

## **REGULAR MEETING**

### **DELAWARE COUNTY BOARD OF SUPERVISORS OCTOBER 28, 2015**

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 28, 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, Chairman James E. Eisel, Sr. presiding.

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

Mr. Marshfield offered the invocation.

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

The minutes of the previous meeting were accepted as presented.

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

Chairman Eisel granted privilege of the floor to Undersheriff DuMond who introduced Heather Evangelista as Employee of the Month.

Corrections Officer Evangelista was hired by the Sheriff's Office as a Provisional Corrections Officer in June 2005 and became a full-time corrections officer in July 2006.

Corrections Office Evangelista is most often assigned to a cell pod or the control room. Her performance in both areas is exemplary. Her devotion to the secure operation of the Correctional Facility is evident in her excellent attendance and desire to master all areas of her responsibility. In the all the years she has served in her position she has never called in sick and was late only once, by four minutes, as result of an unexpected snowstorm. She is always respectful of others and can be counted on to accomplish any task assigned with poise, good humor and efficiency.

Undersheriff DuMond said that Corrections Officer Evangelista is a pleasure to work with and is respected by her supervisors and peers. She distinguishes herself as an exceptional employee and the Sheriff's Office takes great pleasure in seeing her hard work acknowledged.

Undersheriff DuMond presented Corrections Officer Evangelista with a \$50.00 check. Chairman Eisel presented her with the Certificate of Employee of the Month and thanked her for her dedicated service.

Corrections Officer Evangelista thanked the Sheriff's Office and Board of Supervisors for recognizing her hard work and dedication. She thanked Sheriff Mills and Undersheriff DuMond for their support and encouragement. She takes great pride in what she does and believes that serving to protect the community is great work. Sharing a quote from Steve Jobs,

former CEO of Apple, Inc. she said “your work is going to fill a large part of your life and the only way to be truly satisfied is to do what you believe is great work and the only way to do great work is to love what you do.”

Chairman Eisel granted privilege of the floor to Ms. Molé who introduced Executive Director of Literacy Volunteers of Otsego and Delaware Counties (LVODC) Dawn Rogers Kroll.

Ms. Kroll shared that the mission of the LVODC is to change lives through promoting literacy. The organization provides confidential, free tutoring to adults over the age of 16 in either basic literacy or English as a second language at no cost to them.

She shared that LVODC had a successful presence in Otsego County but only limited interaction with individuals in Delaware County. One of her goals is to establish contacts in Delaware County and get the word out about LVODC. To that end, she will be organizing a Scrabble Fest in Delhi. Scrabble is the official game of the literacy volunteers and Scrabble Fests are effective fundraisers.

Ms. Kroll noted that another goal she has is to establish stable funding sources for the organization to compliment the small amount of funding received from the New York State Department of Education. She thanked the Board of Supervisors for their support in raising awareness of the LVODC and for their consideration of financial support.

In answer to Chairman Eisel, Ms. Kroll said that she is using radio, newspaper and social media to reach out for Delaware County volunteers and individuals who might benefit from the services of the LVODC.

Ms. Kroll stated in reply to Ms. Molé, that volunteers arrange to meet their students in public places such as, local libraries and schools.

In response to Mr. Marshfield, Ms. Kroll said that the program can assist individuals working toward their General Education Degree (GED) and that she is certified to administer the High School Equivalency Exam.

Chairman Eisel thanked Ms. Kroll for her efforts to assist residents in Delaware County.

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

**RESOLUTION NO. 177**

**TITLE: 2015 BUDGET AMENDMENT  
POLICE TRAFFIC SERVICES PROGRAM GRANT  
SHERIFF’S OFFICE**

**WHEREAS**, the Sheriff’s Office has been successful in securing grant funds with which to participate in the statewide Police Traffic Services Program; and

**WHEREAS**, the Sheriff’s Office agrees to participate in “Statewide Traffic Services Program,” the goal of which is to increase seat belt usage and reduce dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes; and

**WHEREAS**, involvement will include using dedicated overtime enforcement hours to participate in joint checkpoints with the State Police or other agencies where practical, or independently, in the waves of high-visibility enforcement planned throughout the year; and

**WHEREAS**, participation in this program will result in the award of a grant in the amount of \$11,890 to be used to pay the salaries of the road patrol deputies participating in this program which runs from October 1, 2015 through September 30, 2016.

