

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS OCTOBER 11, 2017

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, October 11, 2017 at 1:00 p.m. in the Supervisors' Room of the Senator Charles D. Cook County Office Building, 111 Main Street, Delhi, New York, Chairman Tina B. Molé presiding.

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

Mr. Marshfield offered the invocation.

Mr. Layton 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 Molé introduced and welcomed New York State Assemblyman Brian Miller representing the 101st Assembly District.

Assemblyman Miller said the 101st District is comprised of parts of Delaware, Herkimer, Oneida, Orange, Otsego, Ulster and Sullivan Counties. The Delaware County portion includes the Towns of Andes, Bovina, Davenport, Delhi, Hamden, and Meredith. He explained that the size of the District makes it difficult to address regional issues and to travel between counties and towns. To accommodate for this, the Mohawk Valley Nine was formed to represent the Counties of Herkimer, Madison and Oneida. The model has proven successful and he is working to form a similar bipartisan coalition of state legislators to represent this region of his Assembly District. Assemblyman Miller encouraged communication saying that he can only represent his District successfully if he is aware of the issues facing his constituents.

Chairman Molé thanked Assemblyman Miller for taking time to visit Delaware County and attend our Board of Supervisors meeting.

Chairman Molé granted privilege of the floor to Commissioner of Social Services Dana Scuderi-Hunter who introduced Lacey Finkle as Employee of the Month.

Mrs. Finkle began her employment at the Department of Social Services in 2006 as a typist. In 2013, she was promoted to senior typist. In her current position, she manages the support staff in the Programs area.

Commissioner Scuderi-Hunter stated that Mrs. Finkle exhibits the knowledge, skills, and abilities to allow her to perform supportive work accurately and with minimal supervision. She is reliable, dependable and very resourceful as she continues to find ways to increase efficiency, reduce costs and effectively support residents in our community. Mrs. Finkle's positive can do attitude contributes significantly to an encouraging work environment for staff and the community residents the Agency serves.

Commissioner Scuderi-Hunter shared that this recognition is very timely, as Mrs. Finkle would soon be relocating out of state with her family. Mrs. Finkle will be greatly missed at the Agency and would be happily welcomed back should her life journey return her to Delaware County.

Commissioner Scuderi-Hunter presented Mrs. Finkle with a \$50.00 check. Chairman Molé presented her with the Certificate of Employee of the Month, thanked her for her dedicated service and wished her and her family much success in their new endeavor.

Chairman Molé granted Mr. Hynes request to withdraw Resolution No. 171 entitled *Recognition of Dennis Hill for Service to Delaware County Agencies*, as Mr. Hill was unable to attend this meeting. Mr. Hynes noted that the resolution would be reintroduced at a future Board of Supervisors meeting.

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

RESOLUTION NO. 172

**TITLE: 2017 BUDGET AMENDMENT
STATE HOMELAND SECURITY PROGRAM
DEPARTMENT OF EMERGENCY SERVICES**

WHEREAS, Delaware County applied for and has been awarded grant funding under the State Homeland Security Program from the New York State Division of Homeland Security and Emergency Services (WM2017 SHSP); and

WHEREAS, this grant was awarded in the amount of \$99,971.00 for the purpose of purchasing Utility Task Vehicle for the Department of Emergency Services.

NOW, THEREFORE, BE IT RESOLVED that the Department of Emergency Services be authorized to accept this grant funding as described above and the 2017 Budget be amended as follows:

INCREASE REVENUE:

10-13640-43398900/3640055/911	State Homeland Security	\$99,971.00
-------------------------------	-------------------------	-------------

INCREASE APPROPRIATION:

10-13640-52200001/3640055/911	Equipment Grant	\$99,971.00
-------------------------------	-----------------	-------------

The resolution is seconded by Mr. Haynes and Mr. Spaccaforo.

Director of Emergency Services Steve Hood explained in answer to Mr. Marshfield, that the funding is a shared grant between the Sheriff's Office and Department of Emergency Services. He described a utility terrain vehicle as an enhanced all-terrain vehicle, noting the model is an ARGO; it has eight wheels and when outfitted with tracks will drive like a bulldozer making it possible to access the County's emergency communication towers during the winter season.

