard Recruit)

INCREASE APPROPRIATION:

10-16119-54313152/6010662/971 Adopt Guard Recruit \$25,000.00

The resolution was seconded by Mr. Faulkner and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 114

TITLE: 2025 BUDGET AMENDMENT SUMMER YOUTH EMPLOYMENT PROGRAM 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 2025 Budget be amended as follows:

INCREASE REVENUE:

10-1/310-41128901 Oir Ghri Debi inc \$/2.900.0	10-17310-41128901	Otr Gnrl Dept Inc	\$72,960.00
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INCREASE APPROPRIATION:

10-17310-51000000	Personal Services	\$58,900.00
10-17310-58100000	State Retirement System	\$4,829.80
10-17310-58300000	Social Security Employer Contribution	\$3,651.80
10-17310-58400000	Workers Compensation	\$4,712.00
10-17310-58900000	Medicare Employer Contribution	\$854.05
10-17310-54595320	Supplies Office	\$12.35

The resolution was seconded by Mr. Vernold and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

TITLE: 2025 BUDGET AMENDMENT TRANSFER OF FUNDS DEPARTMENT OF MENTAL HEALTH

WHEREAS, Delaware County inmates have been deemed incapacitated to meaningfully participate in their criminal defense proceedings and require care from a NYS Psychiatric hospital; and

WHEREAS, Delaware County is 100% responsible for inpatient psychiatric hospital costs; and

WHEREAS, additional funding is needed to cover current inpatient hospitalizations.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11990-54900000 Contingency \$101,829.42

TRANSFER TO:

10-14390-54535420 Professional Fees Psychiatric \$101,829.42

The resolution was seconded by Mr. Cetta and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 116

TITLE: RESOLUTION APPROVING THE PROPOSED CERTIFICATE OF INCORPORATION AND CONSENTING TO THE FORMATION OF THE DELAWARE COUNTY CAPITAL RESOURCE CORPORATION ECONOMIC DEVELOPMENT

WHEREAS, on January 31, 2008, Section 854 of the General Municipal Law, commonly referred to as the Civic Facilities Legislation (the "Law") expired and, since the expiration of the Law, industrial development agencies have not been able to provide financial assistance to projects owned or operated by not-for-profit corporations (hereinafter referred to as "Civic Facility Projects"); and

WHEREAS, the ability to finance Civic Facility Projects with tax-exempt bonds has been a very important tool for the County of Delaware Industrial Development Agency (the "Agency"), as the Civic Facility Projects undertaken by the Agency have increased employment opportunities for residents of Delaware County and allowed local not-for-profit corporations to upgrade their facilities at the lowest possible cost; and

WHEREAS, local development corporations formed under the New York State Not-For-Profit Corporation Law (the "NFPCL") are created to assist, among others, not-for-profit corporations that are undertaking projects that further any of the following purposes for which local development corporations are created: (1) relieving and reducing unemployment, (2) promoting and providing for additional and maximum employment, (3) bettering and maintaining job opportunities, (4) instructing or training individuals to improve or develop their capabilities for such jobs, (5) carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and (6) lessening the burdens of government and acting in the public interest; and

WHEREAS, in furtherance of the public purposes set forth above, a local development corporation formed under the NFPCL is empowered to take the following actions: (1) to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants in the territory in which its operations are principally to be conducted, (2) to assist financially in such construction, acquisition, rehabilitation and improvement, to maintain such plants for others in such territory, (3) to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, (4) to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, (5) to borrow money and to issue negotiable bonds, notes and other obligations therefor, and (6) to sell, lease, mortgage or otherwise dispose of or encumber any such plants or any of its real or personal property or any interest therein upon such terms as it may determine to be suitable; and

WHEREAS, under the laws of the State of New York, local development corporations are permitted to issue tax-exempt bonds for the benefit of qualifying Civic Facility Projects; and

WHEREAS, in accordance with Section 1411(a) of the NFPCL, prior to forming a local development corporation, the Agency must obtain the County Board of Supervisors' approval of the certificate of incorporation that will be used to form the local development corporation; and

WHEREAS, the Agency has prepared a proposed certificate of incorporation for review by the County Board of Supervisors and a copy of such proposed certificate of incorporation is attached hereto as **Schedule A**.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors as follows:

Section 1. The County Board of Supervisors authorizes the Agency to form a local development corporation in accordance with Section 1411 of the NFPCL; provided, however, that any obligations issued by the local development corporation, and the premium (if any) and interest thereon, shall be special obligations of the local development corporation and shall never be a debt of the State of New York, the County of Delaware, New York or any political subdivision thereof (other than the local development corporation), and neither the State of New York, the County of Delaware, New York nor any political subdivision thereof (other than the local development corporation) shall be liable thereon.

