

**REGULAR SESSION  
FIRST DAY**

**Wednesday, January 7, 2009**

The Otsego County Board of Representatives met for its first session on Wednesday, January 7, 2009, at the Representatives' Chambers, Otsego County Office Building in the Village of Cooperstown, New York.

The Clerk of the Board, Laura A. Child, called the meeting to order.

The roll was called and the following Representatives were found to be present:

**OTSEGO COUNTY BOARD OF REPRESENTATIVES – 2009**

<u>DISTRICT</u>	<u>NAME</u>	<u>ADDRESS</u>
No. 1	Gregory J. Relic	236 Main Street PO Box N Unadilla, New York 13849
No. 2	James P. Powers	719 County Highway 18 South New Berlin, New York 13843
No. 3	Kathleen Clark	121 Circle Drive Otego, New York 13825
No. 4	Richard A. Murphy	35 Ceperley Avenue Oneonta, New York 13820
No. 5	Stephen D. Fournier	2582 State Highway 28 Oneonta, New York 13820
No. 6	Donald L. Lindberg	233 Main Street PO Box 391 Worcester, New York 12197
No. 7	Floyd S. Dubben, Jr.	550 Rezen Road Roseboom, New York 13450
No. 8	James V. Johnson	434 Bedbug Hill Road PO Box 233 Fly Creek, New York 13337
No. 9	Keith O. McCarty (Absent)	5503 US Highway 20 East Springfield, New York 13333
No. 10	Betty Anne Schwerd	806 Betty Annes Road

		Hartwick, New York 13348
No. 11	Martha M. Stayton	6 Draper Street Oneonta, New York 13820
No. 12	Catherine M. Rothenberger	17 Linden Avenue Oneonta, New York 13820
No. 13	Scott D. Harrington	180 River Street Oneonta, New York 13820
No. 14	Katherine Stuligross	10 Walnut Street Oneonta, New York 13820

Clerk of the Board Laura Child asked for nominations for Temporary Chairman. Representative Lindberg nominated Representative Fournier for Temporary Chairman. Representative Johnson seconded the nomination. There were no other nominations. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. The Clerk declared Representative Fournier the Temporary Chairman. Representative Fournier immediately assumed the duties of the office.

Temporary Chairman Fournier asked for nominations for permanent Chairman. Representative Schwerd nominated Representative Powers for permanent Chairman. Representatives Relic and Johnson seconded the nomination. There were no other nominations. Roll call vote. Total: 6,167; Ayes: 5,179 - Relic, Powers, Clark, Murphy, Fournier, Lindberg, Dubben, Johnson, Schwerd, Harrington, Stuligross; Noes: 611 - Stayton, Rothenberger; Absent: 377 - McCarty. Temporary Chairman Fournier declared Representative Powers the Chairman of the Board for 2009. Representative Powers immediately assumed the duties of Chairman.

Chairman Powers asked for nominations for Vice Chairman. Representative Relic nominated Representative Johnson for Vice Chairman. Representatives Clark and Schwerd seconded the nomination. There were no other nominations. Roll call vote. Total: 6,167; Ayes: 5,179 – Relic, Powers, Clark, Murphy, Fournier, Lindberg, Dubben, Johnson, Schwerd, Harrington, Stuligross; Noes: 611 – Stayton, Rothenberger; Absent: 377 - McCarty. Chairman Powers declared Representative Johnson the Vice Chairman for 2009.

The following communications were read and ordered filed:

Summons and Complaint – New York State Electric and Gas Corporation versus Andrew F. Lemister – For damage done to a NYSEG cable. No amount stated.

The reports of the Standing Committees were given and ordered filed.

Representative Relic moved to dispense with the reading of all reports and resolutions. Seconded, Fournier. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Motion carried.

## **COUNTY FINANCIAL OFFICER-DOG LICENSE REPORT**

Office of the Financial Officer of the County of Otsego  
P.O. Box 265  
Cooperstown, NY 13326

This report is filed pursuant to Section 111 of the Agriculture and Markets Law and covers the monies expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 2008 to December 31, 2008.

### RECEIPTS

Total balance on hand January 1, 2008	\$ 9,497.81	
Dog license fees received	\$ 10,849.41	
Tag fees received	\$ 124.00	
Damages recovered from dog owners	\$ .00	
County appropriation	\$ .00	
 Total amount available for the year ending December 31, 2008:		\$ 20,471.22

### DISBURSEMENTS

Paid 36% of dog license fees to Dept. of Agriculture & Markets	\$ 3,905.79	
Paid tag fees to Dept. of Agriculture & Markets	\$ 124.00	
Paid claims for damages done by dogs	\$ 0.00	
Paid for county dog control officer services	\$ .00	
Paid for county shelter services	\$ .00	
Paid to towns and cities 75% of total surplus for last reporting period	\$ 7,123.36	
Paid	\$ .00	
Paid	\$ .00	
 Total disbursement during the year ending December 31, 2008:		\$ 11,153.15
 Total surplus for the year ending December 31, 2008:		\$ 9,318.07

75% of the above surplus amounting to \$6,988.55 to be apportioned to cities and towns ratably to the remittance each made. Attached is a list showing the remittance each made and the amount apportioned.

Respectfully submitted,  
MYRNA A. THAYNE  
Otsego County Financial Officer

STATEMENT OF AMOUNTS REMITTED AND APPORTIONED

REPORTING PERIOD: January 1, 2008 to December 31, 2008

<u>Remitting Municipality</u>	<u>Amount Remitted</u>	<u>Seventy-five per cent of Surplus Apportioned</u>
City of Oneonta	\$ 657.96	\$ 423.81
Burlington	163.29	105.18
Butternuts	400.65	258.08
Cherry Valley	76.36	49.19
Decatur	35.29	22.73
Edmeston	388.88	250.49
Exeter	250.25	161.20
Hartwick	670.96	432.19
Laurens	406.51	261.85
Maryland	309.06	199.08
Middlefield	220.86	142.26
Milford	591.00	380.69
Morris	941.15	606.23
New Lisbon	515.80	332.25
Oneonta Town	929.41	598.67
Otego	1,111.52	715.98
Otsego	629.77	405.66
Pittsfield	399.48	257.32
Plainfield	153.89	99.13
Richfield	151.53	97.61
Roseboom	158.60	102.16
Springfield	103.37	66.58
Unadilla	1,029.27	663.00
Westford	118.65	76.43
Worcester	435.90	280.78



