

**REGULAR SESSION
SECOND DAY**

Wednesday, February 21, 2007

The Chairman called the Board to order, the roll was called and the following Representatives were found to be present:

Relic, Powers, Feldstein, Henderson, Fournier, Lindberg, McCarty, Schwerd, Stayton, Rothenberger, Laguna, Hodne.

The following communications were read and ordered filed:

Petition signed by 43 employees of Otsego Manor - Stating Mr. Marchi has been the most caring Administrator we have had. He spends time with the residents. He is a very caring person, and we hope the County Board will give him a chance to come back and be the Administrator we have come to like and respect.

Petition signed by 54 employees of Otsego Manor - Asking the County Board to not dismiss Mr. Marchi from his position. They feel he should be put on administrative medical leave, so he can get the help he needs to let him return to Otsego Manor and continue to be its leader.

Petition signed by 197 residents of Worcester, East Worcester and Schenevus – Disagreeing with the scope of the new building code rules and asking the County Board to maintain fees at reasonable levels and not to pass the proposed local law.

Edward J. Gifford, Unadilla - Letter stating that due to the recent tax overcharge, he believes a full time County Manager is needed to assist the County Board in better management and to improve the operation of county departments.

Daniel Kane, New York State Office of Parks, Recreation and Historical Preservation - Letter informing Otsego County that its 2006 - 2007 application for snowmobile trail development and maintenance assistance has been approved for \$62,625.

Summons and Complaint - Tristen York versus Wade T. Thayer, Otsego County Highway Department and Otsego County - For negligently hiring, supervising and training an employee in the Highway Department. No amount is stated.

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

Representative Schwerd moved for an executive session to discuss a personnel matter. Seconded, Relic. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Motion carried.

The Board reconvened.

Representative Stayton moved to dispense with the reading of all the resolutions. Seconded, Rothenberger. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Motion carried.

RESOLUTION NO. 79-2007 (original)

**RESOLUTION – AMENDING RESOLUTION NO. 269 OF 1991 AND
RESOLUTION NO. 177 OF 1995 - ESTABLISHING AN AMENDED FEE
SCHEDULE FOR BUILDING PERMIT AND FIRE INSPECTION FEES**

FOURNIER, FELDSTEIN, STAYTON, POWERS

WHEREAS, the Board has heretofore adopted Resolution No. 269 of 1991 and Resolution No. 177 of 1995, establishing an amended fee schedule for building permit and fire inspection fees; and

WHEREAS, it is appropriate to increase the fees for building permits and fire inspections; now, therefore, be it

RESOLVED, that Resolution No. 269 of 1991 and Resolution No. 177 of 1995 are hereby amended, and effective February 15, 2007, the following building permit and fire inspection fees are amended as follows:

A. Construction Permits

Permits ARE Required for Construction.

- (1) All new Construction
- (2) Alterations to existing structures.
- (3) Additions to existing structures.
- (4) Conversions of any existing building.
- (5) ALL solid fuel heating equipment, using combustible liquid or gases, in any existing structure.
- (6) ALL installations of any chimney, flue or gas vent, in any existing structure.
- (7) ALL septic system replacements and ALL new septic systems.
- (8) Installing or removing bulk storage tanks, above and below ground.
- (9) Demolition of any existing structure.
- (10) ALL fire safety equipment.
- (11) Extension of ALL electrical systems. (Contact County Code Office prior to starting any electrical project.)
- (12) Swimming Pools and Spa's
- (13) Fireworks or Pyrotechnic displays
- (14) Manufactured or Modular Homes.
- (15) Cell Tower/Wind Tower Utility Buildings or similar structures.
- (16) Any structure, item, activity that is regulated by the NYS Uniform Fire Prevention and Building Code or Energy Code.

These permits will be the sole responsibility of the General or Primary Contractor, or the property owner (only if the owner is the General or Primary Contractor.)

