

ORGANIZATIONAL MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JANUARY 7, 2015

The Organizational Meeting of the Delaware County Board of Supervisors was held Wednesday, January 7, 2015 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

The Clerk of the Board, Christa M. Schafer, called the meeting to order and read the Notice of Meeting:

TO ALL SUPERVISORS:

Pursuant to County Law, §151 and Board Rule 1, the Organizational Meeting of the Delaware County Board of Supervisors will be held in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York on Wednesday, January 7, 2015 at 1:00 p.m.

The meeting is called for the purpose of organizing for the year 2015, including election of a Chairman, Vice Chairman, Clerk of the Board and Budget Officer.

Any other business that may properly be brought before the Board will be conducted.

Christa M. Schafer, Clerk
Delaware County Board of Supervisors

The Clerk called the roll by towns and the following Supervisors were present:

Martin A. Donnelly	134 Damgaard Road	Andes
Tina Molé	PO Box 6, Bovina Center	Bovina
Arthur Merrill	PO Box 321, Downsville	Colchester
Dennis J. Valente	PO Box 88	Davenport
Mark Tuthill	5 Elm Street	Delhi
Thomas Axtell	3 Elm Street	Deposit
Jeffrey Taggart	511 Heathen Hill Road	Franklin
Wayne E. Marshfield	6754 Basin Clove Road	Hamden
Samuel Rowe, Jr.	661 West Main Street	Hancock
James E. Eisel, Sr.	22 Wilcox Road	Harpersfield
George Haynes, Jr.	51971 State Hwy 10, Bloomville	Kortright
Michael Spaccaforno	PO Box 313	Masonville
James G. Ellis	4187 Turnpike Rd, Delhi	Meredith
Marjorie Miller	PO Box 577, Margaretville	Middletown
Thomas S. Hynes	Main Street, PO Box 277	Roxbury
R. Eugene Pigford	2464 Road Thirteen, Unadilla	Sidney

Michael Triolo
William Layton
Bruce E. Dolph

PO Box M, Hobart
PO Box 139, Trout Creek
129 North Street

Stamford
Tompkins
Walton

Mr. Marshfield offered the invocation.

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

The Clerk requested nominations for Chairman: Mr. Donnelly nominated James E. Eisel, Sr. The nomination was seconded by Mr. Spaccaforno and unanimously approved.

County Clerk Sharon O'Dell administered the Oath of Office to Mr. Eisel.

Upon a nomination by Mr. Rowe, seconded by Mr. Spaccaforno, Tina B. Molé was unanimously re-elected as Vice Chairman.

Upon a nomination by Mr. Spaccaforno, seconded by Mr. Marshfield, Christa M. Schafer was unanimously re-elected as Clerk of the Board.

Upon a nomination by Mr. Triolo, seconded by Ms. Molé and Mr. Layton, Bruce E. Dolph was unanimously re-elected as Budget Officer.

Chairman Eisel thanked the Supervisors for their support. He noted that 2015 will be another challenging year. As in the past, budget oversight of department requests for overtime, travel and authorizations to fill vacancies will be reviewed in order to do all that can be done to reduce spending and stay within the budget.

Chairman Eisel stated that the established oversight committees would remain the same for 2015 and made the following committee appointments:

2015 COMMITTEE APPOINTMENTS

COMMUNITY SERVICES BOARD

4-year term ending December 31, 2018

Reappoint:

Supervisor Tina Molé

Appoint:

Walter Keller, Stamford

COOPERATIVE EXTENSION SERVICE

1-year term ending December 31, 2015

Reappoint:

Supervisor Arthur Merrill

Supervisor Dennis Valente

DELAWARE COUNTY DEFERRED COMPENSATION COMMITTEE

1-year term ending December 31, 2015

Reappoint:

Supervisor Tom Axtell
Supervisor Bruce Dolph
Supervisor Marty Donnelly
Supervisor James Ellis
Supervisor William Layton

DELAWARE COUNTY FIRE ADVISORY BOARD

1-year term ending December 31, 2015

Reappoint:

David Briggs
Dale Downin
Mike Odell

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY - IDA

3-year term ending December 31, 2017

Reappoint:

Caroljean Finch
Andrew Matviak
James Thomson

DELAWARE COUNTY PLANNING BOARD

3-year term ending December 31, 2017

Reappoint:

Gerald Dabrescia
Donald Kearny
Mark Lee
John Reynolds

HEALTH SERVICES ADVISORY BOARD

2-year term ending December 31, 2016

Appoint:

Dr. Riaz Lone, Medical Director
Supervisor Wayne Marshfield
Supervisor Arthur Merrill
Supervisor R. Eugene Pigford
Dana Scuderi-Hunter, Commissioner DSS

Reappoint:

Supervisor Tina Molé
Supervisor Michael Triolo

ORDA COMMUNITY ADVISORY PANEL

Appoint:

Mark Birman

JR Lawrence

SOIL & WATER CONSERVATION DISTRICT BOARD

1-year term Supervisor, 3-year term members

Reappoint:

Supervisor Bruce Dolph

Supervisor Jeffrey Taggart

Andrew Kiraly

YOUTH BUREAU BOARD

3-year term ending December 31, 2017

Reappoint:

Drue Brenner

Diane Oles

The minutes of the previous meeting were accepted as presented.

For communications the Clerk read a letter from the former Director of Veterans' Services John Boecke. Mr. Boecke wrote that he was unable to attend the December 10th meeting but wanted to thank each of the Supervisors for giving him the opportunity to serve the veterans of this county. He believes what has been accomplished during his tenure could not have been done without the support of the Board. He sincerely thanked those who worked with him on a daily basis and everyone for their kind words of appreciation during his recognition. Mr. Boecke shared that this has truly been a special place to work and he will miss everyone greatly.

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

Chairman Eisel granted privilege of the floor to Mr. Ellis. Mr. Ellis reminded the Supervisors of the upcoming solar trainings at SUNY Delhi and directed the Supervisors to the January newsletter posted on the New York Solar Smart website. Electronic registration is still open for the January 12th and 16th trainings. The training will be very beneficial for Supervisors and their Fire Chiefs.

For standing committee reports Chairman of the Public Safety Committee Samuel Rowe noted that the Solid Waste Division recently completed their annual survey of landfill use for 2014.

Based upon the volume of airspace utilized to date, the department estimates the remaining airspace will have a projected life of thirty-one years.

Mr. Rowe pointed out that prior to the construction of the compost facility all authorized

landfill space was estimated to be fully used by 2016. In 2005, when the compost facility was built the life expectancy was extended to 2035. Due to changes in material management and continued expansion of the recycling efforts, the department has been able to expand the currently authorized landfill footprint to 2045.

That projection does not include the additional capacity and landfill life that will come from the reclamation of Cell 1 and Cell 2 in combination with the expansion on the north side beyond the permit limits. Including this area provides an estimated life through the year 2085. The proposal from the firm of GHD/Sterns & Wheeler was accepted to complete a remediation evaluation of Cell 1 and Cell 2.

Mr. Rowe pointed out that this is a testament to past committee and Board members and the commitment and dedication of the Commissioner of Public Works Wayne Reynolds and the Director of Solid Waste Management Susan McIntyre.

Ms. McIntyre explained in answer to Mr. Marshfield, that the same permitting requirements apply but the permitting process will be easier with the redevelopment of Cell 1 and Cell 2 as opposed to developing outside of the permit limits which would require a variance.

Mr. Rowe added that Cell 1 does not have a liner and Cell 2 has a single clay liner that by today's standards is unacceptable.

In reply to Mr. Spaccaferno, Ms. McIntyre said that the department is estimating an additional seven to ten years with the reclamation of Cell 1 and Cell 2 but that estimate will be firmed up after the feasibility analysis.

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

RESOLUTION NO. 1

TITLE: DESIGNATION OF PUBLICATION OF LOCAL LAWS AND NOTICES: DEMOCRAT

WHEREAS, the Democratic Party having designated the Deposit Courier for the purpose of publishing notices pursuant to County Law 214 (2);

NOW, THEREFORE, BE IT RESOLVED that pursuant to County Law 214 (2) that the Deposit Courier is designated for the calendar year 2015 to publish local laws and notices.

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

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

RESOLUTION NO. 2

**TITLE: DESIGNATION OF PUBLICATION
OF LOCAL LAWS AND NOTICES: REPUBLICAN**

WHEREAS, the Republican Party having designated The Walton Reporter, published by Decker Advertising, Inc. for the purpose of publishing notices pursuant to County Law 214 (2);

NOW, THEREFORE, BE IT RESOLVED that pursuant to County Law 214 (2) that The Walton Reporter is designated for the calendar year 2015 to publish local laws and notices.

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

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

RESOLUTION NO. 3

**TITLE: RE-APPOINTMENT COMMISSIONER BOARD OF ELECTIONS
DEMOCRAT**

BE IT RESOLVED that Judith Garrison is hereby reappointed as the Democratic Commissioner of Elections for a term of two years effective January 1, 2015 and ending December 31, 2016 at the salary contained in the budget.