**RESOLUTION – AUTHORIZING OTSEGO COUNTY  
COMMISSIONER OF SOCIAL SERVICES TO RENEW CONTRACT  
WITH OPPORTUNITIES FOR OTSEGO, INC. TO PROVIDE  
EMERGENCY HOUSING AT THE OFO HOMELESS SHELTER**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the Department is required by regulation to provide emergency housing to homeless individuals and families; and

WHEREAS, the County desires to meet this requirement in the most cost effective manner while at the same time providing some case management services; and

WHEREAS, Opportunities for Otsego, Inc. has established a bed rate of \$75.00 per day per person; now, therefore, be it

RESOLVED, that the Otsego County Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to renew a contact with Opportunities for Otsego, Inc. for the term January 1, 2009 through December 31, 2009; and said contract shall include the following:

1. The bed rate will be \$75.00 per day per person eligible for Temporary Assistance program funding;

and be it further

RESOLVED, that said contract shall contain such other terms and provisions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funding for the contract is included in the 2009 Social Services Budget at lines 6109.4734 Family Assistance and 6140.4738 Safety Net; funds consists of either 50% Federal, 25% State, 25% local funds or 50% Federal, 50% State, depending upon classification of the client.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790: Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 3-20090107**

**RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO  
RENEW CONTRACT WITH OPPORTUNITIES FOR OTSEGO, INC.  
(OFO) TO PROVIDE SERVICES TO TEMPORARY ASSISTANCE  
TO NEEDY FAMILIES (TANF) ELIGIBLES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, the County desires to utilize existing programming to obtain services for eligible families; and

WHEREAS, the County desires to enter into an agreement with OFO for the provision of services by the Building Healthy Families Program; now, therefore, be it

RESOLVED, that the Commissioner of Social Services, on behalf of the County of Otsego, is hereby authorized to contract with OFO for the term January 1, 2009 to December 31, 2009; and that said contract shall include the following terms:

1. In no event shall the Department of Social Services' liability exceed \$30,000 for the term of the contract;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego County;

and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Administration Budgets (6010) at line 4900 Contracted Expenses and consists of 100% Federal Funds.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 4-20090107**

#### **RESOLUTION – AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH OPPORTUNITIES FOR OTSEGO, INC. TO PROVIDE NON-RESIDENTIAL PROGRAM SERVICES TO VICTIMS OF DOMESTIC VIOLENCE**

#### **CLARK, SCHWERD, STULIGROSS**

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with Opportunities of Otsego, Inc. to continue to provide non-residential program services to victims of domestic violence, in the contract sum not to exceed \$55,000.00 for the period January 1, 2009 through December 31, 2009; and be it further

RESOLVED, that said contract shall contain such other terms and conditions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Budget at line 6070.4731 POS and consists of 75% Federal and State and 25% local funds.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 5,780; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 5-20090107**

**RESOLUTION – AUTHORIZING OTSEGO COUNTY COMMISSIONER  
OF SOCIAL SERVICES TO RENEW CONTRACT WITH  
THE OTSEGO COUNTY PROBATION DEPARTMENT**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, there is a need to provide PINS Diversion Services to the residents of Otsego County; and

WHEREAS, the Otsego County Probation Department has expressed a willingness to provide this service; now, therefore, be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with the Otsego County Probation Department for the services of two (2) Probation Officers to provide PINS Diversion services on behalf of the Department of Social Services, at a cost not to exceed \$100,907.00 for the period January 1, 2009 through December 31, 2009; and be it further

RESOLVED, that said contract shall contain such other terms and provisions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for the contract is included in the 2009 Social Services Administration Budget (6010) at line 4900 Contracted Expenses and is 100% reimbursable through Federal funds.

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 6-20090107**

**RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL  
SERVICES TO RENEW CONTRACT WITH DISTRICT ATTORNEY FOR  
WELFARE FRAUD INVESTIGATION AND PROSECUTION SERVICES**

**CLARK, SCHWERD, STULIGROSS**

RESOLVED, that the Otsego County Commissioner of Social Services and the Otsego County District Attorney are hereby authorized to contract for welfare fraud investigation and prosecution services through the District Attorney's Office; the contract to provide up to two (2) full-time investigators and one (1) part-time Assistant District Attorney, at a cost not to exceed \$162,138.00 for the period January 1, 2009 through December 31, 2009, said contract to contain such other terms and conditions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services

Administration Budget (6010) at line 4900 Contracted Expenses and is 50% Federal and 27% State reimbursable.

Seconded, Lindberg and Johnson. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 7-20090107**

**RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO RENEW CONTRACT WITH FAMILY SERVICES ASSOCIATION TO PROVIDE A PARENT RESOURCE ROOM TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) ELIGIBLES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, the County desires to utilize existing programming to obtain services for eligible families; and

WHEREAS, the County has included the Parent Resource Room in the local Flexible Funding for Family Services (FFFS) Plan; now, therefore, be it

RESOLVED, that the Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to contract with Family Services Association for the term January 1, 2009 to December 31, 2009; and that said contract shall include the following terms:

1. In no event shall the Department of Social Service's liability exceed the sum of \$20,000.00 for the term of the contract;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Administrative Budget (6010) at line 4900 Contracted Expenses and consists of 100% Federal funds.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 8-20090107**

**RESOLUTION - AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO RENEW CONTRACT WITH CATHOLIC CHARITIES OF DELAWARE AND OTSEGO COUNTIES FOR ONE**

## **CASE MANAGER TO SERVICE THE ADULT DRUG COURT**

### **CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, there is a need to support the County Adult Drug Court by providing funding for one case manager to work with Drug Court participants to avoid an interruption of services; and

WHEREAS, Catholic Charities of Otsego and Delaware Counties can provide the case management services needed; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is authorized to contract with Catholic Charities of Delaware and Otsego Counties for the services of one case manager for the Adult Drug Court for the period January 1, 2009 through December 31, 2009, at a cost not to exceed \$64,454.00; and be it further

RESOLVED, that the contract shall contain such other terms and conditions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for this contract are included in the 2009 Social Services Budget (6010) at line 4900 Contracted Expenses and consist of 100% Federal funds.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

### **RESOLUTION NO. 9-20090107**

#### **RESOLUTION – AUTHORIZING OTSEGO COUNTY COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH THE OTSEGO COUNTY SHERIFF’S DEPARTMENT FOR TWO (2) DEPUTY SHERIFFS TO PROVIDE SECURITY**

### **CLARK, SCHWERD, STULIGROSS**

WHEREAS, the Otsego County Department of Social Services believes that the presence of Deputy Sheriffs on site will greatly diminish the possibility of violent incidents in the Department of Social Services; and