All heating and septic permits have a five (5) working day grace period for emergency work. A permit must be filed at the County's Code Enforcement Office within five (5) working days of the date of installation, and a final inspection must be

conducted.

These permits, related fees and late fee charges are only under the authority of the Otsego County Code Enforcement Office in those towns and villages under the jurisdiction of Otsego County.

(1) Single and Two Family Dwellings (New Construction including Modular).

- A. .10 Cents per square foot excluding crawl space and attic spaces. (Minimum Permit Fee of \$150.00) Residential structures over 4000 square feet will be charged at the commercial rate.

** Failure to obtain permit \$300.00 late fee charge added to original permit fee.

(2) Manufactured and Mobile Homes (new and used).

This is to include ALL existing mobile homes which are being replaced or relocated, whether on private property or in a mobile home park. Approved stabilizing devices are required.

- A. \$75.00 per section.

** Failure to obtain a permit, \$300.00 late fee charge added to the original permit fee.

(3) NON-commercial Storage Buildings and Car Ports over 144 square feet but under 300 square feet and unattached to residence.

- A. \$30.00 fee.

** Failure to obtain permit \$100.00 late fee added to original permit fee.

(4) NON-commercial Garages and Storage Buildings 300 square feet and over.

- A. .08 Cents per square foot. (Minimum Permit Fee of \$50.00)
Attached Garages shall be charged separately from the residence or other structure.

** Failure to obtain permit \$200.00 late fee charge added to original permit fee.

(5) All additions, alterations, and conversions of existing one and two-family dwellings.

- A. .10 Cents per square foot. (Minimum Permit Fee of \$50.00)

** Failure to obtain permit \$200.00 late fee charge added to original permit fee.

B. Exception – Porches and Decks

Up to 650 square feet – Permit Fee \$50.00

Over 650 square feet – Permit Fee \$75.00

- C. Projects deemed to be minor by the Code Office – Permit Fee \$30.00

(Door or single window replacement, etc.)

** Failure to obtain permit \$100.00 late fee charge added to original permit fee.

B. Commercial—New Construction, Additions, Alterations and Conversions to Industrial, Places of Assembly, Institutional, Business, Mercantile, Commercial Storage and All Multiple Dwellings

Permit fee \$.17 per square foot of the actual work area, excluding crawl space and attic spaces. Minimum permit fee \$100.00.

Cell Tower or Wind Tower Utility Buildings or similar facilities with remote access – Minimum permit fee \$150.00.

Commercial Buildings utilizing floor or roof trusses are subject to a \$50.00 review fee required by New York State, which includes one required truss notification sign. Signs must be displayed at key locations to be identified by inspector.

** Failure to obtain permit \$300.00 late fee charge added to original permit fee.

C. Petroleum Bulk Storage Tanks

No storage tank with a capacity greater than 500 gallons shall be installed except upon the issuance of a permit by the Code Enforcement Officer of the County of Otsego after payment of the fee hereinafter prescribed.

(1) Permit required for installation and/or removal of underground and/or above ground Storage Tanks.

i. \$25.00 per tank for new installations, replacement or reconditions.

**Failure to obtain permit \$300.00 late fee charge added to original permit fee.

D. Septic Systems

No septic system shall be removed or installed except upon the issuance of a permit by the Code Enforcement Officer of the County of Otsego after payment of the fee hereinafter prescribed.

(1) Installation of New System or Replacement of all or any part of Existing Systems.

i. \$30.00 fee.

**Failure to obtain permit \$100.00 late fee charge added to original permit fee.

E. Heating Equipment

A permit is required for ALL heating equipment installed in any existing structure using solid fuel, combustible liquid, or gases, and chimneys, flues or gas vents. (Fuel examples: Outdoor wood furnaces, woodstoves, wood boilers, coal stoves, pellet or corn stoves, all gas and oil heating equipment.) All heating equipment is required to be UL or other testing agency tested and installed according to manufacturer's instructions. New construction or remodeling permits include all types of heating equipment.

