

This Appendix provides documentation of public and stakeholder outreach conducted during the development of the Delaware County Hazard Mitigation Plan Update, and includes:

- Screenshots of the Public Hazard Mitigation Websites
- Informational Materials
- Media releases and newspaper articles on the County planning effort
- Stakeholder Surveys and Integration of Survey Responses
- Documentation of Public Outreach and Stakeholder Meetings

Public and stakeholder involvement in this planning process has been broad and productive as discussed in Section 3 (Planning Process). Their input has been incorporated throughout this Plan document as identified in the references, as well as within specific mitigation initiatives identified in Volume II, Section 9.



# Delaware County Department of Emergency Services



*Delaware  
County  
All-Hazard*



# *Mitigation*

Please take a moment to fill out the [Citizen Hazard Preparedness Survey](#).

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... [2012 Plan Update – Draft Plan 2012](#)

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## **Hazard Mitigation Plan 2012 Update - Introduction**

Delaware County residents are well aware of their vulnerability to natural hazards such as flooding, severe storms, and severe winter storms. Hazard mitigation planning is a step toward addressing these hazards and the effects on County businesses and population and reducing future damages due to hazard events. Residents and businesses benefit from comprehensive hazard mitigation planning by using a sustained pro-active approach to reduce or eliminate long term risk to people and property from hazards. By utilizing mitigation planning, communities

assess risks and identify actions to reduce their vulnerability and increase sustainability.

#### Mission Statement:

***The mission of the Delaware County Multi-Jurisdictional All-Hazard Mitigation Plan is to identify and reduce, through cost-effective and sustainable mitigation efforts, our vulnerability to natural and man-made hazards. In doing so, Delaware County seeks to create an informed and prepared community while protecting its health, safety, property, economy, quality of life, and environment.***

A Hazard Mitigation Plan (HMP) is a living document that communities use to reduce their vulnerability to hazards. HMPs form the foundation for a community's long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction, and repeated damage. They create a framework for risk-based decision making to reduce damages to lives, property, and the economy from future disasters.

Further, communities must have an approved HMP to apply for or receive pre-disaster mitigation grant funding. Grant funding is available for projects to mitigate risk to both public and private property. For example projects such as home elevations and local flood mitigation projects are eligible for funding. Ultimately, these actions reduce vulnerability, and communities are able to recover more quickly from disasters.

Delaware County's original HMP was approved by FEMA in June 2006, and may be seen at the [2006 Plan link](#). By regulation, local HMPs must be formally updated every five years. The update process is an opportunity for Delaware County and its municipalities to re-examine its vulnerability to natural hazards, evaluate progress on the mitigation strategies identified in the original plan, and add new mitigation actions/projects/initiatives so that the County can continue to lower its overall natural hazard risk.

Delaware County's Department of Emergency Services and the Planning Department are managing this plan update effort, supported by the Delaware County HMP Steering Committee and Tetra Tech, Inc. (Morris Plains, NJ). This plan update effort is expected to continue through Spring 2012. The County and all 29 municipalities (the "Planning Partnership") have committed to participating in this update process, and so continue to be eligible for pre-disaster mitigation grant funding for eligible projects.

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### **What is Hazard Mitigation?**

Hazard Mitigation is any action taken to reduce the loss of life and property by lessening the impact of disasters (natural, technological and man-made). It is often considered the first of the four phases of emergency management: mitigation, preparedness, response, and recovery.

Mitigation measures fall into the following six general categories, and address both public and private property:

**Prevention:** Measures such as planning and zoning, open space preservation, and development regulations, building codes, storm water management, fire fuel reduction, soil erosion, and sediment control.

**Property Protection:** Measures such as acquisition, relocation, storm shutters, rebuilding, barriers, flood-proofing, insurance, and structural retrofits for high winds and earthquake hazards.

**Public Education and Awareness:** Measures such as outreach projects, real estate disclosure, hazard information centers, technical assistance, and school age and adult education programs.

**Natural Resource Protection:** Measures such as erosion and sediment control, stream corridor protection, vegetative management, and wetlands preservation.

**Emergency Services:** Measures such as hazard threat recognition, hazard warning systems, emergency response, protection of critical facilities, and health and safety maintenance.

**Structural Projects:** Measures such as dams, levees, seawalls, bulkheads, revetments, high flow diversions, spillways, buttresses, debris basins, retaining walls, channel modifications, storm sewers, and retrofitted buildings and elevated roadways (seismic protection).

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### **How does this Plan benefit Delaware County?**

The hazard mitigation plan assists Delaware County with the following:

- ε An increased understanding of natural hazards the County faces
- ε Reduced long-term impacts and damages to human health and structures and reduced repair costs
- ε Development of more sustainable and disaster-resistant communities
- ε Access to [federal mitigation grant funding](#) for eligible projects

Proactive mitigation leads to sustainable, more cost-effective projects. By contrast, reactive mitigation tends to lead to the “quick-fix” alternatives; it simply costs too much to address the effects of disasters only after they happen. A surprising amount of damage can be prevented if the County anticipates where and how disasters will occur, and take steps to mitigate those damages.

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### **How can I get involved in the Plan Update?**

Take the online [Citizens Hazard Preparedness Survey](#).

Review the [2006 Hazard Mitigation Plan](#) and provide input.

Review the [2012 Plan Update Draft](#) below and provide input

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Attend [public outreach activities](#) held during the Plan Update process.

Contact the [County Contacts](#) or [Municipal Contacts](#) if you are interested in mitigating your residential or commercial property.

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**Public Outreach Activities**

Announcements for public outreach activities held during the plan update process shall be made here once they are scheduled.

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**County Contacts**

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### **Hazard Mitigation Steering Committee**

As the title suggests, the role of the Steering Committee is to provide guidance and direction to the planning effort to ensure the resulting document will be embraced both politically and by the constituency within the planning area. The Steering Committee will provide guidance and leadership, oversee the planning process, and act as the point of contact for all participating communities and the various interest groups in the planning area. The makeup of this committee was selected to provide a cross section of views to enhance the planning effort and to help build support for hazard mitigation.

The Steering Committee that has been selected for this process is as follows:

<b><u>Name</u></b>	<b><u>Affiliation</u></b>
Richard Bell	Director, DC Department of Emergency Services
Nicole Franzese	Director, DC Planning Department
Wayne Reynolds	Commissioner, DC Department of Public Works
Tom Mills	Sheriff, DC Sheriff's Office
Dean Frazier	Commissioner, DC Watershed Affairs
Graydon Dutcher	Stream Program Coordinator, DC Soil & Water Cons. District
Michael Jastresmski	DC Planning Department
Kristin Janke Schneider	DC Planning Department

Carissa L. Fairbairn

DC Department of Public Works

Agendas and Minutes for Steering Committee meetings may be reviewed here:

June 15, 2011 Meeting:      [Agenda](#)      [Minutes](#)

July 18, 2011 Meeting:      [Agenda](#)      [Minutes](#)

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## **Resources and Links**

### **Agencies / Organizations**

-

Delaware County Department of Emergency Services:

<http://www.co.delaware.ny.us/departments/des/des.htm>

Delaware County Planning Department:

<http://www.co.delaware.ny.us/departments/pln/pln.htm>

Delaware County Soil & Water Conservation District

<http://www.dcswcd.org/>

Delaware River Basin Commission

<http://www.state.nj.us/drbc/>

New York State Office of Emergency Management – Mitigation Section:

<http://www.dhses.ny.gov/oem/mitigation/>

New York State Department of Environmental Conservation

<http://www.dec.ny.gov/index.html>

New York City Department of Environmental Protection

<http://www.nyc.gov/html/dep/html/home/home.shtml>

Federal Emergency Management Agency (FEMA) Home Page:

[www.fema.gov](http://www.fema.gov)

FEMA Hazard Mitigation Division:

[www.fema.gov/about/divisions/mitigation/mitigation.shtm](http://www.fema.gov/about/divisions/mitigation/mitigation.shtm)

FEMA – Region II:

<http://www.fema.gov/about/contact/regionii.shtm>

### **Mitigation Planning**

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FEMA Hazard Mitigation Planning Page:

<http://www.fema.gov/plan/mitplanning/>

Mitigation Planning Guidance Documents:

<http://www.fema.gov/plan/mitplanning/guidance.shtm#3> \_

## **Flood Insurance and Grant Programs**

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National Flood Insurance Program:

[www.fema.gov/business/nfip/index.shtm](http://www.fema.gov/business/nfip/index.shtm)

FEMA Mitigation Grant Programs:

<http://www.fema.gov/government/grant/hma/index.shtm>

## **Regulatory**

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Hazard Mitigation Planning Laws, Regulations and Guidance:

<http://www.fema.gov/plan/mitplanning/guidance.shtm>

## **Hazard Information**

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FEMA Hazard Support:

[www.fema.gov/hazard/index.shtm](http://www.fema.gov/hazard/index.shtm)

National Weather Service – National:

<http://www.nws.noaa.gov/>

National Weather Service Forecast Office – Binghamton, NY:

<http://www.erh.noaa.gov/bgm/>

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# Delaware County Planning Department



Town Planning Advisory  
Services(TPAS) ▶

Geographic Information  
Systems(GIS) ▶

Environmental Planning ▶

County Planning Board ▶

Emergency  
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Delaware County  
Planning Department ▶

Agricultural ▶

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## Delaware County Multi-Jurisdictional Hazard Mitigation Plan

The Disaster Mitigation Act of 2000 (DMA 2000) requires local communities to develop and implement mitigation plans to identify and prioritize natural hazards and develop strategies to reduce the impact of hazards when they occur. Complying with DMA 2000 also allows local communities to be eligible for federal mitigation planning grants. The Delaware County Multi-Jurisdictional Hazard Mitigation Plan will meet this requirement and provide a coordinated approach to hazard mitigation and help ensure that future mitigation projects support protection of the community in the most effective and efficient manner possible.

To oversee the process locally, the All-Hazard Steering Committee was formed. It consists of numerous County agencies including Code Enforcement, Planning, Emergency Services, Public Works, Public Health, Social Services, and the Sheriffs Office as well as other organizations like the NY State Emergency Management Office (SEMO) and the Soil and Water Conservation District and DEP. The most important participants, however, will be the individual municipalities, local officials, and the public who have valuable information to contribute to this multi-jurisdictional effort.

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[Executive Summary](#)

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# Delaware County Planning Department



**Town Planning Advisory  
Services(TPAS)** ▶

**Geographic Information  
Systems(GIS)** ▶

**Environmental Planning** ▶

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**Emergency  
Management** ▶

**Delaware County  
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**Links / SWCD and DCPD**

**Contacts**

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If you think you may be interested in the Hazard Mitigation Grant individual assistance applicant, please review the PowerPoint presentation file. In order to preliminarily enroll in the application you will be required to complete the Voluntary Mitigation Grant Participation Form and the Property owner Questionnaire II and submit it back to the Planning Department or Town of Middletown Building and Zoning Office by Feb 10th 2012. The County must have the LOI completed and submitted to the State by Feb 29th. There is also some information specific to tenants that were affected.

In the event someone is interested in pursuing an elevation rather than or in addition to an acquisition of their affected property, you must complete the Structural Elevation LOI and contact the Planning Department as soon as possible as the submission requirements are much more in depth and take additional time to prepare.

This program is completely voluntary; interested participants can back out at any time. If you cannot submit information by February 10th, please contact the County Planning Department for information on an extension for submittal. Thank you.

[Power Point on Middletown](#)

[Power Point on Sidney](#)

[Voluntary Mitigation Form](#)

[Property Owner Questionnaire](#)

[Tenant Informaton Form](#)

[LOI Form](#)

Delaware County's original HMP was approved by FEMA in June 2006, and may be seen at <http://delawarecountyplanning.com/HazardMitigation.aspx>. By regulation, local HMPs must be formally updated every five years. The update process is an opportunity for Delaware County and its municipalities to re-examine its vulnerability to natural hazards, evaluate progress on the mitigation strategies identified in the original plan, and add new mitigation actions/projects/initiatives so that the County can continue to lower its overall natural hazard risk.

Delaware County's Department of Emergency Services and the Planning Department are leading this plan update effort, which is expected to continue through Spring 2012. The County and all 29 municipalities have committed to participating in this update process, and so continue to be eligible for pre-disaster mitigation grant funding for eligible projects.

For more information contact:

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## Delaware County Hazard Mitigation Plan Update 2012

### Reducing Losses to Natural Hazards

The mission of the Delaware County Multi-Jurisdictional All-Hazard Mitigation Plan is to identify and reduce, through cost-effective and sustainable mitigation efforts, our vulnerability to natural and man-made hazards. In doing so, Delaware County seeks to create an informed and prepared community while protecting its health, safety, property, economy, quality of life, and environment.



## **Purpose**

Delaware County's Department of Emergency Services and Planning Department are leading this plan update effort for Delaware County and its municipalities. This effort is expected to continue through Spring 2012 and is an opportunity to detail a variety of potential hazards that could affect the County's people, property and economy. It will also allow the County and participating municipalities to continue to be eligible for future mitigation funding from FEMA.

The goal of the plan update is to identify projects that can reduce damages from future natural hazards. The plan will include a Risk Assessment and a Hazard Mitigation Strategy. The primary hazards of concern in Delaware County include Flooding, Severe Storms, Severe Winter Storms, Dam Failure, Wildfire and Extreme Temperatures.

The plan will focus on existing and future buildings, infrastructure, and critical facilities that might be impacted. Critical facilities include police, fire, shelters and hospitals and infrastructure such as power-generation facilities, water utilities, roadways, railroads, and communication systems.

## **How can I provide information to support the plan?**

To obtain input and gauge citizen preparedness for natural hazard events, a public survey may be accessed from the Delaware County Hazard Mitigation website at: <http://www.dcdes.org/AHMP%20page.htm>, or directly at <http://www.surveymonkey.com/s/V8JFKO2>.

Please visit the site and complete the survey to provide valuable information for the planning process.

Inform the Planning Committee if you are interested in mitigating your residential or commercial property.

## **Where can I review the Draft Plan and provide input if I choose?**

Sections of the plan will be available for download and review at the Delaware County Hazard Mitigation website at <http://www.dcdes.org/AHMP%20page.htm>.

Comments on the draft plan may be forwarded to the contacts identified in this brochure.



## **Can I get funding to mitigate my property?**

Possibly, once this Plan is approved by FEMA and adopted by Delaware County, owners of properties vulnerable to flooding are frequently eligible to receive funding to elevate a structure above flood levels, or have their property acquired by their municipality. Generally the property must have a history of NFIP (National Flood Insurance Program) damage claims. The property owner may be responsible for up to 25% of the project costs. Interested property owners should contact their local NFIP Floodplain Administrator or the contacts identified in this brochure.

## **A note about NFIP Flood Insurance:**

Many properties in Delaware County are vulnerable to flooding; for those it is not a question of if, but when and how severe. NFIP flood insurance is available to everyone. Standard homeowner policies do NOT cover flood damage. Federal grants to mitigate vulnerable properties are typically only awarded to those who participate in, and have made claims against, the NFIP.

If you live in or near a flood-prone area and don't have flood insurance, get it! If you have it and suffer flood damage, use it! If you can, mitigate your property!

# The Daily Star, Oneonta, NY - otsego county news, delaware county news, oneonta news, oneonta sports

March 24, 2011

## Delaware discusses vets program

By Mark Boschnack  
Staff Writer

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A proposed program for veterans and planning for emergencies were among the subjects of presentations to the Delaware County Board of Supervisors during its regular Wednesday meeting in Delhi.

County Veteran Services Director John Boecke presented a program to thank veterans, which he would be giving to town chambers of commerce. The Return the F.A.V.O.R. program is similar to one initiated in other counties. It registers honorably discharged veterans and provides them with a picture I.D., which can be used for discounts at participating businesses.

He asked the supervisors to inform their communities about the plan. Board members provided him with suggestions and supported both the initiative and Boecke's efforts to work with veterans.

A presentation was also made about the update to the all-hazard mitigation plan by coordinator Nicole Franzese. The mandated plan identifies and prioritizes natural hazards and develops strategies to reduce the impact when they occur.

The Federal Emergency Management Agency has changed some of the recommendations and requirements since its last plan, which was approved about five years ago, Emergency Services Coordinator Rich Bell said. Some grant funding was available for the project that should be completed by the end of the year, he said. Other funds are being applied for to help with the effort.

County Social Services Commissioner William Moon said the center for Friends of Recovery for Delaware and Otsego Counties should be open by May 1. The county is leasing the space at 167 Main St. to the organization that has a similar site in Oneonta. It will be used for such activities as group meetings and treatment services.

"This is a community resource that is really needed," he said.

<http://thedailystar.com/local/x321547919/Irene-memories-flood-back-to-area/print>

The employee of the month recognized by the board was Jacob Alvarez, a sign shop worker for the Department of Public Works. In presenting the recognition, department Commissioner Wayne Reynolds said his employee goes "above and beyond in everything he does."

# The Daily Star, Oneonta, NY - otsego county news, delaware county news, oneonta news, oneonta sports

*August 27, 2012*

## Irene memories flood back to area

*By Denise Richardson, Staff Writer*

**The Daily Star**

The Daily Star — The hurricane season has started for this year, but Jim Young of Prattsville said weather reports are too stressful to watch.

Last year, flooding from Tropical Storm Irene wrenched his hardware and feed store, A.J. Young and Son Inc., off its foundation and flooded his nearby home. The business, known as the Prattsville Agway, reopened months ago and the house was renovated, but he said emotional bruises linger even as positive steps continue toward recovery.

On Aug. 28, the tropical storm, downgraded from a hurricane, dumped torrents of rain on the Catskills, Adirondacks, Berkshires and Vermont. In New York state, Delaware and Schoharie counties were among the seven hardest hit, and Irene's rainy, windy punch damaged or destroyed roads, bridges, homes and businesses, and one woman was killed.

Prattsville businessman weathers the storm

In Prattsville in the early morning of Aug. 28, Jim Young said, he, his wife, Peggy, and their adult sons, John and Brian, went to the hardware store and took some precautions. They moved computers to a dry location, he said, and relocated three horses to a higher site from the barn, where a foot of water collected. The storm raged while they were in the store, which was built on a three-foot platform, and Young said, eventually the store was flooded by 4 feet of water.

"I really wanted to get out of this building — I didn't want it to cave in," Young said. The family made a plan: John ran a garden hose from the store to a nearby utility shed, and the four climbed, along with their three dogs, onto the slightly pitched roof of the shed. They sheltered themselves with plastic garbage bags, and bags of topsoil provided some leverage.

Storm water swirled below, and at one point, Young pleaded breathlessly to Irene, "Don't take my greenhouse," which was nearby, but the structure was swept away.

After about 2½ hours on the roof and after water receded, the Youngs left the shed roof to find indoor shelter.

<http://thedailystar.com/local/x321547919/Irene-memories-flood-back-to-area/print>

“We felt good about getting back inside,” Young said. “There were other people who had just as scary experiences — I’m just glad we were all together.”

Irene destroyed about half the 5,000-square-foot retail space of A.J. Young & Son for a total property loss of about \$500,000, said Young, who didn’t have flood insurance. Irene caused “unsurpassed” damages since the family business was founded by his father in 1957, he said.

The cleanup began, and about six weeks later, some merchandise was being sold from a pole barn, he said. The main retail store re-opened Dec. 1. After the business secured a \$430,000 loan through the Small Business Administration, a two-story, 40-by-60 foot building was constructed to replace a lost wing, Young said. Finishing touches are under way, he said, and plans are to have a grand opening this autumn for the downstairs.