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

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

RESOLUTION NO. 4

TITLE: RE-APPOINTMENT OF COUNTY HISTORIAN

BE IT RESOLVED that Gabrielle Pierce be appointed to the contractual position of County Historian for a two-year term effective January 1, 2015 and ending December 31, 2016 at the contractual amount contained in the budget.

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

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

RESOLUTION NO. 5

TITLE: RE-APPOINTMENT OF DIRECTOR EMERGENCY SERVICES

BE IT RESOLVED that Stephen Hood be re-appointed to the position of Director Emergency Services for a four-year term effective January 1, 2015 and ending December 31, 2018 at the salary contained in the budget.

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

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

RESOLUTION NO. 6

TITLE: RE-APPOINTMENT DIRECTOR INFORMATION TECHNOLOGY

BE IT RESOLVED that Joseph deMauro be re-appointed to the position of Director Information Technology for a four-year term effective January 1, 2015 and ending December 31, 2018 at the salary contained in the budget.

The resolution was seconded by Mr. Tuthill and Mr. Spaccaforno and unanimously adopted.

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

RESOLUTION NO. 7

TITLE: RE-APPOINTMENT DIRECTOR OFFICE FOR THE AGING

BE IT RESOLVED that Wayne Shepard is hereby reappointed as Director Office for the Aging for a term of two years effective January 1, 2015 and ending December 31, 2016 at the salary contained in the budget.

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

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

RESOLUTION NO. 8

TITLE: RE-APPOINTMENT OF COMMISSIONER PUBLIC WORKS

BE IT RESOLVED that Wayne Reynolds be re-appointed to the position of Commissioner Public Works for a four-year term effective January 1, 2015 and ending December 31, 2018 at the salary contained in the budget.

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

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

RESOLUTION NO. 9

TITLE: APPOINTMENT OF COMMISSIONER SOCIAL SERVICES

BE IT RESOLVED that Dana Scuderi-Hunter be appointed to the position of Commissioner Social Services for a five-year term effective January 7, 2015 and ending January 7, 2020 at the salary contained in the budget.

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

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

RESOLUTION NO. 10

TITLE: RE-APPOINTMENT OF STOP DWI COORDINATOR

BE IT RESOLVED that Scott Glueckert is hereby reappointed as STOP DWI Coordinator for a term of two years effective January 1, 2015 and ending December 31, 2016 at the stipend contained in the budget.

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

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

RESOLUTION NO. 11

TITLE: APPOINTMENT DIRECTOR OF VETERANS' SERVICES

BE IT RESOLVED that in accordance with Section 357 of the Executive Law, the appointment of Charles W. Piper by the Chairman of the Board as Director of Veterans' Services for a term of office effective January 5, 2015 and ending December 31, 2016 at the salary contained in the budget is hereby approved; and.

BE IT FURTHER RESOLVED that in accordance with Section 148 of the General Municipal Law, Charles W. Piper is hereby designated as the person to oversee the burial of members of the Armed Forces of the United States and their families who do not have sufficient means to defray their funeral expenses.

The resolution was seconded by Ms. Miller and Mr. Triolo and unanimously adopted.

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

RESOLUTION NO. 12

**TITLE: APPOINTMENT OF DELAWARE COUNTY FIRE ADVISORY BOARD
DEPARTMENT OF EMERGENCY SERVICES**

BE IT RESOLVED, that the following appointments be made to the Delaware County Fire Advisory Board in accordance with 225-a of the County Law for year 2015:

Chairman: Dale Downin, Franklin
Vice Chairman: Mike Odell, Masonville
Secretary: David Briggs, East Meredith

Voting Departments:

Andes - Chief Joseph Berghammer
Arena - Chief Mike Sarrubi
Arkville - Chief Robert Sweeney
Bloomville - Chief Mike Pietrantonio
Bovina - Chief Robert Burgin
Delhi - Chief Daren Evans
East Meredith – Chief David Briggs
Fleischmanns – Chief Todd Wickham
Franklin – Chief Tom Worden
Grand Gorge – Chief DJ Speenburgh

Hancock – Chief Anthony Giordano
Hobart - Chief Ken Muthig
Margaretville – Chief Gene Rosa
Masonville – Chief Gary Mott
Meridale – Chief Richard Briscoe
Pindars Corners – Chief Matt Rittlinger
Sidney - Chief Greg Peck, Sr.
Sidney Center – Chief Dave Gill
Stamford – Chief AJ Vamosy
Trout Creek – Chief Chris Kinney
Walton – Chief Bob Brown

Alternate Departments (in order):

Downsville – Chief Mark Mattson
Treadwell – Chief Tyler Huyck
Davenport – Chief Fred Utter
Halcottsville – Chief Jeff Slauston
Roxbury – Chief Allan Hinkley

South Kortright – Chief William Benkert
East Branch – Chief Rod Keesler
Cooks Falls – Chief Matt Murphy
Deposit – Chief Shaun Rynearson

Voting departments were selected based on meeting attendance for the previous year. Alternates are listed in order of their meeting attendance.