**NOW, THEREFORE, BE IT RESOLVED** that the 2015 budget be amended as follows:

**INCREASE REVENUE:**

10-13310-43338900/3310021/907	State OTR Public Safety	\$11,890.00
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**INCREASE APPROPRIATION:**

10-13310-51327000/3310021/907	Personal Services	\$9,100.00
10-13310-52200001/3310021/907	Grant Equipment	\$2,790.00

The resolution was seconded by Mr. Haynes and adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Pigford, Layton).

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

**RESOLUTION NO. 178**

**TITLE: 2015 BUDGET AMENDMENT  
TRANSFER OF FUNDS  
SHERIFF’S OFFICE**

**WHEREAS**, the Sheriff’s Office has retained the services of Dr. Barburao Samudrala to provide physician services in its correctional facility for a one-year renewable term commencing on November 1, 2015; and

**WHEREAS**, an amendment is necessary since the expenditure for said physician services during November and December 2015 are not included in our 2015 budget.

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

**FROM:**

10-13150-54535380	Professional Fees	\$7,288.00
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**TO:**

10-13150-51000000	Personal Services	\$6,770.00
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10-13150-58300000	Social Security	\$419.75
10-13150-58900000	Medicare	\$98.25

The resolution was seconded by Mr. Spaccaforno.

In answer to Mr. Marshfield and Mr. Hynes, Undersheriff DuMond explained that this transfer of funds would cover the physician services through the end of the year, adding the position went from contractual to part-time employee.

The resolution was adopted by the following vote: Ayes 4097, Noes 0, Absent 702 (Pigford, Layton).

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

**RESOLUTION NO. 179**

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990  
PERSONNEL OFFICE**

**WHEREAS**, Resolution No. 269 of 1990 prohibited full-time County employees from holding more than one County position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

**WHEREAS**, the Personnel Office is experiencing difficulties in recruiting Clerks to serve as exam monitors for exams scheduled on Saturdays; and

**WHEREAS**, from time to time employees in other county departments may be willing to work on a per-hour, as-needed basis.

**NOW, THEREFORE, BE IT RESOLVED** that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2016 for County employees who are willing to work on a per-hour, as-needed basis in the Personnel Office.

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

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

**RESOLUTION NO. 180**

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990  
SHERIFF'S OFFICE**

**WHEREAS**, Resolution No. 269-1990 prohibited full-time County employees from holding more than one County position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

**WHEREAS**, the Sheriff's Office is experiencing difficulties in recruiting deputies, a

physician for the Corrections Facility, registered nurses and correction officers; and

**WHEREAS**, from time to time employees in other County departments are willing to work on a per-hour, as-needed basis in the Sheriff's Office.

**NOW, THEREFORE, BE IT RESOLVED** that Resolution No. 269 is hereby temporarily waived until December 31, 2016 for County employees who are willing to work on a per-hour, as-needed basis in the Sheriff's Office.

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

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

**RESOLUTION NO. 181**

**TITLE: FOUR-DAY WORK WEEK  
SHERIFF'S OFFICE**

**WHEREAS**, by Resolution No. 289 of October 27, 1999, the Board of Supervisors approved an agreement with CSEA, Local 1000 AFSCME, AFL-CIO regarding a four-day work week for cooks employed by the Sheriff's Office; and

**WHEREAS**, said agreement provides for an annual vote by employees assigned to a four-day work week and the Board in order to continue the four-day work week in the following year; and

**WHEREAS**, the Sheriff's Office employees participating in the four-day work week have voted in favor of continuing the four-day work week; and

**WHEREAS**, the Sheriff and the Public Safety Committee recommend that the four-day work week continue through 2016.

**NOW, THEREFORE, BE IT RESOLVED** that continuation of said four-day work week until December 31, 2016, is hereby approved.

