

## REGULAR MEETING

### DELAWARE COUNTY BOARD OF SUPERVISORS

NOVEMBER 10, 2020

The regular meeting of the Delaware County Board of Supervisors was held Wednesday, November 10, 2020 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. Taggart, Mrs. Scott, and Mr. Davis.

Mr. Marshfield offered the invocation.

Mr. Cetta 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 granted privilege of the floor to Supervisor Pigford. Mr. Pigford introduced Public Health Services Director Mandy Walsh via Zoom to give an update on COVID-19 in Delaware County.

Ms. Walsh displayed the Delaware County COVID-19 Update report which is located on the Public Health website at <http://delawarecountypublichealth.com/covid-19>. She explained the dashboard displays the current day statistics as well as the total statistics for the entire COVID-19 period. The information is also available on Facebook. The dashboard is updated daily, especially if there are new positives. New information is sent in a press release to the media.

Ms. Walsh showed a sample of the New York State COVID-19 dashboard at <https://forward.ny.gov/percentage-positive-results-region-dashboard> which has a lot of information related to schools, colleges, and health departments. The website includes the NYSDOH COVID-19 Tracker dashboard which can be used to search any county or region to see the 7-day average for positives along with the percentage of positives and the total number of people tested for that day. The website shows the Delaware County positivity rate at 2.8%. The Governor is now going by the 7-day micro-cluster rolling average rate which has resulted in the yellow zone, orange zone, and red zone. The yellow zone has a positivity rate above 3.5% for 10 days in a row. The orange zone is a 4.5% positivity rate and the red zone is a 5.5% positivity rate. Imposed restrictions based on these zones are listed on the website.

Ms. Walsh clarified that the positivity rate is the total positive tests over all the tests that have been done and we truly are seeing a higher rate of positives. Some of the trends they are looking at right now are related to, which has been going on a long time, the fact that everything

is open. People have a lot of movement. Nothing is shut down. Public Health is seeing case numbers that are similar to or more than what it was in March and April when things were completely shut down and people were not moving. They are seeing a large trend in the in-person dining transition. They are seeing a trend in work sites and work places in general because many of these businesses have been open for many months and over time it is easy to be complacent with some of the mask requirements and illness policies. Most of the positives are symptomatic. People who have mild symptoms and go to work or somewhere else may not be aware that they should get checked until after a few days. Now there are multiple days where people are exposed. They are seeing lots of workplace-related illness and she believes some of it is related to the fact that places have been open for a long time now.

One of the bigger issues is eating in common break rooms and having communal gathering in small spaces with lots of people. All it takes is one person to be ill to have that transmission with the way the droplets are, if you are eating at an in-person setting, you don't have a mask on and you are sitting particularly for an extended period of time. If you have a food service worker or someone at the table who is infected, it does not take much to have most of the people have some type of viral load transmitted. Without a mask, there is no source control. CDC uses the word source control; they call the mask source control because it cuts down on the viral load.

Ms. Walsh discussed a graphic that shows the 14-day incubation time period which is the timeframe that it takes from when someone is exposed to the time they may actually develop the disease. In-person dining has made it a lot more complicated because it is a closed setting. Now, with the weather being colder, people being social want to meet with others to socialize. When those people are going to restaurants on a regular basis and the longer they are in a place like that and the longer you are not wearing the mask, it increases your risk. The risk is very similar in a workplace where people are together and you have that communal setting where people are together for an extended period of time not wearing their masks.

She acknowledged that safety requirements have gone on for an extended period of time. We are several weeks into colder weather where people are doing more inside. Ms. Walsh stressed that mask wearing really has to happen.

Ms. Walsh referred to several handouts from the IDSA (Infectious Diseases Society of America) that were previously distributed to the Supervisors. *What the Experts Say About COVID-19 Risks* lists a number of activities categorized in low, medium, or high risk. The data shows that there are much higher risk settings and that seems to be a trend for many of us. Especially in our County, we are noticing trends related to some of the higher risk settings which includes eating indoors at a restaurant, going to the gym, going to a place of worship, or going to a movie theater. Many of these activities were previously shut down and now with reopening there are a lot more positive cases.

Ms. Walsh spoke about dashboard information from every school which is available at <https://schoolcovidreportcard.health.ny.gov/#/home> or the school's website. Schools are required to report data including whether case counts are from a student or staff member.

Colleges are required to report as well and they use the state dashboard reporting system. SUNY Delhi's dashboard is <https://www.delhi.edu/covid19/covid19-dashboard.php> and this link goes right to the state dashboard. Colleges have to post their plans for the public and they are required to work on exit plans for students as well. Public Health Services staff works very closely with the college on these plans. All of their reporting is available to the public as well. Links to all of this real time information is on the Public Health Services website.

