

ORGANIZATIONAL MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

JANUARY 3, 2018

The Organizational Meeting of the Delaware County Board of Supervisors was held Wednesday, January 3, 2018 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 3, 2018 at 1:00 p.m.

The meeting is called for the purpose of organizing for the year 2018, including election of a Chairman, Vice Chairman, Clerk of the Board, County Attorney 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:

Wayland Gladstone	P.O. Box 125	Andes
Tina Molé	P.O. Box 6, Bovina Center	Bovina
Arthur Merrill	P.O. Box 321, Downsville	Colchester
Dennis J. Valente	11790 State Highway 23, Davenport Center	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	P.O. Box 313	Masonville
James G. Ellis	4187 Turnpike Road, Delhi	Meredith
Carl P. Davis	P.O. Box 577, Margaretville	Middletown
Thomas S. Hynes	P.O. Box 277	Roxbury
R. Eugene Pigford	2464 Road 13, Unadilla	Sidney
Michael Triolo	P.O. Box M, Hobart	Stamford
William Layton	P.O. Box 139, Trout Creek	Tompkins
Charles Gregory	129 North Street	Walton

Mr. Marshfield offered the invocation.

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

The Clerk requested nominations for Chairman: Mr. Spaccaforo nominated Tina Molé. The nomination was seconded by Mr. Eisel and unanimously approved.

County Clerk Deb Goodrich administered the Oath of Office to Ms. Molé.

Chairman Molé thanked her colleagues on the Board of Supervisors for their confidence and support stating that she is honored and grateful for the opportunity to continue serving as Chairman of the Board in 2018. In 2017, the Board of Supervisors, County Department Heads and employees worked through challenges that included dealing with 43 inches of snow, finding a new home for the Office for the Aging, the near completion of our Emergency Services towers and developing a budget that kept the tax levy within the state's tax cap requirement. These accomplishments are a result of the dedication of this Board of Supervisors and our County employees.

Concluding she noted that she learned a great deal from the County Department Heads and employees and realized when everyone does their part the County works like a well-oiled machine. The coming year will present many new challenges, among them, deciding upon a new home for the Department of Public Works and the Mental Health Facility.

Upon a nomination by Mr. Taggart, seconded by Mr. Davis, Mark Tuthill was re-elected as Vice Chairman.

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

Upon a nomination by Mr. Spaccaforo, seconded by Mr. Taggart, Amy Merklen was re-elected as County Attorney.

Upon a nomination by Mr. Spaccaforo, seconded by Mr. Eisel and Mr. Gregory, Arthur Merrill was unanimously re-elected as Budget Officer.

Chairman Molé noted that all oversight committees would remain the same until a future Board meeting and made the following committee appointments:

2018 COMMITTEE APPOINTMENTS

AGRICULTURAL AND FARMLAND PROTECTION BOARD

4-year term ending December 31, 2021

Reappoint:

Fred Huneke

DELAWARE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

3-year term ending December 31, 2020

Reappoint:

James Thomson

Andrew Matviak

Flerida Santana

DELAWARE COUNTY PLANNING BOARD

3-year term ending December 31, 2020

Reappoint:

Donald Kearny
Mark Lee

HEALTH SERVICES ADVISORY BOARD

2-year term ending December 31, 2019

Reappoint:

Amanda Walsh, Director Public Health
Wayne Shepard, Director Office for the Aging

SOUTHERN TIER EAST REGIONAL DEVELOPMENT STRATEGY COMMITTEE

Appoint:

Shelly Johnson-Bennett, Director Planning

SOUTHERN TIER EAST REGIONAL PLANNING AND DEVELOPMENT BOARD

Appoint:

Shelly Johnson-Bennett, Director Planning
Glenn Nealis, Director Economic Development

TOURISM ADVISORY BOARD

3-year term ending December 31, 2020

Appoint:

Joyce Barber, Hobart

Reappoint:

Supervisor Mike Triolo

1-year term ending December 31, 2018

Supervisor Art Merrill

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.

For standing committee reports, Mr. Rowe called attention to the fringe benefit survey placed on each Supervisor's desk noting that it along with the Agreement of Expenditure of Highway Funds need to be returned to the Department of Public Works as soon as possible. The information is compiled for the CHIPS program and towns that provide services for the County cannot be reimbursed until this information is received.

Mr. Rowe, referencing the public informational meeting regarding the Delaware County Department of Public Works Siting Study on July 12, 2017, advised that answers to all of the outstanding questions have been posted to the County website at www.co.delaware.ny.us.