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

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

**RESOLUTION NO. 182**

**TITLE: APPROVAL OF MODIFICATIONS AND RENEWAL OF  
AGRICULTURAL DISTRICT NO. 6  
PLANNING DEPARTMENT**

**WHEREAS**, Delaware County has complied with the eight-year review procedure of

Agricultural District No. 6 located in the Town of Hancock; and

**WHEREAS**, the Delaware County Board of Supervisors held a Public Hearing on Wednesday, October 28, 2015 for any public comment on the review of Agricultural District No. 6; and

**WHEREAS**, the Agricultural and Farmland Protection Board and the County Planning Board have reviewed said District and have recommended that said Agricultural District No. 6 be renewed with the following modifications:

**Town of Hancock**

MODIFICATION	ACREAGE
Additions	2,612
Removed	986

**Town of Colchester**

MODIFICATION	ACREAGE
Additions	365
Removed	0

**Town of Hamden**

MODIFICATION	ACREAGE
Additions	151
Removed	176

**NOW, THEREFORE, BE IT RESOLVED** that Agricultural District No. 6 be renewed with the above recommended modifications.

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

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

**RESOLUTION NO. 183**

**TITLE: RESOLUTION ADOPTING THE 2016 ETHICS AND DISCLOSURE POLICY FOR DELAWARE COUNTY**

**WHEREAS**, the Board of Supervisors for Delaware County has determined that it is appropriate to update and clarify the Delaware County Ethics and Disclosure Policy and said revisions are reflected in Schedule "A" annexed hereto, and the Human Resources Committee has recommended that the same be advanced to the full Board of Supervisors for consideration; and

**WHEREAS**, the updated and clarified Delaware County Ethics and Disclosure Policy is included with this resolution as Schedule "A".

**NOW, THEREFORE, BE IT RESOLVED** that the proposed 2016 Ethics and Disclosure Policy for Delaware County, annexed hereto as Schedule "A", be and the same is hereby adopted as the official policy for Delaware County; and

**BE IT FURTHER RESOLVED** that any and all prior Ethics and Disclosure Policies, Resolutions or parts thereof inconsistent with the 2016 Ethics and Disclosure Policy are hereby repealed effective January 1, 2016.

**SCHEDULE "A"**  
**COUNTY OF DELAWARE**

**DELAWARE COUNTY CODE OF ETHICS**

**BE IT ENACTED**, by the Board of Supervisors of the County of Delaware, New York that the Code of Ethics is hereby adopted as follows:

**Section 1.** Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Supervisors of the County of Delaware recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained, and if public confidence is to be maintained in our unit of local government. It is the purpose of the Code of Ethics to promulgate these rules of ethical conduct for the municipal officers and employees of the County of Delaware and shall replace and supersede the Delaware County Code of Ethics dated October 14, 1970. These rules shall serve as a guide for official conduct of the officers and employees of the County of Delaware. The rules of ethical conduct of this resolution as adopted shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law and all rules, regulations, policies and procedures of Delaware County.

**Section 2. DEFINITIONS:**

- (a) "Municipal Officer or Employee" means an officer or employee of the County of Delaware, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer.
- (b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

**Section 3. ANNUAL DISCLOSURE:**

- (a) The officers and employees of Delaware County as set forth more particularly but not necessarily exhaustively on the representative list of such employees annexed hereto and incorporated herein as Appendix "A", shall be required to sign and file an annual disclosure statement. The form annual disclosure statement is annexed hereto and incorporated herein as Appendix "B".
- (b) The annual disclosure statements shall be filed with the office of the Delaware County Clerk of the Board no later than the 31<sup>st</sup> of March each year. The first such filing pursuant to this policy shall be required no later than March 31, 2016.

#### **Section 4. STANDARDS OF CONDUCT:**

Every officer or employee of the County of Delaware shall be subject to and must abide by the following standards of conduct:

(a) Gifts: Officers or employees shall not directly or indirectly solicit any gift, bequest and/or gratuity; or accept or receive any gift, bequest and/or gratuity having a value of \$75.00 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties or was intended as a reward for any official action on their part.

(b) Confidential Information: Officer or employees shall not disclose confidential information acquired by them in the course of their official duties or use such information to further their personal interest.

(c) Representation Before One's Own Agency: Officers or employees shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which they are an officer, member or employee of any municipal agency over which they have jurisdiction or to which they have the power to appoint any member, officer or employee.