WHEREAS, the Department of Social Services believes that the presence of two (2) Deputy Sheriffs is in the best interests of its staff and clients; and

WHEREAS, the Otsego County Sheriff has indicated a willingness to assign two (2) Deputy Sheriffs permanently to the Department of Social Services for purposes of providing security; now, therefore, be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with the Otsego County Sheriff for the services of two (2) Deputy

Sheriffs to provide security for the Department of Social Services, at a cost not to exceed \$112,747.00, for the period of January 1, 2009 – December 31, 2009. This contract shall remain in place only so long as federal and state reimbursements are available to reduce the local cost of the positions; and be it further

RESOLVED, that said contract shall contain such other terms and provisions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for the contract is included in the 2009 Social Services Administration Budget (6010) at line 4900 Contracted Expenses and is 60% reimbursable through Federal and State funds.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 10-20090107**

**RESOLUTION - AUTHORIZING OTSEGO COUNTY  
COMMISSIONER OF SOCIAL SERVICES TO  
CONTRACT WITH OTSEGO COUNTY COMMUNITY SERVICES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, the County desires to utilize existing programming to obtain services for eligible families; and

WHEREAS, the Department desires to enter into an agreement with the Otsego County Community Services for the services of one (1) Mental Health Social Worker; now, therefore, be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to execute an agreement with Otsego County Community Services for the term January 1, 2009 through December 31, 2009; and that the agreement shall include the following terms:

1. In no event shall the Department of Social Services' liability exceed the sum of \$65,195.00;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funds for the above contract are included in the 2009 Social Services Administration Budget (6010) at line 4900 Contracted Expenses and consist of 100% Federal funds.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 11-20090107**

**RESOLUTION – AUTHORIZING THE COMMISSIONER  
OF SOCIAL SERVICES TO CONTRACT WITH  
DR. STEVEN SILVERMAN FOR PSYCHOLOGICAL SERVICES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS) for the purpose of providing services to eligible families; and

WHEREAS, the County desires to utilize existing programming to obtain services; and

WHEREAS, the County desires to enter into an agreement with Dr. Steven Silverman, Ph.D., to provide psychological services to prevent and/or reduce the number of children in out-of-home placements; now, therefore, be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with Dr. Steven Silverman, Ph. D., for psychological services to prevent and/or reduce the number of children in out-of-home placement. The term of the contract to be January 1, 2009 through December 31, 2009 at an amount not to exceed \$36,364.00; and be it further

RESOLVED, that the said contract shall contain such terms and provisions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Budget and consists of 100% Federal funding.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 12-20090107**

**RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL  
SERVICES TO CONTRACT WITH COMMUNITY PROGRAMS TO  
PROVIDE SERVICES TO ELIGIBLE FAMILIES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, the County desires to utilize existing programming to obtain services for eligible families; and

WHEREAS, the County has included these projects in the local Flexible Funding for Family Services (FFFS) Plan; now, therefore, be it

RESOLVED, that the Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to contract with the entities listed below for the term January 1, 2009 through December 31, 2009; and that said contracts shall include the following terms:

1. In no event shall the Department of Social Services' liability exceed the amount given for each entity for the term of the contract:

Community Maternity Services – Parent Education	\$50,000.00
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Delaware Opportunities – Big Buddies	\$30,000.00
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2. The contracts shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funding for these contracts is included in the 2009 Social Services Budget and consists of 100% Federal funds.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 13-20090107**

### **RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH COMMUNITY MATERNITY SERVICES TO PROVIDE PARENT EDUCATION TO TITLE XX ELIGIBLE CLIENTS**

#### **CLARK, SCHWERD, STULIGROSS**

RESOLVED, that the Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to contract with the Community Maternity Services to provide parent education services to Title XX eligible clients for the period of January 1, 2009 through December 31, 2009; and that said contract shall include the following terms:

1. In no event shall the Department of Social Services' liability exceed the amount of \$50,000.00;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funding for these contracts is included in the 2009 Social Services Budget (6010) and is 75% reimbursable.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 14-20090107**

**RESOLUTION - AUTHORIZING OTSEGO COUNTY  
COMMISSIONER OF SOCIAL SERVICES TO  
CONTRACT WITH SEVERAL SCHOOL DISTRICTS**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the Otsego County Department of Social Services has determined that the best interests of the students and their families located in the Otsego County school districts will be best served by maintaining a caseworker within each school district staffed by an Otsego County Department of Social Services caseworker(s); and

WHEREAS, the administration of each school district has proposed to contract with the County for the services of a caseworker(s) to perform preventive services for the students and their families within their respective school district; and

WHEREAS, in addition to reimbursing the County in full for the local share of the salary of a caseworker(s), the administration of each school district has proposed to pay for the overhead and other benefits and costs of maintaining such position(s); and

WHEREAS, it is in the best interest of the County of Otsego to contract for position(s) with each school district; now, therefore, be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with each of the following school districts for the period January 1, 2009 through December 31, 2009:

Edmeston School District  
Milford School District  
Richfield Springs School District  
Schenevus School District  
Unatego School District (3)

for preventive services, to be furnished by Otsego County, of a caseworker(s) located in each above-listed school district, with 12.5% of the salary, benefits, costs and other additional overhead necessary for the operation of the child preventive services program being paid for by each school district; and be it further

RESOLVED, that said contracts shall contain such other terms and provisions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funds for the above contracts are included in the 2009 Social Services Administration Budget at line 6010.1000 Personal Service and consist of 50%

federal funds, 37.5% state funds, and 12.5% school district funds.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 15-20090107**

**RESOLUTION - AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH PLANNED PARENTHOOD OF SOUTH CENTRAL NEW YORK**

**SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services funds (FFFS); and

WHEREAS, the County desires to utilize existing programming to obtain services for eligible families; and

WHEREAS, the Department desires to contract with Planned Parenthood of South Central New York for Reproductive Education; now, therefore, be it

RESOLVED, that the Commissioner is hereby authorized to enter into an agreement with Planned Parenthood of South Central New York for the term of January 1, 2009 through December 31, 2009; and that the agreement shall include the following terms:

1. In no event shall the Department of Social Services liability exceed the sum of \$21,876. 00;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Budget and consists of 100% Federal funds.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 2,980 – Relic, Powers, Murphy, Lindberg, Stayton, Rothenberger, Stuligross; Noes: 2,810 – Clark, Fournier, Dubben, Johnson, Schwerd, Harrington; Absent: 377 – McCarty. Resolution lost. {See the February 4, 2009 County Board meeting for further action.}