Young credits continued business from the community, funding through a federal loan and volunteers as key contributors toward recovery, which continues. Volunteers helped with “rotten, dirty jobs” to clean mud and debris from the property and merchandize, he said.

Young said he and his wife live in a 100-year-old house that stands about 30 yards behind the business. Flood water from Irene filled the basement, then rose to 5 feet on the first floor, he said.

The Federal Emergency Management Agency provided \$29,000 because more than 50 percent of the house was damaged, Young said, and with insurance and volunteer help, the home was renovated. A second-home owner offered the use of a house a few miles away, Young said, and they lived there for about eight months.

“People wanted to help people,” Young said. “You see the support and love that comes from your community and all around — other parts of the country. It’s just unbelievable what people did — I can’t say enough.”

Recently, Young tried to show his gratitude.

His son John married Jessica Lane earlier this month, and after the formal reception in the store’s new two-story building, Young opened up the second floor and asked residents, customers and others in the community to join the family for food, drinks and dancing.

“It was a way for me to say ‘thank you,’” Young said. About 200 people accepted his invitation to party in the upstairs of the addition, he said, while about 150 wedding reception guests celebrated downstairs.

Young said living through a storm like Irene is emotionally and psychologically bruising and he has become especially attuned to his wife’s anxiety about rainfall.

“It’s tough on my wife,” he said, and they don’t watch the Weather Channel now.

But he pays attention to the weather report enough to plan special activities with his wife if heavy rainfall is in the forecast. Once, when 2 or 3 inches were predicted, Young took his

wife to Albany for an overnight stay, restaurant meals and shopping, keeping the weather-related reason to himself.

Healing, he said, takes time and compassion.

Emergency Services director coordinated response

Richard Bell, director of the Delaware County Department of Emergency Services, said in the days that Hurricane Irene was moving up the coast, area officials met to consider various “what if” scenarios. A decision was made not to deploy emergency trucks, resources and personnel to areas downstate because of possible local needs.

The decision was a good one, Bell said.

“I had great concerns from the beginning that this could go either way,” Bell said. “We were too close for comfort.”

Delaware County’s previous experiences with flooding have been applied into disaster preparedness and the formation and readiness of the county’s emergency services center on Phoebe Lane in Delhi, Bell said. The response to Irene was a matter of coordinating efforts, services, volunteers and resources through the center, he said.

Before Hurricane Irene, the county had been working on updating its All-Hazard Mitigation Plan, Bell said. But the storm intensified the effort to revise the comprehensive plan to identify vulnerabilities in the county, such as flood-prone areas, and plans to reduce damages in the future.

“There were a number of lessons learned as we look back to improve our service,” Bell said. The No. 1 effort has been working on improving emergency communications systems, he said, and to that end, the county joined Otsego, Schoharie, Greene, Sullivan and Ulster counties in the Catskill Consortium, which aims to improve communications in the area and leverage funding.

“Disasters don’t happen inside county lines,” Bell said

Margaretville mayor ‘surprised’ by recovery

The business community in the village of Margaretville has made a “remarkable” comeback that has attracted shoppers, Mayor William Stanton said Friday, adding that significant steps have included the reopening of Freshtown, the community’s grocery store, two months ago, and plans to rebuild and open a CVS Pharmacy in about four months.

Stanton said Margaretville has between 24 and 36 businesses, and Irene caused damages to 90 percent of them, with 95 percent now “up and running.”

“We’re coming back very quickly,” Stanton said. “I’m surprised.”

On Thursday, Howard Glaser, director of state operations, visited Margaretville and toured some businesses, Stanton said, and the representative from Gov. Andrew Cuomo's office "was astonished with how the village has bounced back."

Cuomo has visited Margaretville multiple times since Hurricane Irene, including a few days after the storm passed through the area, Stanton said.



# Delaware County Emergency Services

Emergency Management • 911 • Emergency Medical Services • Fire & Arson Investigation • HazMat

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**Steve Finch**

*911*

*Deputy Director*

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*Administrative  
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Leonard Govern

B. James Olmstead

Dale Downin

Carl Fancher

Elliott Oakes

Rolland Bojo

Michael Odell

Erwin LaTourette

Albert Vamosy, Jr.

Walter Geidel

## MEMO

TO: Delaware County Fire & EMS Agencies  
FROM: Richard Bell, Director  
RE: Maps & Surveys  
DATE: February 14, 2012

As was discussed at the recent Fire & EMS Advisory Board meetings, enclosed please find the surveys and the maps.

On the surveys, please feel free to elaborate on any issues regarding mitigation and if you need additional space please feel free to utilize a separate sheet of paper.

On the maps, please identify problem areas for you and any vital facilities for your agency. These are critical for us to have on the radar as potential project areas. Examples may include if your fire house gets flooded or roads are closed where you can not access certain parts of your town for emergency services. Others may include being cut off from hospitals etc...

Thank you in advance for you help and cooperation.

It is important that you return these forms and maps back to the emergency services office by no later than March 9<sup>th</sup>, 2012.

As always, if you have questions on what you need to do, please contact me.

**Delaware County All-Hazards Mitigation Plan Update:  
Survey for School Districts**

**Hazard Mitigation:** *Any action taken to reduce the loss of life and property by lessening the impact of disasters (natural, technological and man-made). It is often considered the first of the four phases of emergency management: mitigation, preparedness, response, and recovery.*

**Background**

Delaware County is currently updating its 2006 Multi-Jurisdictional All-Hazards Mitigation Plan (AHMP). This update is required by the Federal Emergency Management Agency (FEMA) in order to remain eligible for federal mitigation grant funding. The AHMP must provide a "blueprint" by which local governments can make coordinated, cost-effective efforts towards reducing losses from natural hazards (floods, severe storms, earthquakes, etc.). More information about this planning process may be found at the Delaware County Hazard Mitigation Plan website at <http://www.dcdes.org/AHMP%20page.htm>

**Purpose**

The following survey is designed to help identify general needs for mitigation within the County from your perspective, as well as to identify specific projects that may be included in the update to the mitigation plan.

**Directions**

Please review and answer the following questions regarding potential mitigation that affects schools in Delaware County. Please check "Yes", "No" or "Unsure". **If you indicate "No", please tell us why.** Provide as much detail as possible to support your choice in the Comments box. Feel free to attach extra sheets if necessary. Where possible, identify specific areas (locations, facilities, programs, policies, etc.) that need to be improved, and your suggestions for possible improvements. **If there are other important issues that you feel are not covered by the survey questions, please let us know.**

**Survey**

- 1) Do you believe that your facilities and associated infrastructure are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

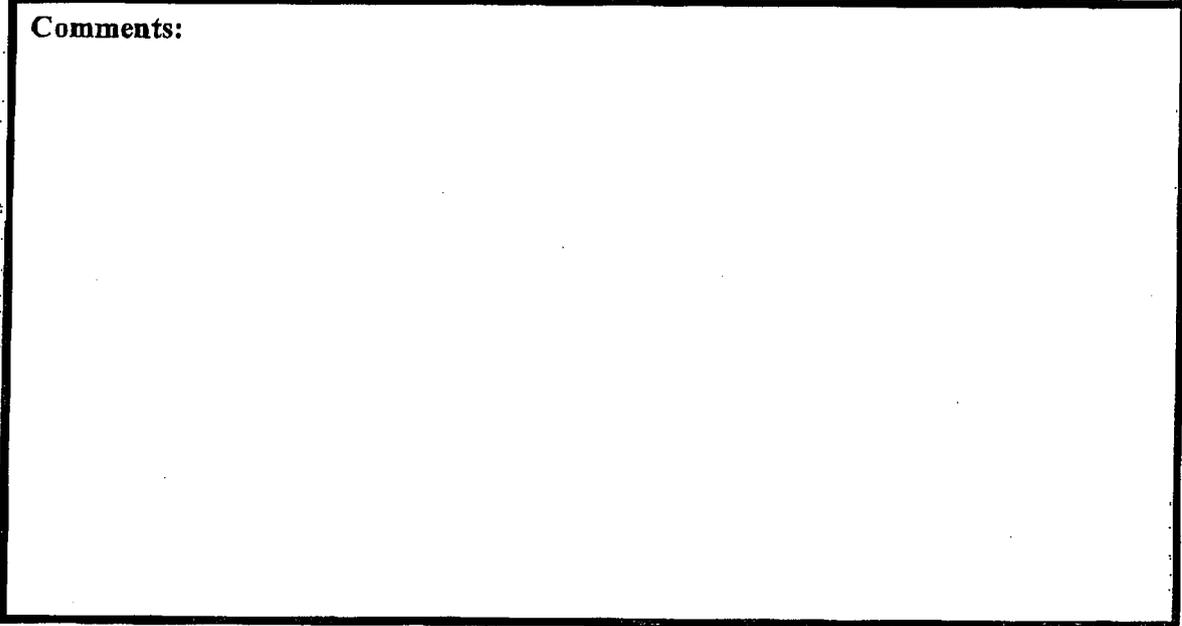
YES  NO  UNSURE

**Comments:**

- 2) Do you think that the transportation infrastructure serving your facilities (e.g. roads and bridges) are properly designed to withstand closures and/or damage due to natural hazards?

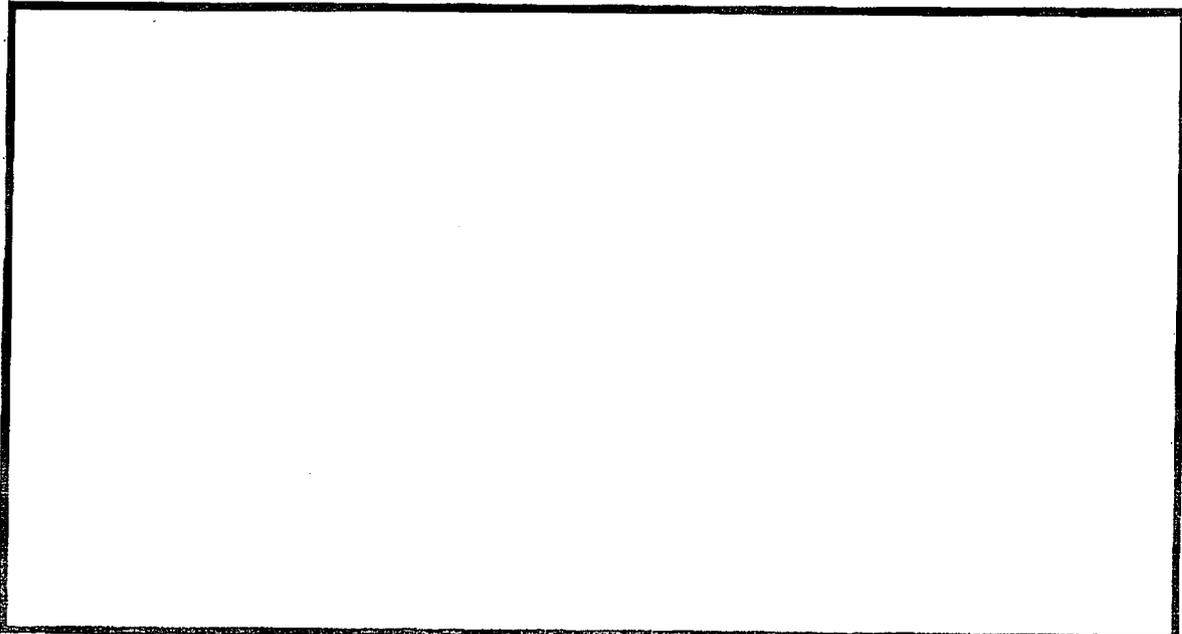
YES  NO  UNSURE

Comments:



- 3) Do you think that the utility infrastructure (spec. electricity and communications) is sufficiently disaster-resistant to support school functions during and after natural hazard events?

YES  NO  UNSURE



4) If your facilities are ARC-designated shelters, do you believe they are adequately designed and equipped to support sheltering during and after natural hazard events?

NA YES  NO  UNSURE

**Comments:**

5) Do you think that weather forecasts and announcements of road closures and pending road closures are sufficiently accurate and available to support school operation and student transportation decisions in the event of natural hazard events?

YES  NO  UNSURE

**Comments:**

6) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO  UNSURE

Comments:

7) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO  UNSURE

Comments:

8) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO  UNSURE

**Comments:**

Delaware County All-Hazards Mitigation Plan Update:  
Survey for School Districts

South Kortright  
Central School  
Pet Norton-White

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**Survey**

- 1) Do you believe that your facilities and associated infrastructure are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO  UNSURE

**Comments:**

No. We have hook-up locations for full size generators, but do not have the generators.

- 2) Do you think that the transportation infrastructure serving your facilities (e.g. roads and bridges) are properly designed to withstand closures and/or damage due to natural hazards?

YES  NO  UNSURE

**Comments:**

Not entirely. We've had considerable flooding in the county. There have been times when roads have been closed for considerable times (Cty. Rte. 33) and it has been difficult to transport children home.

- 3) Do you think that the utility infrastructure (spec. electricity and communications) is sufficiently disaster-resistant to support school functions during and after natural hazard events?

YES  NO  UNSURE

No. Generators are needed. Our district also does not have adequate cell service. We have experienced several brown outs, one which forced school closing. Our phone system had limited usage due to lack of power. Cell phones would have made the situation more manageable.

- 4) If your facilities are ARC-designated shelters, do you believe they are adequately designed and equipped to support sheltering during and after natural hazard events?

YES  NO  UNSURE

**Comments:**

Yes. I believe with generators, we would be the logical disaster relief shelter for the community.

- 5) Do you think that weather forecasts and announcements of road closures and pending road closures are sufficiently accurate and available to support school operation and student transportation decisions in the event of natural hazard events?

YES  NO  UNSURE

**Comments:**

No. It has been extremely difficult to get accurate and up to date information at times of what roads are closed. Several times the information was from the previous evening. More up to date information is needed to assist schools in deciding if the roads are safe for busses to travel on.

6) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO  UNSURE

**Comments:**

No. We're a very large and rural county. If multiple communities were in need Of assistance at any given time, it would be difficult for the county to serve all that were in need of assistance.

7) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO  UNSURE

**Comments:**

No, not entirely.

8) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO  UNSURE

**Comments:**

**Michael S. Jastremski**

---

**From:** Karen Hinkley [wink3@catskill.net]

**Sent:** Friday, March 16, 2012 7:13 PM

**To:** Michael S. Jastremski

**Subject:** Map

We reviewed the map from the Planning Department at our meeting last night. Not sure who to notify --- but the map name for Grand Gorge is spelled incorrectly and our contracted district - which I thought would be outlined - is not included on the map. That would have been very helpful to have a complete map of our district.

There are also a couple of things we noticed ---

- a well that has been closed for years - is still on the map - but other wells are not. None of these wells are operating as we now get our water from the Roxbury district piped in from that town.
  
- Rt. 30 is not indicated in the Grand Gorge District - but I can figure out where it is (I think the southern portion of Rt. 30 is indicated as Irish Mountain La) - but there is a bridge as you turn north on Rt. 30 that is not indicated which covers the Schoharie Creek - this map does not show any water ways.
  
- There are two WTP spots - but our department is unaware of the one east on 23.
  
- We have a senior facility on Rt. 30 N that is not indicated on the map.
  
- Our fire department is considered a Red Cross shelter as well.
- 

Would we be able to get a new map with the corrections as well as including our contracted district?

Thanks for all your help.

--

Have a great day, Karen Hinkley  
Grand Gorge Rescue Squad  
PO Box 301  
Grand Gorge NY 12434  
607-588-6281

3/19/2012

Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan Update:  
Survey for County Firefighters

**Hazard Mitigation:** *any action taken to reduce the loss of life and property by lessening the impact of disasters (natural, technological and man-made). It is often considered the first of the four phases of emergency management: mitigation, preparedness, response, and recovery.*

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**Directions**

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**Survey**

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

Comments:

With high volumes of water, certain town and state roads flood. If we have water flow like this past summer certain bridges could fail.

3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

Comments:

During a good heavy snow storm we lose power.

4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

Comments:

5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

Comments:

County Sit reports are good for this. Usually accurate.

- 6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments:

Most people don't know about NY Alert.

- 7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

YES  NO

Comments:

My agency needs to improve in this Area.

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments:

*For the most part yes. Not for swift water rescue.*

11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

Comments:

12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

**Comments:**

Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan Update:  
Survey for County Firefighters

Downsville F.D.

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**Directions**

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**Survey**

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

Essential facilities are good up to ~~5000~~ 20,000 ~~and above~~ CFS  
once Reservoir spills over the 20,000 CFS  
we may have to relocate command centers.

2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

Comments:

3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

Comments:

- 4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

Comments:

*need to address evacuation routes  
and other shelter areas*

- 5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

Comments:

6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments:

7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

YES  NO

Comments:

*Need more information ~~and~~ spill rates to what roads they flood.*

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments:

11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

*Handwritten text:* YES  NO  ...

Comments:

12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

Comments:

not sure must check yes

I INDICATED ON MAP DIFFERENT ROADS WHEN  
they become flooded AT DIFFERENT CFS SPILL RATES

8) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments:

9) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

Comments:

10) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

Comments:

UNKNOWN - IF SO WOULD BE THROUGH  
FIRE DEPT.

# EAST MEREDITH

## Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan Update: Survey for County Firefighters

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### Directions

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### Survey

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

For a large scale incident. I would think that Charlotte Valley Central School would be a large scale shelter. However they do not have an emergency generator for back up power. East Meredith

Fire Dept. Has A portable generator with a manual transfer switch that requires refueling every 10 hrs. and the fire station could handle only about 50 people.

# EAST MEREDITH

- 2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

## Comments:

A lot of town roads are still not totally repaired and or properly repaired from the past year of Irene and hee. Example plugged drainage pipes (or smaller than can handle the water) narrow or unstable roads and shoulders. Also a lot of County Road Bridges are aged and are narrow that require vehicles stopping to allow larger vehicles to pass over them example 2 trucks can not go over some of these bridges at the same time.

- 3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

## Comments:

When the electricity goes out now it takes longer for it to come back on than in past years. Preventive maintenance of electrical right of ways have been reduced. Right of ways need to be cut back of brush and trees. Example Line Crews. NYSEG. doesn't have the number of line crews to handle the problems as in the past. are also reducing time for the electric to come back on. REA has improved a little over past years. Radio Communication we all know they are worn out, out dated, and overloaded with traffic

The East Meredith Fire Station also need a fire siren to alert personnel. We have not have a fire siren since 1997 (15 years). If people hear it fire or public that alerts them that something is wrong or going on.

- 4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

**Comments:**

I think everyone thinks it's not going to happen here. When it does if people were a little bit more prepared with even the most basics, (example food - water - flashlights - portable power) it would help. When things happen people think that they can go get it and at times it's just not possible. No body plans for the worst any more as in the old days.

- 5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

**Comments:**

Most of the time the fire departments are the ones that are finding these roads flooded or in passable. Then communicating their findings back to 911 center or EOC are sometimes difficult.

- 6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments:

The younger people are doing a little better job with the new technology. However the elderly are still doing it the old way TV. Radio - Phone calls. Most are not aware of just how bad it is until they get out or want to travel to go some place.

- 7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

YES  NO

Comments:

No we have no program in place. We rely on the County or the media to get information out to the public.

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments:

However it seems that every time you think that you have seen it or have a handle on ~~it~~ the problem it gets worst or more severe. It seems that the public ~~can~~ thinks we can handle multiple problems when fact that we don't have the manpower - or specialty equipment to handle the severe problems. Everyone thinks that like on TV it can get fixed and or the problems quickly go away and every thing is back to normal.