- (1) Permit required for installation and/or replacement of ALL heating equipment, gas fuels, liquid fuels, and solid fuels.
 - i. \$30.00 fee.

**Failure to obtain permit \$100.00 late fee charge added to original permit fee.

F. Other fees related to Building Construction

- (1) Change of Occupancy fee - \$50.00.

**Failure to obtain change of occupancy permit \$100.00 added to the original permit fee.

- (2) Temporary Certificates of Occupancy.
 - i. \$40.00 fee good for three (3) months, then must be renewed.

**Failure to obtain Temporary Certificates of Occupancy prior to occupancy \$100.00 added to the original permit fee.

- ii. Renewal Fee of \$50.00 for one and two family dwelling and residential applications or 25% of the original permit fee for construction of commercial, industrial, etc., for another one (1) year period.

G. Swimming Pools and Enclosures, Hot Tubs

- (1) Above and below Ground Pools, and 2 feet in depth. Contact Code Office, some pools may be exempt. All swimming pools shall be fenced per NYCRR 1243.7(f). An electrical inspection is required.
 - i. Above ground pools and hot tubs - \$50.00 fee.
 - ii. In ground pools -\$100.00 fee.

**Failure to obtain permit \$100.00 late fee charge added to original permit fee.

H. Electrical

Any extension of an existing electrical system or the installation of any new electrical circuits or equipment requires a permit. All electrical work requires an inspection by a third party inspector certified in Otsego County (fees are in addition and separate from permit fee).

- (1) Electrical Permit
 - i. \$20.00 fee.

**Failure to obtain permit \$100.00 late fee charge added to original permit fee.

I. Demolition Permit

Demolition or removal of any structure, partial structure or any other items that requires a permit to install or construct. No Fee.

**Failure to obtain permit \$100.00 late fee charge added to original permit fee.

J. Miscellaneous Permits

- (1) Fireworks and Pyrotechnics Permits.
 - i. \$75.00 permit fee for one time issuance.

**Failure to obtain permit \$100.00 late fee charge added to original permit fee.

- ii. \$200.00 Seasonal Permit. (requires periodic spot inspections.)

**Failure to obtain permit \$200.00 late fee charge added to original permit fee per show or display.

K. Fire Protection Equipment

- (1) Sprinkler systems.
- (2) Stand pipe systems.
- (3) Extinguishing agent system other than water. (Example: commercial range hoods and gas station canopy systems.)
- (4) Smoke and heat detection (other than single station residential device for one and two family dwellings.)
 - i. \$50.00 fee.

** Failure to obtain permit \$200.00 late fee charge in addition to original permit fee.

L. Missed Inspections or Appointments

- (1) Scheduled inspections or appointments scheduled by the permit holder or contractor who then fail to show to meet the inspector shall be subject to a \$25.00 missed appointment fee.

1.Exception: When it is deemed in advance by the Code Enforcement Office, at the time of scheduling, that it is not necessary for a representative to be present to meet with the inspector. (i.e. open construction sites or structures.) Inspectors will not enter occupied homes or businesses without a representative.

2. Exception: The Code Office is notified of cancellation at least 24 hours in advance.

M. Research Fees

Research fees on property records are billed at \$25.00 per hour. Minimum of \$25.00.

N. Duplicate Documents (Certificate of Occupancy, Compliance etc.) - \$10.00.

O. Plan Review

Plan review requiring over one hour of review will be charged \$25.00 per hour residential and \$45.00 commercial over and above the permit fee.

P. Fire Inspections

Part 444-NYS Uniform Code: Minimum Standards for Administration and Enforcement. Part 444.3 Program Features – (d)(3) fire safety inspections of areas of Public Assembly defined in part 606 of Title 9 of the Official Compilations of Code, Rules and Regulations at least once per year; (4) fire safety inspections of all multiple dwellings and all nonresidential occupancies at intervals consistent with local conditions.