**RESOLUTION NO. 16-20090107**

**RSOLUTION - AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH EMPOWERMENT FAMILY COUNSELING SERVICES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, the County has been awarded Flexible Funding for Family Services Funds (FFFS); and

WHEREAS, the County desires to utilize existing programming to obtain services for eligible families; and

WHEREAS, the Department desires to contract with Empowerment Family Counseling Services for clinical services to children and their families to reduce out-of-home placements, and stabilize reunification of families through comprehensive assessment and systemic intervention in a collaborative manner; now, therefore be it

RESOLVED, that the Commissioner is hereby authorized to enter into an agreement with Empowerment Family Counseling Services for the term of January 1, 2009 through December 31, 2009 for the above services; and that the agreement shall include the following terms:

1. In no event shall the Department of Social Services liability exceed the sum of \$107,934.68;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Budget (6010) and consists of either 100% Federal funds or 50% Federal, 37.5% State and 12.5% Local.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 17-20090107**

#### **RESOLUTION - AUTHORIZING CONTRACT WITH THE OTSEGO-NORTHERN CATSKILL BOARD OF COOPERATIVE EDUCATIONAL SERVICES FOR PAYMENT OF ONE-THIRD OF TUITION COSTS FOR PRACTICAL NURSING STUDENTS**

#### **SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, this Board has approved, by budget, the expenditure of \$20,000.00 towards the tuition payments for practical nursing students attending the Otsego-Northern Catskill Board of Cooperative Educational Services (hereinafter referred to as BOCES), Otsego Area School of Practical Nursing program; these expenditures to be limited to the maximum of one-third of such tuition costs for each Otsego County resident practical nursing student during the year 2009; and

WHEREAS, it is the desire of this Board that these practical nursing students find employment in the nursing field within the County of Otsego, following their studies; and

WHEREAS, it is appropriate that a contract with BOCES be authorized to assure proper application of this expenditure; now, therefore, be it

RESOLVED, that the Chairman of this Board be authorized to contract for the year 2009 with BOCES for the payment of it of sums not exceeding a total amount of \$20,000.00 for payment of tuition for Otsego County residents who are practical nursing students enrolled in the Otsego Area School of Practical Nursing Program, sponsored by BOCES; this County's financial contribution being limited to a maximum of one-third of the tuition cost as charged by BOCES for each Otsego County resident; all vendor claims submitted by BOCES shall include the name of each student, resident address and the amounts being reimbursed for each resident student; this contract shall contain such other terms as shall be in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for the above contract is included in the 2009 Other Educational Activities Budget (2980) at line 4800 Other - BOCES.

Seconded, Relic and Harrington. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 18-20090107**

#### **RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF OTSEGO COUNTY**

#### **SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, the County of Otsego has allocated in its budget for the fiscal year 2009 the expenditure of \$190,000.00 for the support and maintenance of the work of the Cornell Cooperative Extension of Otsego County, and for the conduct of the extended educational programs of the New York State College of Agriculture and Life Sciences, the College of Human Ecology, and other units at Cornell University; and

WHEREAS, it is appropriate that a contract with Cornell Cooperative Extension of Otsego County be authorized to assure proper application of this expenditure; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with the Cornell Cooperative Extension of Otsego County for the purpose of providing funds, not to exceed \$190,000.00, to the Cornell Cooperative Extension of Otsego County to pay towards the support and maintenance of the work of the Cooperative Extension and for the conduct of the extended educational programs of the New York State College of Agriculture and Life Sciences, the College of Human Ecology, and other units at Cornell University, for the contract term January 1, 2009 to December 31, 2009; said contract to contain such other terms and provisions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Cornell Cooperative Extension Budget (8751) at line 4680 Annual Support Agreement.

Seconded, Dubben. Roll call vote. Total: 6,167; Ayes: 4,585; Noes: 1,205 – Johnson, Schwerd, Harrington; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 19-20090107**

**RESOLUTION – AMENDING RESOLUTION NO. 6-2007 -  
AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AN  
AMENDED AGREEMENT WITH ENGINEERS FOR DESIGN,  
CONSTRUCTION/INSPECTION OF BRIDGE BIN 3354010, COUNTY  
ROAD 18 OVER WHARTON CREEK IN TOWN OF PITTSFIELD**

**DUBBEN, RELIC, MURPHY**

WHEREAS, Resolution No. 6-2007 authorized the Chairman of the Board to execute an agreement with C&S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, New York 13212, for the design, construction/inspection of the bridge BIN 3354010, located on County Road 18 over Wharton Creek, in the Town of Pittsfield, Otsego County, New York, these services being professional engineering services and not requiring public bidding, at a cost not to exceed \$156,705.00; and

WHEREAS, an increase in the expenses for the engineers has occurred in the amount of \$9,472.00, amending the total contract cost not to exceed \$166,177.00; now, therefore, be it

RESOLVED, that Resolution No. 6-2007 is amended, and the Chairman of this Board is authorized to enter into an amended agreement with C&S Engineers, Inc., for the design, construction/inspection of bridge BIN 3354010, located on County Road 18 over Wharton Creek, in the Town of Pittsfield, Otsego County, New York, increasing the cost by \$9,472.00, to an amended cost not to exceed \$166,177.00; and be it further

RESOLVED, that the increased funds for this project are available in the 2008-2009 Highway Budget under D8760-4900 (FEMA).

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 20-20090107**

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO  
EXECUTE AGREEMENT WITH ENGINEERS FOR DESIGN AND  
CONSTRUCTION/ INSPECTION OF COUNTY ROUTE 8 IN THE  
TOWN OF ONEONTA, OTSEGO COUNTY, NEW YORK**

**DUBBEN, RELIC, MURPHY**

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into an agreement with Shumaker Consulting Engineering & Land Surveying, P.C., 143 Court Street, Binghamton, New York 13901-3528, for services in connection with the

design and construction/inspection of County Route #8, in the Town of Oneonta, these services being professional engineering services and not requiring public bidding, at a cost not to exceed \$27,200.00; and be it further

RESOLVED, that said agreement shall contain such other terms and conditions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for this project are included in the 2008 and 2009 Highway Budget under D5113.2116, D5113.2104 and D5113.2121.