11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

Comments:

How ever the money just isn't there for manpower, equipment or materials to improve areas. Also DEC or DEP have regulations that limit what can be done. A lot of the creeks and rivers need to be cleared out and redirected to improve flooding. Also we need to look at and increase flood plains.

12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

**Comments:**

I don't think so. We only have the County's emergency management plan or Mutual Aid policies to address multiple department activities.

Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan Update:  
Survey for County Firefighters

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**Survey**

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

No Back up power @ either of our FH or Town Hall or Town Highway Garage. There are no designated shelters within our town that I am aware of.

2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

**Comments:** Not sure what can be done to correct this but in Major Flooding events we are cut off from either O'Conner Hospital or Fox hospital occasionally

3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

**Comments:** Poor Radio coverage in parts of our district, and cellular communications is spotty throughout our district. Not able to talk w/ town Highway Crews

- 4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

**Comments:**

Unfortunately we have gone through enough Major Floods in the past 15 years that we have become pretty good at knowing what to do.

- 5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

**Comments:**

Only problem I have is that the list & how to get to it is not advertised well. It should be well publicised how to find this list of closures.

6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments:

7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

YES  NO

Comments:

We only do minimal public education on this, relying mostly on the County for this. Most of our public education about natural hazards occurs when we are called to assist.

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments: Fairly adequate

11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

Comments:

12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

Comments:

unknown.

T OF SIDNEY

**Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan Update:  
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**Survey**

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

Riverst Fire Station + Training Center in Flood Plan

2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

**Comments:**

3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

**Comments:**

4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

**Comments:**

5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

**Comments:**

6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments:

7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

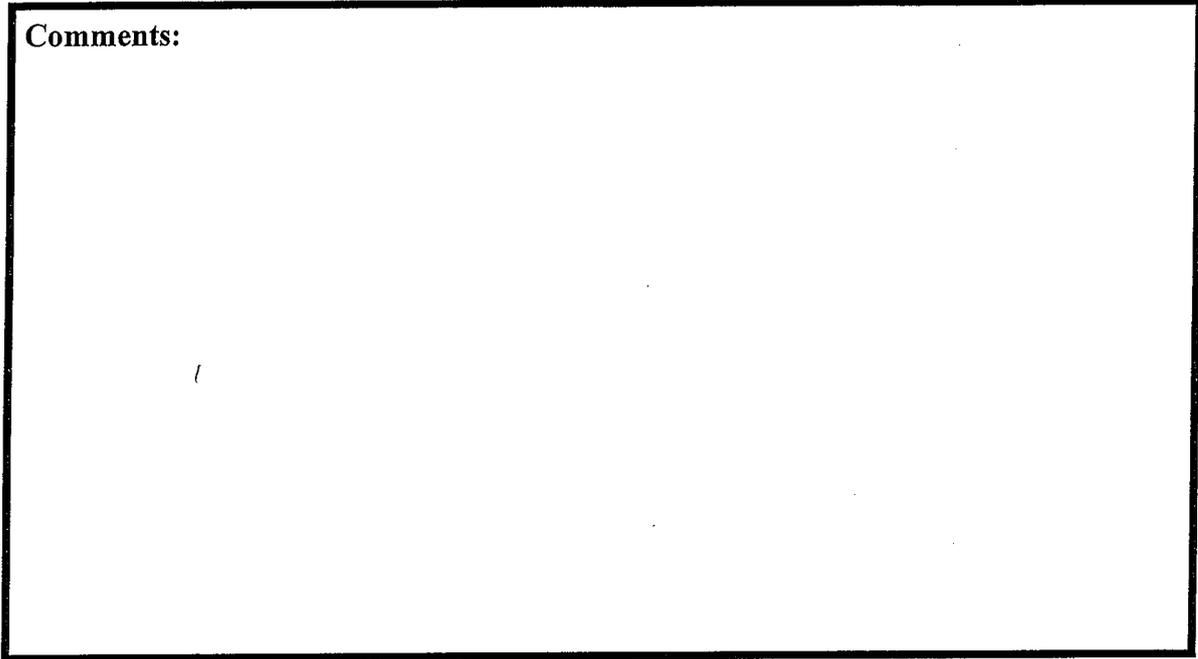
YES  NO

Comments:

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

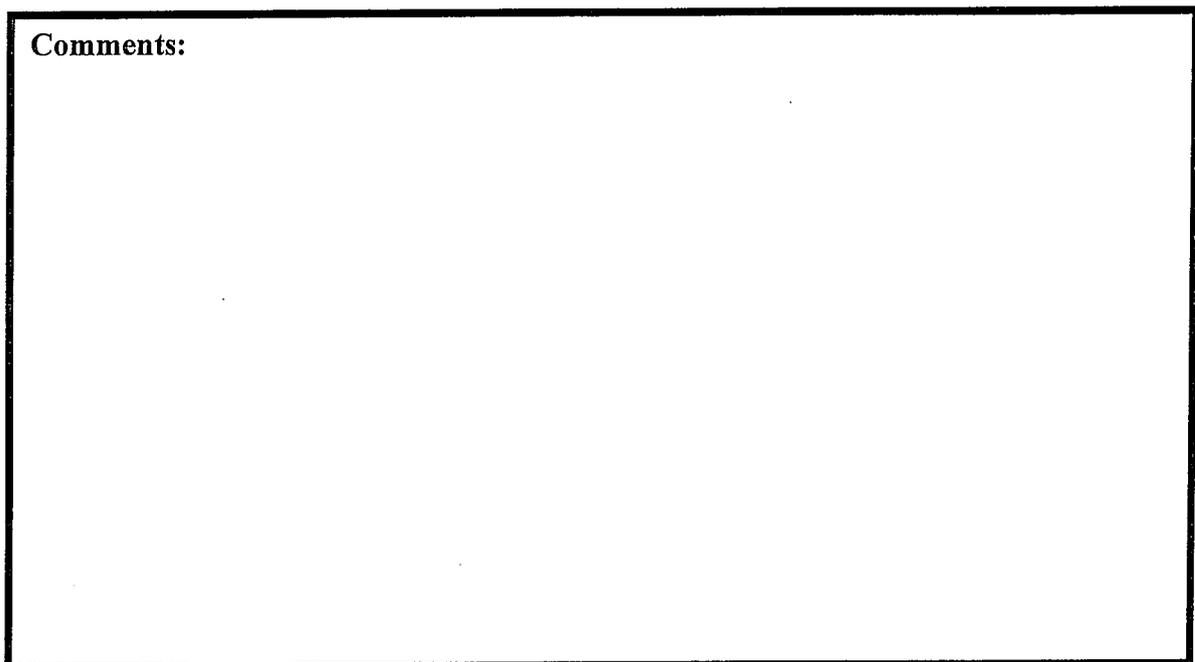
**Comments:**



11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

**Comments:**



12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

**Comments:**

Delaware County Multi-Jurisdictional All-Hazards Mitigation Plan Update:  
*Survey for County Firefighters*

**Hazard Mitigation:** *any action taken to reduce the loss of life and property by lessening the impact of disasters (natural, technological and man-made). It is often considered the first of the four phases of emergency management: mitigation, preparedness, response, and recovery.*

### Background

Delaware County is currently updating its 2006 Multi-Jurisdictional All-Hazards Mitigation Plan (AHMP). This update is required by the Federal Emergency Management Agency (FEMA) in order to remain eligible for federal mitigation grant funding. The AHMP must provide a "blueprint" by which local governments can make coordinated, cost-effective efforts towards reducing losses from natural hazards (floods, severe storms, earthquakes, etc.). More information about this planning process may be found at the Delaware County Hazard Mitigation Plan website at <http://www.dcdes.org/AHMP%20page.htm>

### Purpose

The following survey is designed to help identify general needs for mitigation within the County from your perspective, as well as to identify specific projects that may be included in the update to the mitigation plan.

### Directions

Please review and answer the following questions regarding potential mitigation that affects hospitals in Delaware County. Please check "Yes" or "No". **If you indicate "No", please tell us why.** Provide as much detail as possible to support your choice in the Comments box. Feel free to attach extra sheets if necessary. Where possible, identify specific areas (locations, facilities, programs, policies, etc.) that need to be improved, and your suggestions for possible improvements. Please mark locations/facilities on the map provided. **If there are other important issues that you feel are not covered by the survey questions, please let us know.**

### Survey

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

The school is considered a shelter but it has no back-up power. which could help run the kitchen. We have also used the Baptist church which has a full kitchen but again it has no back up power system. The medical facility is located in the center of town, here too, no back up power supply.

2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

**Comments:**

No, as shown during the 2006 flood, we were completely boxed in. Improvements have been made but there is still much to be done.

3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

**Comments:**

When we had Hurricane Irene and TS Lee and the power lines went down, the phone co did not have power for the areas outside the village. Eventually the Hancock Tower went down, due to generator failure or it ran out of fuel.

- 4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

Comments: THERE IS ALWAYS ROOM FOR IMPROVEMENT, PERHAPS TEACHING THE STUDENTS IN SCHOOL WHO CAN THEN TAKE IT HOME TO THEIR PARENTS.

- 5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

Comments: THE ANNOUNCEMENTS ARE GOOD. IT WOULD HELP IF IT COULD BE BACKED UP BY LAW ENFORCEMENT - KEEP THE SIGHTSEERS OUT.

6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments: THERE IS NEED FOR FURTHER EDUCATION IN WHAT IS AVAILABLE AND HOW TO USE IT. ALSO, THE REVERSE 911 DOES NOT WORK IN HOMES THAT HAVE ONLY CELL SERVICE.

7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

YES  NO

Comments: IF THERE IS MATERIAL AVAILABLE TO GO WITH THE TRAINING FOR THE PUBLIC, I AM UNAWARE OF IT. WE AREN'T REALLY TRAINED IN EDUCATING THE PUBLIC.

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments:

11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

Comments: ~~B~~ To my knowledge they don't have anything

12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

Comments: Don't know

WE NEED AN AGREEMENT OR ARRANGEMENT SO THAT WHEN WE NEED TO EVACUATE A LARGER GROUP OF PEOPLE, ~~AS~~ SUCH AS FISHES EDDY, WE CAN DO SO WITH A MINIMAL AMOUNT OF MSR TO ALL CONCERNED.

AS TO THE MAP, THE VILLAGE IS SO COMPRESSED I COULDN'T MAKE HEADS OR TAILS OF IT.

T. of Hancock

Delaware County Multi-Jurisdictional All-Hazards M  
Survey for County Firefighters

Chief Tony Giordano  
Hancock Fire Department  
PO Box 883  
Hancock, NY 13783

**Hazard Mitigation:** any action taken to reduce the loss of life and property by lessening the impact of disasters (natural, technological and man-made). It is often considered the first of the four phases of emergency management: mitigation, preparedness, response, and recovery.

**Background**

Delaware County is currently updating its 2006 Multi-Jurisdictional All-Hazards Mitigation Plan (AHMP). This update is required by the Federal Emergency Management Agency (FEMA) in order to remain eligible for federal mitigation grant funding. The AHMP must provide a "blueprint" by which local governments can make coordinated, cost-effective efforts towards reducing losses from natural hazards (floods, severe storms, earthquakes, etc.). More information about this planning process may be found at the Delaware County Hazard Mitigation Plan website at <http://www.dcdes.org/AHMP%20page.htm>

**Purpose**

The following survey is designed to help identify general needs for mitigation within the County from your perspective, as well as to identify specific projects that may be included in the update to the mitigation plan.

**Directions**

Please review and answer the following questions regarding potential mitigation that affects hospitals in Delaware County. Please check "Yes" or "No". **If you indicate "No", please tell us why.** Provide as much detail as possible to support your choice in the Comments box. Feel free to attach extra sheets if necessary. Where possible, identify specific areas (locations, facilities, programs, policies, etc.) that need to be improved, and your suggestions for possible improvements. Please mark locations/facilities on the map provided. **If there are other important issues that you feel are not covered by the survey questions, please let us know.**

**Survey**

- 1.) Do you think that critical and essential facilities (incl. fire stations, shelters, and medical centers) are disaster-resistant (e.g. are properly located and constructed, and have back-up power as appropriate)?

YES  NO

No Backup power at water well's pump  
Stations no Backup power at Village DOT

2.) Do you think that the transportation infrastructure (e.g. roads and bridges) is properly designed to withstand damage due to natural hazards?

YES  NO

Comments:

Roads are flooded by overflowing creeks & drainage not able to handle large amounts of water from flash storms

3.) Do you think that utility infrastructure (spec. electricity and communications) are sufficiently disaster-resistant to support fire department functions during natural hazard events?

YES  NO

Comments:

Minimal storms knock out power supply to parts of village & town

- 4.) Do you think that local public education and awareness programs are effective at informing the public on what they should do to be prepared for and reduce their personal risk to natural disasters, so as not to increase the need for fire departments during hazard events?

YES  NO

Comments: not enough information being provided to the general public  
Before, During + after storms or natural disasters only T.V and radio to inform public and with power outages no information gets to general public at all

- 5.) Do you think that announcements of road closures and pending road closures are sufficiently accurate and available to support fire department functions during natural hazard events?

YES  NO

Comments: Announcements are good + accurate but not enough manpower to enforce road closures i.e. Keep out sightseers

6.) Do you think that the public is aware of, understands, and takes advantage of emergency warning and notification systems and services (reverse 911, audible alerts, cell and text services, NYAlert)?

YES  NO

Comments: not enough education of the general public on the workings of Reverse 911 and what it actually is

7.) Do you think that your agency/organization works to inform your constituents of how they can better manage their risk to natural hazards?

YES  NO

Comments: need more information handouts to be given to general public.

10.) Do you think that emergency response planning, services, and equipment are adequate to manage and respond properly to natural disasters in your community?

YES  NO

Comments: There is a written E RP in place  
But do not think enough education of  
responders is present. There is always  
another piece of equipment needed  
for responders

11.) Do you think that local government understands, supports, and possess the resources for natural hazard risk reduction efforts in the community?

YES  NO

Comments: the village has met with FEMA+  
SEMO and Delaware City on hazard  
mitigation and improvements that need  
to be made

12.) Is your agency covered by a COOP / COG plan? (Continuity of Operations / Continuity of Government plans examine an agency's ability to perform minimum essential functions during any situation. COOP activities support the continuance of agency *functions*, while COG activities support the continuance of agency *governance*.)

YES  NO

Comments:

There is always a need for more training more equipment and more manpower during natural hazards. Funding for all of the above is in short supply and do not see it getting any better in the near future

## Initiatives Developed Based on Input From Stakeholder Surveys and Other Outreach

### Countywide

Recommendation	Party Responsible
Improved information on road closures. "More up to date information is needed to assist schools in deciding if the roads are safe for busses to travel on" – from South Kortright CSD and similar from East Meredith VFD Up-to-date lists of road closures are not well publicized – from Kortright VFD.	OEM, DPW
Public awareness of alert systems (e.g. NYAlert) can be improved – from Grand Gorge VFD/EMS	OEM
Swift-water rescue capabilities are not adequate - from Grand Gorge VFD/EMS	
Public education and awareness – need to address evacuation routes and other shelter areas – per Downsville FD	
Need better inundation information during events – "spill rates to which roads they flood" – per Downsville FD. This is developing inundation mapping per gaging station readings (or other indicators, such as dam release rates in the case of Downsville) and having a system of notification of pending road closures. Downsville FD may have provided some indications of this on a map based on various CFS spill rates.	
Continued improvements to working with DEC and DEP to monitor streams and conduct appropriate clearing, snagging, etc.	
Good outreach suggestion – conduct outreach in the schools and have the students bring it back to the home	
Town of Hancock VFD indicated that they do not have good material available for public outreach and education, and "we aren't really trained to educate the public".	

### Town of Andes

Recommendation	Party Responsible

### Town of Bovina

Recommendation	Party Responsible

### Town of Colchester

Recommendation	Party Responsible
One reservoir spills over 20,000 cfs, Downsville FD indicates that they may have to relocate their command center.	Downsville FD
Public education and awareness – need to address evacuation routes and other shelter areas – per Downsville FD	

### Town of Davenport

Recommendation	Party Responsible
Charlotte Valley CS would be a large scale shelter except for the fact that it lacks backup power. East Meredith FD can only shelter about 50 people, and their backup power is limited to 10 hours before refueling is needed.	Charlotte Valley CSD with support from County OEM and ARC
East Meredith Fire Station needs a siren, which they have not had since 1997.	East Meredith VFD

### Town of Delhi

Recommendation	Party Responsible

### Town of Halcott

Recommendation	Party Responsible

### Town of Hamden

Recommendation	Party Responsible

### Town of Hancock

Recommendation	Party Responsible
Backup power needs are identified for the school (considered a shelter), the Baptist Church (which has been used for sheltering), and the medical facility in the center of town. – identified by Town of Hancock VFD	
Town of Hancock VFD indicated that roadway infrastructure is still quite vulnerable to flooding	
Town of Hancock VFD indicated that the Hancock Tower went down after Irene/Lee as the town did not have power restored for a long time (generator failure of out of fuel).	
Town of Hancock VFD indicated that they need an arrangement so that when they need to evacuate a large group of people (e.g. Fishes Eddy), they can do so with minimal risk to all concerned.	

### Town of Kortright

Recommendation	Party Responsible

Procure back-up generators. Hook-up locations already exist for full-size generators. Another aspect of this problem is communication in an area with limited cell service...in a period of utility outages, communications are jeopardized. Further, with backup generators the school(s) would be a logical choice for community disaster relief sheltering.	South Kortright CSD
County Route 33 is closed due to flooding for considerable times, making it difficult to transport students	South Kortright CSD
Backup power needed for both FDs, Town Hall and Town Highway Garage.	Town of Kortright, Bloomville FD, and Kortright Rural FD
There are not designated shelters for the Town that VFD is aware of.	
During larger flood events, the Town is cut off from both O'Conner and Fox hospitals.	
Poor radio and cell service in parts of town jeopardizes emergency communications.	
Public education can be improved	Bloomville FD, and Kortright Rural FD

### Town of Middletown

Recommendation	Party Responsible

### Village of Margaretville

Recommendation	Party Responsible

### Village of Fleischmanns

Recommendation	Party Responsible

### Town of Roxbury

Recommendation	Party Responsible

### Town of Sidney

Recommendation	Party Responsible
Sidney VFD indicates that the River Street Fire Station and Training Center is located in the floodplain.	