(d) Representation Before Any Agency for a Contingent Fee: Officers or employees shall not receive or enter into any agreement, express or implies for compensation for services to be rendered in relation to any matter before any agency of their municipality, whereby their compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

(e) Disclosure of Interest in Legislation: To the extent that they know thereof, a member of the Board of Supervisors and any officer or employee of the County of Delaware, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Supervisors on any legislation before the Board of Supervisors shall publicly disclose on the official record the nature and extent of any direct or indirect financial interest or their private interest in such legislation.

(f) Investments in Conflict with Official Duties: Officers or employees shall not invest or hold any investment directly or indirectly in any financial business, commercial or other private transaction, which creates a conflict with their official duties.

(g) Private Employment: Officers or employees shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of their official duties.

(h) Future Employment: Officers or employees shall not, after the termination of service or employment with such municipality, appear before any board or agency of the County of Delaware in relation to any case, proceeding or application in which they personally participated during the period of their service or employment or which was under their active consideration.

#### **Section 5. POSTING AND DISTRIBUTION:**

The Delaware County Clerk of the Board or his or her designee must promptly cause a copy of this Policy, and a copy of any amendment to this Policy, to be posted publicly and conspicuously in each building under Delaware County's control. Each officer and employee elected or



appointed shall be furnished a copy before entering upon the duties of their office or employment by the Personnel Department.

**Section 6.** Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand, or suit against the County of Delaware, or any agency, thereof, on behalf of themselves or any member of their family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

**Section 7. PENALTIES:**

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

**Section 8. EFFECTIVE DATE**

This Policy shall take effect January 1, 2016.

**APPENDIX "A"**

The following Delaware County officers and employees shall be among those who must file a financial disclosure statement as provided by the Delaware County Code of Ethics:

**Alcoholism Clinic**

Director, Alcoholism Clinic

**Board of Elections**

Commissioners

Deputy Commissioners

**Board of Supervisors**

Chairman, Board of Supervisors

Supervisors

**Buildings**

Superintendent, Buildings and Grounds

**OET/CDO Workforce**

Employment and Training Director

**Clerk of the Board of Supervisors**

Clerk of the Board of Supervisors

Deputy Clerk of the Board of Supervisors

**County Attorney**

County Attorney

First Assistant County Attorney

Assistant County Attorneys

**County Clerk**

County Clerk  
Deputy County Clerk  
2<sup>nd</sup> Deputy County Clerk  
3<sup>rd</sup> Deputy County Clerk

**Solid Waste/Compost Facility**

Director of Solid Waste  
Director of Compost Facility

**County Treasurer**

County Treasurer  
Deputy County Treasurer

**Department of Emergency Services**

Director of Emergency Services

**District Attorney**

District Attorney  
First Assistant District Attorney  
Assistant District Attorney

**Drug-Abuse**

Chemical Dependency Clinic Director

**Economic Development**

Director of Economic Development  
Director of Industrial Development  
Economic Development Specialist  
Grants Manager II

**Information Technology**

Director, Information Technology

**Mental Health Clinic**

Director of Community Mental Health Services  
Director Intensive Youth and Family Treatment Program  
Director Children's Services and Program Development

**Office for the Aging**

Director, Office for the Aging

**Personnel Department**

Personnel Officer

**Planning Board**

County Planning Director

**Probation Department**

Probation Director I

**Public Health**

Director of Public Health

Director of Patient Services

**Department of Public Works Administration**

Department of Public Works Commissioner

Deputy Department of Public Works Commissioner

Assistant to Department of Public Works Commissioner

General Highway Supervisor

General Highway Supervisor II

Safety and Training Manager

**Sealer of Weights and Measures**

Director of Weights and Measures I

**Sheriff's Office**

Sheriff

Undersheriff

**Social Services Department**

Commissioner of Social Services

Director of Social Services

Director of Administrative Services

Director of Programs

Director of Social Services Investigations

Director of Income Maintenance

**Tax & Assessment**

Director of Real Property Tax Services I

**Veteran Services**

Director of Veteran Service Agency

**Watershed Affairs**

Commissioner of Watershed Affairs

Assistant to Commissioner of Watershed Affairs

Grants Manager II

**APPENDIX "B"**

**Municipality: Delaware County**

**Officer's Name and Title:** \_\_\_\_\_,  
**affirms that:**

- a. I have received a copy of the Delaware County Ethics Disclosure Policy (the "Policy").
- b. I have read and understand the Policy;
- c. I agree to comply with the Policy.