Seconded, Lindberg and Stuligross. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

### **RESOLUTION NO. 21-20090107**

#### **RESOLUTION - AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO CONTRACT FOR PURCHASE OF CERTAIN EQUIPMENT**

#### **DUBBEN, RELIC, MURPHY**

WHEREAS, bids have been requested and duly received by the Purchasing Agent for certain equipment; and

WHEREAS, the Purchasing Agent has made a report to the Public Works Committee of this Board and has made a recommendation to this Board that the lowest responsible bid be accepted; now, therefore, be it

RESOLVED, that the Otsego County Superintendent of Highways be and hereby is authorized to contract with the following firm as set forth below, in accordance with the specifications and bid heretofore received; said bid proposal being on file at the Highway Department:

ITEM: One (1) 2007 or Newer 12 Foot  
Road Widener with less than 500 hours

Make: Midland  
Model SPD-8

VENDOR: Gateway Equipment Corporation  
P O Box 608, Fisher Road  
East Syracuse, New York 13057

COST: \$124,960.00

and be it further

RESOLVED, that funds for this expenditure are included in the 2009 Highway Budget under D5130.2000 and D5113.2121.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 –  
McCarty. Adopted.

**RESOLUTION NO. 22-20090107**

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD  
TO ENTER INTO CONTRACT WITH KINNEY DRUGS, INC.,  
d/b/a HEALTH DIRECT INSTITUTIONAL PHARMACY  
SERVICES TO PROVIDE PHARMACY PRODUCTS TO  
RESIDENTS OF OTSEGO MANOR**

**HARRINGTON, DUBBEN, STAYTON, LINDBERG**

RESOLVED, that the Chairman of the Board be and hereby is authorized and directed to execute a contract with Kinney Drugs, Inc., d/b/a Health Direct Institutional Pharmacy Services, 29 East Main Street, Gouverneur, New York 13642, to establish and maintain a pharmacy services system at Otsego Manor to provide residents of Otsego Manor with prescription drugs and medications, for the contract term commencing on or about February 1, 2009 and continuing for a period of three (3) years, with an approximate cost of \$15,000.00 per month; and be it further

RESOLVED, that said contract shall contain such other terms and conditions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for this contract are included in the 2009 Infirmiry Enterprise Budget (6020) at line 4895-E Medical Expenses.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 –  
McCarty. Adopted.

**RESOLUTION NO. 23-20090107**

**RESOLUTION - AUTHORIZING CHAIRMAN TO ENTER  
INTO CONTRACT WITH BASSETT HEALTHCARE  
FOR MEDICAL SERVICES AT OTSEGO MANOR**

**HARRINGTON, DUBBEN, STAYTON, LINDBERG**

RESOLVED, that the Chairman of this Board be and hereby is authorized and directed to execute a contract with Bassett Healthcare, 1 Atwell Road, Cooperstown, New York 13326, to provide medical services at Otsego Manor for the period January 1, 2009 to December 31, 2009, as follows:

1. Physician services, including Medical Director, not to exceed \$119,000.00, for an estimated 728 physician hours at \$163.50 per hour;
2. Services of two on-site Geriatric Nurse Practitioners for a total of 4,160 annual hours, at an hourly fee not to exceed \$45.16

per hour, including continuing education, at a fee not to exceed \$187,900.00;

3. Services of an Infection Control practitioner not to exceed \$2,100.00;
4. Mileage - \$.505 per mile at a cost not to exceed \$1,500.00;

and be it further

RESOLVED, that said contract is to provide for the payment of the sum of \$310,500.00 for such services; and be it further

RESOLVED, that the aforesaid contract shall be in such form, terms and conditions as may be in the best interests of the County of Otsego; and be it further

RESOLVED, that the funds for the above contract are included in the 2009 Otsego Manor Budget (6020) at line 4895-E Medical Expenses and are reimbursable as follows: the physician visit reimbursement is 100% federal dollars and covers approximately 40% of \$310,500.00; the remainder is picked up in the Medicaid rate (50% federal, 40% state and 10% county).

Seconded, Fournier and Stuligross. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 24-20090107**

### **RESOLUTION - AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENT WITH SOCIAL WORK CONSULTANT AT OTSEGO MANOR**

#### **HARRINGTON, DUBBEN, STAYTON, LINDBERG**

WHEREAS, there is a need for a Social Work Consultant at Otsego Manor; and

WHEREAS, Section 415.26(e) of the New York State Hospital Code provides for a qualified Social Work Consultant to assist the nursing home staff in identifying the residents' personal and social problems; and

WHEREAS, Beth E. Cain has agreed to provide these services on a part-time basis to the County; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into an agreement with Beth E. Cain, 715 Center Valley Road, Worcester, New York 12197, to provide services as a Social Work Consultant on a part-time basis at Otsego Manor, at an hourly rate of \$50.00, not to exceed 600 hours, at a cost not to exceed \$30,000.00 for the period January 1, 2009 through December 31, 2009; and be it further

RESOLVED, that said contract shall contain such other terms and provisions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for this agreement are included in the 2009 Infirmiry Enterprise Budget (6020) at line 4880-E Consultants.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 25-20090107**

**RESOLUTION - AUTHORIZING CHAIRMAN TO ENTER  
INTO AGREEMENT WITH DENTAL CONSULTANT  
FOR SERVICES AT OTSEGO MANOR**

**HARRINGTON, DUBBEN, STAYTON, LINDBERG**

WHEREAS, the County of Otsego operates a nursing home known as Otsego Manor; and

WHEREAS, Section 415.7 of the New York State Hospital Code provides for the services of an advisory dentist to furnish dental services to nursing home patients; and

WHEREAS, Dentserv Dental Services, P.C. has expressed a willingness to provide these services to residents of Otsego Manor at a fee not to exceed \$3,701.09 per month, for a period of twelve (12) months, from January 1, 2009 through December 31, 2009, at a cost not to exceed \$44,413.08 during the contract term; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into an agreement with Dentserv Dental Services, P.C., 15 Canal Street, Pelham Manor, New York 10803, in accordance with the above mentioned terms and containing such other terms and conditions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Infirmiry Enterprise Budget (6020) at line 4895-E Medical Expenses.

