# AGENDA
# SCHOHARIE COUNTY BOARD OF SUPERVISORS
# 10th REGULAR MEETING
# October 16, 2015

*SUPERVISORS*

Shawn J. Smith
***Blenheim***

William M. Smith III
***Broome***

Larry Bradt
***Carlisle***

Leo T. McAllister
***Cobleskill***

William A. Federice
***Conesville***

Earl VanWormer III
***Esperance***

Philip R. Skowfoe Jr.
***Fulton***

Anthony VanGlad
***Gilboa***

Sean P. Jordan
***Jefferson***

Jim Buzon
***Middleburgh***

Richard Lape
***Richmondville***

Gene Milone
***Schoharie***

J. Carl Barbic
***Seward***

Sandra Manko
***Sharon***

Harold Vroman
***Summit***

Amber L. Bleau
***Wright***

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO THE FLAG**

**INVOCATION** – Pastor Jeff Kelly

**APPROVAL OF MINUTES** – Sept. 8, 2015; Sept. 18, 2015

**PUBLIC HEARING:**
9:00am

- Local Law #5 - Of The County Of Schoharie, New York, Allowing For Common, Safe Items To Be Excluded From The Dangerous Fireworks Definition As Permitted By New York State Penal Law Section 405(b)
- Local Law #6 - To Override The Tax Levy Limit Establish In General Municipal Law Section 3-c

**PRIVILEGE OF THE FLOOR: 9am - 10am**

- Earl Gaskill
- Glenn Sanders - Health Impact Press Conference
- AECOM – Patti Flores
- EWP – Doug VanDeusen

**CORRESPONDENCE:**

- Schoharie County Conservation Assoc. - August 2015 Minutes
- Coalition of Watershed Towns - September 2015 Minutes; New Chairman introduction letter
- Catskill Watershed Corp. - October 2015 Resolutions
- Schoharie County IDA - Annual Audit 7/1/14 - 6/30/15
- Schoharie County Capital Resource Corp. - Annual Audit 7/1/14 - 6/30/15

**RESOLUTIONS FROM OTHER COUNTIES/TOWNS:**

- NYSAC - 2015 Resolutions - Fall Seminar Resolutions
- City Of Utica - Resolution 25 - Endorsing the Concept of A Six-County Land Bank
- Rockland County - Resolution No. 448 of 2015 - Urging The New York State Department Of Environmental Conservation To Institute An Immediate Freeze On New Air And Water Quality Permits For All Natural Gas Infrastructure Project Applications, And Urging The New York State Department Of Health To 1) Perform A Thorough Assessment Of The Public Health And Safety Impact Of Natural Gas Pipeline Infrastructure Projects In New York State, And 2) Publicly Issue A Written Report Of Its Findings

**COMMITTEE REPORTS**

**RESOLUTIONS:**
NO. 90 - Approving Appointment Of Alternate Member To The Schoharie County Planning Commission

NO. 94 - A Resolution Authorizing Planning And Design Expenses In Connection With A New Public Safety Facility And Jail In And For The County Of Schoharie, New York, At A Maximum Estimated Cost of $3,000,000 And Authorizing The Issuance Of $3,000,000 Bonds To Pay The Cost Thereof

NO. 95 - A Resolution Authorizing Replacement Of The Blenheim Covered Bridge In And For The County Of Schoharie, New York, At A Maximum Estimated Cost Of $5,800,000 And Authorizing The Issuance of $5,800,000 Bonds To Pay The Cost Thereof

NO. 96 - A Resolution Authorizing Planning And Design Expenses For An Exterior Flood Mitigation Project For County Office Building In And For The County Of Schoharie, New York, At A Maximum Estimated Cost Of $1,000,000 And Authorizing The Issuance Of $1,000,000 Bonds To Pay The Cost Thereof

NO. 97 - A Resolution Declaring The Schoharie County Board Of Supervisors' Intent To Be Lead Agency For The Purchase Of Land And The Development Of The Schoharie County Public Safety Facility