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

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

RESOLUTION NO. 13

TITLE: DESIGNATION OF DEPOSITORY FOR DELAWARE COUNTY FUNDS

BE IT RESOLVED, pursuant to Section 212 of the County Law, as amended and now in force, the bank hereinafter specified is hereby designated as a depository for County Funds, together with the maximum amount that may be kept on deposit therein at any one time, and the County Treasurer is hereby authorized and directed to deposit County monies in the bank herein designated.

BE IT RESOLVED, the County Treasurer is authorized to wire funds and use electronic transfer of funds (ACH) from or to each facility.

BE IT FURTHER RESOLVED, that one certified copy of the resolution shall be filed in the office of the County Clerk, one in the office of the State Comptroller and two in the office of the County Treasurer by the Clerk of the Board of Supervisors.

The National Bank of Delaware County	\$35,000,000.00
The Delaware National Bank of Delhi	\$10,000,000.00
The Delaware National Bank of Delhi (Court and Trust Fund Designated by NYS Comptroller)	\$1,000,000.00
The National Bank and Trust Company	\$50,000,000.00
Community Bank, N.A.	\$30,000,000.00

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

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

RESOLUTION NO. 14

**TITLE: 2014 BUDGET AMENDMENT
HOME ENERGY ASSISTANCE PROGRAM (HEAP)
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Delaware County Department of Social Services is the designated local agency to administer the Home Energy Assistance Program (HEAP); and

WHEREAS, additional mandated local payments are being made; and

WHEREAS, these additional expenditures will be 100% reimbursed with federal funds.

NOW, THEREFORE, BE IT RESOLVED that the 2014 Budget be amended as follows:

INCREASE REVENUES:

10-16141-44464100	Federal Aid-Heap	\$12,266.00
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INCREASE APPROPRIATIONS:

10-16141-54342040	Heap-Emergencies	\$12,266.00
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The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4799, Noes 0, Absent 0.

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

RESOLUTION NO. 15

**TITLE: 2015 BUDGET AMENDMENT
DESIGNATION OF DELAWARE COUNTY AS LOCAL SPONSOR
FOR SNOWMOBILE GRANT
PLANNING DEPARTMENT**

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has made funds available to develop and/or maintain snowmobile trails in New York State; and

WHEREAS, applications for grants for such development and/or maintenance of snowmobile trails require a local government sponsor; and

WHEREAS, the Hamden Hill Ridge Riders, the Otego Snow-Goers, The Delaware Valley Ridge Riders, the Central Catskill Trail Association, Big Valley Trail Breakers, Maywood Snowriders, Delaware Otsego Chenango Snowriders and the D & D Snowdiggers have applied for said funds for the development and/or maintenance of snowmobile trails in Delaware County;

NOW, THEREFORE, BE IT RESOLVED that Delaware County is hereby declared as the Local Sponsor for this application under the New York State Office of Parks, Recreation and Historic Preservation Snowmobile Grant Program;

FURTHER, BE IT RESOLVED that the Planning Department budget be amended to receive and dispense these moneys in compliance with the requirements of the Preservation Snowmobile Trails Grant Program as follows:

INCREASE REVENUES:

10-17989-43388900/7989001/908 State Otr Culture & Recreation \$95,025.00

INCREASE APPROPRIATIONS:

10-17989-54555000/7989001/908 Recreation Snowmobile Grant \$95,025.00

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

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

RESOLUTION NO. 16

**TITLE: PAYMENT OF MACHINERY RENTALS
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, various authorized expenditures from the Machinery Fund are being made, especially for the purchase of new equipment; and

WHEREAS, anticipated rentals earned from the County Road Fund appear insufficient to meet those expenditures during the next several months.

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to pay in advance such highway equipment rentals as are necessary to cover the cash needs of the Machinery Fund; and to credit subsequent rental warrants against the amount so advanced, provided that the total advanced and credited shall not exceed the amounts authorized in the budget for 2015.

The resolution was seconded by Mr. Haynes and Mr. Spaccaforo and unanimously adopted.