Seconded, Murphy. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 26-20090107**

**RESOLUTION - AUTHORIZING CHAIRMAN TO  
EXECUTE AGREEMENT WITH PHYSICAL THERAPIST  
TO PROVIDE SERVICES AT OTSEGO MANOR**

**HARRINGTON, DUBBEN, STAYTON, LINDBERG**

WHEREAS, there is a need for the services of a Physical Therapist at Otsego Manor; and

WHEREAS, Diane Fedor has agreed to provide these services on a part-time basis to the County; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into an agreement with Diane P. Fedor, 2834 County Highway 39, Worcester, New York 12197, to provide Physical Therapy services on a part-time basis at Otsego Manor, at an hourly rate of \$50.00, not to exceed 1,000 hours, at a cost not to exceed \$50,000.00, for the period January 1, 2009 through December 31, 2009; and be it further

RESOLVED, that said contract shall contain such other terms and provisions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for this agreement are included in the 2009 Infirmiry Enterprise Budget (6020) at line 4895-E Medical Expenses.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 27-20090107**

#### **RESOLUTION - AUTHORIZING CHAIRMAN TO CONTRACT FOR SUPERVISORY NURSING SERVICES AT OTSEGO MANOR**

#### **HARRINGTON, DUBBEN, STAYTON, LINDBERG**

WHEREAS, there is a need for supervisory nursing services at Otsego Manor; and

WHEREAS, Eleanor Lantvet has agreed to provide these services to the County on a per diem shift as needed; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into an agreement with Eleanor Lantvet, 1495 State Highway 166, Cooperstown, New York 13326, to provide supervisory nursing services on a part-time basis, on a per diem shift as needed at Otsego Manor, at an hourly rate of \$30.00, not to exceed 1,000 hours, at a cost not to exceed \$30,000.00, for the period January 1, 2009 through December 31, 2009; and be it further

RESOLVED, that said contract shall contain such other terms and provisions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for this agreement are included in the 2009 Infirmiry Enterprise Budget (6020) at line 4900-E Contracts.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 28-20090107**

#### **RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AN AGREEMENT WITH OTSEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT**

**MCCARTY, FOURNIER, MURPHY, ROTHENBERGER**

WHEREAS, pursuant to Resolution No. 8 of 1944, the Otsego County Board of Supervisors created a Soil and Water Conservation District in the County of Otsego to meet the needs of the agricultural community, landowners and the environment; and

WHEREAS, the County of Otsego has allocated funds in its budget for the fiscal year 2009 for the support and maintenance of the conservation work of the Otsego County Soil and Water Conservation District; and

WHEREAS, it is appropriate that a contract with the Otsego County Soil and Water Conservation District be authorized to assure proper application of this expenditure; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with the Otsego County Soil and Water Conservation District for the purpose of providing funds, not to exceed \$90,000.00, to pay towards the support and maintenance of the conservation work of the Soil and Water Conservation District, for the contract term January 1, 2009 to December 31, 2009; said contract to contain such other terms and provisions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Soil and Water Conservation Budget (8730) at line 4680 Annual Support Agreement.

Seconded, Dubben and Schwerd. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 29-20090107**

**RESOLUTION - AUTHORIZING E911 COORDINATOR TO PAY  
ANNUAL MAINTENANCE FOR E-911 CAD SYSTEM**

**FOURNIER, HARRINGTON, CLARK, STAYTON**

RESOLVED, that the E911 Coordinator be and is hereby authorized to pay the following:

ITEM: Annual Maintenance for the E-911 CAD System  
(November 1, 2008 to November 1, 2009)

VENDOR: MobileTec International, Inc.  
13157 North Dale Mabry Highway  
Tampa, Florida 33618

COST: \$34,940.88

and be it further

RESOLVED, that the funding for this payment is included in the 2008 - 2009 Public Safety Communications Budget (3020) at line 4810-A Communication and Radio Maintenance.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 30-20090107**

**RESOLUTION - DESIGNATING OFFICIAL NEWSPAPERS**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, Section 214 (2) of the County Law provides that the Board of Representatives shall designate annually at least two (2) newspapers published within the County as official newspapers for the publication of local laws, notices and other matters required by law to be published; now, therefore, be it

RESOLVED, that the Daily Star, Oneonta, New York, and the Freeman's Journal, Cooperstown, New York, be and they are hereby designated as official newspapers of the County of Otsego for the year 2009 for the publication of all local laws, notices and other matters required by law to be published.

Seconded, Lindberg and Harrington. Oral vote. Total: 6,167; Ayes: 4,679; Noes: 1,111 – Fournier, Schwerd; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 31-20090107**

**RESOLUTION - APPROVING EXPENDITURE FOR 2009 VACCINES**

**SCHWERD, CLARK, LINDBERG, STULIGROSS**

RESOLVED, that the Director of Public Health be and hereby is authorized to purchase the following vaccines for the year 2009:

ITEMS:	Hepatitis A Hepatitis B HPV (Gardasil) MMR Pneumonia Shingles
VENDOR:	Merck Human Health P.O. Box 823061 Philadelphia, Pennsylvania 19182
COST:	Not to exceed \$27,000.00

and be it further

RESOLVED, that the funding for this expenditure is included in the 2009 Biologicals Budget (4074) at line 4765-A Vaccines and shall be reimbursed through fees (private and/or Medicare).

Seconded, Dubben. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 32-20090107**

**RESOLUTION - AUTHORIZING SUPERINTENDENT OF HIGHWAYS  
TO PURCHASE MOTOR VEHICLE UNDER STATE CONTRACT**

**DUBBEN, RELIC, MURPHY**

RESOLVED, that the Superintendent of Highways be and is hereby authorized to purchase the following motor vehicle under New York State Contract #PC62427:

ITEM: One (1) 2009 Ford F-650 Crew Cab Dump Truck

VENDOR: West Herr Ford  
5025 Camp Road  
Hamburg, New York 14075

COST: \$59,500.00

and be it further

RESOLVED, that the funding for this purchase is included in the 2009 Highway Budget under D5130.2000 and D5113.2121.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 33-20090107**

**RESOLUTION - APPROVING HIGHWAY DEPARTMENT  
EXPENDITURES FOR MATERIAL, SUPPLIES AND  
SERVICES UNDER STATE CONTRACT**

**DUBBEN, RELIC, MURPHY**

WHEREAS, the Board's approval is required for any expenditure exceeding \$20,000.00 in cost, and the Otsego County Highway Department requires certain material, supplies and services exceeding the above amount; now, therefore, be it

RESOLVED, that the Board does approve the following purchases under state contract for the year 2009:

ITEM: Tires  
Bituminous Concrete  
Liquid Asphalt  
Sign Material  
Salt  
Liquid De-Icing Chemicals/Melters  
Oil  
Gasoline  
Road Patch  
Services – Type 1, 2, 3, Recycling Train  
Services – In-Place Recycle  
Services – In-Place Micro Surfacing  
Services - Crack Sealing  
Services - Slurry Seal  
Services - Surface Treatment

and be it further

RESOLVED, that the funding for these purchases is included in the various 2009 Highway Budgets.