NO. 98 - A Resolution Calling For The Bureau Of Flood Protection And Dam Safety Of The NYS Department of Environmental Conservation To Take The Following Action Regarding The New York City DEP Dam At Gilboa, NY And The Blenheim/Gilboa Pumped Storage Project Owned By NYS Power Authority, FERC #2685

NO. 99 - Amending The Budget And Transfer Of Funds

NO. 100 - Authorizing Chairman To Sign Amendment To Contract Of Sale Relating To Public Safety Facility

NO. 101 - A Resolution Declaring The Schoharie County Board Of Supervisors Intent To Be Lead Agency For The Flood Mitigation Project To Construct Floodwalls And Floodgates At The Schoharie County Office Complex

NO. 102 - Resolution Seeking State Assistance With The New York Tax Cap

NO. 103 - Expressing Regret For The Death Of Daniel Schuppel, Former Supervisor Of This Board From The Town Of Sharon

**ANY OTHER BUSINESS**

**ADJOURNMENT**

# RESOLUTION NO. 90

TITLE: APPROVING APPOINTMENT OF ALTERNATE MEMBER TO THE SCHOHARIE COUNTY PLANNING COMMISSION

OFFERED BY: Sandra Manko Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

WHEREAS, pursuant to Section III (A) of LOCAL LAW #2 OF 2013 of the Schoharie County Board of Supervisors, "The Schoharie County Board of Supervisors shall have the right to appoint two (2) alternate members (first and second) to the Commission by Resolution," and

WHEREAS, all appointed alternate members on the Commission can serve up to three consecutive terms in accordance with LOCAL LAW #2 OF 2013, and

WHEREAS, the second alternate member position is currently vacant, now, therefore be it herby

RESOLVED, that the appointment of the following person as an alternate member of the Schoharie County Planning Commission for the term expiring as indicated is hereby approved:

| ALTERNATE | NAME | TOWN | BACKGROUND | TERM# | TERM EXPIRING |
|---|---|---|---|---|---|
| Second | Bruce Stacey | Cobleskill | Resident | 1 | 6/30/2017 |

Dated: September 17, 2015
Filed: September 17, 2015

Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

Tabled 9/18/15

# RESOLUTION NO. 94

TITLE: A RESOLUTION AUTHORIZING PLANNING AND DESIGN EXPENSES IN CONNECTION WITH A NEW PUBLIC SAFETY FACILITY AND JAIL IN AND FOR THE COUNTY OF SCHOHARIE, NEW YORK, AT A MAXIMUM ESTMATED COST OF $3,000,000 AND AUTHORIZING THE ISSUANCE OF $3,000,000 BONDS TO PAY THE COST THEREOF.

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

BE IT RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Schoharie, New York, as follows:

Section 1. Planning and design expenses in connection with a new public safety facility and jail in and for the County of Schoharie, New York, is hereby authorized at a maximum estimated cost of $3,000,000.

Section 2. The plan for the financing of such maximum estimated is by the issuance of $3,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. The amount of bonds to be issued shall be reduced to the extent of FEMA aid received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62 of paragraph a of Section 11.00 of the Local Finance Law

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds hereby authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Schoharie, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1] Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2] The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3] Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said County designated for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form set forth in paragraph of Section 81.00 of the Local Finance Law.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Largeteau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 95

TITLE: A RESOLUTION AUTHORIZING REPLACEMENT OF THE BLENHEIM COVERED BRIDGE IN AND FOR THE COUNTY OF SCHOHARIE, NEW YORK, AT A MAXIMUM ESTMATED COST OF $5,800,000. AND AUTHORIZING THE ISSUANCE OF $5,800,000 BONDS TO PAY THE COST THEREOF.

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

BE IT RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Schoharie, New York, as follows:

Section 1. The replacement of the Blenheim Covered Bridge in and for the County of Schoharie, New York, including costs incidental thereto, is hereby authorized at a maximum estimated cost of $5,800,000.