**Combined HMGP-1957-1993-4020-4031**



# **Public Outreach – Hazard Mitigation**

**January 31, 2012  
Village of Sidney  
Civic Center**



## Meeting Purpose

- Explain hazard mitigation, particularly as it relates to private property owners
- Explain federal mitigation grant programs, particularly the current HMGP opportunity
- Explain elevations and acquisitions
- Discuss property owner, municipal, county and state obligations
- Answer questions and address concerns



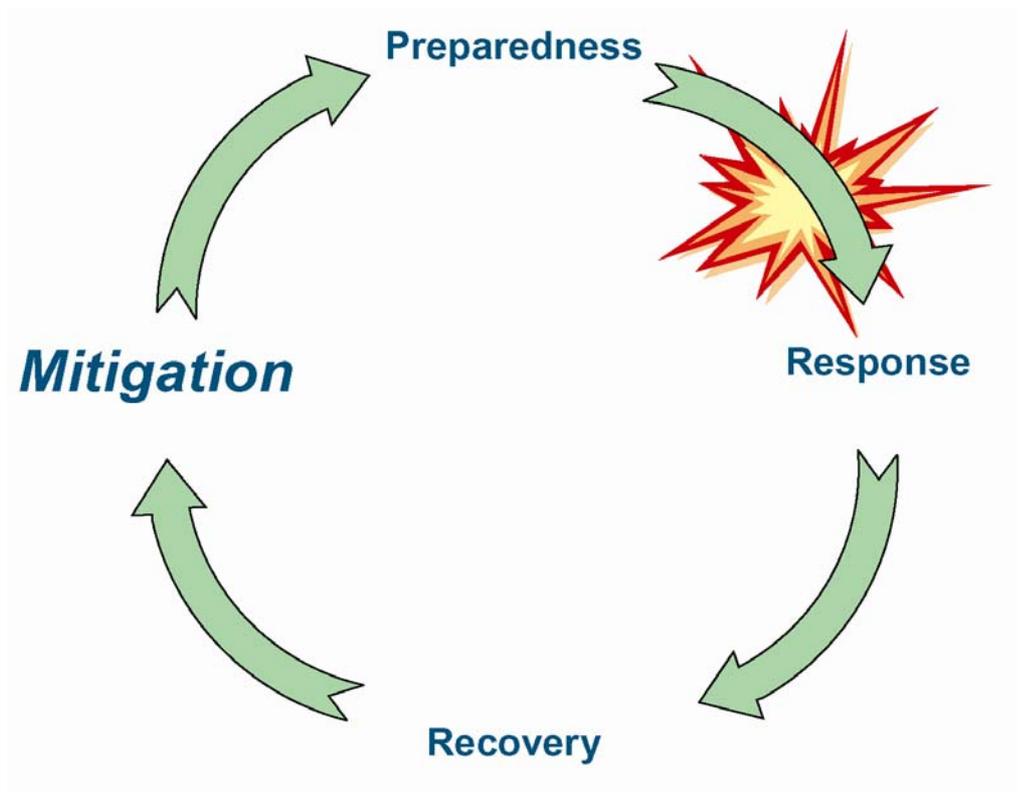
# What is Hazard Mitigation?

*“Mitigation” -*

*Sustained action taken to  
reduce or eliminate  
long-term risk to life and property  
from a hazard event*

*-Or -*

*Any action taken to  
reduce future disaster losses*





## Hazard Mitigation Planning

- FEMA requires that local governments develop, adopt and maintain Hazard Mitigation Plans (HMPs) in order to access federal mitigation grant funding

***“provides the blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs and resources, and local ability...” (44 CFR 201)***

***A Local Mitigation Plan demonstrates a jurisdiction’s commitment to reducing risks from natural hazards and serves as a guide for decision makers as they commit resources to minimize the effects of natural hazards.***

- Delaware County and 29 Municipalities developed their original HMP in 2005/6.
- By regulation, local HMPs must be formally updated, approved by FEMA, and adopted by all jurisdictions every 5 years.

*Delaware County (through the Planning Department and Emergency Services) is currently facilitating the plan update process for the County and all municipalities in the County.*



## Federal Mitigation Grant Programs

### Hazard Mitigation Assistance (HMA) Grant Program

- Pre-Disaster Mitigation (PDM) Program
- Flood Mitigation Assistance (FMA) Program
- Repetitive Flood Claims (RFC) Program
- Severe Repetitive Loss (SRL) Program
  
- Annually funded by Congress
- Application period opens each June, grant awards announced early in the following year
- Generally nationally competitive programs

### Hazard Mitigation Grant Program (HMGP)

- Available after a declared disaster in the state (disaster-driven)
- Generally funded at 15% of the “cost” of the disaster
- Subject to state priorities



## Mitigation Grant Programs – General Requirements

Can fund projects on both public and private property

Generally require a 25% non-Federal “local match”

The State is the “applicant” to FEMA, while the local government is the “sub-applicant”...private property owners may not apply on their own

Private property mitigation projects generally include –  
Flood-proofing and retrofits  
Structural Elevations  
Acquisitions

Acquisitions the preferred option in the case of the most flood vulnerable properties as it completely eliminates flood risk for that structure.

Elevation and flood-proofing reduces vulnerability but not exposure...there is always some level of flood severity after which damage will occur.



## Grant Award Requirements and Criteria

- Project must be identified in your HMP. Elevations and acquisitions have been generally identified in the current DC HMP.
- Project must be an “eligible” activity under the specific grant programs
- Project must meet State priorities if established (HMGP)
- Project must be “cost-effective”, as either:
  - Documented through a formal Benefit-Cost Analysis
  - Assumed based on certain criteria (e.g. “Substantially Damaged” and located in the NFIP SFHA)



## Current HMGP Opportunity

On December 22, 2011, NYSOEM announced a combined HMGP opportunity resulting from four declared disasters, starting with Irene and ending with the Oct. 29 severe winter storm and snowstorm.

The State has established the following priorities –

- Projects located in the counties most impacted by the four disasters, particularly focused on flooding (DC is one of these identified)
- Projects that realize permanent flood mitigation solutions (e.g. removing properties from a floodplain)
- Projects that significantly reduce a property's risk from flooding (e.g. structural elevation)



## Current HMGP Opportunity – Project Funding

After Planning Grants, the State will use remaining HMGP funds for projects in the following three categories –

- Acquisition Projects that demolish (or relocate) substantially damaged properties from a 100-year floodplain (the NFIP Special Flood Hazard Area or “SFHA”)
- Elevation Projects that raise properties in the 100-year floodplain (note: the State will not fund elevations in the regulatory floodway)
- All other project types, if funds remain after acquisition and elevation requests are addressed.



## Property Acquisition Under the HMGP

- Regardless of the condition of your property at this time the sponsor will offer you Fair Market Value (FMV) of your property prior to most recent flood damage.
- A NYS licensed appraiser commissioned by the project sponsor will appraise each property using the following tools:
  - Inspections
  - Public records
  - Comparison to similar properties in the same market.
- Property owners may appeal the appraisal and/or fund a second appraisal
- Once owned in title, the public agency is required to clear all structures and place protective deed restrictions and easements to ensure future structures cannot be built on the site.



## Property Acquisition Under the HMGP

- For this HMGP offering, the State will process only “Substantially Damaged” properties in the acquisitions category, with few exceptions
- For HMGP property acquisition projects only: For structures identified in a currently mapped NFIP riverine SFHA (100-year floodplain), and declared “Substantially Damaged” due to the impacts of flooding by a local authority having jurisdiction, the project is considered “cost effective” and BCA is not required.
- Voluntary participation
  - No property owner will be forced to sell their property under this program.
  - By law only properties that the owner voluntarily agrees to sell will be purchased.
  - There is no power to use eminent domain in this program.



## Substantial Damage

“Substantial damage occurs when a property sustains damages that equal or exceeds 50% of its Fair Market Value (FMV) prior to the event, as determined by a local authorized official.”

Standard NFIP definition –

“damage of any origin is sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.”

Market Value:

$$\frac{(\text{Assessed Value of Property} - \text{Assessed Value of Land})}{\text{State Equalization Rate}}$$

Or an Independent Appraisal



# Substantial Damage Determinations

## Advantages:

- Makes your property eligible for this HMGP offering, if you are located in an NFIP SFHA
- If you are NFIP insured, may allow certain policy benefits to defray or cover the 25% “local share” through the Increased Cost of Compliance (ICC)

## Disadvantage:

- Triggers conformance with your community’s local floodplain ordinance and the floodplain provisions of the NYS Uniform Fire Prevention and Building Code if the property is ultimately repaired.



## Increased Cost of Compliance (ICC)

- Additional insurance payout that could be awarded for substantially damaged properties
- Maximum pay out of \$30,000.00 to be used for
  - Elevation
  - Relocation
  - Acquisition/Demolition
  - Flood proofing (non-residential)



## Exceptions

“For this HMPG offering, it may be possible to acquire repetitive damage properties, and structures not substantially damaged if they are contiguous to a group of substantially damaged properties, and damage and benefit calculation produce a passing BCA.”

Such projects must be discussed with NYSOEM before Letters Of Intent (LOIs) are submitted.



## Property Acquisition Under the HMGP

### Costs paid by sponsor:

- First Appraisal
- Title search
- Lot survey, if necessary
- Closing costs
- Demolition
- Site Restoration

### Costs paid by property owner:

- Mortgages
- Liens
- Taxes and back taxes
- Any other outstanding balances on the property
- Moving costs
- Costs associated with purchasing a new home



## Property Acquisition Under the HMGP

### Duplication of Benefits

- FEMA will require the project sponsor to subtract from the purchase price the amount of other federal assistance you might have received for the same purpose. This includes any flood insurance pay outs.
- If you have receipts to verify any moneys received from the federal government were used for repairs to make your home livable these costs will not be subtracted from the value of your home. Eligible repairs include any items that will stay with the home upon purchase such as structural repairs and furnaces.



## Structural Elevations

- Structural Elevation involve elevating the “first finished floor” at least 2’ above the local NFIP Base Flood Elevation.
- Elevation grants cover the elevation of the structure and utilities, as applicable.
- The space below the regulatory “first floor” cannot be used for active occupancy...it may only be used for parking and storage



## Structural Elevations

- Eligible costs for reimbursement
  - Foundation work
  - Structure elevation
  - Groundwork to mitigate elevation impacts and make the property aesthetically pleasing (in compliance with local floodplain law)
  - Reseeding of grass and/or replacement of landscaping
  - Tree limb/shrub removal directly necessary for elevation
  - Relocation/raising of utilities (excluding non-essential utilities: i.e. washer/dryer)
  - Construction of utility room - if deemed necessary
  - Elevation/extension of connected stairs, decks, additions, etc...
  - Construction of new stairs - if deemed necessary for access



## Structural Elevations

- Ineligible costs
  - Expansion/addition of any deck, room, etc...(unless a necessary utility room)
  - Tree removal not necessary for elevation
  - Elevation of any structure not connected to the HOME
  - Interior modifications to the HOME (unless part of a necessary utility room)
  - Replacement of existing damaged/worn/missing siding, sheathing, shingles, windows, shutters, flooring, utilities, etc...



## Other Project Types

- In many circumstances, elevations or acquisitions will not be feasible and/or cost-effective
- In this case, local flood control projects may be the preferred solution, implemented on a local, county, state (incl. NYSDOT), or Federal (e.g. USACE) basis
- Regardless of the mitigation grant program, in order to receive Federal Mitigation Grant funds, the project must be
  - Eligible
  - Identified in your local Hazard Mitigation Plan
  - Cost-Effective



## Local Match

- How can the 25% Local Match be met?
- Property owner directly
- In certain circumstances, through:
  - NFIP policy through Increased Cost of Compliance (up to \$30,000)
  - Through state or county programs such as Open Space
  - State directly, as was the case after the 2006 flooding, however it is not apparent that this will be offered in this instance, and the future is uncertain



## How do we Identify Project Costs?

- For LOIs and Preliminary Benefit-Cost Analysis we may use estimated costs from similar projects
- For full applications, we will need formal estimates from elevation or demolition contractors

## How do we Identify Benefits?

- History of Events and Losses
  - Date of Events, tied to Return Periods and specific high-water levels
  - Claim history and/or other documented expenses
- Anticipated Future Losses – based on first floor elevation and local BFE or high water levels associated with events of known return period



## Property Owner Obligations

- Attend all public meetings
- Provide a Notice of Voluntary Interest (available today)
- Make decisions in a timely manner
- Provide necessary data about your property in a timely manner
- Keep appointments
  
- Provide an “elevation certificate”, if needed
  - Provide if already available (may already be on file with your local municipality)
  - Contract with a Licensed Professional Surveyor who knows how to prepare NFIP Ecs (we can provide names)
  - Work directly with DC Planning to have one prepared under our on-going program



## Timeline

Letters of Intent (LOIs) must be prepared and submitted by your local jurisdiction (sponsor) according to the following deadlines:

- February 29, 2012 - Acquisition and Elevation Projects (Phase 1)
- April 30, 2012 - Acquisition and Elevation Projects (Phase 2)
- June 30, 2012 - Acquisition and Elevation Projects (Phase 3)
  
- Schedule for full applications has not been established, but estimated to be 1-2 months after LOIs are received
  
- Grant award announcements estimated to be late spring, early summer
  
- Projects to start after all grant agreements between the State and FEMA are complete



Combined HMGP-1957-1993-4020-4031



# General Questions, Issues and Concerns



09/09/2011

MIDDLETOWN - MARGARETVILLE - FLEISCHMANN'S  
 FLOOD MITIGATION MEETING 12/6/2011

Sign In —

NAME	ORG -
Kent Manuel	DCPD
Shelly Johnson	DCPD
MICHAEL JASIREMSKI	DCPD
Steve Weatherford	FEMA LTCR
Carl P. Davis	Middletown C.E.C.
Marilyn Stephenson	NRCS Liaison to FEMA
Rick Weidenbach	Del. Co. SWCD
Graydon Dutchen	Del. Co. SWCD
JOHN KROL	FEMA MITIGATION
T. W. THEODORE	FEMA LTCR
Henry Friedman	Village of Margaretville
Todd Pascarella	Village of Fleischmanns
JOHN W. VAN BENSCHOTEN	VILLAGE OF MARGARETVILLE
David Powell	Village of Fleischmanns
MARJOKIE MILLER	Supervisor ELECT, M'TOWN

	Name	Address	Phone Number
	Scott Simonds	42 BRIDGE ST	607 563 9835
	" "	12 UNION ST	607 563 9835
	JAN GORSHACK	95 River St	607 563 3482
	LARRY WISNER	31 OAK AVE	607-563-1869
	Agnes Deshou	3 Camp St	607-563-9300
	ALLEN GREGORY	9 CAMP ST	607-563-1366
	Thomas McEligite	15 Oak Ave	607 563-3639 <sup>Miley</sup>
	SABINA OBEADA	31 WINEGARD ST	(607) 604-4078
	Carole Beach	6 Maple Ave	563-8643
	Gary Beach	4 Maple Ave	563 8643
	Joe Maddalone	6 Union St.	563-3794
	Joyce Maddalone	6 Union St	563-3794
	Jim MARTIN	5 MAPLE AVE.	563-7791
	ELVA MARTIN	5 MAPLE AVE.	563-7791
	Levy DEVEAUX	8 CAMP ST	607-604-4239
	KATALIN DEVEAUX	8 CAMP ST	607-604-4239
	GEORGE RYAN	65 RIVER ST	607-563-2145
	Cynthia Doyle	11 OAK AVE	607-563-2748
	Jack Doyle	11 Oak Ave	607 563-2748
	Ed Thorne	25 winegard st	607 563 7730
	Sharon Bonnet	30 Winegard St	607-563-1092
	Bridget Baugh	33 Winegard st	607-563-2384
	Patricia Thorne	25 Winegard St	607-563-7730
	DANIEL WILSON	28 OAK AVE	607-434-0714
	Amy Farrell	954 Vanderwort	563 8167
	Donald Wilson	355 River Rd	643-5781 <sup>369</sup> 72-16
	Sandra Tuttle	36 Oak Ave	563-1945-563- <del>952</del>
	Jennifer Waldron	8 Coleport street	604-4261
	Susan Gregory	9 Camp St.	563-1366
	Bill VanBuren	7 Bridge St.	563-1877
	Brandon Fisher	25 Oak Ave	206-3393
	Kathy + Wayne Colley	31 Pleasant St.	639-2086
	Greg Peck Jr + Kayla Steffen	7 Winegard St	607-437-4827
	Nancy + Greg Peck Sr.	16 Railroad St W.	563-8119
	Benny + Larie Ann Mackinnon	26 Winegard St	563-2491



**Property Information Worksheet**

**Acquisition, Relocation, Elevation, Flood Proofing, or Flood Barrier projects only**

*(Please complete one Property Information Worksheet for each property affected by your proposed project.)*

**1. Property Information**

a) Property Owner: \_\_\_\_\_ Public \_\_\_\_\_ Private \_\_\_\_\_

b) Physical Street Address: \_\_\_\_\_

c) City/Village/Town: \_\_\_\_\_

d) County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

e) Tax Map, Lot or Parcel Number: \_\_\_\_\_

f) Is this a rental property? If yes, provide on a separate sheet the number of units and the name of each tenant and label it with this item number & title.

g) If tenant-occupied, what is the estimated cost of relocation assistance: \$ \_\_\_\_\_

h) Provide photographs showing the front, sides and rear of the property, as well as the surrounding properties.

i) Provide a copy of the Property Field Card from your Assessor's Office

j) Has the property been certified as "Substantially Damaged" by a local flood plain administrator or code enforcement official? \_\_\_\_\_ Yes  
No.

If yes, you must provide a copy of the determination with your application.

**2. Structure Information**

a) What is the year of construction? \_\_\_\_\_

b) What is the square footage of the enclosed principal structure? \_\_\_\_\_ s.f. (living space, finished and unfinished basements, but not garages, porches, etc.)

c) For Non-Residential structures, what is square footage of the first floor only? \_\_\_\_\_ s.f.

d) What is the Building Replacement Value of structure (BRV)? \_\_\_\_\_ \$/s.f. (from building inspector, code officer, contractor estimate, insurance)

e) Foundation Type:

Slab on-grade  Pier  Pile  Post

Crawl space  Basement  Walk-out basement

f) Building Type:

1-story w/ basement  1-story w/o basement

<input type="checkbox"/> 1-story w/ basement	<input type="checkbox"/> 1-story w/o basement
<input type="checkbox"/> 2-story w/ basement	<input type="checkbox"/> 2-story w/o basement
<input type="checkbox"/> Split Level w/basement	<input type="checkbox"/> Split level w/o basement
<input type="checkbox"/> Manufactured/Mobile Home	<input type="checkbox"/> Other _____
<b>g) Elevations (These must be certifiable/verifiable; e.g., surveyor)</b>	
i. Elevation of lowest finished floor of structure _____ (ft)	
ii. Elevation of lowest opening that allows water to enter _____ (ft)	
iii. Depth of water in the structure _____ (in)	Duration _____ (hrs)

12/15/2011

Sign in Please

- 1 Marge Miller earthwalkera@catskill.net
- 2 Todd Pascarella toddpascarella@gmail.com
- 3 TOM HYNES Town Clerk @ Poabary, N.Y. COM
- 4 Bill Stanton - U/Margaretville vommayor@catskill.net
- 5 Carl P. Davis middldgzon@catskill.net
- 6 Larry Reilly larrybike@gmail.com
- 7 Graydon Dutcher graydon-dutcher@dcswed.org
- 8 Michael S JASTREBSKI michael.jastrebski@live.com
- 9 Tom Blanchard NYS DEC teblanch@gw-dec.state.ny.us
- 10 David Mozell Fleischmanns Mayormozell@gmail.com
- 11 Leo Utter -
- 12 Henry Friedman Margaretville vomdpw@catskill.net

4/1/10

**FLOOD COMMISSION  
FOR THE  
VILLAGE AND TOWN OF WALTON**

Charge

- \*Identify flood risks in the Village of Town of Walton
- \*Educate and inform residents, businesses, government officials and local agencies of flood risks.
- \*Work with local, state and federal officials and agencies to:
  1. Identify projects and programs that reduce the incidence and impacts of flooding and
  2. Enhance and encourage economic development in flood safe areas.