<u>Section 2</u>. The County Board of Supervisors approves the form and substance of the certificate of incorporation presented at this meeting and attached hereto as **Schedule A**, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions

and insertions as the Chairman (or Vice Chairman) and the County Attorney shall approve.

Section 3. This resolution shall take effect immediately.

SCHEDULE "A"

PROPOSED CERTIFICATE OF INCORPORATION

A NOT-FOR-PROFIT LOCAL DEVELOPMENT CORPORATION UNDER SECTION 402 AND 1411 OF THE NOT-FOR-PROFIT CORPORATION LAW OF THE STATE OF NEW YORK

THE UNDERSIGNED, being over the age of eighteen years, for the purpose of forming a not-for-profit local development corporation pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York (the "N-PCL"), hereby certifies as follows:

FIRST: The name of the corporation is Delaware County Capital Resource Corporation (hereinafter referred to as the "Corporation").

SECOND: The Corporation will be a corporation as defined in subparagraph (a)(5) of Section 102 of the N-PCL and, as provided in Section 1411(b) of the N-PCL, will be a Type C Corporation as defined in Section 201 of the N-PCL. The Corporation is a public instrumentality of, but separate and apart from, Delaware County (the "County").

- THIRD: The purpose for which the Corporation is to be formed and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, is to lessen the burdens of government by fulfilling the purposes now or hereafter referred to in Section 1411(a) of the N-PCL including, without limitation, by means of engaging in the following activities:
- (a) promoting community and economic development and the creation of jobs in the non-profit and for-profit sectors for the citizens of the County by developing and providing programs for not-for-profit institutions, manufacturing and industrial businesses and other entities to access low interest tax-exempt and non-tax-exempt financing for their eligible projects;
- (b) issuing and selling one or more series or classes of bonds, notes and other obligations (the "Obligations") through public letting, private placement, or negotiated underwriting to finance activities referred to in subparagraph (a) above, on a secured or unsecured basis;
- (c) engaging the services of one or more underwriters, placement agents, consultants, attorneys, financial advisors and other persons whose services may be appropriate or desirable in connection with the acquisition and financing referred to above;
- (d) undertaking projects and activities within the County for the purpose of relieving and reducing unemployment, bettering and maintaining job opportunities, carrying on scientific research for the purpose of aiding the County by attracting new industry to the County or by encouraging the development of, or retention of, an industry in the County, and lessening the burdens of government and acting in the public interest;
- (e) entering into contracts with any other economic development organizations sponsored by the County to help achieve the purposes described in paragraph (d) above; and

(f) in general, performing any and all acts and things, and exercise any and all powers which may now or hereafter be lawful for the Corporation to do or exercise under and pursuant to the laws of the State of New York for the purpose of accomplishing any of the foregoing purposes of the Corporation.

FOURTH: The activities referred to in subparagraph (a) of paragraph THIRD above will achieve the lawful public purposes of lessening the burdens of government, the carrying out of such purposes and the exercise of the powers conferred on the Corporation being the performance of an essential governmental function, it being understood that the performance of such activities will assist the County in reducing unemployment and promoting additional job growth and economic development.

FIFTH: The operations of the Corporation will be conducted within the territory of the County. Notwithstanding any other provision of this Certificate of Incorporation, the by-laws and any provision of law, so long as any Obligations remain outstanding, the Corporation will not do any of the following:

- (a) engage in any business or activity other than as set forth in paragraph THIRD;
- (b) without the consent of the County and the affirmative vote of two thirds of the members of the Board of Directors of the Corporation, (i) dissolve or liquidate, in whole or in part, or institute proceedings to be adjudicated bankrupt or insolvent, (ii) consent to the institution of bankruptcy or insolvency proceedings against it, (iii) file a petition seeking or consent to reorganization or relief under any applicable federal or state law relating to bankruptcy or insolvency, (iv) consent to the appointment of a receiver, liquidator, assignee, trustee, sequestrator or other similar official of the Corporation or a substantial part of its property, (v) make a general assignment for the benefit or creditors, (vi) admit in writing its inability to pay its debts generally as they become due or (vii) take any corporate action in furtherance of the actions set forth in clauses (i) through (vi) of this paragraph; or
- (c) without the consent of the County and the affirmative vote of two thirds of the members of the Board of Directors of the Corporation, merge or consolidate with any other corporation, company or entity or, except to the extent contemplated by paragraph THIRD hereof, sell all or substantially all of its assets or acquire all or substantially all of the assets or capital stock or other ownership interest of any other corporation, company or entity.