**SECTION 1: Private – Municipal Transactions**

Have you, or a "related party,"<sup>1</sup> during the January 1, 201\_\_\_\_ through December 31, 201\_\_\_\_ engaged in any "business transaction"<sup>2</sup> to which Delaware County was a party?

Please circle one: Yes or No. If you circle yes, please describe the business transaction on the lines below.

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<sup>1</sup> The term "related party" means: (a) your spouse, minor children and dependents; (b) a firm, partnership or association of which you are a member or employee; (c) a corporation of which you are an officer, director or employee; or (d) a corporation of which you directly or indirectly own or control any stock.

<sup>2</sup> The term "business transaction" means any express or implied claim, account or demand against, or agreement with the municipality, including but not limited to submission of a voucher for payment by the municipality, designation of a depository of public funds, and designation of a newspaper for the publication of municipal notices, resolutions, ordinances etc. authorized or required by law, but does not include vouchers submitted for reimbursement of actual and necessary expenses occurred in the performance of official duties.

**SECTION 2: Private Employment**

Please list your and your spouse's private employer(s) and position(s).

<u>Individual</u>	<u>Employer</u>	<u>Position</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

None

**SECTION 3: Private Business Interests**

Please list your and your spouse's private business interests, excluding corporations in which you or your spouse own or control less than 5% of the outstanding stock.

<u>Individual</u>	<u>Name of Business</u>	<u>Form of Business</u>	<u>Nature of Interest</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

None

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone Number: (\_\_\_\_) \_\_\_\_\_

Print Name: \_\_\_\_\_

The resolution was seconded by Mr. Ellis.

Mr. Rowe advised that the policy was amended based on the Comptroller's report.

The resolution was unanimously adopted.

Mr. Dolph offered Local Law Intro. Nos. 14 through 29, and seconded by Ms. Molé.

**LOCAL LAW INTRO. NO. 14**

**TITLE: SALARY INCREASE  
DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES**

Section 1. The salary of Cynthia Heaney, Director of Community Mental Health Services shall be ninety-one thousand, seven hundred eighty-seven dollars [\$91,787] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 15**

**TITLE: SALARY INCREASE ELECTION COMMISSIONER**

Section 1. The salary of Judith Garrison, Election Commissioner shall be twenty-two thousand, one hundred dollars [\$22,100] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 16**

**TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES**

Section 1. The salary of Stephen Hood, Director of Emergency of Services shall be fifty-six thousand, one hundred twelve dollars [\$56,112] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 17**

**TITLE: SALARY INCREASE COUNTY PLANNING DIRECTOR**

Section 1. The salary of Nicole Franzese, County Planning Director shall be seventy-eight thousand, four hundred eighty-eight dollars [\$78,488] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 18**

**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-one thousand, two hundred one dollars [\$61,201] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 19**

**TITLE: SALARY INCREASE PERSONNEL OFFICER**

Section 1. The salary of Leonarda Storey, Personnel Officer shall be sixty-seven thousand, eight hundred thirty dollars [\$67,830 per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 20**

**TITLE: SALARY INCREASE DIRECTOR OFFICE OF THE AGING**

Section 1. The salary of Wayne Shepard, Director Office of the Aging shall be sixty-nine thousand, eighty dollars [\$69,080] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 21**

**TITLE: SALARY INCREASE PUBLIC HEALTH DIRECTOR**

Section 1. The salary of Amanda Walsh, Public Health Director shall be eighty thousand, two hundred ninety-nine dollars [\$80,299] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 22**

**TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY**

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be seventy-eight thousand, four hundred forty-two dollars [\$78,442] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 23**

**TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS**

Section 1. The salary of Wayne Reynolds, Commissioner of Public Works shall be ninety-three thousand, one hundred twenty-nine dollars [\$93,129] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 24**

**TITLE: SALARY INCREASE COMMISSIONER OF SOCIAL SERVICES**

Section 1. The salary of Dana Scuderi-Hunter, Commissioner of Social Services shall be eighty-seven thousand, nineteen dollars [\$87,019] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 25**

**TITLE: SALARY INCREASE DIRECTOR OF VETERANS' SERVICE AGENCY**

Section 1. The salary of Charles Piper, Director of Veterans' Service Agency shall be forty-two thousand, six hundred thirty-six dollars [\$42,636] per annum effective January 1, 2016.



