

REGULAR MEETING

DELAWARE COUNTY BOARD OF SUPERVISORS

MAY 22, 2019

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, May 22, 2019 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. Spaccaforno and Mr. Davis.

Mr. Marshfield offered the invocation.

Mr. Hynes 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 the appropriate committees for review.

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

RESOLUTION NO. 78

**TITLE: AUTHORIZATION FOR AWARDS
PUBLIC HEALTH SERVICES**

WHEREAS, a request for bids (#2019-001) Delaware County Early Intervention and Preschool Special Education Program Transportation for the period September 1, 2019 through August 31, 2020 has been made and bids received; and

WHEREAS, all original bids and a summary sheet of the bids received are on file for inspection at the office of the Clerk of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the County Department of Public Health Services is authorized to make awards to the lowest bidders meeting specifications as follows:

Bid Sheet 1: Program Cluster 1 (Binghamton Area) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 608.89	\$194.79
Round Trip	\$ 457.69	

Bid Sheet 2: Program Cluster 2 (Cobleskill Area) – Birnie Bus Service, Inc

	Vehicle Category – Sm Bus	Vehicle Category - Van	1on1 Aide
Full Day			\$ 50.00
Round Trip	\$ 544.65	\$544.65	

Bid Sheet 3: Program Cluster 3 (Delhi Area) – Rolling V Bus Corp

	Vehicle Category – Sm Bus	Vehicle Category - Van	1on1 Aide
Full Day	\$ 465.00	\$ 478.00	\$ 179.27
Round Trip	\$ 425.79	\$ 434.79	

Bid Sheet 4: Program Cluster 4 (All of Greene County) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 597.00	\$ 194.79
Round Trip	\$ 505.63	

Bid Sheet 5: Program Cluster 5 (Kingston Area) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 640.84	\$ 179.23
Round Trip	\$ 489.64	

Bid Sheet 6: Program Cluster 6 (Monticello Area) – Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day		\$ 179.27
Round Trip	\$ 596.79	

Bid Sheet 7: Program Cluster 7 (Norwich Area)- Rolling V Bus Corp

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 478.00	\$ 179.27
Round Trip	\$ 427.93	

Bid Sheet 8: Program Cluster 8 (Oneonta Area) – Birnie Bus Service Inc

	Vehicle Category - Van	1on1 Aide
Full Day	\$ 497.99	\$ 50.00
Round Trip	\$ 468.48	

The resolution was seconded by Mr. Marshfield.

In response to Ms. Molé, Director of Public Health Services Amanda Walsh confirmed that the company BMC is part of the bidding process. For another level of cost savings, this bid proposal is for one year in order to align with Otsego County bids for cutting costs.

In answer to Mr. Taggart, Ms. Walsh confirmed that transportation is necessary to all eight areas based on special needs with some children needing multiple services.

In response to Mr. Eisel and Mr. Gladstone, Ms. Walsh stated that approximately 25 to 30 children utilize the transportation program each day.

The resolution was adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Spaccaferno, Davis).

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

RESOLUTION NO. 79

**TITLE: CHANGE ORDER NO. 2 PROP NO. 35-18
DELAWARE COUNTY BRIDGE STRUCTURAL STEEL PRESERVATION PROJECT
PIN 9754.33, D035907
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Resolution No. 188 of 2018 authorized the award of Proposal No. 35-18, “Delaware County Bridge Structural Steel Preservation Project, PIN 9754.33, D035907” to Amstar of Western New York, Inc., 825 Rein Rd., Cheektowaga, NY 14225 for the bid amount of \$283,000.00; and

WHEREAS, Resolution No. 63 of 2019 authorized the execution of Change Order No. 1 of Proposal No. 35-18 extending the contract completion date until May 10, 2019; and

WHEREAS, the consulting engineering firm that has been performing the construction inspection has been working with the contractor to reach agreement on the final quantities for the contract; and

WHEREAS, the final quantities have been determined resulting in a net decrease of \$21,439.99.

NOW, THEREFORE, BE IT RESOLVED that the Department of Public Works is herewith authorized to execute Change Order No. 2 for Proposal No. 35-18 decreasing the contract by \$21,439.99 resulting in a final contract amount of \$261,560.01.

The resolution was seconded by Mr. Eisel.