School Inspections	Once per year	\$75.00 per report booklet.
Commercial Structures	Once per year	\$50.00 per inspection, per unit.
Places of Assembly	Once per year	\$50.00 per inspection.
Churches	Once per year	\$30.00 per inspection.
One & Two Family Rentals	Once per year	\$50.00 per inspection.
Day Care	Once per year	\$50.00 per inspection.
Senior Citizen Housing	Once per year	\$50.00 per inspection.
Adult Care Facilities	Once per year	\$50.00 per inspection.
B&B's, Motels, & Hotels	Once per year	\$50.00 per inspection.
Multiple Dwellings	Once per year	\$25.00 per unit.
Industrial and Institutional	Once per year	\$30.00 per inspector hour.
Foster Homes	Per DSS Request	\$20.00 per inspection.
Manufactured Home Parks	Once per year	\$75.00 per inspection. +\$10.00 per park owned unit.
**Complaints	As filed	\$50.00 per inspection.

** Inspection fees are due at time of inspection. Failure to pay inspection fee(s) after 90 days of inspection – a late fee of \$150.00 added to the original inspection fee. Operation Permit or Fire Safety Certificate revoked after 120 days with no payment.

1. First follow up inspection, for corrections, to the original inspection \$25.00. The second follow up inspection shall be \$50.00, the third and any subsequent follow up inspections shall be \$75.00 per inspection.

2. Missed or no-show inspection fee \$75.00 without 24 hour notice.

3. Structures or areas over 7,000 square feet in any category will be charged at \$50.00 per

hour with a minimum fee of \$75.00.

** An additional inspection of an existing structure, previously inspected within the designated time period, will only be done upon the receipt of a bona fide complaint. Housing complaints will be accepted in writing only. The cost of these inspections will be directed to the owner of the property or building until such time as the complaint is resolved. If compliance is not achieved in the allotted time given, the original Fire Inspection Approval Certificate or Operation Permit will be revoked.

** Unfounded complaints will NOT be billed to the owner. They may be billed to the complainant at the same rate.

Q. Miscellaneous

Part 444: Section 444; Program Features.

(1) Building permits shall be required for any work, which must conform to the NYS Uniform Code. Exceptions to this requirement for building permits may be allowed for:

- i. Necessary repairs, which do NOT affect structural features.
- ii. Alterations to existing buildings, provided that the alterations:
 1. Do NOT affect structural features.
 2. Do NOT affect fire safety features, such as smoke detectors, sprinklers, required fire separations and exits.
 3. Do NOT involve the installation of extensions of electrical systems.
 4. Do NOT include the installation of solid fuel burning heating appliances and associated chimneys and flues.
 5. And in addition to the above costs less than \$10,000.00.

(2) Certificates of Occupancy or Compliance shall be required for all work for which a building permit is required, to be issued under subdivision (a) of this section, and for all buildings which are converted from one general occupancy classification to another, as such classifications are defined in Part 701 of Title 9 of the Official Compilation of Codes, Rules and Regulations.

(3) Provisions shall be made for:

- i. Construction inspections where a building permit has been issued, at observation of foundation, structural elements, electrical systems, plumbing systems, heating, ventilation, and air conditioning systems, fire protection systems and exit features.

Definitions for terms included in this fee schedule.

1. Additions: Extensions or increase in area, height or equipment of a building.
2. Alteration: any change, rearrangement or addition to a building other than repairs, any modification in construction or in building equipment.
3. Conversion: Change of use or occupancy of any structure.

4. Repairs: replacement or renewal, excluding additions, of any part of a building, structure, device, or equipment with like or similar materials or parts, for the purpose of maintenance, preservation or restoration of such building, structure, device or equipment.