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

RESOLUTION NO. 17

**TITLE: CHANGE ORDERS NO. 1, 2 & 3
OF PROPOSAL NO. SW8-13, CONTRACT NO. 3
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 189 of 2013 authorized award of Proposal No. SW8-13, “Material Recovery Facility Building and Site Work - Contract No. 3 Mechanical and Plumbing” to Petcosky & Sons Plumbing & Heating, Inc., 421 Commerce Rd, Vestal NY, 13850 for the amount of \$257,977.00 and

WHEREAS, Change Order No. 1 provides for installation of a Pressure Reducing Valve not included in the original contract specifications for a contract increase of \$528.72; and

WHEREAS, Change Order No. 2 provides for installation of a Water Filter for a contract increase of \$229.88; and

WHEREAS, Change Order No. 3 provides for installation of an Air Release Valve for a contract increase of \$797.56.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Orders No. 1, No. 2 and No. 3 totaling a net increase of \$1,556.16 for a revised contract total of \$259,533.16.

The resolution was seconded by Mr. Valente.

Ms. McIntyre shared that the new Materials Recovery Facility is currently operational. The training phase is complete and the county is now running the facility entirely.

In answer to Mr. Rowe and Mr. Marshfield, Ms. McIntyre noted that the ARC employees are working at the facility. The working conditions and increased efficiency of the new facility allows for the same number of staff to accomplish more in less time.

Chairman Eisel suggested that the Board visit to the facility in the spring.

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

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

RESOLUTION NO. 18

**TITLE: CHANGE ORDER NO. 5 OF PROPOSAL NO. SW1-13
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 55 of 2013 authorized award of Proposal No. SW1-13, "MRF Equipment Contract" to Machinex Technologies, Inc., 8770 W. Bryn Mawr Ave., No. 1300, Chicago, IL 60631 for the bid amount of \$2,285,675.00; and

WHEREAS, Board Resolution No. 174 of 2013 authorized the execution of Change Order No. 1 for revised project schedule at no change to the contract cost; and

WHEREAS, Board Resolution No. 175 of 2013 authorized the execution of Change Order No. 2 for selected equipment options, bringing the total contract cost to \$2,384,175.000; and

WHEREAS, Board Resolution No. 21 of 2014 authorized the execution of Change Order No. 3 equipment design changes necessary for building fit, bringing the total contract cost to \$2,490,895.26; and

WHEREAS, Board Resolution No. 22 of 2014 authorized the execution of Change Order No. 4 extending the substantial completion date at no change in the contract cost; and

WHEREAS, Change Order No. 5 provides for modifications to equipment necessary to integrate Machinex Technologies, Inc. supplied infeed conveyor with a new Excel Manufacturing, Inc. baler separately purchased by the County were most cost effectively performed in the field by Machinex Technologies, Inc. installation crew at a cost of \$6,867.00.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 5 for an increase of \$6,867.00 for a revised contract total of \$2,497,762.26.

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

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

RESOLUTION NO. 19

**TITLE: CHANGE ORDERS NO. 3, 4, 5, 6, 7 and 8,
PROPOSAL NO. SW8-13, CONTRACT NO. 2
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 189 of 2013 authorized award of Proposal No. SW8-13, “Material Recovery Facility Building and Site Work - Contract No. 2 General Construction” to LaChase Construction Services, LLC, 300 Trolley Blvd., Rochester, NY 14606 for the amount of \$3,534,000.00; and

WHEREAS, Board Resolution No. 76 of 2014 authorized Change Orders No. 1 and No. 2 resulting in net increase of \$25,987.00 increasing the contract amount from \$3,534,000.00 to \$3,559,987.00; and

WHEREAS, Change Order No. 3 provides for the removal from the contract labor and material for final construction on the facility access road, including deletion of all asphalt for a contract decrease of \$248,360.00; and

WHEREAS, Change Order No. 4 provides for a modification to the retaining wall finishes for a contract increase of \$5,000.00; and

WHEREAS, Change Order No. 5 provides for revisions to foundation and under drains for a contract decrease of \$406.73; and

WHEREAS, Change Order No. 6 provides for revisions to exterior conveyor support piers and deletion of bollards at a net zero change to the contract; and

WHEREAS, Change Order No. 7 provides for addition of roof system storm leader by the loading dock for contract increase of \$2,233.00; and

WHEREAS, Change Order No. 8 provides for the supply and installation of supplemental ceiling insulation in the heated mezzanine rooms for a contract increase of \$1,433.00.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Orders No. 3, No. 4, No. 5, No. 6, No. 7, and No. 8, totaling a combined net decrease of \$240,100.73 for a revised contract total of \$3,319,886.27.