Section 2. The plan for the financing of such maximum estimated is by the issuance of $5,800,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. The amount of bonds to be issued shall be reduced to the extent of FEMA and other aid received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Schoharie, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1] Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2] The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3] Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said County designated for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form set forth in paragraph of Section 81.00 of the Local Finance Law.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Daigetear
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 96

TITLE: A RESOLUTION AUTHORIZING PLANNING AND DESIGN EXPENSES FOR AN EXTERIOR FLOOD MITIGATION PROJECT FOR COUNTY OFFICE BUILDING IN AND FOR THE COUNTY OF SCHOHARIE, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $1,000,000 AND AUTHORIZING THE ISSUANCE OF $1,000,000 BONDS TO PAY THE COST THEREOF.

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

BE IT RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Schoharie, New York, as follows:

Section 1. Planning and design expenses for an exterior flood mitigation project for the County Office Building in and for the County of Schoharie, New York, including costs incidental thereto, is hereby authorized at a maximum estimated cost of $1,000,000.

Section 2. The plan for the financing of such maximum estimated is by the issuance of $1,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law. The amount of bonds to be issued shall be reduced to the extent of FEMA and other aid received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62 of paragraph a of Section 11.00 of the Local Finance Law

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Schoharie, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1] Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2] The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3] Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said County designated for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form set forth in paragraph of Section 81.00 of the Local Finance Law.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Largetear
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 97

TITLE: A RESOLUTION DECLARING THE SCHOHARIE COUNTY BOARD OF SUPERVISORS' INTENT TO BE LEAD AGENCY FOR THE PURCHASE OF LAND AND THE DEVELOPMENT OF THE SCHOHARIE COUNTY PUBLIC SAFETY FACILITY

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

WHEREAS, Schoharie County is proposing the construction of a new public safety facility; and

WHEREAS, in order to be eligible for federal funding, the County was required to identify a potential site for the location of the new public safety facility and has entered into a conditional Contract of Sale that is contingent upon completing all state and federal environmental reviews required associated with the acquisition and use of that property and obtaining all federal, state and local permits, approvals, waivers and/or agreements necessary to site and construct a new public safety facility serviced by public water and public sewer services; and

WHEREAS, with the assistance of LaBella Associates, the County is reviewing all environmental impacts as a contingency of property purchase and developing plans to construct a public safety facility; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617 and Article 8 of the Environmental Conservation Law, New York State Environmental Quality Review Act ["SEQRA"] the Board of Supervisors of the County [the "Board of Supervisors"] intends to serve as Lead Agency for the SEQRA review of this Action, and, in this capacity, will determine if the proposed action may have a significant effect on the environment; and

WHEREAS, based upon information available to the Board of Supervisors, the Board of Supervisors has made a preliminary determination that the proposed property acquisition and development of the public safety facility and the water and sewer supply for that facility is a Type 1 Action by reason of application of the criteria set forth in 6 NYCRR §617.4; and

WHEREAS, the Board of Supervisors will undertake a coordinated review of this action and transmit the required environmental information to all involved and interested agencies at the appropriate time; now, therefore be it hereby

RESOLVED, that the Board of Supervisors hereby declares its intention to serve as Lead Agency for the SEQRA Coordinated Review of this Type 1 Action including the proposed property acquisition and development of the public safety facility and the water and sewer supply for that facility.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Pangretean
Clerk, Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 98

TITLE: A RESOLUTION CALLING FOR THE BUREAU OF FLOOD PROTECTION AND DAM SAFETY OF THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO TAKE THE FOLLOWING ACTION REGARDING THE NEW YORK CITY DEP DAM AT GILBOA, NY AND THE BLENHEIM/GILBOA PUMPED STORAGE PROJECT OWNED BY NYS POWER AUTHORITY, FERC #2685

OFFERED BY: Philip Skowfoe Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

WHEREAS, on September 26th at approximately 11:20 PM a 3.0 magnitude earthquake was recorded with its epicenter 8 miles deep and located beneath the western side of the upper reservoir of the NYS Power Authority's Pumped Storage Project located in Gilboa and Blenheim, New York, and

WHEREAS, both the DEP and the NYPA dam and its upper storage reservoir are constructed over the Nose Fault, and

WHEREAS, the depth of the earthquake is such that it was most likely not due to seepage of water but to internal force, and

WHEREAS, pumped storage projects are frequently shifting billions of gallons of water which creates a fluctuation of 10 to 20 million tons of force, and