Suggested Membership

- \*Village Board Appointee
- \*Town Board Appointee
- \*Chamber of Commerce Appointee
- \*Village Resident (civic group)
- \*Town Resident (civic group)
- \*Town Planning Board Appointee
- \*Village Planning Board Appointee
- \*Town and Village Code Enforcement Officers (Floodplain Manager)

Technical Advisory Committee

- \*Del. Co. Department of Watershed Affairs
- \*Del. Co. Department of Economic Development
- \*Del. Co. Planning Board
- \*Del. Co. SWCD
- \*Town Highway Superintendent
- \*Village Highway Superintendent

TOWN OF MIDDLETOWN  
SUPERVISOR'S OFFICE

PO Box 577 • 42339 State Route 28 • Margaretville, NY 12455  
Phone: (845) 586-2462 • Fax: (845) 586-1775

Leonard E. Utter  
*Supervisor*

Beth Bush  
*Bookkeeper/  
Administrative Assistant*



December 15, 2011

Peter Walsh  
NYS Department of State  
Communities and Watersheds  
One Commerce Plaza  
99 Washington Avenue, Suite 1015  
Albany, NY 12231

Mr. Walsh,

We are writing to request that you add the Town of Middletown in Delaware County to the list of municipalities eligible for funding through the Long-Term Community Recovery Strategy grant program. Currently only the Villages of Fleischmanns and Margaretville are listed. This excludes many areas of the Town of Middletown that were heavily damaged during Hurricane Irene, including the Hamlets of Arkville and Clovesville.

Middletown is in a good position to coordinate with the Margaretville, Fleischmanns and other communities along the upper East Branch of the Delaware River in the development of a LTCRS for two important reasons:

1. All three municipalities share a Floodplain Administrator, who is responsible for enforcing the Flood Damage Prevention Ordinance of each and coordinating Floodplain Management activities of all involved agencies within their borders;
2. The Town of Middletown, Village of Margaretville, Village of Fleischmanns, and the Town of Roxbury have agreed to form a Flood Commission for the Upper East Branch of the Delaware River, to cooperatively develop watershed-wide flood damage prevention strategies. The Town of Halcott in Greene County and the Town of Hardenburgh in Ulster County also have territory in the upper East Branch watershed, and they will also be invited to participate in this group. An organizational meeting of the upper East Branch Flood Commission was held today, December 15, and the first official meeting of is scheduled for mid-February 2012.

Thank you for your consideration in this matter.

Sincerely,

Leonard Utter, Supervisor  
Town of Middletown

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**MARCH 23, 2011**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, March 23, 2011 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 James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present except Mr. Rowe.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Commissioner of Public Works Wayne Reynolds who presented Jack Alvarez as Employee of the Month.

Mr. Alvarez began his employment in February 1982 at the Delaware County Countryside Care Center (DCCCC) and in 1998 was honored as their Employee of Month. He transferred to the Department of Public Works in November of 2004 as a motor equipment operator, was promoted to heavy equipment operator in January 2006 and was promoted to his current position, sign shop worker in July 2006.

The position of sign shop worker includes creating, replacing and maintaining all road signs on Delaware County roads as well as being current with all state and federal rules and regulations. Mr. Alvarez has accepted these responsibilities and regularly goes above and beyond. The department has called upon his services nights, weekends, and even during his vacation time without a complaint from him. Mr. Alvarez is an exemplary employee, diligent in his efforts to stay current on the applicable information and maintaining excellent notes and documentation, including photographs on all of his work. His documentation has helped several times with law enforcement at accident scenes. Commissioner Reynolds thanked Mr. Alvarez for his commitment and dedication to the department and the county.

Commissioner Reynolds presented Mr. Alvarez with a \$100.00 savings bond. Chairman Eisel presented him with the Certificate of Employee of the Month and thanked him for his dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Valente. Mr. Valente introduced Christine Viafore Director of the State University of New York (SUNY) Catskill Regional Water Testing Laboratory.

Mrs. Viafore stated the Catskill Regional Water Testing Laboratory originated with grant

funds received by SUNY Delhi in 2006. In 2008 the laboratory began operation at the Delaware County eCenter in Delhi, NY. The laboratory has been able to cover the expenses of the operation through the testing fees but has required continued funding from SUNY Delhi to cover the salary of herself and another technician.

Mrs. Viafore is seeking the support of county residents, towns and villages to help the laboratory meet its goal of becoming self-sufficient. She pointed out that because they are a small locally operated laboratory they are able to provide the personal services that help make the process simple, timely and efficient. The laboratory offers to establish a day and pick up location for samples without a fee, make reminder calls to clients using the laboratory for regular testing requirements and any other special arrangements when needed.

The laboratory currently services 10 out of the 25 water districts and 4 out of 11 wastewater treatment facilities located in Delaware County. The laboratory has serviced approximately 600 residents in and around Delaware County. By being able to service the towns and villages that currently do not use the laboratory would enable the growth of the business and help bring it closer to its goal of becoming self-sufficient.

In conclusion, Mrs. Viafore thanked the Board for their consideration of promoting a locally operated business and for the opportunity to speak on behalf of the Catskill Regional Water Testing Laboratory.

In reply to Chairman Eisel, Mrs. Viafore stated that the City of New York does not use the services of the Catskill Regional Water Testing Laboratory as they have their own laboratory in Kingston.

Chairman Eisel inquired if water from his spring fed pond could be tested for potability so it could be used in the event of an emergency. Mrs. Viafore explained that the laboratory could test the pond water to the New York State Department of Environmental Conservation's levels for surface water but did not feel the water would meet the standards for consumption.

Mrs. Viafore replied in answer to Mr. Bracci, that the laboratory is open Monday through Friday from 8 a.m. to 3 p.m. and coliform samples are accepted Monday through Thursday during regular business hours. She added that special arrangements could be made and encouraged a call to the laboratory with any questions or concerns.

Mrs. Viafore pointed out in response to Mr. Valente that the laboratory could meet all the testing needs of a town or village as they sub-contract with other certified laboratories to handle the testing they are not certified to perform.

In answer to Mr. Marshfield, Mrs. Viafore noted that the laboratory currently services the Towns of Andes, Fleischmanns and Walton for their fecal wastewater treatment needs. She pointed out that the laboratory offers six other wastewater treatment tests the towns could take advantage of.

Mr. Homovich noted that the Town of Colchester has been very satisfied with the services provided by the Catskill Regional Water Testing Laboratory.

Chairman Eisel thanked Mrs. Viafore for her presentation and recommended that

whenever possible the towns consider using the services of the county's local businesses.

Chairman Eisel granted privilege of the floor to Mr. DuMond. Mr. DuMond introduced Director of Emergency Services Richard Bell and Director of Planning Nicole Franzese to provide an update on the Multi-Jurisdictional Hazard Mitigation Plan.

Mr. Bell explained that the current hazard mitigation process needs to be complete by November 2011. The county's application for grant funding is currently ranked number three in the state. He introduced Ms. Franzese to provide a brief update on where the county is in the process.

Ms. Franzese advised that by the end of this week the Requests For Proposal should be released and a consultant will soon be on board to help work through the process. She noted that the Federal Emergency Management Agency (FEMA) is seeking written intent of the towns and villages to participate at the start of the process rather than at the end of the process. A letter will be sent to the towns and villages requiring they sign and return their intent to participate. If the town or village does not commit at the start of process the adopted plan may not apply to that town or village.

On April 20<sup>th</sup>, the full steering committee consisting of numerous county agencies including, Code Enforcement, Planning, Emergency Services, Public Works, Public Health, Social Services, the Sheriff's Office, the NYS Emergency Management Office, Soil and Water Conservation District and the NYS Department of Environmental Protection along with communities that have had significant flooding will come together to organize a work plan and update any mitigation work since the plan was adopted in 2005, noting that a great deal of work has been completed, such as the highway management plans. She felt that by late May or early June, the towns and villages would receive a survey designed to help with information gathering on mitigation projects they have completed. This plan must also include a general building stock analysis. She pointed out that we have a good start on this through the work previously done with Geographic Information Systems (GIS). The goal is to gather the information and be completed by the end of 2011.

In answer to Mr. Marshfield, Mr. Bell stated that by not participating in this process and adopting the resulting plan, municipalities will not be eligible to receive future pre-disaster mitigation funds. However if there were a federally-declared disaster the affected municipality would receive immediate recovery assistance regardless of their participation in the plan.

Ms. Franzese stated in reply to Mr. Homovich, that the consultant along with county planners will work through the town planning boards to gather the information needed to prove that the towns and villages are working to mitigate disasters. She pointed out this plan must include an assessment of the county's hazard risk as it applies to earthquakes.

In answer to Mr. Homovich, Ms. Franzese concurred that the county has been unable to move ahead with the adoption of the new FEMA maps and accompanying floodplain regulations due to the challenges local communities have made to the draft maps. When this is resolved the Planning Department will assist the towns and villages with the adoption of both the maps and the laws. There has been no word from FEMA on their progress since December 2010.

Chairman Eisel granted privilege of the floor to Mr. Hynes. Mr. Hynes introduced

Director of Veterans' Service Agency John Boecke to discuss a new program designed to assist our county's veterans.

Mr. Boecke noted that a presentation packet has been placed on each Supervisor's desk and provided a powerpoint presentation entitled: *Delaware County Return the F.A.V.O.R. (Find and Assist Veterans of Record) Discount Program*. The program has been adopted by several surrounding counties in New York State with great success. The initiative is a way for the county to recognize the service and sacrifices made by our returning veterans.

He thanked County Clerk Sharon O'Dell for bringing the program to his attention. Recognizing the potential for Delaware County he met with Chairman Eisel to discuss the program. The Chairman immediately embraced the program and encouraged a survey of county merchants prior to starting the program to gauge merchant participation in this economy. Mr. Boecke's inquiries and research showed enough interest to indicate the program would be very successful in this county.

The program, to be launched Memorial Day, May 30<sup>th</sup>, will help the Veterans Service Agency find, inform and assist the veterans, encourage local spending, and provide an opportunity for the county and merchants to give back to the men and women who serve our country.

To participate, the veteran must have a DD214 (certification of release of discharge from active duty) and be an active member of the American Legion or Veterans' club in the county. The hope is by mandating this rule of active membership it would revitalize these organizations.

The Veterans Agency will be responsible for promoting and overseeing the program. Once the program is launched the merchant participant list and the rules and conditions of the program will be available on the Veterans Service Agency website, [www.co.delaware.ny.us/departments/vet/vet.htm](http://www.co.delaware.ny.us/departments/vet/vet.htm).

Mr. DuMond thanked the Chairman for endorsing the program in Delaware County adding that he supports the program 100 percent. He stated that he is very impressed with what Mr. Boecke has done with the Agency in such a short time.

Mr. Hynes stated that he fully supports the program but felt the requirement of active membership in the local American Legion/VFW Posts and the use of the word "mandate" does not feel right to him. Although he saw it as a way to increase membership and income he did not agree that it would increase participation.

In answer to Mr. Hynes, Mr. Boecke agreed the word "mandate" is strong but felt consideration would be given to a more appropriate word. He felt that mandating membership was necessary due to the declining interest and membership in the American Legion/VFW Posts throughout the county, adding if the membership fee was paid the veteran may be more inclined to participate.

Mr. Bracci acknowledged with appreciation the work that Mr. Boecke and Assistant to the Director of Veterans Services Donna Elderkin continue to do for the county's veterans. He inquired how the Agency was able to realize a 58 percent increase in business. Mr. Boecke credited Mrs. Elderkin for her meticulous record keeping and explained that the Agency

compared their 2009 client activity with the activity experienced throughout 2010 to arrive at the percentage of increase.

In response to Chairman Eisel, Mr. Boecke stated that he desired the Board's support and backing of the program in the townships and in acquiring opportunities to push the program. He wants to see this program be successful.

Chairman Eisel believed that this is a worthwhile program and a small token of appreciation of what the county can do for its veterans. He felt certain that the merchants would want to participate.

For standing committee reports Chairman of the Social Services Committee Peter Bracci introduced Commissioner of Social Services William Moon to discuss two committee issues.

Commissioner Moon referenced the *Delaware County Department of Social Services Commissioner's Summary* placed on each Supervisors Desk. He pointed out that the summary contains a report of the statistics for every local social services district in the state and the programs they administer as well as a listing of the county's programs and noted that the county is in line with the current trends. In the year 2007 the department in unduplicated services handled 9,700 individuals and as of February 2011 the number has increased to 13,000. He also pointed out that the county spends less than \$50,000 a year on its homeless population in comparison to other similar sized counties which expend upwards of \$1 million or more on the homeless. This is the type of information that is typically discussed at committee meetings but is significant.

He extended an invitation to discuss the statistics further with any interested Supervisor. The Commissioner noted that given the new census figures on Delaware County's population that the department is getting closer to serving almost 30 percent of the its population.

Chairman Eisel remarked with concern that the numbers will not go down until the economy gets better.

In answer to Mr. Homovich, Commissioner Moon stated that the increase of participants has been a challenge with the same number of staff, however, the staff continues to do what they do well. What he sees as a great concern in these economic times is the way in which people are dealing with their stress.

Commissioner Moon invited the Supervisors to attend the dedication followed by a light lunch of the county facility located at 167 Main Street, Delhi on Wednesday, April 27 at 11:30 a.m.

The facility is currently shared with *Friends of Recovery* a not-for-profit organization of Delaware and Otsego Counties, which is part of two county's drug and alcohol treatment programs. The facility will be the fourth in New York State which is designed under the resource recovery concept of community treatment.

Commissioner Moon replied in response to Mr. Bracci, that the individuals using the recovery services are typically past their first attempt at rehabilitation. These individuals recognize they have a problem and are attempting to work on their rehabilitation.

In reply to Chairman Eisel, Commissioner Moon stated that the facility can be used as a temporary shelter in an emergency situation and that the facility is for the use of Delaware County residents only.

Commissioner Moon explained in answer to Mr. Bracci that the facility was renovated with federal recovery assistance monies. He noted that the *Friends of Recovery* are now paying the utilities on the structure.

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

**RESOLUTION NO. 48**

**TITLE: AUTHORIZATION FOR AWARDS -  
DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS**

**LETTING OF FEBRUARY 8, 2011**

Notice to bidders and proposals received having been filed and the bidding procedures and documents having been approved by the County Attorney:

BE IT RESOLVED, that the County Department of Public Works is authorized to make awards to the lowest bidders meeting specifications as follows:

PROPOSAL NO. 15-11 GUIDERAIL COMPONENTS, Used Material Only to:

Cardona & Sons Inc.  
397 Anthony Street  
Schenectady, NY 12308

Bid Prices: See Summary Sheet

All original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors. Copies of the summary sheet of the bids received have been supplied to each Supervisor.

The resolution was seconded by Mr. Haynes.

Mr. Utter explained that the award is being made only for the used material as the department has discovered that the new material is cheaper on the state bid than on the county bid.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

**RESOLUTION NO. 49**

**TITLE: ADJUSTING THE TIPPING FEE SCHEDULE FOR WASTES AT THE DELAWARE COUNTY SOLID WASTE MANAGEMENT CENTER**

**WHEREAS**, several waste categories handled at the Delaware County Solid Waste Management Center have tipping fees for acceptance and disposal; and

**WHEREAS**, the tipping fee schedule is periodically adjusted in response to operating conditions; and

**WHEREAS**, the NYS Electronic Equipment Recycling and Reuse Act, signed into law on May 28, 2010, requires electronics manufacturers to provide no cost recycling opportunities for used electronics; and

**WHEREAS**, the Delaware County Department of Public Works Solid Waste Division has contracted with several companies servicing the major electronics manufacturers to achieve the requirements of the NYS Electronics Equipment Recycling and Reuse Act allowing the County to provide electronics recycling at no out of pocket expense.

**NOW, THEREFORE, BE IT RESOLVED** that the existing tipping fees be adjusted to remove the fee for computer units, monitors and televisions:

Friable Asbestos	\$200.00 per ton
Box Springs and Mattresses	\$ 10.00 each
Computer Units, Monitors, Televisions	No Charge
Construction & Demolition Debris	\$ 87.00 per ton
Wood - Clean, Unpainted, Untreated Lumber	\$ 25.00 per ton
Contaminated Soils	\$ 30.00 per ton
NYC Upgrade WWTP Sludge	\$ 80.00 per ton

**BE IT FURTHER RESOLVED** that the above tipping fee schedule become effective April 1, 2011.

The resolution was seconded by Mr. Haynes.

Mr. Utter stated that the only change to the existing tipping fee is that there is no longer a fee to dispose of computer units, monitors, and televisions.

Director of Solid Waste Management Susan McIntyre advised that this resolution is specific to the tipping fees at the Solid Waste Management Center in the Town of Walton.

In answer to Mr. Valente, Ms. McIntyre stated that any town interested in accepting electronics at their transfer station should contact her as there is the opportunity to operate under the Solid Waste Management Facility contracts. She explained that the tipping fee was necessary as it previously cost the county money to dispose of the units. As a result of negotiating with new handling companies the county no longer has an out of pocket expense and the savings is able to be passed on to the public.

Mr. Homovich felt the charge back from the Solid Waste Management Facility to towns choosing to provide the service of construction and demolition (C&D) debris disposal at their transfer stations was very high. He inquired if it were possible to lower the fees to the towns.

Ms. McIntyre explained that the \$87 a ton tipping fee apportioned to the towns for their C&D debris covers the additional expense the facility incurs in disposing of the debris. If the fee was not charged, the facility would be spending more money exporting the C&D then was brought in from the tipping fees. She pointed out that the town does not get a charge back if they are able to minimize their C&D intake to 20 percent or less.

Mr. Valente commented that he felt the burning ban had quite an influence on the transfer stations.

Chairman Eisel agreed with Mr. Valente remarking that the requirements around recycling have become overwhelming.

The resolution was adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

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

**RESOLUTION NO. 50**

**TITLE: DESIGNATION OF A THIRTY-DAY PERIOD  
FOR ANY AGRICULTURAL DISTRICT REVIEW**

**WHEREAS**, Chapter 523 of the Laws of 2003 amended NYS Agricultural Markets Law to require the County Legislative Body to designate a thirty-day review period in which landowners may submit requests for inclusion of predominately viable agricultural lands within a certified agricultural district prior to the County established review period; and

**WHEREAS**, the Delaware County Agricultural and Farmland Protection Board has recommended that the annual thirty-day period run from April 1<sup>st</sup> to April 30<sup>th</sup>.

**NOW, THEREFORE, BE IT RESOLVED** that the Delaware County Board of Supervisors does hereby designate the annual 303-b review period as April 1<sup>st</sup> to April 30<sup>th</sup>.

The resolution was seconded by Mrs. Capouya and unanimously adopted.

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

**RESOLUTION NO. 51**

**TITLE: TERMINATION OF AGRICULTURAL DISTRICT 9**

**WHEREAS**, Delaware County has complied with the eight year review procedure of Agricultural District 9 located in the towns of Andes, Bovina, Colchester, Delhi and Hamden; and

**WHEREAS**, the Delaware County Agriculture and Farmland Protection Board has recommended the consolidation of Agricultural Districts 3 & 9; and

**WHEREAS**, the Delaware County Board of Supervisors held a public hearing on Wednesday September 10, 2008 at 6:45 p.m. for any public comment on the review of Agricultural Districts 3 & 9; and

**WHEREAS**, the Agricultural and Farmland Protection board and the County Planning Board have reviewed said District and have recommended that all active agricultural lands be transferred to Agricultural District 3 from Agricultural District 9 before being terminated; and

**WHEREAS**, the New York State Department of Agriculture and Markets has approved the modifications to transfer all remaining District 9 lands to District 3.

**NOW, THEREFORE, BE IT RESOLVED** that Agricultural District 9 be terminated and the remaining agricultural lands of District 9 are merged into Agricultural District 3.

The resolution was seconded by Mr. Triolo.

In response to Chairman Eisel, Senior Planner Kent Manuel explained that the termination of Ag District 9 is being done as part of a planned consolidation of smaller agricultural districts set forth by the County Agriculture & Farmland Protection Board. The purpose of the planned consolidation was intended to reduce the overall number of reviews. The resolution to terminate Ag District 9 had to wait until both districts had been reviewed and all lands transferred over to Ag District 3. The agricultural lands from Ag District 9 have already been merged into District 3.