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

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

RESOLUTION NO. 20

**TITLE: CHANGE ORDERS NO. 6, 7, 8 & 9
OF PROPOSAL NO. SW8-13, CONTRACT NO. 4
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 189 of 2013 authorized award of Proposal No. SW8-13, “Material Recovery Facility Building and Site Work - Contract No. 4 Electrical Construction” to NELCORP Electrical Contracting Corp, 2500 Watson Road, Endwell, NY 13760 for the amount of \$395,700.00; and

WHEREAS, Board Resolution No. 77 of 2014 authorized Change Orders No. 1 and No. 2 resulting in net decrease of \$7,628.00 decreasing the contract amount from \$395,700.00 to \$388,072.00; and

WHEREAS, Board Resolution No. 202 of 2014 authorized Change Orders No. 3, No. 4 and No. 5 totaling a net increase of \$15,514.00 for a revised contract total of \$403,586; and

WHEREAS, Change Order No. 6 provides for modification to outlets, Emergency Lighting Units, fire/horn strobe, LCP3 powers, and air compressor breaker for a contract increase of \$1,707.00; and

WHEREAS, Change Order No. 7 provides for a branch circuit and wiring for power to relocate an existing vertical baler for a contract increase of \$2,600.00; and

WHEREAS, Change Order No. 8 provides for supply and installation of a separate fire alarm relay for interconnect between the central fire alarm system and process equipment for a contract increase of \$890; and

WHEREAS, Change Order No. 9 provides for the revised circuit required to power Baler 1 on LCP 3 as coordinated with Machinex for a contract increase of \$1,281.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Orders No. 6, No. 7, No. 8, and No. 9 totaling a net increase of \$6,478.00 for a revised contract total of \$410,064.00.

The resolution was seconded by Mr. Valente and Mr. Hynes.

Mr. Rowe noted that the Materials Recovery Facility is completely debt free without cost to the taxpayers. In addition, the Compost Facility bond has been paid off.

In answer to Mr. Marshfield, Ms. McIntyre said that she does not anticipate any other contractual increases.

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

RESOLUTION NO. 21

TITLE: AUTHORIZATION TO ENTER INTO AGREEMENTS WITH MUNICIPALITIES WITHIN DELAWARE COUNTY FOR THE PURPOSE OF CDL TESTING REQUIREMENTS DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Federal Highway Administration (FHWA) has adopted and published regulations at 49 C.F.R. Part 382, entitled “Controlled Substances & Alcohol Use and Testing”; and

WHEREAS, these regulations apply to all Public Employees holding CDL licenses and who perform safety sensitive functions; and

WHEREAS, the regulations require the testing of all personnel who are covered; and

WHEREAS, the regulations allow for Consortiums to be formed by groups of employers to administer the regulations as a single entity; and

WHEREAS, the County of Delaware has agreed to administer a consortium for all the towns and villages in the County.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Department of Public Works be authorized to enter into an agreement with other municipalities within Delaware County for the purpose of administering the CDL Consortium.

The resolution was seconded by Mr. Haynes and Mr. Spaccaforno.

In answer to Chairman Eisel, Commissioner Reynolds explained that this resolution documents what the department has been doing by consensus for the past fifteen years. The towns and villages will need to pass a resolution to sign onto the consortium.

The resolution was unanimously adopted.

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

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

RESOLUTION NO. 22

TITLE: APPROVAL TENTATIVE AGREEMENT CSEA, LOCAL 1000 AFSCME, AFL-CIO

WHEREAS, the Human Resources Committee has reached a tentative agreement with the Delaware County CSEA, Local 1000 AFSCME, AFL-CIO for the terms and conditions of employment for the years 2015, 2016, 2017 and 2018.

NOW, THEREFORE, BE IT RESOLVED that said tentative agreement is hereby approved as presented to the Board, and the Chairman of the Board is authorized to execute a collective bargaining agreement which incorporates the terms of said tentative agreement.

The resolution was seconded by Mr. Donnelly.

Mr. Dolph thanked Personnel Director Teddie Story and our attorney who negotiated in good faith. As a result, the union accepted the contract positively.

The resolution was unanimously adopted.

Mr. Dolph introduced Local Law Intro. No. 1 which was seconded by Ms. Molé.

LOCAL LAW INTRO. NO. 1

TITLE: SALARY INCREASE COUNTY ATTORNEY

Section 1. The salary of Porter Kirkwood, County Attorney shall be one hundred twenty-five thousand, nine hundred seventeen dollars [\$125,917], per annum effective January 1, 2015.

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

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

Mr. Dolph introduced Local Law Intro. No. 2 which was seconded by Ms. Molé.