In response to Mr. Eisel, Ms. Molé commented that a decrease does not occur very often.

The resolution was adopted by the following vote: Ayes 4292, Noes 0, Absent 507 (Spaccaferno, Davis).

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

RESOLUTION NO. 80

**TITLE: APPOINTMENT OF PUBLIC DEFENDER
PUBLIC DEFENDER'S OFFICE**

BE IT RESOLVED that Joseph A. Ermeti is hereby appointed as Delaware County's Public Defender for a term of office to run from August 1, 2019 to December 31, 2020 at an annual salary of \$105,000; and

BE IT FURTHER RESOLVED that the Public Defender shall function under the authorization of the Board of Supervisors and shall perform such other duties as may from time to time be assigned by the Board of Supervisors and the Board Committee having oversight responsibility for the Public Defender's Office currently the Legislative Committee; and

BE IT FURTHER RESOLVED that the Public Defender may within the budgetary limitations provided therefore and pursuant to applicable laws notwithstanding Civil Service Law, appoint and remove such deputies and other personnel necessary and proper to carry out the activities of the department.

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

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. 81

**TITLE: SALE OF COUNTY-OWNED PROPERTY
OFFICE OF THE COUNTY ATTORNEY**

WHEREAS the County published a notice to sell the county-owned property located at 38 Franklin Depot Street, Sidney Center, NY by sealed bid; and

WHEREAS the notice to sell was published in all three (3) official papers, and

WHEREAS Colin Frost and Christina Lawes submitted a sealed bid of \$10,010.00 for said property.

BE IT RESOLVED that the Office of the County Attorney is authorized to make award to the following sealed bid proposal to purchase 38 Franklin Depot Road, Sidney Center, NY:

Sold to: Colin Frost
Christina Lawes

Sealed Bid Price: \$10,010.00

RESOLVED that the county-owned property be sold to the parties indicated for the price herein stated and the County Attorney is authorized to take all steps necessary to finalize the sale of said property.

The resolution was seconded by Mr. Marshfield and adopted by the following vote:
Ayes 4292, Noes 0, Absent 507 (Spaccaferno, Davis).

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

RESOLUTION NO. 82

TITLE: PAYMENT OF AUDIT

WHEREAS, bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$2,840,652.86 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	\$1,790,796.86
OET	\$40,048.74
Public Safety Comm System	\$38,740.00
CAP 97-Main Street	\$0.00
Highway Audits, as Follows:	
Weights and Measures	\$292.38
Landfill	\$187,728.47
Road	\$44,447.03
Machinery	\$106,247.01
Capital Road & Bridge	\$632,352.37
Capital Solid Waste	\$0.00

The resolution was seconded by Mr. Taggart and adopted by the following vote:
Ayes 4292, Noes 0, Absent 507 (Spaccaferno, Davis).

Mr. Eisel recalled Local Law Intro. No. 21 to increase the salary of the District Attorney. The local law was seconded by Mr. Vernold.

In response to Mr. Taggart, County Attorney Amy Merklen stated that the verbage 'pursuant to Judiciary Law §183-a' indicates that the state mandates the salary.

Supervisor Pigford expressed his concern that every town and village Supervisor deals with a two percent tax ceiling every year and conscientiously seeks to abide by that. He believes it is not unreasonable to make a request on the state level that their salary increments be kept to that level. He proposed this as a statement from this Board.

The local law was unanimously adopted.

Mr. Eisel recalled Local Law Intro. No. 22 for establishment of the Delaware County Public Defender's Office. The local law was seconded by Mr. Ellis and unanimously adopted.

Supervisor Vernold told the Board about a special Town Board meeting he held at the Hancock High School for Grades 9-12. He spoke to the students about how town government works and he expressed that students have great questions. He urged Supervisors to consider a similar program in their towns to engage youth because someday, these students may very well be involved in local government.

Chairman Molé pointed out that a class from Andes Central School will be visiting in June to learn about town and county government.

Supervisor Cetta reminded all in attendance to be mindful of the reason for the upcoming holiday weekend, particularly Memorial Day.

Supervisor Marshfield stated that the County Board needs to address the proposed state legalization of marijuana and a resolution needs to be brought forward as to where the Board stands on the issue.

Chairman Molé indicated that the issue will be addressed at the next Board meeting.

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