The resolution was unanimously adopted.

Chairman Eisel waived Board Rule 10 to permit the introduction without objection of the following not-pre-filed resolution.

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

**RESOLUTION NO. 52**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$966,338.04 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	\$551,832.90
Countryside	\$0.00
OET	\$95,925.65

Highway Audits, as Follows:

Landfill	\$104,007.46
Road	\$104,327.18
Machinery	\$92,129.16
Capital Road & Bridge	\$18,115.69
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Marshfield and Ms. Molé and adopted by the following vote: Ayes 4461, Noes 0, Absent 345 (Rowe).

Chairman Eisel welcomed and introduced U.S. Congressman Chris Gibson's Constituent Services Representative Nathan Gill. Mr. Gill will be representing Congressman Gibson at his office in the Senator Charles D. Cook County Office Building located in Delhi, NY on Wednesdays and Thursdays from 9 a.m. to 4 p.m.

Mr. Utter referenced a letter written by Professor Bob Rynk from the Agricultural Engineering Technology Department of SUNY Cobleskill expressing his thanks for the opportunity to bring his students for a tour of the Delaware County Solid Waste Management Facility. The letter acknowledged the county's bold decision to build the facility and making it work so well. Mr. Rynk noted that composting facilities are uncommon in the United States and many facilities built have closed due to unmarketable compost or mismanagement. He noted that Ms. McIntyre and her staff are very knowledgeable and the county's facility is a model for what Municipal Solid Waste composting should be.

Mr. Utter advised that the compliment comes with experience and credentials as prior to coming to Cobleskill Mr. Rynk was the editor of BioCycle magazine a leading publication on recycling organic wastes.

Upon a motion, the meeting adjourned at 2:18 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS**

**JUNE 22, 2011**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, June 22, 2011 at 5:30 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Mr. Smith. Mr. Smith introduced the 2011-2012 Delaware County Dairy Princess Haley Groat. He announced that Miss Groat and her ambassadors will be serving refreshments during recess.

Miss Groat introduced Dairy Princess Ambassadors Chelsey Kilmer and Sabra Warner. As a granddaughter of a dairy farmer and the daughter of a milk truck driver, she is very aware of how dairy farmers touch our lives. Dairy farms keep the economy thriving, businesses running and people living better. As a student she is aware that seven out of ten teenage boys and nine out of ten teenage girls do not consume their three servings of dairy every day. Drinking milk in the teen years helps to keep the body and mind healthy later in life but only about one fourth of teens meet their daily calcium recommendations. Milk replaces salts and electrolytes lost through sweat after strenuous exercise much better than sports drinks and rehydrates the body four times more effectively than water. Milk also helps build muscle, burn body fat and provide more energy for activities. In addition, chocolate milk is a better recovery drink than sports drinks after a work out.

She stated she was inspired by the famous butter sculpture at the New York State Fair that depicted the farming industry's affects on every aspect of our lives. In the sculpture there was a replica of a dairy farm, milk truck driving away from the farm, community garden, grocery store, school and a power plant that used cow manure as a source of green energy. The sculpture is as educational as it is inspiring and showed that farming really does affect every aspect of our lives.

Chairman Eisel thanked Miss Groat for an informative presentation.

Chairman Eisel granted privilege of the floor to Mr. DuMond. Mr. DuMond introduced Director of Emergency Services Richard Bell and Director of Planning Nicole Franzese.

Mr. Bell announced that there will be a “kick off” meeting that will discuss the Hazard Mitigation Plan update process and time line and the benefits and expectations of participation to the municipalities. The “kick off” meeting is scheduled for Monday, July 25, 2011. Two identical sessions will be held in the Board Room of the Senator Charles D. Cook County Office Building. The first session will run from 1:00 p.m. to 3:00 p.m. and the second session will run from 7:00 p.m. to 9:00 p.m. The Planning Department is requesting RSVP’s indicating who will be attending and which session.

In answer to Chairman Eisel, Mr. Bell noted that town highway superintendents are welcome to attend the meeting, however, since the process is committing the town to participate he opined that the town Supervisor or a duly appointed representative should also attend the meeting.

Ms. Franzese called the Supervisors’ attention to the *Letter of Intent to Participate in the Updated to the Multi-Jurisdiction Hazard Mitigation Plan* and her memorandum detailing the town’s responsibilities placed on each Supervisor’s desk. The town’s Letter of Intent to Participate needs to be on town letterhead, signed by the chief executive officer and returned to the Planning Department by July 20, 2011.

In response to Mr. Marshfield, Ms. Franzese stated that digital copies of the letter are available upon request made to the Planning Department.

Chairman Eisel granted privilege of the floor to Mr. Utter who introduced Commissioner of Watershed Affairs Dean Frazier.

Commissioner Frazier encouraged the Supervisors to attend the Second Annual Congressional Briefing on Thursday, July 7<sup>th</sup> at 10:00 a.m. to 2:30 p.m. at the Riverwalk Hotel and Conference Center in Binghamton. The briefing will be an informative discussion on the proposed changes to the Environmental Protection Agency (EPA) water quality regulations for our area and to educate legislators regarding the EPA’s Total Maximum Daily Load (TMDL) for the Susuehanna River. Commissioner Frazier pointed out that compliance with this proposal would cost \$5 billion and that New York State water already meets the federal water quality regulations.

In answer to Chairman Eisel, Commissioner Frazier replied that federal, state and local representatives have been invited to attend the forum.

Commissioner Frazier stated in response to Mr. McCarthy, that it would be beneficial for the town to send a duly authorized person if he was unable to attend the meeting himself.

Chairman Eisel noted that this is a very important issue with serious implications for New York residents across the southern tier. Fortunately upstate New York has the New York State Department of Environmental Conservation on its side. The proposed solution considers

## REGULAR MEETING

### DELAWARE COUNTY BOARD OF SUPERVISORS

AUGUST 24, 2011

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, August 24, 2011 at 5:30 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present except Mr. Rowe and Mr. McCarthy.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

Chairman Eisel referenced a handout placed on each Supervisor's desk entitled: *Delaware County Memorial Service Honoring the 10<sup>th</sup> Anniversary of September 11, 2001*. The event will take place in Delhi beginning with a parade at 8:30 a.m. followed by a memorial service beginning at 8:50 a.m. at the County Court House Square. Everyone was encouraged to attend in remembrance and honor of those affected by the tragedy of September 11, 2001.

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

Chairman Eisel granted privilege of the floor to Director of Public Health Bonnie Hamilton who presented Christina Gardener as Employee of the Month.

Mrs. Gardner began working for the Department of Public Health in June 2006 as an account clerk typist. In November 2006 she was promoted to early intervention program specialist and September 2007 was promoted to her current position, Children's Program Specialist.

As a Children's Program Specialist, Mrs. Gardner is responsible for the Physically Handicapped Children's Program, Children with Special Health Care Needs Program, Pre-k and Early Intervention Programs' intake and referral, grant budgeting, quarterly reports, and service billing to the New York State Department of Health and Medicaid. In addition, she also serves as the car seat technician.

Mrs. Hamilton stated that Mrs. Gardner is a self-starter, reliable and creative, bringing problems and possible solutions to the Director's attention. She cheerfully accepts new tasks as the need arises and has recently taken a leadership role in learning a complicated new database for the Early Intervention Program. She enjoys helping others and knowing that what she does helps to make a difference in the lives of children.

Mrs. Hamilton presented Mrs. Gardner with a \$100.00 savings bond. Chairman Eisel

presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Utter. Mr. Utter advised that Geo-Environmental Management Solutions LLC (GEMS) is the firm hired to develop the county's Energy Plan and introduced President/Sr. Project Manager Fred Krone to provide an update on their activities to date.

Mr. Krone's powerpoint presentation began with an outline of the purpose of the energy plan identified as: assess and discuss the energy needs of the county, its government, citizens and businesses, establish goals and objectives to reduce dependency on fossil fuel, recognize efforts to improve the utilization of renewable and sustainable resources, identify energy opportunities and challenges facing the county and the renewable industries as well as identify policies that will promote the local energy economy.

Efforts that are underway to accomplish these goals include county and municipal energy audits overseen by the New York State Energy Research and Development Authority (NYSERDA). An energy policy committee has been established and the first meeting was held on July 26, 2011 to discuss the natural gas issue. An action committee, comprised of local industry, has been established and the first meeting was held on August 15, 2011 to discuss the renewable energy industry and education needs in the county.

The end result of these efforts will be a document that identifies how much fossil fuel and electricity is consumed by the county as a whole, a basic economic analysis of various renewable resources industries, wind, solar, geothermal, hydro and biomass, an outline of the effort currently underway to improve energy sustainability, and the goals and objectives the county would like to achieve related to reduced energy independence working in cooperation with the New York State Energy Plan and the identification of possible funding resources for the implementation of developed projects.

Mr. Korne stated that GEMS is providing the first audit for each community free of charge. He thanked the Board for the opportunity to provide this update and is looking forward to working with the county in the development of its energy plan.

Chairman Eisel granted privilege of the floor to Mr. Dolph. Mr. Dolph introduced President of the CSEA Local 813, Unit 6600 George Lawson.

Mr. Lawson stated that in addition to his position of President of the CSEA he is a thirty-two year employee with the Department of Public Works serving in the capacity of Public Works Safety and Training Coordinator.

As president of the CSEA Local 813, Unit 6600, Mr. Lawson is responsible for four hundred county employees, five schools, three towns and the county unit within the county. In addition to several other committees, Mr. Lawson serves on the Statewide Board of Directors for the CSEA and chairs the Statewide Budget Committee for the CSEA.

Mr. Lawson stated that the county has a very talented and dedicated workforce they can be very proud of. He was disappointed at the refusal of the union's offer to do a roll over of wages in favor of negotiations and asked that when negotiations begin that the county keep an

open mind and consider the savings to taxpayers as a result of the talent and abilities of the county workforce. He will not come to the table with demands but instead will count on the Board to offer a fair agreement.

For standing committee reports, Chairman of the Planning, Recreation, Culture & Community Committee Thomas Hynes complimented the remodeling of the office of Veterans' Service Agency. The remodeling was done by employees of the county's Building and Maintenance Department. The office is very efficient, attractive and welcoming. In addition, a flag pole was added to the outside of the building. He encouraged the Supervisors to visit the office.

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

**RESOLUTION NO. 111**

**TITLE: 2011 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
MACHINERY FUND**

**WHEREAS**, the cost of fuel has gone up significantly causing a shortfall in the 2011 Budget; and

**WHEREAS**, we are estimating that we will exceed our current budget by approximately \$375,000.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfer be authorized:

**FROM:**

26-00000-34911000	Fund Balance Otr Unreserved	\$375,000.00
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**TO:**

26-15130-54515000	Petroleum, Oil & Lube	\$375,000.00
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The resolution was seconded by Mr. Smith and adopted by the following vote: Ayes 3850, Noes 0, Absent 956 (Rowe, McCarthy).

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

**RESOLUTION NO. 112**

**TITLE: 2011 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PERSONNEL OFFICE**

**WHEREAS**, the Personnel Office is need of a new computer; and  
**WHEREAS**, there is no funding in the equipment account to cover the purchase

**NOW, THEREFORE BE IT RESOLVED** that the following transfer be authorized:

**FROM:**

10-11430-54520000 Postage \$1,168.12

**TO:**

10-11430-52200000 Equipment \$1,168.12

The resolution was seconded by Mr. Utter and adopted by the following vote: Ayes 3850, Noes 0, Absent 956 (Rowe, McCarthy).

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

**RESOLUTION NO. 113**

**TITLE: 2011 BUDGET AMENDMENT  
HOME ENERGY ASSISTANCE PROGRAM  
DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, the Delaware County Department of Social Services is the designated local agency to administer the County’s Home Energy Assistance Program (HEAP) early outreach for 2010-2011; and

**WHEREAS**, said monies to be utilized to reimburse the county at 100% of its expenditures

**THEREFORE, BE IT RESOLVED** that the 2011 budget be amended as follows:

**REVENUE:**

10-16141-44464100 Federal Aid- HEAP \$30,136.00

**APPROPRIATIONS:**

10-16141-54200012 Contracted Services-Delaware Opportunities \$30,136.00

The resolution was seconded by Mr. Marshfield and Mrs. Capouya.

Mr. Marshfield, directing his comment to Mr. Krone, noted he has heard federal HEAP funding is being cut by 50 percent this heating season. Fuel oil has become a huge expense for people and in an attempt to keep the cost to a minimum they are prepaying large sums of money for price protection. HEAP funding means a great deal to our residents. He hoped that the work GEMS is doing will provide the county with a solution to this energy crisis.

In answer to Mr. Marshfield, Mr. Homovich noted that the 2010 figure was cut in half and will result in a crippling effect to the people in this county that need and rely on this assistance. HEAP is not the only program affected by reduced funding. He pointed out the difficulty in preparing a budget for the coming year with cuts from the state and federal government and uncertainty about the rules and regulations accompanying the 2 percent tax cap. All of this needs to be taken into consideration when figuring out how to adjust our budget.

The resolution was adopted by the following vote: Ayes 3850, Noes 0, Absent 956 (Rowe, McCarthy).

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 114**

**TITLE: APPROVAL OF TRANSPORTATION BIDS FOR  
EARLY INTERVENTION AND PRESCHOOL SPECIAL EDUCATION PROGRAM  
(2 - 5 year olds)  
PUBLIC HEALTH NURSING SERVICE**

**WHEREAS**, a request for bids has been made and bids received, having been filed, and the procedures and documents having been approved by Richard B. Spinney, Esq., Delaware County Attorney

**NOW, THEREFORE, BE IT RESOLVED** that the bids received for transportation of preschool children with special needs from various points around Delaware County to the 4410 programs listed below, from September 1, 2011 to August 31, 2014, be accepted as follows:

**Proposal No. 1-11A:** ARC of Delaware County-Carousel Children's Services -  
Program site: 110 Stockton Ave, Walton, NY 13856  
Buchanan Transportation - Bid: \$79.63 per one way trip, 1<sup>st</sup> passenger  
\$14.89 per additional passenger

**Proposal No. 2-11A:** Springbrook, NY, Inc -  
Program site: 2705 State Hwy 28, Oneonta NY 13820  
Buchanan Transportation - Bid: \$79.63 per one way trip 1<sup>st</sup> passenger  
\$14.89 per additional passenger

**Proposal No. 3-11:** Handicapped Children's Association -  
Program site(s): 18 Broad Street, Johnson City, NY 13790  
500 Club House Rd, Vestal, NY 13850  
Serafini Transportation Corp., -  
Bid: \$124.00 per one way trip, 1<sup>st</sup> passenger  
\$24.00 per additional passenger

**Proposal No. 4-11:** Whispering Pines Preschool -  
Program site(s): 395 North Grand Street, Cobleskill, NY 12043  
2841 Thousand Acre Rd. Delanson, NY 12053  
Birnie Bus Service Inc., - Bid: \$152.50 per one way trip, 1<sup>st</sup> passenger  
\$11.00 per additional passenger

**Proposal No. 5-11A:** Institute for Child Development-Childrens Unit for  
Treatment & Evaluation (CUTE)  
Program site: 4400 Vestal Parkway East, Vestal, NY 13902  
Coxsackie Transport Inc - Bid: \$149.00 per one way trip, 1<sup>st</sup> passenger  
\$20.00 per additional passenger

**Proposal No. 6-11:** ARC of Ulster County – Brookside School -  
Program site: 11 Tanhouse Brook Rd, Cottekill, NY 12419  
Birnie Bus Service Inc., - Bid: \$157.50 per one way trip, 1<sup>st</sup> passenger  
\$12.00 per additional passenger

The resolution was seconded by Mr. Donnelly.

In answer to Mr. Marshfield, Director of Public Health Bonnie Hamilton stated that at the time the bids went out there were twenty-three children. At this point, there are twenty-one children, however, the number does fluctuate. Children's Program Specialist Christina Gardner added that the majority of the vans have an average of two to three children, it is rare that a van is filled to capacity with four to five children.

Mrs. Hamilton stated in reply to Mr. DuMond, the program began as a federal program under the Individual with Disabilities Education Act which was passed to the state as a mandated program. Mrs. Gardner noted that the state reimbursement is \$33 per child, per trip and an additional amount is received if the child is Medicaid eligible and meets the strict criteria. There are approximately six or seven parents that take advantage of the parent transportation reimbursement offered by the county and transport their own children. Mrs. Hamilton felt the bidding was very competitive this year, but thought it safe to say that the program would cost between \$650,000 to \$700,000, the same as the previous year.

Mr. DuMond stated that he will be voting "no" and is imploring his fellow Supervisors to join him. As he has stated in the past, this is not a vote against the children it is a vote against unfunded mandates. If the state wants this program to run according to its specific regulations it should provide the funding. He firmly believed the county could provide this service less expensively and more efficiently. Further, he felt that more parents should transport their children and take advantage of the reimbursement program offered by the county.

Mr. DuMond expressed concern that the Board continues to talk about unfunded mandates but is slow to react against them for fear of retaliation from the state. He opined that unfunded mandates are crippling the county and entitlement programs are out of control. He suggested all the Upstate New York counties join together and take a stand against unfunded mandates and stated he is ready to stand up and willing to take the chance the state may retaliate.

In answer to Mr. Marshfield, Chairman Eisel noted that the children of this program require a driver and an aide that is CPR and first aid certified in addition to meeting all the requirements of the New York State Department of Transportation. The initial concept of the transportation program discussions did not consider those specialized needs.

Responding to Mr. DuMond's concern, Mrs. Hamilton explained that parents with a disabled child often have other children and in some cases both parents may be employed. To transport a child out of county and back home consumes approximately six hours a day which makes employment impossible. She felt generally the parents of the program do the best they can with the resources they have.

Mr. Bracci stated that he is in full agreement with Mr. DuMond regarding state mandates. As a member of the Public Health Committee he understands the cost of this program and continues along with the committee to seek a solution. The difficulty continues to be quantifying the cost of the program to its value to the child and community.

In response to Mr. Utter, Mrs. Hamilton confirmed that the bid amount was "per one way trip" and the actual cost would be double the amount indicated on the resolution.

Mr. Hynes speculated that the reason this program may have become a federal mandate in the first place was because these children were not getting the help they needed.

Mrs. Hamilton explained that in the 1980's the program was run through the family court. A family had to petition the court and the court would make the determination. At that time Carousel Childrens Services had their own transportation system and when they were no longer able to provide transportation the county had to bid out for the services. She pointed out that attempts have been made to reduce the cost of the program with more than thirty children placed in less restricted programs. She stated that Mr. DuMond was correct, the state is telling us very specifically how the program should be run.

Mr. Donnelly agreed the program was costly and that state mandates need to be addressed but stated he would not vote against the resolution as it may deny the children an opportunity for a better life.

Mr. Bracci stated that he did not want to risk the state would retaliate.

Mr. Triolo commented that the vote is about the children, not the cost of the program.

The resolution was adopted by the following vote: Ayes 4101, Noes 705 (DuMond, Capouya, Utter), Absent 956 (Rowe, McCarthy).