NOTE: The following exceptions DO NOT require the stamp or seal of a NYS licensed engineer or architect (Article 147, Section 7303 (5) of the NYS Education Law.)

1. Farm buildings and other buildings used solely for agricultural purposes.
2. Single family dwellings containing 1,500 square feet or less, not including garages, carports, porches, cellars, or uninhabitable basements or attics.
3. Alterations costing \$20,000.00 or less, if they do NOT involve changes affecting structural safety or public safety of the building.

NOTE: Square footage shall include basement, cellar, sub cellar, but shall not include a crawl space or attic space, no part of which exceeds five (5) feet in height. Square footage shall be based upon outside dimensions of the building.

NOTE: A final building inspection is required before you may occupy or use permitted construction project with either a Temporary or full Certificate of Occupancy or Compliance.

Seconded, Relic and Laguna. Representative Fournier moved to amend the following sections: Under Section A (8) delete the words "or removing", under Section (5) delete all of C., and under Section L. delete the entire section. Seconded, Relic and Feldstein. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Motion carried.

RESOLUTION NO. 79-2007 (amended)

RESOLUTION – AMENDING RESOLUTION NO. 269 OF 1991 AND RESOLUTION NO. 177 OF 1995 - ESTABLISHING AN AMENDED FEE SCHEDULE FOR BUILDING PERMIT AND FIRE INSPECTION FEES

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** Failure to obtain permit \$300.00 late fee charge added to original permit fee.

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i. \$25.00 per tank for new installations, replacement or reconditions.

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** Unfounded complaints will NOT be billed to the owner. They may be billed to the complainant at the same rate.

P. Miscellaneous

Part 444: Section 444; Program Features.

(1) Building permits shall be required for any work, which must conform to the NYS Uniform Code. Exceptions to this requirement for building permits may be allowed for:

- i. Necessary repairs, which do NOT affect structural features.
- ii. Alterations to existing buildings, provided that the alterations:
 1. Do NOT affect structural features.
 2. Do NOT affect fire safety features, such as smoke detectors, sprinklers, required fire separations and exits.
 3. Do NOT involve the installation of extensions of electrical systems.
 4. Do NOT include the installation of solid fuel burning heating appliances and associated chimneys and flues.
 5. And in addition to the above costs less than \$10,000.00.

(2) Certificates of Occupancy or Compliance shall be required for all work for which a building permit is required, to be issued under subdivision (a) of this section, and for all buildings which are converted from one general occupancy classification to another, as such classifications are defined in Part 701 of Title 9 of the Official Compilation of Codes, Rules and Regulations.

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2. Alteration: any change, rearrangement or addition to a building other than repairs, any modification in construction or in building equipment.
3. Conversion: Change of use or occupancy of any structure.
4. Repairs: replacement or renewal, excluding additions, of any part of a building, structure, device, or equipment with like or similar materials or parts, for the purpose of maintenance, preservation or restoration of such building, structure, device or equipment.

NOTE: The following exceptions DO NOT require the stamp or seal of a NYS licensed engineer or architect (Article 147, Section 7303 (5) of the NYS Education Law.)

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3. Alterations costing \$20,000.00 or less, if they do NOT involve changes affecting structural safety or public safety of the building.

NOTE: Square footage shall include basement, cellar, sub cellar, but shall not include a crawl space or attic space, no part of which exceeds five (5) feet in height. Square footage shall be based upon outside dimensions of the building.

NOTE: A final building inspection is required before you may occupy or use permitted construction project with either a Temporary or full Certificate of Occupancy or Compliance.

Roll call on amended resolution. Total: 6,167; Ayes: 2,969; Noes: 1,889 - Powers, Lindberg, McCarty, Schwerd; Abstained: 499 - Henderson; Absent: 810 - Durkin, Iversen. Amended Resolution No. 79 was lost.