The resolution was adopted by the following vote: Ayes 4102, Noes 0, Absent 697 (Rowe, Davis).

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

RESOLUTION NO. 173

**TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL
PROPERTY NO LONGER NECESSARY FOR PUBLIC USE
BOARD OF ELECTIONS**

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

BE IT RESOLVED, that the Department is authorized to sell by trade-in, on-line auction or for scrap the following items:

<u>Dept/Vehicle No.</u>	<u>Description</u>	<u>Vehicle Identification No.</u>
BOE/383	2006 Chevy Express Van	1GAGG25UI661237265

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

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

RESOLUTION NO. 174

**TITLE: BOND RESOLUTION DATED OCTOBER 11, 2017
A RESOLUTION AUTHORIZING THE CONSTRUCTION OF
EMERGENCY COMMUNICATIONS TOWERS IN AND FOR THE
COUNTY OF DELAWARE, NEW YORK, AT A MAXIMUM ESTIMATED
COST OF \$6,000,000, AND AUTHORIZING THE ISSUANCE OF
\$6,000,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF**

WHEREAS, all proceedings required under the State Environmental Quality Review Act have been satisfied and it is now desired to authorize the financing of the capital project described below;

NOW, THEREFORE, 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 Delaware, New York, as follows:

Section 1. The construction of emergency communications towers in and for the County of Delaware, New York, including the acquisition of equipment, site improvements and incidental costs and improvements, is hereby authorized at a maximum estimated cost of \$6,000,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$6,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision 35 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. The faith and credit of said County of Delaware, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 7. 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 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. 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 at 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 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

The resolution was seconded by Mr. Gladstone.

Mr. Hood stated in answer to Mr. Eisel, that the amount to be bonded is the maximum estimated cost to complete construction of the emergency communications towers. He further stated that grant opportunities would still be available to the County and any grants received would be used to offset future maintenance costs.

The resolution was adopted by the following vote: Ayes 4102, Noes 0, Absent 697 (Rowe, Davis).

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

RESOLUTION NO. 175

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

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

<u>ELECTED OFFICIALS</u>	<u>Name</u>	<u>Standard Work Day (hrs/day)</u>	<u>Term Begin-End</u>	<u>Employer Rec. of Time Worked (Y/N)</u>	<u>Days Per Month Based on Record of Activities</u>
Commissioner of Elections – Republican	Maria Kelso	6	4/26/17-12/31/17	Y	12.22

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

Mr. Ellis introduced Local Law Intro. Nos. 2 through 14, which were seconded by Mr. Eisel.

LOCAL LAW INTRO NO. 2

TITLE: SALARY INCREASE DIRECTOR OF EMERGENCY SERVICES

Section 1. The salary of Stephen Hood, Director of Emergency Services shall be sixty thousand, nine hundred sixteen dollars [\$60,916] per annum effective January 1, 2018.

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. 3

TITLE: SALARY INCREASE DIRECTOR OF INFORMATION TECHNOLOGY

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be eighty-one thousand, seven hundred eleven dollars [\$81,711] per annum effective January 1, 2018.

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. 4

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-three thousand, six hundred twenty-five dollars [\$63,625] per annum effective January 1, 2018.

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. 5

TITLE: SALARY INCREASE COMMISSIONER OF PUBLIC WORKS

Section 1. The salary of Wayne Reynolds, Commissioner of Public Works shall be ninety-six, thousand, one hundred sixty-seven dollars [\$96,167] per annum effective January 1, 2018.

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. 6

TITLE: SALARY INCREASE ELECTION COMMISSIONER

Section 1. The salary of Judith Garrison, Election Commissioner shall be twenty-three thousand, one hundred forty-two dollars [\$23,142] per annum effective January 1, 2018.

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. 7

TITLE: SALARY INCREASE COMMISSIONER OF SOCIAL SERVICES

Section 1. The salary of Dana Scuderi-Hunter, Commissioner of Social Services shall be ninety-two thousand, four hundred thirty-nine dollars [\$92,439] per annum effective January 1, 2018.