Seconded, Clark. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 34-20090107**

#### **RESOLUTION - APPROVING HIGHWAY DEPARTMENT EXPENDITURES FOR SANDING MATERIAL**

#### **DUBBEN, RELIC, MURPHY**

RESOLVED, that this Board of Representatives does approve the following purchases for the year 2009 by the Highway Department:

ITEM: Sanding Material  
VENDORS: The Towns of Decatur, Westford and Unadilla  
COST: Not to exceed \$20,000.00 for each Town

and be it further

RESOLVED, that the funding for the above purchases is included in the 2009 Highway Budget under County Snow and Ice (D5142.4555) Salt and Sand and Maintenance (DA5110.4500) Material and Supplies.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 35-20090107**

**RESOLUTION – AUTHORIZING THE RETAINING OF A  
CONSULTANT DIETICIAN BY THE OFFICE FOR THE AGING**

**SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, the Board has heretofore approved the administration of the Title III-C and the Supplemental Nutrition Assistance Program; and within each of the above programs, there is a requirement of a position of Consultant Dietician; and

WHEREAS, Regina M. La Tourette has expressed a willingness to provide these services under these programs; and

WHEREAS, the Nutrition Program Standards require that this Consultant Dietician report directly to the Otsego County Office for the Aging for both nutrition programs; now, therefore, be it

RESOLVED, that the Chairman of the Board be and is hereby authorized to enter into an agreement with Regina M. La Tourette for the period January 1, 2009 to December 31, 2009 for 13 hours per week, at the rate of \$41.50 per hour, not to exceed \$30,461.00 and up to \$2,000.00 in mileage reimbursement, for a total of \$32,461.00; and be it further

RESOLVED, that these funds are included in the 2009 Office for the Aging Budget, and the funds consist of approximately 20% federal funds, 44% state funds and 36% local funds.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 36-20090107**

**RESOLUTION – TO AMEND AND RESTATE THE MODEL PLAN  
EFFECTIVE DECEMBER 7, 2007 FOR THE DEFERRED  
COMPENSATION PLAN FOR EMPLOYEES OF THE  
COUNTY OF OTSEGO**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, the New York State Deferred Compensation Board (the “Board”), pursuant to Section 5 of the New York State Finance Law (“Section 5”) and the Regulations of the New York State Deferred Compensation Board (the “Regulations”), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the County of Otsego (the “Model Plan”) and offers the Model Plan for adoption by local employers; and

WHEREAS, the County of Otsego, pursuant to Section 5 and the Regulations, had adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the County of Otsego; and

WHEREAS, it is proposed that the Board amends the Model Plan to adopt provisions

- A. Expanding the eligibility for unforeseeable emergency withdrawals.
- B. Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.
- C. Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- D. Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA;

and

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the County of Otsego has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the County of Otsego by adopting these amendments to the Model Plan.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Otsego hereby amends the Deferred Compensation Plan for Employees of the County of Otsego by adopting the following amendments to the Model Plan as follows:

- A. Expanding the eligibility for unforeseeable emergency withdrawals.
- B. Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.
- C. Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- D. Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 37-20090107**

**RESOLUTION – REMOVING STATE STREET BANK AND TRUST COMPANY AS PASSIVE, NONDISCRETIONARY TRUSTEE OF THE TRUST FOR THE OTSEGO COUNTY DEFERRED COMPENSATION PLAN AND APPOINTING RELIANCE TRUST COMPANY AS SUCCESSOR PASSIVE, NONDISCRETIONARY TRUSTEE OF THE TRUST FOR THE PLAN**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, State Street Bank and Trust Company (“State Street”) currently serves as passive, nondiscretionary Trustee for the Otsego County Deferred Compensation Plan (the “Plan”); and

WHEREAS, State Street has provided notice to Hartford Life Insurance Company that it will no longer provide these services to our customers beyond January 9, 2009; and

WHEREAS, the County Treasurer has contacted Banks with offices located in Otsego County, and none as a local Bank has expressed an interest in applying to serve as successor Passive Trustee; and

NOW, THEREFORE, BE IT RESOLVED, that State Street is hereby removed as passive, nondiscretionary Trustee of the trust for the Plan, and that Reliance Trust Company is hereby appointed as successor passive, nondiscretionary Trustee for the trust for the Plan; and be it

FURTHER RESOLVED, that James P. Powers, Chairman, on behalf of the Otsego County Board of Representatives, is hereby authorized, empowered and directed to execute any and all documents required to effectuate each removal and appointment, including but not limited to the attached Trustee Removal and Appointment, and to take such actions as are necessary, appropriate or advisable to effectuate the foregoing resolution.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

Representative Relic moved to suspend the rules and act upon late Resolution Nos. 38 - 41. Seconded, Lindberg. Total: 6,167; Ayes: 5,460; Noes: 330 – Harrington; Absent: 377 – McCarty. Motion carried.

**RESOLUTION NO. 38-20090107**

**RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD TO CONTRACT FOR HEALTH CARE SERVICES UNDER THE OTSEGO MANOR LONG TERM HOME HEALTH CARE PROGRAM (LTHHCP)**

**HARRINGTON, DUBBEN, STAYTON, LINDBERG**

RESOLVED, that the Chairman of the Board be and hereby is authorized to execute

contracts with the following individuals and organizations to provide health care services under the Otsego Manor Long Term Home Health Care Program (LTHHCP) for terms beginning January 1, 2009 and terminating December 31, 2009:

<u>PROVIDER/SERVICES</u>	<u>RATE</u>
Elizabeth Cain (MSW)	\$75.00 per visit
Otsego Rural Housing (Home Modifications)	Varies by Patient
Otsego County OFA (Meals)	\$7.08 per meal
Robynwood (Home Health Aide & Personal Care Aide)	\$20.00 per hour
U.S. Care Systems (Home Health Aide & Personal Care Aide)	\$20.00 per hour

and be it further

RESOLVED, that said contracts shall contain such other terms and provisions as are in the best interest of the County of Otsego; and be it further

RESOLVED, that the funds for the above contracts are included in the 2009 Otsego Manor Long Term Home Health Care Program Budget (6020) at line 4955-E Long Term Care and are reimbursable through fees, Medicaid, Medicare, private pay and third party insurance.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 39-20090107**

#### **RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENTS WITH CERTAIN HEALTH CARE FACILITIES FOR HIV COUNSELING AND TESTING**

#### **SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, Section 2304(1) of the Public Health Law requires that each Board of Health of a Health District provide facilities for free counseling and testing of persons suspected of being infected or who are infected with HIV; and