RESOLUTION NO. 95-2007

RESOLUTION – AUTHORIZING THE CHAIRMAN TO ENTER INTO MUNICIPAL COOPERATION AGREEMENT WITH THE CITY OF ONEONTA AND THE ONEONTA CITY SCHOOL DISTRICT

FELDSTEIN, IVERSEN, RELIC

WHEREAS, the Purchasing Agents for the County, the City of Oneonta, and the Oneonta City School District have found they share various commodities/services that, if procured collectively, could result in savings to each municipality; and

WHEREAS, it is in the best interest of each municipality to purchase/bid certain commodities/services; now, therefore, be it

RESOLVED, that the Chairman of this Board be and is hereby authorized to enter into a Municipal Cooperation Agreement with the City of Oneonta and the Oneonta City

School District for the purpose of purchasing/bidding certain commodities/services; and be it further

RESOLVED, that the term of said Agreement shall be from March 1, 2007 and shall terminate February 28, 2008; and be it further

RESOLVED, that said Agreement shall contain such other terms and conditions as are in the best interest of the County.

Seconded, Laguna. Roll call. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 96-2007

RESOLUTION - APPOINTING MEMBERS TO SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD

HODNE, POWERS, SCHWERD, DURKIN

RESOLVED, that effective immediately, the following persons be and are hereby appointed as members of the Southern Tier East Regional Planning Development Board for the term indicated:

TERRANCE BLISS, Director
Otsego County Planning Department
140 County Highway 33W, Suite 2
Cooperstown, New York 13326
Term expiring December 31, 2009

GREGORY RELIC, County Representative
Otsego County Board of Representatives
236 Main Street
PO Box N
Unadilla, New York 13849
Term expiring December 31, 2007

Seconded, Stayton. Oral vote. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 97-2007

RESOLUTION – APPROVING PURCHASE OF MOTOR VEHICLE BY CODE ENFORCEMENT OFFICE

FOURNIER, FELDSTEIN, STAYTON, POWERS

RESOLVED, that the Code Enforcement Officer be and is hereby authorized to purchase the following motor vehicle under state contract:

ITEM: 2007 Chevrolet Malibu LS
5 Passenger, 4 Cylinders

COST: \$12, 027.00
plus DAS \$230.00

VENDOR: Doan Chevrolet, LLC
4477 Ridge Road West
Rochester, New York 14626

State Contract #PC62760

and be it further

RESOLVED that the funding for this expenditure is included in the 2007 Code Enforcement Budget (3620) at line 2000 Equipment.

Seconded, McCarty. Roll call. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 98-2007

RESOLUTION - APPROVING E911/COMMUNICATIONS DEPARTMENT EXPENDITURE FOR E911 TELEPHONE MAINTENANCE

FOURNIER, FELDSTEIN, STAYTON, POWERS

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

ITEM:	Annual E911 Service/Maintenance January 1, 2007 to December 31, 2007	
COST:	Dispatch Service	\$ 1,620.00
	Technical Support Service	\$ 2,136.00
	Onsite Infrastructure Response	\$ 1,650.60
	Mission Control	\$ 6,840.00
	Software Firmware Support	<u>\$ 8,991.12</u>
	TOTAL COST	\$21,237.72
VENDOR:	Motorola Attn: National Service Support 1307 East Algonquin Road Schaumburg, Illinois 60196	

and be it further

RESOLVED, that the funding for this expenditure is included in the 2007 Department of Health Budget (4010) at line 4610 E911 Telephone Maintenance and is 36% state reimbursable.

Seconded, Henderson. Roll call. Total: 6,167; Ayes: 4,731; Abstained: 626 - Fournier, Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 99-2007

**RESOLUTION – CREATING POSITION IN DEPARTMENT OF
INFORMATION TECHNOLOGIES (PURCHASING AGENT)**

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that the following position be and hereby is created in the Department of Information Technologies, effective February 21, 2007:

Purchasing Agent, M/C, part-time,
at an annual salary of \$4,000.00

and be it further

RESOLVED, that the funding for this position is included in the 2007 Purchasing Budget (1345) at line 1000 Personal Service; and be it further

RESOLVED, that the Clerk of the Board be and hereby is authorized and directed to forward a copy of this resolution to the County Treasurer and to the Personnel Officer.