Tracing exposures to COVID-19 is important to stop its spread. Public Health Nursing staff are using the NYS Contact Tracing Program for contact tracing and daily monitoring and she stressed that if you get a call from "NYS Contact Tracing," a (518) number, to please answer. The phone call is confidential and private. The program is utilized to assist them with phone calls for quarantine, initiation, and monitoring. They monitor all of the people who are ill, anyone who is PUI (Person Under Investigation) and people who are positive as well as those who are asymptomatic under quarantine. They have found that with recent election robocalls and polling phone calls, some people are hesitant to answer the phone not knowing the source or that it is a legitimate call.

Ms. Walsh reiterated how to stay safe during reopening by wearing a face covering, washing hands often, and practice social distancing by staying six feet away from others. Be mindful of this as we roll into colder weather activities where people are going to be indoors, especially with the Thanksgiving holiday approaching. The safest way to celebrate the holiday is to only celebrate with members of your same household or to host a virtual celebration. Limit gatherings to less than ten people and be mindful of older family members and people who may be higher risk.

Ms. Walsh summed up by stressing for everyone to be mindful of having mild symptoms. Not working with mild symptoms. Not gathering with other people while having mild symptoms. And be mindful of when you are eating, how you are eating, and who you are eating with. Be mindful of wearing the mask. Think about source control—your mask is source control.

Mr. Marshfield commented that about a month ago they were supplied a graph that showed the cases by the day. Of everything he has seen, that graph really drove the point home. There was quite a difference between what we are seeing today and what we saw in March and April. He stated that he shares this information on his town's website.

Ms. Walsh stated that particular graph was put up on the County Facebook Page and website by Planning Director Shelly Johnson-Bennett.

Mr. Marshfield said he gets numerous requests to disclose the positive cases in each town. He understands that cases are not tracked that way. People can contract the virus and return home and be counted in their home town as a positive even though that is not where they contracted the virus. He sees this as false information but he understands cases are not tracked by town regardless.

Ms. Walsh confirmed that when someone is tested, their address information goes by the county they are in. But remember, way back in March and April, things were closed. Everything is open now so this is the problem with movement. They are looking at the trends where people are spending larger amounts of their time. Those who work spend most of their time at their workplace. Most of us do not live in a box and we are not just at home anymore where there is more security.

Ms. Molé reiterated that the numbers are out every day on the Public Health website, the County's website, and the Facebook pages so it is easily assessable to everyone.

Ms. Walsh stated if someone is having trouble finding something, please let them know because they do have things cross referenced and posted. They want you to have the information. She will send a copy of the PowerPoint with those links to Mrs. Schafer so it can be distributed to Towns and be available to help people who are asking questions. This information is not secret. As she said, the schools, the colleges, all of that information is out there for people. They also have a lot of educational information. Any help Supervisors can give to reiterate that they still want people to wear masks and still want people to be thinking about being safe would be greatly appreciated.

Ms. Molé thanked Ms. Walsh for the very informative update.

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

#### **RESOLUTION NO. 164**

#### **TITLE: AUTHORIZATION FOR DISPOSITION OF PERSONAL PROPERTY NO LONGER NECESSARY FOR PUBLIC USE ECONOMIC DEVELOPMENT**

**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</u>	<u>Description</u>	<u>Serial Number/VIN</u>
ED 92	2010 Ford Fusion	3FAHP0GA1AR110222

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

Mr. Cetta called up Local Law Intro. No. 17 of 2020 to Waive the Term Limit for Members of the Community Services Board. The Local Law was seconded by Mr. Merrill.

**LOCAL LAW INTRO. NO. 17 OF THE YEAR 2020**

**TITLE: WAIVE THE TERM LIMIT FOR MEMBERS OF THE  
COMMUNITY SERVICES BOARD**

Section I. The provisions of Section 41.11(d) of the New York State Mental Hygiene Law provide that no person may serve as a member of a board or a subcommittee for more than two terms consecutively. Delaware County hereby waives the provisions of Section 41.11(d) of the NYS Mental Hygiene Law.

Section II. Any member of the Community Services Board may serve more than two (2) terms consecutively.

Section III. Effective Date. This Local Law shall take effect immediately and apply to current board members upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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

**RESOLUTION NO. 165**

**TITLE: RESOLUTION CALLING FOR A PUBLIC HEARING  
ON THE PROPOSED LOCAL LAW INTRO. NO. 17 OF 2020**

**WHEREAS**, a proposed local law waiving the term limits for members of the Community Service Board, thereby allowing a board member to serve more than two consecutive terms;

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on the 24<sup>th</sup> day of November at 12:40 p.m. in the Supervisor's Room of the County Office Building, 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Marshfield.