WHEREAS, during a major weather event that could involve the Probable Maximum Flood this would greatly increase the stress on this fault and possibly maximize the probability of an earthquake coinciding with a flood, and

WHEREAS, if the integrity of either of the embankments of the 3 reservoirs failed, it would cause devastation to the entire Schoharie Valley and beyond, now, therefore, be it

RESOLVED, that the Schoharie County Board of Supervisors requests that the Bureau of Flood Protection and Dam Safety of NYS Department of Environmental Conservation, Alan A. Fuchs, P.E. Bureau Director and Alon Dominitz, Section Chief, Dam Safety Division, undertake the following action:

Obtain the services of Dr. Robert D. Jacobi, of S.U.N.Y. Buffalo to investigate the cause or causes and implications of the recent earthquake at the Blenheim/Gilboa Pumped Storage Project and its possible effect on the earthworks of the NYC DEP dam at Gilboa. Dr. Jacobi is a structural geologist and the preeminent authority on faults and earthquakes on the eastern North American continent. Hopefully his study would address three [3] concerns:

1. Determine the origin and the impact of the quake on the integrity of the infrastructure at the Blenheim/Gilboa facility in particular, and upstream at the NYC DEP owned dam at Gilboa.

2. Mute superficial assurances that the earthquake was of little significance, until the true facts are known.

3. Since almost catastrophic combinations of natural disasters and infrastructure failure had occurred at Blenheim/Gilboa facility during Hurricane Irene, he could hopefully assess the possible synergism between an earthquake and a major flood event, if they were to occur simultaneously.

Funding for this research should be paid by NYPA, the owner of the utility and property that this tremblor originated under and whose facility is built over it.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Lareau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 99

TITLE: AMENDING THE BUDGET AND TRANSFER OF FUNDS

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

RESOLVED, that the Schoharie County Treasurer is hereby authorized and directed to amend the 2015 Budget, and transfer the following amounts within said Budget:

BUDGET TRANSFERS:

| From: | To: | Amount: |
|---|---|---|
| A.1325.4306 Misc. Expenses | A.1325.4303 Travel Expenses | 300.00 |
| A.1490.4101 Office Supplies | A.1490.2102 Office Furniture | 225.00 |
| A.1620.4520 Bldg. Improvements | A.1620.4604 Courthouse Maintenance | 5,000.00 |
| A.1620.4599 Repairs & Maintenance | A.1620.4604 Courthouse Maintenance | 15,000.00 |
| A.1990.4298 Contingent Account | A.1230.2205 Comp. Equipment | 2,461.00 |
| A.3020.1801 Part-time | A.3020.1901 Overtime | 5,000.00 |
| A.3110.1804 Part-time | A.3110.1901 Overtime | 5,000.00 |
| A.3110.2410 Snowmobile Equip. | A.3110.2205 Computer Equipment | 500.00 |
| A.3110.4199 Other Materials | A.3110.2205 Computer Equipment | 485.00 |
| A.3150.1021 Deputy | A.3150.1901 Overtime | 16,800.00 |
| A.4010.4673 Other HH Services | A.4010.2205 Computer Equipment | 882.00 |
| A.4310.1802 Fiscal Coord.-PT | A.4310.1018 Office Keyboard Worker | 3,300.00 |
| A.5630.4308 Sr. Council Contract | A.5630.1901 Overtime | 2,000.00 |
| A.6010.1361 Acct. Clerk Typist | A.6070.4670 Clinical Psychologist | 14,000.00 |
| A.6010.1808 Caseworker -PT | A.6010.1801 Part-time | 10,000.00 |
| A.6010.1808 Caseworker –PT | A.6010.2306 Photocopier Lease | 10.00 |
| A.6102.4638 Medicaid | A.6109.4640 Family Assistance | 100,000.00 |
| A.6772.4278 Adult Advocates | A.6772.4206 Reporting System | 500.00 |