Seconded, Powers. Roll call. Total: 6,167; Ayes: 4,872; Noes: 485 - Schwerd; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 100-2007

**RESOLUTION – CREATING POSITION IN INFORMATION
TECHNOLOGIES DEPARTMENT (PROGRAMMER ANALYST)**

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that the following position be and hereby is created in the Information Technologies Department, effective January 1, 2007:

Programmer Analyst,
Grade 19, \$36,086 - \$42,801 (\$1,343)

and be it further

RESOLVED, that the funding for this position is included in the 2007 Information Technologies Budget (1680) at line 1000 Personal Service; and be it further

RESOLVED, that the Clerk of the Board be and hereby is authorized and directed to forward a copy of this resolution to the County Treasurer and to the Personnel Officer.

Seconded, Fournier. Roll call. Total: 6,167; Ayes: 4,872; Noes: 485 - Schwerd; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 101-2007

RESOLUTION - ABOLISHING POSITION IN INFORMATION TECHNOLOGIES DEPARTMENT (COMPUTER PROGRAMMER)

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that the following position in the Information Technologies Department is hereby abolished, effective January 1, 2007:

Computer Programmer, Grade 14

and be it further

RESOLVED, that the Clerk of this Board be and hereby is authorized and directed to forward a copy of this resolution to the Otsego County Personnel Officer and to the County Treasurer.

Seconded, McCarty. Oral vote. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen

RESOLUTION NO. 102-2007

RESOLUTION - APPOINTING PURCHASING AGENT

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that Debbie Mitchell is hereby appointed Purchasing Agent to fill an unexpired two year term, commencing February 21, 2007 through December 31, 2007; and be it further

RESOLVED, that the Purchasing Agent shall be entitled to receive from the County reimbursement for all necessary expenses incidental to the transaction of County business.

Seconded, Powers and Fournier. Roll call. Total: 6,167; Ayes: 4,872; Noes: 485 - Schwerd; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 103-2007

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2007 (A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1984 – PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE)

FOURNIER, FELDSTEIN, STAYTON, POWERS

WHEREAS, there was duly presented to the Board of Representatives of the County of Otsego at a regular meeting duly held in the Meeting Room of the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on February 7, 2007 a local law for the year 2007 entitled "A Local Law Amending Local Law No. 2 Of 1984 – Providing For The Administration And Enforcement Of The New York State Uniform Fire Prevention And Building Code"; and

WHEREAS, a public hearing was duly held on the proposed Local Law at the Meeting Room for the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on the 21st day of February, 2007 at 7:30 p.m., at which time all interested persons were heard; now, therefore, be it

RESOLVED, that a local law of the County of Otsego for the year 2007, as above set forth, be and the same is hereby adopted.

Seconded, McCarty and Laguna. Roll call. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

Representative Relic moved to suspend the rules and act upon late Resolution Nos. 104 - 107. Seconded, Henderson. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Motion carried.

RESOLUTION NO. 104-2007

RESOLUTION - APPROVING EXPENDITURE FOR 2007 VACCINES

HENDERSON, IVERSEN, STAYTON

RESOLVED, that the Director of Public Health be and hereby is authorized to purchase the following vaccines for the year 2007:

VENDOR: Merck Human Health
P.O. Box 823061
Philadelphia, Pennsylvania 19182

ITEMS & COST:	Hepatitis A	50 doses @ \$17.75	\$ 887.50
	Hepatitis B	100 doses @ \$21.40	2,140.00
	MMR	30 doses @ \$40.60	1,218.00
	Pneumonia	100 doses @ \$29.27	2,927.00
	Zostavax	50 doses @ \$145.35	<u>7,267.50</u>
	Total		\$14,440.00