Ms. Molé reiterated the public hearing on Local Law Intro. No. 17 will be held before the next Board meeting on November 24 at 12:40 p.m.

The resolution was unanimously adopted.

Mr. Ellis called up Local Law Intro. Nos. 18 through 31 for salary increases which was seconded by Mr. Merrill.

**LOCAL LAW INTRO NO. 18**

**TITLE: SALARY INCREASE COUNTY ATTORNEY**

Section 1. The salary of Amy Merklen, County Attorney shall be One hundred-thirteen thousand, nine hundred ninety-three dollars [\$113,993] per annum effective January 1, 2021.

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 DIRECTOR  
COMMUNITY MENTAL HEALTH SERVICES**

Section 1. The salary of Cynthia Heaney, Director Community Mental Health Services shall be One hundred one thousand, two hundred ninety-two dollars [\$101,292] per annum effective January 1, 2021.

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 ECONOMIC DEVELOPMENT**

Section 1. The salary of Glenn Nealis, Director of Economic Development shall be Eighty-six thousand, four hundred seventy-one dollars [\$86,471] per annum effective January 1, 2021.

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 ELECTION COMMISSIONER**

Section 1. The salary of Maria Kelso, Election Commissioner shall be Twenty-four thousand, nine hundred forty-six dollars [\$24,946] per annum effective January 1, 2021.

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 EMERGENCY SERVICES**

Section 1. The salary of Stephen Hood, Director of Emergency Services shall be Sixty-five thousand, three hundred forty dollars [\$65,340] per annum effective January 1, 2021.

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 DIRECTOR OF INFORMATION TECHNOLOGY**

Section 1. The salary of Joseph deMauro, Director of Information Technology shall be Eighty-six thousand, seven hundred sixty-six dollars [\$86,766] per annum effective January 1, 2021.

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 PERSONNEL OFFICER**

Section 1. The salary of Linda Pinner, Personnel Officer shall be Seventy-five thousand five hundred twenty-seven dollars [\$75,527] per annum effective January 1, 2021.

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 PUBLIC HEALTH DIRECTOR**

Section 1. The salary of Amanda Walsh, Public Health Director shall be Ninety-four thousand, five hundred three dollars [\$94,503] per annum effective January 1, 2021.

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 COMMISSIONER OF PUBLIC WORKS**

Section 1. The salary of Susan McIntyre, Commissioner of Public Works shall be Ninety-eight, thousand, five hundred sixty-two dollars [\$98,562] per annum effective January 1, 2021.

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 DIRECTOR OF REAL PROPERTY TAX SERVICES II**

Section 1. The salary of Sherri Falcone, Director of Real Property Tax Services II shall be Sixty-two thousand, nine hundred sixty-one dollars [\$62,961] per annum effective January 1, 2021.

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 COMMISSIONER OF SOCIAL SERVICES**

Section 1. The salary of Sylvia Armanno, Commissioner of Social Services shall be Ninety-seven thousand two dollars [\$97,002] per annum effective January 1, 2021.

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 COUNTY CLERK**

Section 1. The salary of Debra Goodrich, County Clerk shall be Seventy-one thousand, five hundred twenty-eight dollars [\$71,528] per annum effective January 1, 2021.

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. 30**

**TITLE: SALARY INCREASE DELAWARE COUNTY SHERIFF**

Section 1. The salary of Sheriff Craig DuMond shall be Ninety thousand, two hundred twenty-two dollars [\$90,222] per annum effective January 1, 2021.

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. 31**

**TITLE: SALARY INCREASE COUNTY TREASURER**

Section 1. The salary of Beverly Shields, County Treasurer shall be Seventy-one thousand, five hundred twenty-eight dollars [\$71,528] per annum effective January 1, 2021.

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. 166**

**TITLE: PUBLIC HEARING  
LOCAL LAWS INTRO. NOS. 18 THROUGH 31 OF 2020**

**WHEREAS**, Local Laws Intro. Nos. 18 through 31 have been introduced to increase the 2021 salaries of:

**Non-Elected:** Amy Merklen, County Attorney; Cynthia Heaney, Director Community Mental Health Services; Glenn Nealis, Director Economic Development; Maria Kelso, Commissioner Board of Elections; Stephen Hood, Director of Emergency Services; Joseph deMauro, Director of Information Technology; Linda Pinner, Personnel Officer; Amanda Walsh, Public Health Director; Susan McIntyre, Commissioner of Public Works; Sherri Falcone, Director of Real Property Tax Services II; Sylvia Armanno, Commissioner of Social Services.