Mr. DuMond offered the following resolution and moved its adopt

#### **RESOLUTION NO. 115**

##### **TITLE: LEASE AGREEMENT FOR TOWER SPACE DELAWARE-CHENANGO-MADISON-OTSEGO BOCES AND DELAWARE COUNTY DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Delaware-Chenango-Madison-Otsego (DCMO) BOCES desires to lease sufficient space on Delaware County communications towers located at four sites, including Mt. Utsayantha, Town of Stamford; Johnson Hill, Town of Franklin; Houck Mountain, Town of Walton and East Hill, Town of Delhi; and

**WHEREAS**, this lease would allow DCMO BOCES to install a radio signal repeater at each of the aforementioned tower sites. This radio signal repeater is an integral part of DCMO BOCES school bus communications network which allows DCMO BOCES to provide for the enhanced safety and welfare of the school children in Delaware County while being transported to and from DCMO BOCES facilities; and

**WHEREAS**, Delaware County and DCMO BOCES have previously signed 5 year lease contracts. However due to the current and ongoing expansion of the Delaware County radio system it has been deemed appropriate to shorten the term of said lease to 1 year; and

**WHEREAS**, the term of the lease shall commence on July 1, 2011 and end on June 30, 2012 at a cost of \$1,000 per year.

**THEREFORE, BE IT RESOLVED**, that Delaware County be approved to enter into

said lease with DCMO BOCES; and

**BE IT FURTHER RESOLVED**, that the Delaware County Attorney has reviewed and approved the Lease Agreement for Bus Radio Tower Space between Delaware County and the DCMO BOCES; and

**BE IT FURTHER RESOLVED**, that the Chairman of the Board is authorized to execute the signatory page of the lease agreement.

The resolution was seconded by Mr. Utter and adopted by the following vote: Ayes 3850, Noes 0, Absent 956 (Rowe, McCarthy).

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

**RESOLUTION NO. 116**

**TITLE: RESOLUTION IN SUPPORT OF CONTINUED INVESTMENT IN THE BELLEAYRE MOUNTAIN SKI CENTER**

**WHEREAS**, due to its location within both the Catskill Park and NYC West of Hudson Watershed, Delaware County has limited economic development opportunities; and

**WHEREAS**, Belleayre Mountain Ski Center, owned by New York State and operated by NYS Department of Environmental Conservation is located on the Ulster County/ Delaware County border; and

**WHEREAS**, tourism based and hospitality businesses comprise a large segment of eastern Delaware County and the Belleayre Region's economy; and

**WHEREAS**, Belleayre Mountain Ski Center is an integral part of the burgeoning Catskill Mountain ski industry, drawing visitors from the New York City region, Northern New Jersey, Connecticut, and Pennsylvania in significant numbers; and

**WHEREAS**, visitors to the Belleayre Mountain Ski Center also patronize numerous local businesses in Delaware County and the region, allowing those businesses to prosper as well as creating significant tax revenue for the State of New York; and

**WHEREAS**, the Belleayre Mountain Ski Center also hosts the not-for-profit Belleayre Conservatory during the summer providing for significant music and cultural performances which enhance tourism in the region; and

**WHEREAS**, Belleayre Mountain Ski Center is a significant economic driver for the Rt. 28 corridor and creates both full time and part-time employment for nearly 400 Catskill Region residents; and

**WHEREAS**, uncertainty over future state funding for the Belleayre Mountain Ski Center adversely impacts its ability to plan for future seasons and make necessary investments in the facility; and

**WHEREAS**, the uncertainty of Belleayre Mountain Ski Center’s future may adversely affect investment decisions by local businesses, including the proposed \$400 million investment in the Belleayre Resort Project, thereby affecting the viability of current and future employment opportunities.

**NOW, THEREFORE BE IT RESOLVED** that the Delaware County Board of Supervisors hereby requests the NYS Department of Environmental Conservation ensures that the Belleayre Mountain Ski Center has enough resources to continue in a viable manner while the state determines the best future operating structure.

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to Governor Andrew Cuomo, NYS Department of Environmental Conservation Commissioner Joe Martens, Assemblyman Sheldon Silver, Assemblyman Clifford Crouch, Assemblyman Kevin Cahill and New York State Senator John Bonacic and New York Senator Dean Skelos.

The resolution was seconded by Mr. Triolo.

Mr. Valente stated it is important for the state to recognize that Delaware and the surrounding counties rely on their investment in the Belleayre Mountain Ski Center for employment, small business, future expansion and tourism.

On behalf of the Town of Middletown and Ulster County Mr. Utter noted that Belleayre Mountain Ski Center is the only economic engine on that end of the county. He understands there are approximately 409 people on the payroll and 208 of them reside in Delaware County. Although things remain in a flux, there is a core group working hard to keep Belleayre Mountain Ski Center operating. The state has promised that the center will be operational this winter. He fully supports and is very appreciative of this resolution.

Mr. Marshfield remarked that he supports the resolution but, felt uncomfortable with the wording “while the state determines the best future operating structure.” in the second to last paragraph. He would like to revise the paragraph to end after the word “manner.”

Mr. Valente stated in answer to Mr. Marshfield that it is the state’s operation and the county would like to see the state operate the center at a profit.

Mr. Utter added that the wording allows the state to consider viable options, one of which is to operate Belleayre Mountain Ski Center under the New York State Olympic Regional Development Authority (ORDA). The core group is providing input to the state but ultimately it is the state’s decision.

In response to Mr. Marshfield, Director of Economic Development Glenn Nealis stated that if the state chooses to operate under the ORDA there is a strong possibility it would benefit the operation of the ski center. He felt that ORDA was the better option.

Chairman Eisel mentioned that one of the possibilities was to lease the land to the private sector. He referenced the impact both to the residents of the county employed by Belleayre Mountain Ski Center and the spin off spending to small businesses. Referencing the wording of the resolution he said the uncertain future of Belleayre Mountain Ski Center may adversely affect investment decisions like the proposed \$400 million investment that has been detained due

to environmental impact studies for the past twelve years.

Mr. Utter advised that currently the money generated by the ski slope goes into the general fund and only the expenses of the ski slope are shown. If the state were to operate Belleayre Mountain Ski Center under the ORDA both the revenue and expenses would be shown allowing for a clear accounting of the operation.

Mr. Dolph pointed out that the state operates their parks in the same manner. The money generated from logging on Bear Spring Mountain goes into the general fund and does not help the park in any way.

Mr. Valente commented that the wording of the paragraph lets the state know the county understands it is their money and they should manage it, just as we would like the state to allow us to do with our money.

The resolution was unanimously adopted.

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

Ms. Molé offered the following resolution and moved its adoption:

**RESOLUTION NO. 117**

**TITLE: 2011 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
PUBLIC HEALTH NURSING SERVICE**

**WHEREAS**, Resolution 29 of 2010 acknowledged receipt of grant monies in the amount of \$20,353 from the New York State Department of Health and American Recovery and Reinvestment Act for Early Intervention program;

**WHEREAS**, equipment for this grant did not cost as much as anticipated and consultant costs increased to complete policy and procedure requirements;

**THEREFORE, BE IT RESOLVED** that the following transfer be authorized:

**FROM:**

10-14059-5200001/4059001/888	Equipment Grant	\$58.88
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**TO:**

10-14059-54327195/4059001/888	Grant Consultant	\$58.88
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The resolution was seconded by Mr. Donnelly and adopted by the following vote: Ayes 3850, Noes 0, Absent 956 (Rowe, McCarthy).

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

**RESOLUTION NO. 118**

**TITLE: SALE OF TAX ACQUIRED PROPERTY**

**Resolved** that the following described parcels of tax acquired property be sold to the party indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

DAV08TX.028

**ASSESSED TO:**

**RODNEY N HARRIS**

TOWN OF:	122600:DAVENPORT
TAX MAP NO:	24.-1-35
SCHOOL DISTRICT:	122601:CHARLOTTE VALLEY
ACREAGE:	6.80A ACRES
CONVEYED TO:	RODNEY HARRIS 1776 TAYLOR ROAD DAVENPORT CENTER NY 13751
CASH CONSIDERATION:	\$3,192.53
TAX DEFICIT:	\$2,278.18

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

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

**RESOLUTION NO. 119**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$649,391.49 were hereby presented to the Budget Oversight Committee for approval for payment on August 19, 2011 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	\$547,552.26
OET	\$26,703.42
Countryside	\$420.00
Highway Audits, as Follows:	
Road	\$160.11
Machinery	\$63,964.02
Capital Road & Bridge	\$0.00
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$10,591.68

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$2,239,839.75 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	\$756,357.99
OET	\$18,636.21
Highway Audits, as Follows:	
Road	\$824,919.94
Machinery	\$139,051.33
Capital Road & Bridge	\$390,410.89
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$110,463.39

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 3850, Noes 0, Absent 956 (Rowe, McCarthy).

Chairman Eisel noted that the All Hazard Mitigation Plan for the county and towns is currently in the process of being updated. A steering committee of interested stakeholders has been established consisting of two Supervisors, eleven county staff, and seven outside agency members for a total of twenty members to establish a finalized plan. The names of members are on file in the office of the Clerk of the Board.

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

**RESOLUTION NO. 120**

**TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss personnel and negotiation issues.

The resolution was seconded by Ms. Mole and unanimously adopted.

The meeting reconvened in regular session with all Supervisors present except Mr. Rowe and Mr. McCarthy.

Upon a motion, the meeting adjourned at 7:04 p.m.

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS JANUARY 25, 2012**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, January 25, 2012 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 James E. Eisel, Sr. presiding.

The Clerk called the roll and all Supervisors were present.

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel noted a copy of an invitation from the Village of Sidney Mayor Andy Matviak has been placed on each Supervisor's desk. Supervisors are invited to attend an Executive Budget presentation by Commissioner Roann Destito on behalf of Governor Andrew Cuomo on Thursday, January 26, 2012 at 11:00 a.m. at the Sidney Civic Center.

Chairman Eisel granted privilege of the floor to Commissioner of Social Services William Moon who presented Wendi Porter as Employee of the Month.

Ms. Porter began her employment with the Department of Social Services in 2004 as a caseworker assigned to the Family and Children Service Program. In 2009, after training as a child protective services investigator she was promoted to the position of senior caseworker.

Commissioner Moon stated that it takes an individual passionate about what they do to handle the challenges presented to a caseworker when they must knock on a family's door to discuss a potential abuse situation. Ms. Porter possess the disposition and strength of character that keeps the family calm while she explains why she is there and what needs to be done to correct the situation. When school is in session Ms. Porter spends two days at the Masonville BOCES, Harrold Campus. While at the Masonville BOCES she assists with making connections between students, their families and the educational programming. Ms. Porter offers guidance, education and training to family members as needed to bring resolution to their situation. Ms. Porter is devoted to her work, she finds it challenging but rewarding and feels very good knowing she can help make a difference for children and their family. She is community minded and has been serving the Davenport Fire Department as a licensed Emergency Services Technician for more than ten years.

Commissioner Moon presented Ms. Porter with a \$50.00 check. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Chairman Eisel granted privilege of the floor to Mr. Hynes. Mr. Hynes introduced Director of Planning Nicole Franzese to provide an update on the floodplain maps and local law adoption.

Ms. Franzese stated that towns/villages should have received a mailing from both FEMA and NYSDEC regarding the review and adoption of the update of the Model Law for Floodplain Damage Prevention and accompanying maps.

If requested, County Planning will complete and update the law and submit it to the NYSDEC for their review by the deadline of March 19, 2012. After the review the town/village should proceed with a public hearing and adoption. When the draft is completed and approved by the NYSDEC it is recommended that the town/village attorney also review the law. Roxbury, Kortright, Delhi and Harpersfield have already referred their law to their town attorney. Towns/villages will have to schedule their public hearing and adopt the laws and maps before the May 17, 2012 deadline set by the NYSDEC. Towns/ villages should have been individually notified of the status of their appeal and if necessary new maps have been or will be issued.

Regarding the West of Hudson Watershed Mapping Project, FEMA, NYSDEC and NYCDEP are conducting the second meeting of the Floodplain Map Steering Committee. Towns/villages should have received an invitation from FEMA/NYSDEC to attend a meeting on Friday, January 27, 2012 at the Town of Middletown Town Hall at 10 a.m. This project is an update to the Flood Insurance Study and maps for this area. At the end of this process new maps will be issued and the community would have to adopt these maps and update their local law accordingly.

In conclusion, Ms. Franzese noted that County Planning will be submitting a grant application on behalf of the Board of Supervisors to FEMA's Hazard Mitigation Grant Program for a county-wide mitigation project/flood buyout and elevation of the structure above flood level. County Planning has worked with the most affected communities to set up public outreach meetings in their jurisdiction. Meetings are set for January 31, 2012 at 6:00 p.m. in the Village of Sidney Civic Center and February 2, 2012 at 6:00 p.m. in the Town of Middletown Town Hall. Since this is a county-wide project County Planning is attempting to set up a third meeting in a more central location.

Anyone interested in a buyout or elevation of their structure should contact County Planning prior to the deadline of February 29, 2012. The public meetings are being held to gauge interest county-wide in these programs. The deadline for the letter of intent for the hazard mitigation grant program that covers mitigation plans and other projects like stormwater, streambank stabilization and infrastructure improvement is January 31, 2012. These grants are being done on a community by community basis. County Planning is available to help town/villages with their submission, however, if a town/village submits on their own a copy of their submission should be provided to Ms. Franzese and Director of Emergency Services Richard Bell.

In answer to Mr. Marshfield, Ms. Franzese advised that the e-mail he and other Supervisors received and were unable to open was sent by the county's consultant firm, Tetra Tech. The e-mail referenced developing jurisdictional annexes under the All Hazard Mitigation Plan Update. The information in the e-mail can be obtained from County Planning Environmental Technician Kristin Janke Schneider who is coordinating the project.

Chairman Eisel granted privilege of the floor to Mr. Axtell. Mr. Axtell introduced Commissioner of Watershed Affairs Dean Frazier to provide an update of the flood relief funding available as a result of Hurricane Irene and Tropical Storm Lee.

Commissioner Frazier referenced his handout listing the flood relief funds to date and asked that it be viewed as a snapshot of what is available today. Additional rounds of funding may become available and the Supervisors were advised to contact the Department of Watershed Affairs for an update as needed.

Chairman of the County Insurance Committee Martin Donnelly advised that the committee met with representatives of the New York Municipal Insurance Reciprocal (NYMIR) to discuss flood coverage on various county buildings. The committee felt the premiums were excessive and asked NYMIR representatives to re-evaluate their premiums. For example, the premium for flood insurance for the replacement value on the Solid Waste Management Facility building alone was \$100,000.

In answer to Chairman Eisel, Commissioner of Public Works Wayne Reynolds advised that the majority of the compost facility is elevated above flood level. There are portions of the facility that cannot be elevated, such as, the receiving dock but those areas are protected by a series of stop logs that are dropped when needed to prevent water from coming into the building.

Mr. Marshfield commented that replacement value on the building may be excessive and suggested the committee review other coverage possibilities.

In response to Mr. Axtell, Commissioner Reynolds stated that in the past the compost facility lost a few pumps from water coming into the facility. Since then, the equipment has been elevated and the stop log coverage process refined. However, there does need to be some level of coverage to minimize the exposure to the building in the event of flooding.

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

## **RESOLUTION NO. 16**

### **TITLE: 2011 BUDGET AMENDMENT NEW YORK STATE OFFICE OF COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT FLOOD RELIEF GRANT FUNDS DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, per Delaware County Resolution No. 210 of 2011, Delaware County was awarded a Community Development Block Grant in the amount of \$126,250 from the New York State Office of Community Renewal for the purpose of providing local businesses with grant funds to aid in the ongoing recovery from the flooding events of 2011; and

**WHEREAS**, the amount awarded under this grant has been increased by \$22,725 for a total contracted grant award of \$148,975; and

**WHEREAS**, according to an existing agreement between Delaware County and the Delaware County Industrial Development Agency, this grant will be administered by the agency.

**NOW THEREFORE BE IT RESOLVED**, that the County of Delaware hereby authorizes and directs the County of Delaware Board of Supervisors' Chairman to formalize acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing the New York State Community Development Block Grant Agreement and a subrecipient agreement with the Delaware County Local Development Corporation, and establishing a non-interest bearing account for the specific use of this grant.

**BE IT FURTHER RESOLVED**, that the following 2011 budget amendment be made:

**INCREASE REVENUE:**

10-16326-43388900/6326011/972	State Otr Culture & Recreation	\$22,725.00
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**INCREASE APPROPRIATION:**

10-16326-54327000/6326011/972	General Grant Related Expense	\$22,725.00
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The resolution was seconded by Mr. Triolo and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 17**

**TITLE: 2011 BUDGET AMENDMENT  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL  
NEW YORK MAIN STREET FLOOD RELIEF GRANT FUNDS  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, per Delaware County Resolution No. 209 of 2011, Delaware County was awarded a New York Main Street Grant in the amount of \$373,750 from the New York State Office of Community Renewal for the purpose of providing local building owners with grant funds to aid in the ongoing recovery from the flooding events of 2011; and

**WHEREAS**, the amount awarded under this grant has been increased by \$28,031 for a total contracted grant award of \$401,781; and

**WHEREAS**, according to an existing agreement between Delaware County and the Delaware County Industrial Development Agency, this grant will be administered by the agency.

**NOW THEREFORE BE IT RESOLVED**, that the County of Delaware hereby authorizes and directs the County of Delaware Board of Supervisors' Chairman to formalize acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing the NYS Community Development Block Grant Agreement and a subrecipient agreement with the Delaware County Local Development Corporation, and establishing a interest bearing account for the specific use of this grant.

**BE IT FURTHER RESOLVED**, that the following 2011 budget amendment be made:

**INCREASE REVENUE:**

10-16326-43388900/6326010/972	State Otr Culture & Recreation	\$28,031.00
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Development Block Grant in the amount of \$200,000 from the New York State Office of Community Renewal; and

**WHEREAS**, these funds will provide microenterprise businesses with working capital grants designed to offset expenses relating to flooding caused by Hurricane Irene and Tropical Storm Lee; and

**WHEREAS**, this program is for the purpose of flood recovery and is anticipated to result solely in the retention of jobs; and

**WHEREAS**, the County of Delaware has received a grant agreement to formalize acceptance of the funds; and

**WHEREAS**, the grant requires the establishment of a separate non-interest bearing checking account; and

**WHEREAS**, the County of Delaware may enter into a subrecipient agreement with the Delaware County Local Development Corporation (DCLDC), whereby the DCLDC will assume responsibility for the delivery and administration of the CDBG funds on behalf of the County.

**NOW THEREFORE BE IT RESOLVED**, that the County of Delaware hereby authorizes and directs the County of Delaware Board of Supervisors' Chairman to formalize acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing the New York State Community Development Block Grant Agreement and a subrecipient agreement with the Delaware County Local Development Corporation, and establishing a non-interest bearing account for the specific use of this grant.

The resolution was seconded by Mr. Hynes and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 20**

**TITLE: SALE OF ASSETS OF THE CERTIFIED HOME HEALTH AGENCY (CHHA)  
AND LONG TERM HOME HEALTH CARE PROGRAM (LTHHCP)  
OPERATING CERTIFICATES AND  
RESCINDING OF RESOLUTION NO. 85 OF 2011**

**WHEREAS**, the New York State Department of Health has changed its regulations relating to Certificate of Need and Certified Home Health Agencies and Long Term Care Programs.

**THEREFORE BE IT RESOLVED** that Resolution No. 85 of 2011 is hereby repealed and the following adopted in its place.

**WHEREAS**, the county has solicited for proposals relating to the sale of its Certified Home Health Agency and Long Term Health Care Program and the county has received a proposal from L. Woerner, Inc. d/b/a HCR offering to pay the sum of \$600,000 for such

operating certificates; and

**WHEREAS**, on December 8, 2011, the New York State Department of Health emergency regulations were approved that lifted the moratorium on new CHHAs and in effect decreased the value of the county owned CHHA and LTHHCP; and

**WHEREAS**, in response to the emergency regulations and subsequent evaluation of the county owned CHHA and LTHHCP, HCR has decreased the offer from \$600,000 to \$60,000

**NOW, THEREFORE BE IT RESOLVED**, subject to the approval of the New York State Department of Health for L. Woerner, Inc. d/b/a HCR to obtain operating certificates for a Certified Home Health Agency and Long Term Health Care Program that the county terminate its operating rights and allow L. Woerner, Inc. d/b/a HCR to acquire operating certificates from the New York State Department of Health and pay to the county the sum of \$60,000.