LOCAL LAW INTRO. NO. 2

TITLE: SALARY INCREASE DIRECTOR COMMUNITY MENTAL HEALTH SERVICES

Section 1. The salary of Cynthia Heaney, Director of Community Mental Health Services shall be eighty-nine thousand, three hundred twenty-four dollars [\$89,324] per annum effective January 1, 2015.

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

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

Mr. Dolph introduced Local Law Intro. No. 3 which was seconded by Mr. Donnelly and Mr. Rowe.

LOCAL LAW INTRO. NO. 3

TITLE: SALARY INCREASE ELECTION COMMISSIONER

Section 1. The salary of William J. Campbell, Election Commissioner shall be twenty-one thousand, five hundred seventy-six dollars [\$21,576] per annum effective January 1, 2015.

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

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

Mr. Triolo introduced Local Law Intro. No. 4 which was seconded by Ms. Miller.

LOCAL LAW INTRO. NO. 4

TITLE: SALARY INCREASE COMMISSIONER WATERSHED AFFAIRS

Section 1. The salary of Dean Frazier, Commissioner of Watershed Affairs shall be seventy-two thousand, two hundred six dollars [\$72,206] per annum effective January 1, 2015.

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

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

Mr. Hynes introduced Local Law Intro. No. 5 which was seconded by Ms. Molé.

LOCAL LAW INTRO. NO. 5

TITLE: SALARY INCREASE DIRECTOR PLANNING DEPARTMENT

Section 1. The salary of Nicole Franzese, Director Planning Department shall be seventy-seven thousand, two hundred thirty-eight dollars [\$77,238] per annum effective January 1, 2015.

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

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

Mr. Dolph introduced Local Law Intro. No. 6 which was seconded by Mr. Marshfield.

LOCAL LAW INTRO. NO. 6

TITLE: SALARY INCREASE DIRECTOR REAL PROPERTY TAX SERVICES II

Section 1. The salary of Michael Sabansky, Director of Real Property Tax Services II shall be sixty thousand, two hundred one dollars [\$60,201] per annum effective January 1, 2015.

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

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

Mr. Dolph introduced Local Law Intro. No. 7 which was seconded by Mr. Axtell and Ms. Miller.

LOCAL LAW INTRO. NO. 7

TITLE: SALARY INCREASE PERSONNEL OFFICER

Section 1. The salary of Leonarda T. Storey, Personnel Officer shall be sixty-six thousand, eight hundred thirty dollars [\$66,830] per annum effective January 1, 2015.

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

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

Mr. Triolo introduced Local Law Intro. No. 8 which was seconded by Ms. Miller.

LOCAL LAW INTRO. NO. 8

TITLE: SALARY INCREASE DIRECTOR ECONOMIC DEVELOPMENT

Section 1. The salary of Glenn Nealis, Director of Economic Development shall be seventy-six thousand, two hundred thirty-eight dollars [\$76,238] per annum effective January 1, 2015.

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

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

Ms. Molé introduced Local Law Intro. No. 9 which was seconded by Ms. Miller.

LOCAL LAW INTRO. NO. 9

TITLE: SALARY INCREASE DIRECTOR OF PUBLIC HEALTH

Section 1. The salary of Bonnie Hamilton, Director of Public Health shall be eighty-five thousand, one hundred sixty-two dollars [\$85,162] per annum effective January 1, 2015.

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

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

Mr. Dolph introduced Local Law Intro. No. 10 which was seconded by Ms. Molé.

LOCAL LAW INTRO. NO. 10
TITLE: SALARY INCREASE TREASURER

Section 1. The salary of Beverly Shields Treasurer shall be sixty-three thousand, two hundred ninety-two dollars [\$63,292] per annum effective January 1, 2015.

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

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

Mr Spaccaforo introduced Local Law Intro. No. 11 which was seconded by Ms. Miller and Mr. Hynes.

LOCAL LAW INTRO. NO. 11
TITLE: SALARY INCREASE DISTRICT ATTORNEY

Section 1. The salary of Richard Northrup, District Attorney shall be one hundred fifty-two thousand, five hundred dollars [\$152,500], as set by law, per annum effective January 1, 2015.

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

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

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

RESOLUTION NO. 23
TITLE: PUBLIC HEARING
LOCAL LAW INTRO. NOS. 1 THROUGH 11 OF 2015

WHEREAS, Local Laws Intro. Nos. 1 through 11 have been introduced to increase the salaries of:

Non-Elected: Porter Kirkwood, County Attorney; Cynthia Heaney, Director Community Mental Health Services; William J. Campbell, Commissioner Board of Elections; Dean Frazier,

Commissioner of Watershed Affairs; Nicole Franzese, Director Planning Department; Michael Sabansky, Director Real Property Tax Services II; Leonarda Storey, Personnel Officer; Glenn Nealis, Director Economic Development; Bonnie Hamilton, Director Public Health.