**Elected:** Debra Goodrich, County Clerk; Craig DuMond, County Sheriff; Beverly Shields, Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that a public hearing be held on Local Laws Intro Nos. 18 through 31 on the 24th day of November, 2020 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. Merrill.

Ms. Molé stated the public hearing will take place before the next Board Meeting on November 24, at 12:45 p.m.

The resolution was unanimously adopted.

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

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

**RESOLUTION NO. 167**

**TITLE: PAYMENT OF AUDIT**

**WHEREAS,** bills and claims submitted and duly audited by the Clerk of the Board's office in the amount of \$1,839,688.79 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	\$1,405,746.01
OET	\$14,906.47
Public Safety Comm System	\$0.00
Insurance Risk	\$0.00
CAP 97 Main Street	\$291.40
CAP MH	\$62,223.27
Highway Audits, as Follows:	
Weights and Measures	\$150.44
Landfill	\$40,999.40
Road	\$72,940.20
Machinery	\$45,601.14
Capital Road & Bridge	\$131,147.50
Capital Solid Waste	\$0.00
CAP DPW Complex	\$65,682.96

The resolution was seconded by Mr. Gladstone and adopted by the following vote: Ayes 4051, Noes 0, Absent 748 (Taggart, Scott, Davis).

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

**RESOLUTION NO. 168**

**TITLE: PUBLIC HEARING  
2021 TENTATIVE BUDGET**

**BE IT RESOLVED** that the budget, with the changes discussed, be adopted as the Tentative 2021 Delaware County Budget and a public hearing be held on the 24th day of November 2020 at 12:50 p.m. in the Supervisors' Room of the County Office Building, 111 Main Street, Delhi, New York.

The resolution was seconded by Mr. Valente.

Mr. Merrill stated this budget is under the proposed tax cap of two percent for the fourth year in a row. They had built up some reserve in the tax cap. We still have some reserve left in case it's necessary in the future. We have enough extra that we could raise another one percent but they did stay under the two percent at 1.7469. He commented that because of the economic times we are in right now, they propose this budget without any increase in salary for any of the board members.

In response to Mr. Valente regarding state retirement, Mr. Merrill said that the state retirement was up and those numbers all crunched but are not as high as they were originally estimating.

In answer to Mr. Valente regarding health insurance, Personnel Officer Linda Pinner stated the cost of health insurance increased 7.5 percent. She explained that the increase is based strictly on utilization. The County doesn't have a community-based rate.

Mr. Merrill stated in reply to Mr. Cetta, the individual departments budgeted accordingly on state aid. The Finance Committee is aware there may be shortfalls and there is the contingency account to pay as necessary.

Mr. Merrill pointed out that the Finance Committee had concerns that sales tax revenue would be down. Thus far, that has not proved to be an issue. Delaware County is maintaining and is actually just slightly ahead of last year.

Ms. Molé commented that overall she believes this is a very good budget.

Mr. Merrill said the department heads are doing a tremendous job. He stated that over the last several years they have been looking at the trends and tried to make the budget based on those trends. He believes the budget has become more and more accurate.

Mr. Marshfield stated the one thing they were cautious about was certain expenses that were not as high as they were the previous year and they cautioned against reducing the proposed budget to meet this year's expenses because if it goes back to normal again, which it will at some point, then they would have to raise everything up plus inflation for the following year. Basically it was a difficult budget to analyze because this year's revenues and expenses were different than any other year. Hopefully next year they will be back to normal and that's the way they treated the budget process.

Mr. Merrill expressed that is the advantage of looking at data over several years knowing this year is an aberration.

Mr. Merrill thanked Clerk of the Board Christa Schafer, the Fiscal Affairs Department, and the Finance Committee for all the long hours and the amount of work put into this budget.

Ms. Molé reiterated the public hearing will take place just prior to the Board Meeting on November 24 at 12:50 p.m.

The resolution was unanimously adopted.

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

**RESOLUTION NO. 169**

**TITLE: EXECUTIVE SESSION**

**BE IT RESOLVED** that the Delaware County Board of Supervisors convene in executive session to discuss personnel matters.

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

The meeting reconvened in regular session with all Supervisors present except Mr. Taggart, Mrs. Scott, and Mr. Davis.

Mr. Ellis reminded everyone to pay respect to our veterans on Veterans Day and he thanked all veterans in the room.

Upon a motion, the meeting was adjourned at 2:20 p.m.