**BUDGET AMENDMENTS:**

| | | | BY |
|---|---|---|---|
| Increase Appropriation line: | A.1950.4253 | Taxes on County Owned Property | 51,000.00 |
| Increase Revenue line: | A.1081 | Payments-in-lieu-of-taxes | 51,000.00 |
| Increase Appropriation line: | A.3110.2325 | LETPP Equipment | 23,750.00 |
| Increase Revenue line: | A.4325 | LETPP Grant | 23,750.00 |
| Increase Appropriation line: | A.6109.4640 | Family Assistance | 100,000.00 |
| Increase Revenue line: | A.4609 | Family Assistance | 50,000.00 |
| Increase Revenue line: | A.4615 | FFFS Block Grant | 50,000.00 |

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Largeteau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015 at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 100

TITLE: AUTHORIZING CHAIRMAN TO SIGN AMENDMENT TO CONTRACT OF SALE RELATING TO PUBLIC SAFETY FACILITY

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized and directed to sign Amendment to Contract of Sale with Yon Suk Seebold and Emma Seebold, which amendment shall provide the following:

1. Section 3B of the Contract of Sale, dated May _____, 2015, is deleted in its entirety and replaced by a new Section 3 B as follows:

B. Contingent upon (i) PURCHASER completing all processes required by Article 8 of the Environmental Conservation Law of the State of New York, the State Environmental Quality Review Act (SEQRA), relative to all state and local permits, licenses, approvals, waivers and/or agreements required in relation to the acquisition of the Properties and the construction on the Properties of buildings, structures and facilities for the intended purposes, which have been identified above, and the construction of sewer and water services to the Properties (collectively, the "Project"); (ii) PURCHASER obtaining all state and local permits, licenses, approvals, waivers and/or agreements required in relation to the acquisition of the Properties and construction of the Project; and (iii) the Federal Emergency Management Agency (FEMA) completing all processes required by the National Environmental Policy Act, 42 U.S. C. § 4321 *et seq.,* and issuing all approvals required in relation to funding for the purchase of the Properties and the construction and operation of the Project.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Laughlin
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 101

TITLE: A RESOLUTION DECLARING THE SCHOHARIE COUNTY BOARD OF SUPERVISORS INTENT TO BE LEAD AGENCY FOR THE FLOOD MITIGATION PROJECT TO CONSTRUCT FLOODWALLS AND FLOODGATES AT THE SCHOHARIE COUNTY OFFICE COMPLEX

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

WHEREAS, Schoharie County is proposing an action that includes the construction of a series of floodwalls and floodgates to protect the County Office Complex from damage from floodwaters, as well as the improvement of a public plaza space in front of the County Office Complex; and

WHEREAS, with the assistance of LaBella Associates, the County is reviewing all environmental impacts as a contingency of developing plans to construct the flood mitigation improvements, including the floodwalls and floodgates, and the improvement of a public plaza space; and

WHEREAS, in accordance with the provisions of 6 NYCRR Part 617, the Board of Supervisors of the County of Schoharie has preliminarily classified the action as a Type 1 Action under SEQRA, and intends to serve as Lead Agency for the SEQRA review of this action, and, in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, the Board of Supervisors will undertake a coordinated review of this action and transmit Part 1 of the Full Environmental Assessment Form (EAF) to all involved and interested agencies; and

WHEREAS, involved agencies will have thirty calendar days from the date of EAF transmittal to express if they are interested in being Lead Agency; now, therefore it be

RESOLVED, that the County of Schoharie Board of Supervisors hereby declares its intention to serve as Lead Agency for the SEQRA Coordinated Review of the proposed action. Unless an involved agency objects to the County of Schoharie Board of Supervisors serving as Lead Agency, the County Board will determine the significance of the action within twenty calendar days of receipt of all information necessary to make such determination.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Largetear
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 102

TITLE: RESOLUTION SEEKING STATE ASSISTANCE WITH THE NEW YORK TAX CAP

OFFERED BY: J Carl Barbic Who moved its adoption.