SIXTH: Pursuant to the requirements of Section 1411(e) of the Not-For-Profit Corporation Law:

- (a) All income and earnings of the Corporation will be used exclusively for its corporate purposes or accrue and, subject to the Corporation's responsibilities under the Obligations, be paid to the New York Job Development Authority.
- (b) No part of the income or earnings of the Corporation will inure to the benefit or profit of, nor will any distribution of its property or assets be made to, any member, director or officer of the Corporation, or private person, corporate or individual, or to any other private interest, except that the Corporation may repay loans made to it and may repay contributions (other than dues) made to it to the extent that any such contribution may not be allowable as a deduction in computing taxable income under the Internal Revenue Code of 1986, as amended.

(c) If the Corporation accepts a mortgage loan or loans from the New York Job Development Authority, the Corporation will dissolve in accordance with the provisions of paragraph (g) of Section 1411 of the N-PCL upon the repayment or other discharge in full by the Corporation or all such loans.

SEVENTH:

- (a) The Corporation will not attempt to influence legislation by propaganda or otherwise, or participate in or intervene, directly or indirectly, any political campaign on behalf of or in opposition to any candidate for public office.
- (b) The Corporation will not engage in any activities not permitted to be carried on by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.
- (c) The Corporation will not accept a mortgage loan or loans from the New York Job Development Authority.

EIGHTH: In the event of the dissolution of the Corporation or the winding up of its affairs, the Board of Directors will, after paying or making provision for the payment of all of the liabilities of the Corporation, distribute all of the remaining assets and property of the Corporation to the County, so that the County can use such assets and property to accomplish the purposes set forth in Section 1411(a) of the N-PCL. Any of such assets not so disposed of will be disposed of by order of the Supreme Court of the State of New York pursuant to Section 1008 of the N-PCL.

NINTH: The office of the Corporation will be located in Delaware County, New York. The Corporation at all times will:

- (a) upon request by the County, the Corporation will make available any and all books and records of the Corporation for inspection by the Chairman of the Delaware County Board of Supervisors (the "Board of Supervisors") and his or her staff; and
- (b) submit to the Board of Supervisors an annual financial report together with a report of the operations and accomplishments of the Corporation for such annual period.
- (c) The governing body of the County, the New York State Authority Budget Office and the New York State Comptroller will have the right to conduct an annual audit of the books and records of the Corporation.

TENTH: The County is the sole member of the Corporation.

ELEVENTH: The Corporation will be managed by a Board of Directors, who are to be comprised of those persons named in paragraph TWELFTH hereof (the "Directors"). Each of the Directors will serve at the pleasure of the governing body of the County and continue to hold office until his successor is appointed by the governing body of the County.

The Corporation is deemed to be a public body (as such term is defined in the Open Meetings Law) and, as such, each meeting of the Board of Directors of the Corporation will be conducted in the manner prescribed by the Open Meetings Law. The Directors will not receive compensation for services provided to or on behalf of the Corporation.

TWELFTH: The Corporation will consist of not less than three nor more than seven Directors. The Directors will be appointed by the governing body of the County and will include (a) the Chairman of County of Delaware Industrial Development Agency, (b) the Vice-Chairman of County of Delaware Industrial Development Agency, (c) the Treasurer of County of Delaware Industrial Development Agency, (d) the Secretary of County of Delaware Industrial Development Agency, and (e) any additional members of the County of Delaware Industrial Development Agency.

- (a) The names and addresses of the initial Directors of the Corporation are as follows:
 - (i) Wayne Oliver, 1 Courthouse Square, Suite 4, Delhi, New York 13753.
 - (ii) Scott White, 1 Courthouse Square, Suite 4, Delhi, New York 13753.
 - (iii) Bruce Dolph, 1 Courthouse Square, Suite 4, Delhi, New York 13753.
 - (iv) Christopher Price, 1 Courthouse Square, Suite 4, Delhi, New York 13753.
 - (v) Noel Goodspeed, 1 Courthouse Square, Suite 4, Delhi, New York 13753.
 - (vi) Michael O'Brien, 1 Courthouse Square, Suite 4, Delhi, New York 13753.
 - (vii) Flerida Santana, 1 Courthouse Square, Suite 4, Delhi, New York 13753.