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 Catskill Mountain News 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 Catskill Mountain News is designated for the calendar year 2018 to publish local laws and notices.

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

Mr. Merrill 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 Reporter and the Mountain Eagle 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 Reporter and the Mountain Eagle are designated for the calendar year 2018 to publish local laws and notices.

The resolution was seconded by Mr. Triolo.

In response to Mr. Spaccaforo, Chairman Molé noted that the Republican Committee felt that The Reporter did not provide sufficient coverage in the Stamford/Davenport area.

The resolution was adopted by the following vote: Ayes 4535, Noes 132 (Marshfield), Absent 0.

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

RESOLUTION NO. 3

TITLE: RE-APPOINTMENT DIRECTOR OF ECONOMIC DEVELOPMENT

BE IT RESOLVED that Glenn Nealis is hereby reappointed as Director of Economic Development for a term of two years effective January 1, 2018 and ending December 31, 2019 at the salary contained in the budget.

The resolution was seconded by Mr. Eisel and Mr. Davis and unanimously approved.

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

RESOLUTION NO. 4

**TITLE: RE-APPOINTMENT OF ELECTIONS COMMISSIONER
REPUBLICAN**

BE IT RESOLVED that Maria Kelso is hereby reappointed as Elections Commissioner (Republican) for a term of two years effective January 1, 2018 and ending December 31, 2019 at the salary contained in the budget.

The resolution was seconded by Mr. Rowe and Mr. Eisel and unanimously adopted.

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

RESOLUTION NO. 5

**TITLE: RE-APPOINTMENT OF DIRECTOR OF
COMMUNITY MENTAL HEALTH SERVICES**

BE IT RESOLVED that Cynthia Heaney is hereby reappointed as Director of Community Mental Health Services for a term of four years effective January 1, 2018 and ending December 31, 2021 at the salary contained in the budget.

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

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

RESOLUTION NO. 6

TITLE: RE-APPOINTMENT COMMISSIONER OF WATERSHED AFFAIRS

BE IT RESOLVED that Dean Frazier is hereby reappointed as Commissioner of Watershed Affairs for a term of two years effective January 1, 2018 and ending December 31, 2019 at the salary contained in the budget.

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

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

RESOLUTION NO. 7

TITLE: RE-APPOINTMENT OF YOUTH BUREAU DIRECTOR

BE IT RESOLVED that Dana Scuderi-Hunter is hereby reappointed as Youth Bureau Director for a term of one year effective January 1, 2018 and ending December 31, 2018.

The resolution was seconded by Mr. Pigford and Mr. Hynes and unanimously adopted.

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

RESOLUTION NO. 8

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 banks 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.

Wayne Bank	\$50,000,000.00
The Delaware National Bank of Delhi	\$30,000,000.00
The Delaware National Bank of Delhi (Court and Trust Fund Designated by NYS Comptroller)	\$10,000,000.00
The National Bank and Trust Company	\$80,000,000.00
Community Bank, N.A.	\$30,000,000.00
Key Bank	\$250,000.00

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

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

RESOLUTION NO. 9

**TITLE: CHANGE ORDER NO. 3 OF PROPOSAL NO. 31-17
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution 53 of 2017 authorized the award of Proposal No. 31-17, “Replacement of County Route 26 Bridge over Telford Hollow Brook, PIN 9753.00, BIN 3351950, Town of Colchester” to Sullivan County Paving & Construction Inc. 420 Bernas Road, Cohecton, NY 12726 for the bid amount of \$1,987,598.51.00; and

WHEREAS, Resolution No. 199 of 2017 authorized the execution of Change Orders No. 1 and 2 at no change in the Contract Amount; and

WHEREAS, due to a software setup error, Item 402.098203, 9.5MM F2 Top Course Hot Mix Asphalt will be removed from the contract and Item 402.128203, 12.5 mm F2 Top Course Hot Mix Asphalt, 80 Series Compaction be added at no additional cost.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 3 for Proposal No. 31-17 adjusting the contract items as referenced above at no change to the contract total cost of \$1,987,598.51.

The resolution was seconded by Mr. Spaccaforno.

Chairman Molé granted Mr. Rowe's request to abstain from voting on this resolution as he is employed by the New York State Department of Transportation.

The resolution was adopted by the following vote: Ayes 4477, Noes 0, Absent 0, Abstain 322 (Rowe)

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

RESOLUTION NO. 10

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 2018.

The resolution was seconded by Mr. Spaccaforno.

In answer to Mr. Taggart, Commissioner of Public Works Wayne Reynolds explained that the Machinery Fund is funded by the rental of County-owned equipment. The resolution allows the Department to spend those funds before they are actually earned.