Elected: Beverly Shields, Treasurer; Richard Northrup, District Attorney.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro Nos. 1 through 11 on the 28th day of January 2015 at 12:45 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

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

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

RESOLUTION NO. 24

TITLE: AUTHORIZATION TO GRANT OCCUPANCY PERMITS DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Constitution Pipeline Company, LLC has received authorization from the Federal Energy Regulatory Commission to install, use and maintain a 30" natural gas pipeline through Delaware County; and

WHEREAS, said pipeline crosses New York State Routes 23, 28 and 357; and

WHEREAS, up until approximately 1944 it was a standard operating procedure for counties to acquire the right of way for state highway construction; and

WHEREAS, the County owns fee title to property at all three of the state road crossings herein identified even though the NYSDOT has "maintenance jurisdiction" for roadways crossing said property; and

WHEREAS, the Constitution Pipeline Company, LLC has negotiated with the Department of Public Works for a "Permit for Occupancy" for these county owned properties at a rate of \$2,000 per crossing while obtaining other applicable permits from the NYSDOT.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors is herewith authorized to issue a "Permit for Occupancy" to the Constitution Pipeline Company, LLC in exchange for an amount of \$6,000.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is herewith authorized to issue a similar "Permit for Occupancy" to the Constitution Pipeline Company, LLC at the same terms for crossings on County Routes 4, 10, 23 and 44 where the County owns right of way in fee.

The resolution was seconded by Mr. Valente, Mr. Haynes, Mr. Spaccaforno.

Commissioner Reynolds explained that the Constitution Pipeline Company, LLC has recently obtained authorization from the Federal Energy Regulatory Commission (FERC) to install, use and maintain a 30 inch natural gas pipeline through Delaware County. The line will traverse the Towns of Masonville, Sidney, Franklin, Davenport and Harpersfield. As it does, it will cross a number of state and county roads. The Constitution Pipeline has either obtained or will obtain easements from all the landowners along the length of the pipeline route in order to place the line on the property. The County actually owns in fee certain parcels that the line will cross. These parcels are associated with both state and county roads.

From the early 1900s to approximately 1944, it was a standard practice for the state to have the county's purchase the required rights of way for proposed state road construction or reconstruction. Once the county acquired the property, the state assumed maintenance jurisdiction over the property and operates a transportation route on it for the public even though the title of the property rests with the county. When and if the state decides they no longer need the property for transportation purposes, they abandon the maintenance jurisdiction to the county who then can use the property as it wants. Since the title is actually in the county's name, the Constitution Pipeline wants a permit to cross the property with the line. They are willing to pay \$2,000 per crossing. The crossings on State Routes 23, 28 and 357 are all in locations where the county owns property in fee. The proposed resolution would allow the Chairman to execute the permits for those properties. The Constitution Pipeline will have to obtain all other applicable permits from the NYS Department of Transportation in accordance with their rules and regulations for the crossing of the public road.

On county roads, there are locations where the county owns the property in fee and locations where there is only a proscriptive right to maintain the public road. In all locations, the Constitution Pipeline will have to obtain permits from the Department of Public Works to perform work within the limits of the county road. Those permits will be issued based on standard operating procedures for the department. In areas where the property is owned by the county, the Constitution Pipeline will have to get a permit to occupy the property. The proposed resolution also authorizes the Chairman to execute permits for occupancy on the county property under county roads.

The resolution was unanimously adopted.

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

RESOLUTION NO. 25

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,054,802.18 were hereby presented to the Finance Committee for approval for payment on December 31, 2014 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	\$833,839.48
OET	\$10,214.41
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights & Measures	\$200.27
Road	\$48,583.42
Machinery	\$37,371.71
Capital Road & Bridge	\$58,247.60
Capital Solid Waste	\$24,920.30
Solid Waste/Landfill	\$41,424.99

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,505,004.81 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	\$539,623.68
OET	\$7,869.91
Public Safety Comm System	\$340,382.02
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Road	\$120,324.18
Machinery	\$27,728.69
Capital Road & Bridge	\$20,751.81
Capital Solid Waste	\$389,943.97
Solid Waste/Landfill	\$58,380.55

The resolution was seconded by Ms. Miller and adopted by the following vote: Ayes 4977, Noes 0, Absent 0.

Chairman Eisel wished everyone a Happy New Year.

Upon a motion, the meeting adjourned 1:50 p.m.