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. 8

TITLE: SALARY INCREASE PUBLIC HEALTH DIRECTOR

Section 1. The salary of Amanda Walsh, Public Health Director shall be eighty-five thousand, five hundred eighty-seven dollars [\$85,587] per annum effective January 1, 2018.

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. 9

TITLE: SALARY INCREASE COUNTY PLANNING DIRECTOR

Section 1. The salary of Shelly Johnson-Bennett, County Planning Director shall be seventy-five thousand, five hundred nineteen dollars [\$75,519] per annum effective January 1, 2018.

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. 10

TITLE: SALARY INCREASE DIRECTOR OFFICE FOR THE AGING

Section 1. The salary of Wayne Shepard, Director Office for the Aging shall be seventy-one thousand, six hundred thirty-seven dollars [\$71,637] per annum effective January 1, 2018.

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. 11

TITLE: SALARY INCREASE DIRECTOR VETERANS' SERVICES AGENCY

Section 1. The salary of Charles Piper, Director Veterans' Services Agency shall be forty six thousand two hundred seventy-five dollars [\$46,275] per annum effective January 1, 2018.

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. 12

TITLE: SALARY INCREASE PERSONNEL OFFICER

Section 1. The salary of Linda Pinner, Personnel Officer shall be sixty-six thousand, six hundred seventy-six dollars [\$66,676] per annum effective January 1, 2018.

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. 13

TITLE: SALARY INCREASE DISTRICT ATTORNEY

Section 1. The salary of John Hubbard, District Attorney shall be one hundred eighty-three thousand, three hundred fifty dollars [\$183,350] per annum effective April 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. 14

TITLE: SALARY INCREASE ACTING COUNTY CLERK

Section 1. The salary of Debra Goodrich, Acting County Clerk shall be sixty-four thousand, two hundred ninety-two dollars [\$64,292] per annum effective November 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. Ellis offered the following resolution and moved its adoption:

RESOLUTION NO. 176

**TITLE: PUBLIC HEARING
LOCAL LAW INTRO. NOS. 2 THROUGH 14 OF 2017**

WHEREAS, Local Laws Intro. Nos. 2 through 14 have been introduced to increase the salaries of:

Non-Elected: Stephen Hood, Director of Emergency Services, Joseph deMauro, Director of Information Technology, Michael Sabansky, Director of Real Property Tax Services II, Wayne Reynolds, Commissioner of Public Works, Judith Garrison, Election Commissioner, Dana Scuderi-Hunter, Commissioner of Social Services, Amanda Walsh, Public Health Director, Shelly Johnson-Bennett, County Planning Director, Wayne Shepard, Director Office for the Aging, Charles Piper, Director Veterans' Services Agency, Linda Pinner, Personnel Officer,

Elected: John Hubbard, District Attorney, Debra Goodrich, Acting County Clerk.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Local Law Intro Nos. 2 through 14 on the 25th day of October 2017 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 Mr. Spaccaforno and unanimously adopted.

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

RESOLUTION NO. 177

**TITLE: RATIFICATION OF BAGS LANDFILL
BUDGET FOR 2018**

BE IT RESOLVED that the 2018 budget for the BAGS Landfill in the total amount of \$11,294.00 with \$1,820.35 the apportioned cost to the Town of Sidney be ratified as presented.

The resolution was seconded by Mr. Eisel.

In response to Chairman Molé, Mr. Pigford explained that this is a yearly resolution requiring approval by the Board of Supervisors. The Town of Sidney utilized the landfill located just outside of Delaware County. The landfill is no longer used; however, the six townships that utilized the landfill agreed to participate in the maintenance.

The resolution was adopted by the following vote: Ayes 4102, Noes 0, Absent 697 (Rowe, Davis).

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

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

RESOLUTION NO. 178

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,709,153.94 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	\$620,560.05
CAP 97 Main	608,936.78
OET	\$10,460.22
Public Safety Comm System	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$63.55
Landfill	\$22,112.28
Road	\$3,810.67
Machinery	\$58,457.00
Capital Road & Bridge	\$1,384,753.39
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Marshfield and adopted by the following vote: Ayes 4102, Noes 0, Absent 697 (Rowe, Davis).

Upon a motion, the meeting was adjourned at 1:25 p.m.