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.

**LOCAL LAW INTRO. NO. 26**

**TITLE: SALARY INCREASE COUNTY TREASURER**

Section 1. The salary of Beverly Shields, County Treasurer shall be sixty-four thousand, two hundred ninety-two dollars [\$64,292] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 27**

**TITLE: SALARY INCREASE COUNTY CLERK**

Section 1. The salary of Sharon O'Dell, County Clerk shall be sixty-four thousand, two hundred ninety-two dollars [\$64,292] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 28**

**TITLE: SALARY INCREASE SHERIFF**

Section 1. The salary of Thomas Mills, Sheriff shall be seventy-two thousand, one hundred nine dollars [\$72,109] per annum effective January 1, 2016.

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.

**LOCAL LAW INTRO. NO. 29**

**TITLE: SALARY INCREASE DISTRICT ATTORNEY**

Section 1. The salary of the District Attorney shall be one hundred fifty-two thousand, five hundred dollars [\$152,500] per annum effective January 1, 2016.

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 184**

**TITLE: PUBLIC HEARING  
ON LOCAL LAW INTRO. NOS. 14 THROUGH 29 OF 2015**

**WHEREAS**, Local Laws Intro. Nos. 14 through 29 have been introduced to increase the 2016 salaries of:

**Non-Elected:** Cynthia Heaney, Director of Community Mental Health Services; Judith Garrison, Elections Commissioner; Stephen Hood, Director of Emergency Services; Nicole Franzese, County Planning Director; Michael Sabansky, Director Real Property Tax Services II; Leonarda Storey, Personnel Officer; Wayne Shepard, Director Office of the Aging; Amanda Walsh, Public Health Director; Joseph deMauro, Director of Information Technology; Wayne Reynolds, Commissioner of Public Works; Dana Scuderi-Hunter, Commissioner of Social Services; Charles Piper, Director of Veterans' Service Agency.

**Elected:** Beverly Shields, County Treasurer; Sharon O'Dell, County Clerk; Thomas Mills, Sheriff; District Attorney;

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on Local Laws Intro Nos. 14 through 29 on the 10<sup>th</sup> day of November, 2015 at 12:45 PM in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York.

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

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

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

**RESOLUTION NO. 185**

**TITLE: EXCEPTION TO RESOLUTION NO. 269-1990  
DEPARTMENT OF EMERGENCY SERVICES**

**WHEREAS**, Resolution No. 269 of 1990 prohibited full-time County employees from holding more than one County position simultaneously except if such dual employment is specifically authorized by resolution of the Board of Supervisors; and

**WHEREAS**, the Department of Emergency Services is experiencing difficulties in recruiting dispatchers; and

**WHEREAS**, from time to time employees in other county departments may be willing to work on a per-hour, as-needed basis in the Department of Emergency Services.

**NOW, THEREFORE, BE IT RESOLVED** that Resolution No. 269 of 1990 is hereby temporarily waived until December 31, 2016 for County employees who are willing to work on a per-hour, as-needed basis in the Department of Emergency Services.

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

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

**RESOLUTION NO. 186**

**TITLE: APPORTIONMENT OF MORTGAGE TAX**

**WHEREAS**, §261 of the Tax Law makes it mandatory to apportion the mortgage tax semi-annually and a report has been received from the recording officer and the County Treasurer for the period ending September 30, 2015.

**NOW, THEREFORE, BE IT RESOLVED** that the County Treasurer be directed to pay to the several towns and villages of Delaware County the amounts stated below; the same having been apportioned according to the aforementioned §261; and

**BE IT FURTHER RESOLVED** that the foregoing statement shall be to the County Treasurer a sufficient warrant for the payment of said monies.