It is acknowledged that the Directors hold comparable positions with County of Delaware Industrial Development Agency established by Chapter 531 of the 1971 Laws of the State of New York, as amended. By reason of the shared public purposes of the Corporation and the County of Delaware Industrial Development Agency, none of the Directors of the Corporation will be deemed to have a conflict of interest solely due to such person's position with the County of Delaware Industrial Development Agency.

The powers of the corporation set forth in paragraph THIRD hereof will be subject to the following limitations:

- (A) The Corporation will only undertake projects that are not authorized by Article 18A of the New York State General Municipal Law (the "New York State Industrial Development Agency Act") unless the Corporation receives a written request from County of Delaware Industrial Development Agency asking the Corporation to consider undertaking such project.
- (B) The bonds or notes and other obligations of the Corporation will not be a debt of the State of New York or Delaware County, and neither the State of New York nor Delaware County will be liable thereon, nor will they be payable out of any funds other than those of the Corporation.
- (C) The Corporation will hold a public hearing on any financial assistance in excess of \$100,000 proposed to be provided by the Corporation to a project at which interested parties will be provided with reasonable opportunity, both orally and in writing, to present their views with respect to the project. The Corporation will give the same notice of such hearing as the County of Delaware Industrial Development Agency would be required to give pursuant to the provisions of Section 859-a and b of the General Municipal Law of the State of New York as if such hearing was a public hearing of the County of Delaware Industrial Development Agency with respect to a project.

THIRTEENTH: The Corporation will be subject to the Public Authorities Accountability Act of 2005 (the "Act"). As such, the Corporation will be required to, among other things: (1) undergo annual independent audits and submit the results of such audits to the County and the New York State Authority Budget Office, (2) prepare and submit its annual budget to the County and the New York State Authority Budget Office, (3) adopt the various ethical, reporting, property disposition and disclosure policies required by the Act, and (4) form governance and audit committees to ensure the Corporation is in compliance with the Act and any other applicable laws.

FOURTEENTH: The Secretary of State of the State of New York is designated as agent of the Corporation upon whom process against it may be served. The post office address to which the Secretary of State will mail a copy of any process against the Corporation served upon him or her is Delaware County Capital Resource Corporation, 1 Courthouse Square, Suite 4, Delhi, New York 13753. Attn: Glenn Nealis, Executive Director

FIFTEENTH: The By-laws of the Corporation may be adopted, amended or repealed by a majority of the Directors of the Corporation upon 10 days notice to all of the Directors, <u>provided</u>, <u>however</u>, that the Corporation will not amend, alter, change or repeal any provision of the adopted By-laws without the consent of the Chairman of the Board of Supervisors.

SIXTEENTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in any manner now or hereafter provided herein or by statute; <u>provided</u>, <u>however</u>, that (1) the Corporation will not amend, alter, change or repeal any provision of this Certificate of Incorporation without the affirmative vote of two-thirds of the members of the Board of Directors of the Corporation and the consent of the Chairman of the Board of Supervisors, and (2) the Corporation will not amend or change any provision of this Certificate of Incorporation without first providing the Chairman of the Board of Supervisors and the Directors with 10 days advance notice of any proposed amendment, alteration, change or repeal.

IN WITNESS WHEREOF, this certificate has been subscribed by the undersigned this _____ day of June, 2025.

Christopher C. Canada, Incorporator Hodgson Russ LLP 677 Broadway, Suite 401 Albany, New York 12207

The resolution was seconded by Mrs. Driscoll and Mr. Cetta and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 117

TITLE: AUTHORIZING THE SCHEDULING/PUBLICATION OF A PUBLIC HEARING TO OBTAIN CITIZEN INPUT REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED BY THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, the New York State Office of Community Renewal administers funds made available to the State by the U.S Department of Housing & Urban Development through the Community Development Block Grant Program; and

WHEREAS, the Community Development Block Grant Program provides funding to eligible entitlement communities for housing, and community & economic development projects; and

WHEREAS, Delaware County is considering the development of a microenterprise program to provide financial assistance, in the form of small, matching grants to entrepreneurs and businesses; and

WHEREAS, subject to citizen input regarding the CDBG program, Delaware County would potentially submit an application to the New York State Office of Community Renewal for up to \$300,000 for the establishment of a microenterprise program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for Delaware County hereby authorizes the scheduling and publication of a public hearing to solicit citizen input regarding the CDBG program and a potential application for funding to establish a microenterprise program in Delaware County to be held on July 23, 2025 at 1:00 p.m.