**BE IT FURTHER RESOLVED** that the Chairman of Board is hereby authorized to sign any and all documents necessary to effectuate this authority.

The resolution was seconded by Mr. Marshfield.

In answer to Mrs. Capouya, Chairman Eisel stated that HCR is under no obligation to pay the county any money based on the wording of the New York State Department of Health emergency regulation. HCR has agreed to the amount of \$60,000 which represents their deposit for the purchase.

Mr. Marshfield remarked he is thankful the previous Budget Officer did not consider the full amount of the original purchase price in the 2012 County Budget. He knew of other counties that had included the anticipated income in their budget and are having financial difficulties as a result.

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

**RESOLUTION NO. 21**

**TITLE: STANDARD WORK DAY AND REPORTING RESOLUTION  
NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM**

**BE IT RESOLVED**, that the County of Delaware hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

<u>Title</u>	<u>Name</u>	<u>Standard Work Day (hrs/day)</u>	<u>Term Begins/Ends</u>	<u>Employer Rec. Of Time Worked (Y/N)</u>	<u>Days Per Month Bases on Record of Activities</u>
<u>Appointed Officials:</u> County Attorney	Richard Spinney	6	1/01/2012-12/31/2013	Y	N/A

Clerk of the Board	Christa M. Schafer	7	1/01/2012-12/31/2012	Y	N/A
Commissioner, Watershed Affairs	Dean Frazier	7	1/01/2012-12/31/2013	Y	N/A
Director, Veterans Services	John W. Boecke	7	1/01/2012-12/31/2013	Y	N/A
Director, Economic Development	Glenn Nealis	7	1/01/2012-12/31/2013	Y	N/A
Director, Mental Health	Cynthia Heaney	7	6/27/2011-12/31/2013	Y	N/A
Director, Office For Aging	Wayne Shepard	7	8/17/2011-12/31/2012	Y	N/A

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

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

**RESOLUTION NO. 22**

**TITLE: AMEND AND REINSTATE  
THE DEFERRED COMPENSATION MODEL PLAN  
PERSONNEL OFFICE**

**WHEREAS**, the New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the County of Delaware (the "*Model Plan*") and offers the Model Plan for adoption by local employers; and

**WHEREAS**, the County of Delaware, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the County of Delaware; and

**WHEREAS**, effective August 26, 2011 the Board amended the Model Plan to adopt provisions:

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.

- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.

- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.

- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.

- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act,

including suspension of deferrals for six months following distribution.

- Making technical recognition of the waiver of RMDs for 2009.
- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.  
Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of \$100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their account. Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.
- Allowing earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.
- Limiting indemnification to Committee Members only.

**WHEREAS**, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

**WHEREAS**, upon due deliberation, the County of Delaware has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the County of Delaware by adopting the amended Model Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Delaware hereby amends the Deferred Compensation Plan for Employees of the County of Delaware by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A, in the form attached hereto as Exhibit A.

### **General Description of Amendments to the Model Plan Document**

The following is a description of the changes to the Model Plan document, as amended and restated through August 26, 2011. Many of these changes are reorganizational in nature or changes required by law.

#### **Organizational and General Administrative Items**

**1. General Reorganization and Updating of Sections.** A primary objective of the amendments is to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document. Footnotes (to be deleted in final printed version) provide helpful instructions to the employer. Sections dealing specifically with Qualified Domestic Relations Orders and Rollovers were created from existing sections.

**2. Employer Elections Within the Plan Document.** A number of plan provisions, such as suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions and replaces the need for separate documents.

**3. Effective Date of Participation.** Clarifies the first date a participant may make deferrals in compliance with Code Section 457(b). No initial Enrollment Application or deferral change will be effective before the first payroll date in the calendar month following the month in which the Enrollment Application is filed or deferral change was requested. An exception is permitted for new employees who submit an Enrollment Application on or before their first date of employment.

**4. Compensation Available for Deferral.** Clarifies the definition of compensation for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.

**5. HEART Act of 2008.** Includes provisions related to treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.

**6. 2009 Waiver of Required Minimum Distributions (“RMDs”).** Makes technical recognition

of the waiver of RMDs for 2009.

**7. Beneficiary Election Good Order Requirement.** Clarifies the requirement that a beneficiary form must be received in good order to be considered valid.

**8. Rollover Clarification.** Clarifies that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts. The Model Plan may also require documentation from the distributing plan that the incoming rollover is in compliance with federal law. Amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.

**9. Beneficiary Rollover to Roth IRA Account.** Clarifies that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.

**10. Electronic Delivery.** Includes language allowing for future delivery of participant communications through electronic means, where appropriate.

**11. Periodic and Lump Sum Payments Minimum of \$100.** Codifies that periodic and lump sum payments must be a minimum of \$100 per payment. The Committee may choose a different threshold amount and set a maximum annual number of partial distributions.

**12. Plan Loans.** Clarifies that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.

**13. Removal of Power of Attorney Language.** The acceptance of a power of attorney is governed by State law and not required in the Model Plan document.

**14. Special Proceeds Procedures.** Provides guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.

**15. Public Meeting Requirements.** Clarifies the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.

## **Plan Design Items**

**1. Spousal Beneficiary Elections.** When the beneficiary of a Model Plan participant dies, any remaining account balance passes to his or her estate. The previous Model Plan document did not permit any beneficiary to select a subsequent beneficiary. The new Model Plan document allows a surviving spouse beneficiary to name a beneficiary on their account.

**2. Addition of 5 Year Rule for Beneficiaries.** The previous Model Plan document required a non-spouse beneficiary to elect payments based on his or her life expectancy starting the year after the date of death. If the participant dies before age 70½, the RMD rules also allow an alternative whereby the account is distributed by no later than December 31 of the fifth

anniversary of the participant's death. The new Model Plan document includes this option and makes distribution rules consistent for pre- and post-age 70½ deaths.

**3. Modification of the 45-Day Waiting Period for Distributions.** The previous Model Plan document required a 45-day waiting period before distributions could be made due to severance of employment or attainment of age 70½. The new Model Plan document removes the limitation for age 70½ distributions and allows earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.

**4. Unforeseeable Emergency Withdrawals.** Suspension of deferrals following an Unforeseeable Emergency withdrawal is an optional provision. The new Model Plan document permits the plan sponsor to elect to suspend deferrals for six months by indicating that election on Schedule A. The participant will designate the amount of this distribution to be made from his or her pre-tax account and/or Roth contributions account.

**5. 457(b) Loan Transfers.** Provides that outstanding loans from another New York State 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.

**6. Limit Indemnification to Committee Members Only.** The previous Model Plan document extended indemnification to service providers, which may not be appropriate and may be inconsistent with the Committee's contract with service providers. The new Model Plan document limits indemnification to the Committee members.

### **Newly Enacted Provisions**

**1. Roth Designated Contributions.** The Small Business Jobs Act of 2010 authorizes plan sponsors to permit plan participants to make Roth (post-tax) contributions to a public employer sponsored deferred compensation plan. Model Plan sponsors may elect to allow participants to make both pre-tax deferrals and Roth designated contributions within the plan. The initiation of Roth contributions or any subsequent change to a deferral rate will not be effective before the first payroll date in the calendar month following the month in which the deferral rate change is requested. The combined maximum of pre-tax deferrals and Roth designated contributions may not exceed the limits of the plan. The Model Plan provides that loans may only be made from pre-tax assets.

**2. Roth In-Plan Conversions.** The Small Business Jobs Act of 2010 also authorizes plan sponsors to permit plan participants to convert some or all of their pre-tax assets to a Roth designated account within the plan. The plan must permit participants to make Roth designated contributions for a plan sponsor to elect the in-plan conversion option.

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

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

### **RESOLUTION NO. 23**

**TITLE: RESOLUTION IN SUPPORT OF THE CONTINUED  
FINANCIAL VIABILITY OF THE BELLEAYRE MOUNTAIN SKI CENTER  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the Belleayre Mountain Ski Center is a significant economic driver for the Rt. 28 corridor, drawing ski visitors from throughout the northeast and creates both full time and part-time employment for nearly 400 Catskill Region residents; and

**WHEREAS**, visitors to the Belleayre Mountain Ski Center also patronize numerous local businesses in Delaware County and the region, allowing those businesses to prosper as well as creating significant tax revenue for the State of New York; and

**WHEREAS**, over the past two years the New York State Department of Environmental Conservation has made significant cuts to Belleayre's staff and operating budget, at the same time restricting Belleayre's promotional activities; and

**WHEREAS**, the funding cuts and restrictions imposed upon Belleayre have negatively impacted the ski center and businesses throughout the Rt. 28 corridor.

**NOW, THEREFORE BE IT RESOLVED** that the Delaware County Board of Supervisors hereby requests that Belleayre be re-allocated the financial resources and promotional abilities that are necessary to maintain the financial viability of the Belleayre Mountain Ski Center; and,

**BE IT FURTHER RESOLVED** that the Delaware County Board of Supervisors respectfully asserts that discussions regarding the future of the Belleayre Mountain Ski Center involve local elected officials from stakeholder communities and Delaware and Ulster counties.

The resolution was seconded by Mr. Triolo.

Chairman Eisel stated that many of our residents work at the Belleayre Mountain Ski Center and it is a vital part of our economy.

Mr. Rowe commented the Town of Hancock received its golf course back from a lease and is reading through an 88 page document of rules for alienation and conversion of lands dedicated as parklands from the State of New York. The state puts these rules in place for municipalities to follow and feel they are exempt from them. The Town of Hancock is now in the golfing business because once a land is dedicated to a certain recreation the town is responsible to keep that recreation available no matter what happens.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 24**

**TITLE: 2011 BUDGET AMENDMENT  
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL  
MICROENTERPRISE COMMUNITY DEVELOPMENT BLOCK GRANT  
DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, Delaware County has been awarded a Community Development Block Grant in the amount of \$200,000 from the NYS Office of Community Renewal for the purpose of providing local businesses with working capital grants designed to offset expenses relating to flooding caused by Hurricane Irene and Tropical Storm Lee; and

**WHEREAS**, according to an existing agreement between Delaware County and the Delaware County Local Development Corporation (LDC), this grant will be administered by the LDC.

**NOW, THEREFORE BE IT RESOLVED**, that the following 2011 budget amendment be made:

**INCREASE REVENUE:**

10-16326-44498900/6326012/972	NYS DEC	\$200,000.00
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**INCREASE APPROPRIATION:**

10-16326-54327000/6326012/972	General Grant Related Expense	\$200,000.00
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The resolution was seconded by Mr. Triolo.

Mr. Triolo called upon Economic Development Grant Manager Lori Paulson to provide an explanation of the resolution.

Ms. Paulson stated that Economic Development is offering a grant program focused on the rehabilitation of flood impacted buildings, and two other programs focusing on aiding businesses in recovering from the non-construction related financial burden of the flooding.

She explained that construction funds are available to owners of flood impacted commercial buildings and the non-construction program is limited to business owners. Eligible activities under the flood impacted building repair program include, but are not limited to, the rehabilitation of buildings for commercial use and the replacement of permanent fixtures and equipment, such as foundation repairs, heating system replacement/relocation, electrical system replacement/relocation, etc. The cost of other flood related expenses such as, cleanup costs, pump-out costs for basements and oil tanks, refueling/replacing impacted oil tanks, replacing inventory and supplies lost/spoiled in the flood, replacing shelving, furniture, fixtures and equipment, utilities during times the business was forced to remain closed due to repairs needed, and road closure/state of emergency declaration are considered eligible under the non-construction flood relief programs. Maximum award amounts for building repairs will be limited to \$50,000 per building, and non-construction related projects will allow a maximum award of \$20,000.

The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 25**

**TITLE: 2012 BUDGET AMENDMENT  
STATEWIDE INTEROPERABLE COMMUNICATION GRANT**

**DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Delaware County applied for and has been awarded grant funding under the Statewide Interoperable Communication Grant (SICG) from the Division of Homeland Security and Emergency Services and the Office of Interoperable and Emergency Communications; and

**WHEREAS**, this grant was awarded in the amount of \$1,078,000 to Delaware County for the purposes of improving interoperable communications by ensuring capability for National Interoperability Channels and developing and implementing solutions to achieve spectrum efficiency.

**NOW, THEREFORE, BE IT RESOLVED** that the Department of Emergency Services be authorized to accept the grant funding as described above and that the 2012 budget be amended as follows:

**INCREASE REVENUE:**

38-13640-43338900/3640381/911 State Interoper Emergency Comm Grant \$1,078,000.00

**INCREASE APPROPRIATION:**

38-13640-54324001/3640381/911 General Grant Related Expenses \$1,078,000.00

The resolution was seconded by Mr. Axtell. The resolution was adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

**RESOLUTION NO. 26**

**TITLE: 2011 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Mid-State Communications provided services and material for construction of a 60 foot tower extension at the Public Safety Building in Delhi; and

**WHEREAS**, the original intention was to pay for this construction cost through the 2009 Statewide Law Enforcement Terrorism Prevention Program grant; and

**WHEREAS**, the Environmental and Historical Preservation documentation for the existing Public Safety Building was not sufficient to utilize this funding source; and

**WHEREAS**, the payment having already been made from the grant funding now needs to be charged to the 911 equipment account created by 911 surcharge funding.

**NOW, THEREFORE BE IT RESOLVED** that the following transfer be authorized:

**FROM:**

10-13110-52200001/3110032/907 Equipment Grant \$15,420.00

**TO:**

10-13020-52200000

Equipment

\$15,420.00

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

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

**RESOLUTION NO. 27**

**TITLE: SALE OF TAX ACQUIRED PROPERTY  
TREASURER'S OFFICE**

**RESOLVED** that the following described parcels of tax acquired property be sold to the parties indicated for the price herein stated and the County Treasurer is authorized to execute and deliver deed, therefor, and to cancel all Delaware County tax liens thereon.

MID09TX.008

**ASSESSED TO:**

**JOHN F CABALES AND MARILYN CABALES**

TOWN OF:	124689:MIDDLETOWN
TAX MAP NO:	243.-1-25.2
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	1.20A ACRES
CONVEYED TO:	ESTATE OF MARILYN CABALES C/O STACIE SERRANO 70A HEMLOCK DRIVE KINGS PARK NY 11754
CASH CONSIDERATION:	\$12,686.29
TAX DEFICIT:	\$10,078.16

ROX09TX.003

**ASSESSED TO:**

**ANEL LLC**

TOWN OF:	124800:ROXBURY
TAX MAP NO:	180.-2-27
SCHOOL DISTRICT:	124802:ROXBURY
ACREAGE:	7.34A ACRES
CONVEYED TO:	ANEL LLC C/O MITCH PERL 420 NANNY HAGEN RD THORNWOOD NY 10594-2215
CASH CONSIDERATION:	\$5,328.62
TAX DEFICIT:	\$4,146.33

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

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

**RESOLUTION NO. 28**

**TITLE: SALE OF TAX ACQUIRED PROPERTY  
TREASURER'S OFFICE**

**WHEREAS**, the County of Delaware owns premises in the Town of Stamford referenced to as tax map number 54.14-3-1 formerly assessed as Delair Enterprises Inc.; and

**WHEREAS**, the Stamford Cemetery Association wishes to purchase 2.357 acres of said parcel.

**NOW, THEREFORE BE IT RESOLVED** that upon payment of \$69.81 to the County Treasurer, the County Treasurer is authorized to convey a deed conveying the county's interest in such 2.357 acres to the Stamford Cemetery Association.

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

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

**RESOLUTION NO. 29**

**TITLE: STIPULATION WITH VILLAGES IN  
TAX FORECLOSURE PROCEEDING  
TREASURER'S OFFICE**

**WHEREAS**, the County of Delaware has commenced a tax foreclosure proceeding pursuant to Article 11 of the Real Property Tax Law of the State of New York and said proceeding is returnable before the New York State Supreme Court Delaware County, April 6, 2012; and

**WHEREAS**, said proceeding effects tax liens of both the county and several villages of Delaware County

**NOW, THEREFORE, BE IT RESOLVED** the County Attorney is authorized to stipulate with said villages that the County of Delaware will take title to such properties that upon sale of said properties the county will divide with the appropriate village the proceeds of said sale in proportion to the agreement upon "Notice of Stipulation."

The resolution was seconded by Mr. Marshfield and Mr. Triolo and unanimously adopted.

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

**RESOLUTION NO. 30**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$3,012,578.05 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	\$2,241,523.37
Countryside	\$420.00
OET	\$11,675.50
Public Safety Communication System	\$11,900.26
Highway Audits, as Follows:	
Weights & Measurers	\$419.23
Landfill	\$147,358.10
Road	\$51,604.25
Machinery	\$ 89,659.63
Capital Road & Bridge	\$ 452,896.54
Capital Solid Waste	\$5,121.17

The resolution was seconded by Ms. Molé and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

#### **RESOLUTION NO. 31**

##### **TITLE: DORMITORY AUTHORITY OF THE STATE OF NEW YORK ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM GRANT DEPARTMENT OF ECONOMIC DEVELOPMENT**

**WHEREAS**, the County of Delaware has been awarded an Economic Development Assistance Program (EDAP) Grant in the amount of \$1,000,000 through the Dormitory Authority of the State of New York; and

**WHEREAS**, these funds will allow for improvements to be made at the corporate park site in the Village of Sidney, NY as well as to assist the Delaware County Industrial Development Agency with the acquisition of lands necessary for the relocation of one of Delaware County's largest manufacturing employers; and

**WHEREAS**, the County of Delaware will be in receipt of a grant agreement to formalize acceptance of the funds; and

**WHEREAS**, the grant requires the establishment of a separate checking account; and

**WHEREAS**, the County of Delaware may enter into a subrecipient agreement with the Delaware County Industrial Development Agency (DCIDA), whereby the DCIDA will assume responsibility for the delivery and administration of the EDAP funds on behalf of the County.

**NOW, THEREFORE BE IT RESOLVED**, that the County of Delaware hereby authorizes and directs the County of Delaware Board of Supervisors' Chairman to formalize

acceptance of the grant award by taking any and all steps necessary including, but not limited to, executing an Agreement with the Dormitory Authority of the State of New York and a subrecipient agreement with the Delaware County Industrial Development Agency, and establishing a separate account for the specific use of this grant.

The resolution was seconded by Mr. Triolo.

Ms. Paulson stated that the funding will be administered by the Delaware County Industrial Development Agency and will assist with the expenses arising from acquisition and improvement of the new site to be used in the relocation of Amphenol, one of Sidney, New York's largest employers.

The resolution was unanimously adopted.

Chairman Eisel appointed the Town of Walton Supervisor Bruce Dolph to the Soil & Water Conservation District Board of Directors.

Chairman Eisel stated that the oversight committee appointments have been made and distributed the directory cards to the Supervisors. Attached to the directory card was a sheet listing all the departments that fall under a committee. The number of oversight committees have been reduced from seventeen to nine. The point of this is to involve more of the Supervisors in the committee work so that there is a better handle on what is going on in the county. The committees are not cast in stone and constructive criticism is welcome as departments and Supervisors work through the transition.

Upon a motion, the meet adjourned at 2:08 p.m.