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Andes	\$12,982.77	\$12,982.77	
Bovina	\$5,061.69	\$5,061.69	
Colchester	\$8,419.74	\$8,419.74	
Davenport	\$16,692.84	\$16,692.84	
Delhi	\$20,002.30	\$16,955.75	\$3,046.55
Deposit	\$3,360.46	\$3,134.72	\$225.74
Franklin	\$9,432.84	\$9,022.24	\$410.60
Hamden	\$8,251.12	\$8,251.12	
Hancock	\$29,208.47	\$26,588.09	\$2,620.38

Town	Amount Allocated to Tax District	Amount Apportioned to Town	Amount Apportioned to Village
Harpersfield	\$8,496.29	\$7,594.92	\$901.37
Kortright	\$9,990.86	\$9,990.86	
Masonville	\$6,265.85	\$6,265.85	
Meredith	\$8,613.68	\$8,613.68	
Middletown	\$25,404.38	\$23,125.46 FL	\$701.95
		MV	\$1,576.97
Roxbury	\$17,031.82	\$17,031.82	
Sidney	\$38,450.27	\$27,448.48	\$11,001.79
Stamford	\$8,917.71	\$6,880.61 ST	\$806.57
		HO	\$1,230.53
Tompkins	\$5,089.69	\$5,089.69	
Walton	\$15,537.02	\$12,723.48	\$2,813.54
Totals ...	\$257,209.80	\$231,873.81	\$25,335.99

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

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

**RESOLUTION NO. 187**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS**, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,405,801.36 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	\$965,885.75
OET	\$16,309.05
Public Safety Comm System	\$28,240.53

Highway Audits, as Follows:

Weights and Measures	\$0.00
Landfill	\$119,236.74
Road	\$188,892.86
Machinery	\$67,787.20
Capital Road & Bridge	\$19,449.23
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: 4097, Noes, Absent 702 (Pigford, Triolo).

Mr. Triolo requested Local Law Intro. No. 12 entitled: Local Law Imposing a Hotel/Motel Occupancy Tax in the County of Delaware be withdrawn at this time based on the comments and concerns raised at the public informational meetings and today's public hearing. The Committee feels the proposed law could be rewritten to address some of the concerns raised. The local law would be reintroduced at the November 10 meeting with a public hearing scheduled for November 24.

Director of Economic Development Glenn Nealis noted specific changes could be made to the definition of hotel/motel to ensure any lodging establishment with the exception of campsites would be subjected to the bed tax.

In answer to Mr. Marshfield, Mr. Nealis stated that finding the lodging establishments is not an easy process but, there are many avenues available and the Department continues to work on developing a complete list.

Ms. Miller advised in answer to Mr. Marshfield, that with the exception of the 10 percent administrative fee to the County Treasurer and the 5 percent administrative fee retained by the lodging owner all bed tax revenue by law must be used toward tourism.

Mr. Triolo noted that the figure of \$192,000 is based on New York State's tourism information. He stated that the bed tax is an avenue of raising revenue to promote the County's tourism industry without taxing the local people.

In answer to Mr. Donnelly, Mr. Nealis noted that the public informational meetings were a way of reaching out to the lodging industry. He did not know to what extent the Chamber of Commerce pursued their members regarding the issue.

Mr. Hynes opined that he was disappointed that there were not more people from the Margaretville business community at the Margaretville public informational meeting.

Mr. Merrill noted that the Monday of Columbus Day weekend might have played a part in the lack of attendance. Additionally, many of the owners believe the bed tax is a forgone conclusion.

Mr. Dolph recalled Local Law Intro. No. 13 entitled a Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C which was seconded by Mr. Hynes and unanimously adopted.

Mr. Marshfield referenced Local Law Intros. Nos. 14 to 29 called up earlier in the meeting and requested that a list of the current 2015 salaries be provided to the Supervisors. Clerk of the Board Christa Schafer will provide the list.

Budget Director Bruce Dolph introduced the 2016 Tentative Delaware County Budget and provided a copy to the Supervisors. Total appropriations are \$102,439,473 with an estimated real estate tax levy for 2016 of \$30,704,236 and a change in levy from 2015 of 3.4177 percent.

He asked the Supervisors and Department Heads to review the budget and contact him with any questions or concerns. He thanked the department heads and committees involved for their help and support during the preparation of the budget.

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