SECONDED BY: James Buzon Chairman Rules & Legislation Committee

WHEREAS, in 2011, New York Governor Andrew Cuomo and the New York State Legislature adopted what is commonly referred to and known as New York State's Property Tax Cap to address New York's increasing property taxes; and

WHEREAS, the Property Tax Cap set in place a cap on growth of property taxes in New York whereby real property taxes are capped at two percent [2%] per year or the rate of inflation, whichever is less; and

WHEREAS, the focus of the tax cap has been on the laudable goal of driving down costs of government services through cuts and consolidation in services and heightened economic development aimed at alleviating the pressure of the tax cap; and

WHEREAS, while increasing economic development everywhere in New York State is an important and laudable goal, New York's towns and counties, especially those in Schoharie County, face particular hardships when seeking development projects; and

WHEREAS, communities within Schoharie County find themselves at a significant crossroads; higher regulatory and financial obligations for aging infrastructure versus compliance with the tax cap, as well as still facing millions upon millions of dollars of costs to rebuild lost infra structure from the top to bottom of Schoharie County from the ravages of tropical storms Irene and Lee; and

WHEREAS, most communities within Schoharie County have already taken significant steps aimed at cost savings within their communities including significant reductions in highway and DPW staff and other staffing cuts; and

WHEREAS, Schoharie County residents and taxpayers are at a breaking point with the need for meaningfully services and roads and the ever decreasing revenue with which to supply such services and needs; and

WHEREAS, the communities within Schoharie County hereby ask Governor Andrew Cuomo and members of the New York State Legislature to help the residents and taxpayers of Schoharie County with regulatory relief and financial assistance to help our communities to comply with the Tax Cap, especially considering the additional fact that generally with every state-cut there is an associated state mandate passed down to local municipalities which counts against the tax cap, thus, rigging the game so it becomes impossible for local governments to stay under the cap; and

WHEREAS, it is only fair that as each municipality cuts its already bare-bones budget to meet the 0.73% tax cap that they should be allowed to cut a proportional share from each state mandate so as the pain for cuts is felt where it rightly belongs, and that municipalities should then be allowed to withhold said proportional amounts from what is remitted to the State of New York;

NOW, THEREFORE, BE IT RESOLVED, that the Schoharie County Board of Supervisors asks Governor Andrew Cuomo and members of the New York State Legislature to help the residents and taxpayers of Schoharie County with regulatory relief and financial assistance to help our communities comply with the Tax Cap; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Governor Andrew Cuomo, New York State Association of Towns and Villages [AATV], New York State Association of Counties [NYSAC], Senator James Seward and Assemblyman Peter Lopez.

Dated: October 15, 2015
Filed: October 15, 2015

Cheryl Largetteau
Clerk, Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie

# RESOLUTION NO. 103

TITLE: EXPRESSING REGRET FOR THE DEATH OF DANIEL SCHUPPEL, FORMER SUPERVISOR OF THIS BOARD FROM THE TOWN OF SHARON

This Board has been saddened by the recent death of DANIEL SCHUPPEL, who honorably served as a member of this Board of Supervisors from the Town of Sharon from 2000 to 2003. We must content ourselves by expressing in a few sincere, heart-felt words the respect, the esteem, the admiration, felt by each of us and of our grief caused by his untimely death, and we hope to inscribe these comments as a worthy memorial.

While few here may say that they knew him except from afar, those of us who still remain do remember him as a gentle giant, loveable by all measure, a gentleman through and through, a farmer by vocation, mild in manner but firm in conviction, intelligent, always a firm grasp of the issues, a worthy debater, and a laugh that would start yesterday and stretch into tomorrow.

Understanding the finality of death, we part in saying to our friend, neighbor and former member of this Board, that you will be missed, our thoughts will always be with you and of you, and our hopes and prayers are that your soul now sits with God, now, therefore, be it hereby

RESOLVED, that this Board of Supervisors expresses profound regret for the death of DANIEL SCHUPPEL, and that when this Board adjourns today, it shall do so out of respect for this former Supervisor, and be it further

RESOLVED, the Clerk of the Board of Supervisors is hereby directed to furnish a copy of this Resolution to the family of DANIEL SCHUPPEL, expressing this Board's deepest sympathy.

Dated: October 15, 2015
Filed: October 15, 2015

Sheryl Daigetear
Clerk, Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2015, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2015.

_____ Clerk,
Board of Supervisors of the County of Schoharie