WHEREAS, Bassett Healthcare, Bassett Emergency Room, Planned Parenthood, Fox Emergency Room and Fox Now are willing to provide these services for the County; and

WHEREAS, it is in the best interest of the County to enter into agreements with the aforementioned medical facilities for the provision of such services; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute

agreements with Bassett Healthcare, Cooperstown, New York, Planned Parenthood, Oneonta, New York, and A.O. Fox Hospital, Oneonta, New York, to provide to the County the professional services necessary and required by Section 2304(1) of the Public Health Law regarding the counseling and testing of persons suspected of being infected or actually infected with HIV, at the following rate, for a period of one (1) year commencing January 1, 2009 and terminating December 31, 2009; said contracts to contain such other terms and conditions as are in the best interest of the County of Otsego:

\$98.50 per patient consultation; \$75.00 per patient consultation  
when done in conjunction with STD visit;

and be it further

RESOLVED, that the funding for these contracts is included in the 2009 Biologicals Budget (4074) at line 4900 Contracts and is 100% state reimbursable.

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 4,679; Noes: 1,111 – Fournier, Schwerd; Absent: 377 – McCarty. Adopted.

#### **RESOLUTION NO. 40-20090107**

#### **RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENTS WITH CERTAIN HEALTH CARE FACILITIES FOR SEXUALLY TRANSMITTED DISEASE CLINIC SERVICES**

#### **SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, Section 2304(1) of the Public Health Law requires that each Board of Health of a Health District provide facilities for free diagnosis and treatment of persons suspected of being infected or who are infected with venereal disease; and

WHEREAS, Bassett Healthcare, Bassett Emergency Room, Planned Parenthood, Fox Emergency Room and Fox Now are willing to provide these services for the County; and

WHEREAS, it is in the best interest of the County to enter into agreements with the aforementioned medical facilities for the provision of such services; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute agreements with Bassett Healthcare, Cooperstown, New York; Planned Parenthood, Oneonta, New York; and A.O. Fox Hospital, Oneonta, New York, to provide to the County the professional services necessary and required by Section 2304(1) of the Public Health Law regarding the diagnosis and treatment of persons suspected of being infected or actually infected with venereal disease, at the following rates, for a period of one (1) year commencing January 1, 2009 and terminating December 31, 2009; said contracts to contain such other terms and conditions as are in the best interest of the County of Otsego:

\$85.00 per patient consultation  
\$50.00 revisit

Laboratory tests:

Chlamydia	\$25.00
GC (DNA Probe)	\$25.00
Syphilis	\$25.00

Medication to be charged separately as follows. There shall be an agreement with Eckerd Pharmacy to provide medication at these prices:

Ceftriaxone IM	\$35.00
Penicillin IM	\$40.00
Ofloxin	\$7.00 per tablet
Zithromax	\$40.00

and be it further

RESOLVED, that the funding for these contracts is included in the 2009 Biologicals Budget (4074) at lines 4895 Medical Expenses and 4900 Contracts and is 100% state reimbursable.

Seconded, Stayton. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

**RESOLUTION NO. 41-20090107**

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD  
TO ENTER INTO AGREEMENTS FOR PROFESSIONAL  
ENGINEERING SERVICES FOR VARIOUS COUNTY ROADS  
AND BRIDGES FOR THE YEAR 2009**

**DUBBEN, RELIC, MURPHY**

WHEREAS, certain engineering firms propose to render professional engineering services to the Otsego County Highway Department in connection with various County roads and bridges the year 2009; and

WHEREAS, it appears to be in the best interests of the County to contract with these engineering firms for these professional engineering services; said services being professional in nature and not requiring public bidding; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with the following engineering firms to render professional engineering services for various County roads and bridges during the year 2009, in accordance with the hourly rate schedules, which are on file in the Office of the Clerk of the Board; these services being professional in nature and not requiring public bidding by the County:

1. McFarland & Johnson, Inc.  
49 Court Street Metrocenter  
Box 1908

Binghamton, New York 13902

2. Earth Tech  
40 British American Boulevard  
Latham, New York 12110
3. Barton & Loguidice  
290 Elwood Davis Road  
P.O. Box 3107  
Syracuse, New York 13220
4. C&S Engineers, Inc.  
1099 Airport Blvd.  
North Syracuse, New York 13212
5. Spectra Engineering, PC  
19 British American Boulevard  
Latham, New York 12110
6. Shumaker Consulting Engineering & Land Surveying, PC  
320 North Jensen Road  
Vestal, New York 13850
7. Delta Engineers, P.C.  
164 Court Street  
Binghamton, New York 13901-3514
8. Foit - Albert Associates  
435 New Karner Road  
Albany, New York 12205
9. TVGA Consultants  
Suite 610  
109 South Warren Street  
Syracuse, New York 13202

and be it further

RESOLVED, that said contracts shall contain such other terms and conditions as are in the best interests of the County of Otsego; and be it further

RESOLVED, that the funds for these contracts are provided in the 2009 Highway Budget under various Highway Projects.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,790; Absent: 377 – McCarty. Adopted.

Representative Lindberg moved to suspend the Rules to act upon late Resolution No. 42. Seconded, Relic. Total: 6,167; Ayes: 5,295; Abstained: 495 – Powers; Absent: 377 – McCarty. Motion carried.

**RESOLUTION NO. 42-20090107**

**RESOLUTION - APPOINTING TEMPORARY PURCHASING AGENT**

**RELIC, SCHWERD, JOHNSON**

WHEREAS Deborah Mitchell, the Purchasing Agent, is currently ill and unable to perform her duties; and

WHEREAS, there is no deputy Purchasing Agent to fulfill these duties during her absence; and

WHEREAS, there is an on going need to approve and process Purchase Orders through her Department, which should not await the delay of her return; and

WHEREAS, Deborah Mitchell's condition is temporary and she does anticipate returning to work, thus an interim solution appears sufficient to meet these current circumstances; now, therefore, be it

RESOLVED, that James Powers is hereby appointed Temporary Purchasing Agent to act in the absence of Purchasing Agent Deborah Mitchell, commencing January 7, 2009, and he to receive the cooperation of Brian Pokorny, IT Department Head, to access the computer system and produce therefrom the Purchase Orders; all services herein to be without additional compensation.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,295; Abstained: 495 – Powers; Absent: 377 – McCarty. Adopted.

All the general business of the Board having been transacted, the Chairman declared the meeting recessed until Wednesday, January 21, 2009 at 6:00 p.m. for interviews for the Real Property Tax Director position and the County Board meeting to follow at 7:30 p.m.