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

Ms. Molé stated that the public hearing will be held at the next Board of Supervisors meeting on Wednesday, July 23 at 1:00 p.m.

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

RESOLUTION NO. 118

TITLE: CORRECTION OF CURRENT TAX ROLLS IN ACCORDANCE WITH SECTION 554 OF THE REAL PROPERTY TAX LAW REAL PROPERTY TAX SERVICES

WHEREAS, the Director of the Real Property Tax Service Agency has been presented with an application for correction of the 2025 tax roll by the Sidney Town Assessor.

BE IT RESOLVED that in accordance with Section 554 of the Real Property Tax law that the following be approved and the Chairman of the Board be authorized to sign the approval of the application on behalf of the Board.

TOWN OF SIDNEY: Tax Map No. 115.19-5-12, assessed to Chenango Memorial Hospital Inc., due to the automatic exemption removal due to a term date, the property was taxed and the tax bill is deemed uncollectable and should be cancelled. The County portion of the bill was \$4,071.54.

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 119

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

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

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is authorized to sell by on-line auction or scrap the following items and all spare parts:

Dept. Vehicle No.	Description	Serial Number/VIN
DPW 60	2013 Chevrolet Pickup	1GCRKSE78DZ291948
DPW 90	2008 Ford Pickup	1FTSX215X8EE12435
DPW 391	2008 International	3HTMMAAN68N639401
DPW 521	2002 Chrysler Minivan	1C4GJ25382B646100

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

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

RESOLUTION NO. 120

TITLE: SALE OF REAL PROPERTY DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Board of Supervisors is empowered to sell, buy or lease real property on behalf of the county; and

WHEREAS, the Department of Public Works building and parking lots at Page Avenue Delhi, NY 13753 have been deemed surplus real property; and

WHEREAS, County Law §215 authorizes the Board of Supervisors to sell real property at a public auction, to the highest responsible bidder after public advertisement.

NOW, THEREFORE, LET IT BE RESOLVED that the Board of Supervisors authorizes the sale of the above stated property pursuant to County Law §215.

The resolution was seconded by Mr. Kosier and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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:

TITLE: 2025 BUDGET AMENDMENT TRANSFER OF FUNDS COUNTY ATTORNEY'S OFFICE

WHEREAS, Delaware County receives hundreds of FOIL requests annually; and

WHEREAS, due to the complexity of the requests and time constraints placed thereon, the County Attorney's Office has investigated software to meet this ever growing demands; and

WHEREAS, after diligently investigating the various options and observing several demonstrations a software package from CIVICPLUS has been chosen.

NOW, THEREFORE, BE IT RESOLVED that the 2025 Budget be amended as follows:

TRANSFER FROM:

10-11990-54900000 Contingency \$14,000.00

TRANSFER TO:

10-11420-54580000 Software \$14,000.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

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

RESOLUTION NO. 122

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,456,205.00 were hereby presented to the Finance Committee for approval for payment on June 11, 2025 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 Public Safety Comm System	\$1,427,931.31 \$1,968.755
Highway Audits, as Follows:	
Solid Waste/Landfill	\$9,329.92
Machinery	\$16,975.02

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,923,281.12 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	\$867,908.08
OET	\$17,888.25
Highway Audits, as Follows:	
Weights & Measures	\$191.58
Solid Waste/Landfill	\$187,535.51
Road	\$117,762.70
Machinery	\$203,703.73
Capital Solid Waste	\$11,192.98
Capital Road & Bridge	\$1,502,312.17
CAP DPW Complex	\$14,786.12

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 184, Noes 0, Absent 16 (Scott, Hinkley).

Chairman Molé made the following committee appointment:

DELAWARE COUNTY LOCAL DEVELOPMENT CORPORATION

Term ending December 31, 2025

Appoint:

Edward Rosa

Upon a motion, the meeting was adjourned at 1:28 p.m.