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

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

RESOLUTION NO. 11

TITLE: CLIMATE SMART COMMUNITIES PLEDGE PLANNING DEPARTMENT

WHEREAS, Delaware County (hereinafter "local government") believes that climate change has impacted our local and global environments; and

WHEREAS, the effects of climate change has increased the need for actions that will protect our infrastructure, economy; farms, and ecological communities, including native fish and wildlife populations, reduce the spread invasive species, protect drinking water supplies and recreational opportunities; and reduce potential threats to the health and well-being of our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even with a reduction in emissions today, communities would still be required to adapt to the effects of climate change for decades to come.

NOW, THEREFORE, BE IT RESOLVED that Delaware County, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

- Pledge to be a Climate Smart Community.
- Set goals, inventory emissions, plan for climate action.
- Decrease community energy use.
- Increase community use of renewable energy.
- Realize benefits of recycling and other climate-smart solid waste management practices.
- Reduce greenhouse gas emissions through use of climate-smart land-use tools.
- Enhance community resilience and prepare for the effects of climate change.
- Support development of a green innovation economy.
- Inform and inspire the public.
- Commit to an evolving process of climate action.
- State of New York
- County of Delaware

The resolution was seconded by Mr. Ellis.

In response to Chairman Molé, Director of Planning Shelly Johnson-Bennett explained that the Planning, Culture and Recreation Committee determined the Climate Smart Communities Pledge an appropriate fit for Delaware County. The County is already very progressive and has undertaken many projects listed in the pledge. The passing of this resolution is a necessary step toward becoming a New York State Climate Smart Community and is one of the eligibility standards that can be used to qualify for Solar Energy grants through the New York State Energy Research and Development Authority (NYSERDA).

The resolution was unanimously adopted.

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

RESOLUTION NO. 12

TITLE: RESOLUTION TO EXEMPT THE NEW YORK STATE CERTIFIED ARMED SECURITY GUARDS AS CONTRACTED WITH DELAWARE COUNTY FOR SECURITY PURPOSES FROM THE WEAPONS PROVISION OF THE COUNTY WORKPLACE VIOLENCE POLICY

WHEREAS, Resolution No. 118 of 2003 as amended by Resolution No. 185 of 2003, along with Resolution Nos. 158 of 2007 and 100 of 2010, establish, clarify and implement the County's Workplace Violence Policy; and

WHEREAS, the policy expressly permits Delaware County to exempt individuals and employees from the weapons provision of that policy; and

WHEREAS, specific exemptions were made for law enforcement officers and attorneys engaged in law enforcement functions; and

WHEREAS, Delaware County will begin contracting with a security company to provide New York State Certified Armed Security Guards to provide services pursuant their contract; and

WHEREAS, per the terms of the contract and the intent of Delaware County is to have armed security guards present on County property; and

WHEREAS, being armed is a function of their job and a term of their contract.

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Supervisors hereby specifically exempts the New York State Certified Armed Security Guards providing security pursuant to a contract with Delaware County and within the terms of that contract, during work hours, from any and all of the provisions of the County's Workplace Violence Policy which prohibits possessing or carrying weapons of any kind on County property, in County vehicles, or while on County time.

The resolution was seconded by Mr. Davis.

Chairman Molé explained that the County would be contracting with a local security firm for an armed security guard. The guard, who will be positioned in the lobby of 111 Main Street, will monitor building functions Monday through Friday.

In answer to Mr. Marshfield, Commissioner of Social Services Dana Scuderi-Hunter noted that the cost would be about \$50,000.

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

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

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

RESOLUTION NO. 13

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$1,633,944.31 were hereby presented to the Finance Committee for approval for payment on December 29, 2017 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	\$386,002.20
OET	\$8,411.35
Public Safety Comm System	\$0.00
Capital 97 Main	\$84.55
Highway Audits, as Follows:	
Weights & Measures	\$48.42
Road	\$60,945.44
Machinery	\$47,828.64
Capital Road & Bridge	\$1,013,853.40
Capital Solid Waste	\$21,547.34
Solid Waste/Landfill	\$95,222.97

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board’s office in the amount of \$654,209.85 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	\$271,183.24
OET	\$8,002.10
Public Safety Comm System	\$0.00
Capital 97 Main	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$0.00
Road	\$23,696.13
Machinery	\$12,601.04
Capital Road & Bridge	\$335,678.86
Capital Solid Waste	\$0.00
Solid Waste/Landfill	\$3,048.48

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

Upon a motion, the meeting was adjourned at 1:33 p.m.