VENDOR: Aventis
P.O. Box 60244
Charlotte, North Carolina 28260

ITEMS & COST:	Flu	1,500 doses @ \$11.20	\$16,800.00
	Menactra	50 doses @ \$88.68	4,434.00
	Tetanus	180 doses @ \$19.14	3,445.20

Tdap	50 doses @ \$35.31	<u>1,765.50</u>
	Total	\$26,444.70

and be it further

RESOLVED, that the funding for this expenditure is included in the 2007 Biologicals Budget at line 4800 Other and shall be reimbursed through fees (private and/or Medicare).

Seconded, Laguna. Roll call. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 105-2007

**RESOLUTION - AMENDING RESOLUTION NO. 229-2006 -
AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT WITH
STATE OF NEW YORK DEPARTMENT OF HEALTH TO RECEIVE
INCREASED GRANT FUNDS (LEAD POISONING & PREVENTION
GRANT)**

HENDERSON, IVERSEN, STAYTON

WHEREAS, Resolution No. 229-2006 authorized the Chairman of the Board, on behalf of the Otsego County Department of Health, to execute an agreement with the State of New York Department of Health, to receive grant funds in the amount of \$25,000.00 for the Lead Poisoning and Prevention Grant, for the period beginning April 1, 2006 to March 31, 2007; and

WHEREAS, the agreement is being amended to incorporate a cost of living adjustment (COLA) in the amount of \$350.00 to promote the recruitment and retention of staff or to respond to other critical nonpersonal service costs; now, therefore, be it

RESOLVED, that Resolution No. 229-2006 is hereby amended, and the Chairman of the Board, on behalf of the Otsego County Department of Health, is authorized to execute an amended agreement with the State of New York Department of Health, to receive increased grant funds in the amount of \$25,350.00 for the Lead Poisoning and Prevention Grant, for the period April 1, 2006 to March 31, 2007; and be it further

RESOLVED, that said amended agreement shall contain such other terms and provisions as are in the best interest of the County of Otsego.

Seconded, Fournier. Roll call. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 106-2007

**RESOLUTION - APPOINTING MEMBER TO SERVE UPON THE
BOARD OF THE MONTGOMERY, OTSEGO, SCHOHARIE SOLID
WASTE MANAGEMENT AUTHORITY**

RELIC, SCHWERD, DURKIN

WHEREAS, there has heretofore been created by statute a public authority known as the Montgomery, Otsego, Schoharie Solid Waste Management Authority pursuant to Title 13-AA of the Public Authorities Law of the State of New York, and the County of Otsego is a participant in said Authority; now, therefore, be it

RESOLVED, that the following person, appointed by the Chairman of the Board, is hereby confirmed and approved by this Board to serve as a member of the Montgomery, Otsego, Schoharie Solid Waste Management Authority, for a term as indicated below:

MARTHA CLARVOE
119 East Hill Road
Hartwick, New York 13348
Term expiring December 31, 2009
(Replacing Rudolph Laguna, Jr.)

Seconded, Rothenberger and Hodne. Oral vote. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

RESOLUTION NO. 107-2007

RESOLUTION – AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT

HODNE, POWERS, SCHWERD, DURKIN

WHEREAS, the County of Otsego is a designated Empire Zone through the New York State Department of Economic Development, Empire State Development; and

WHEREAS, Empire State Development is empowered by Section 963 of the General Municipal Law to make available financial support to assist with the administrative expenses of the Otsego County Empire Zone Administrative Board; and

WHEREAS, in full consideration for all the services provided by Otsego County Empire Zone in a manner satisfactory to Empire State Development, Empire State Development shall pay the Otsego County Empire Zone a sum not to exceed \$29,300.00, for the period July 1, 2006 to June 30, 2007, at the rates set forth in the budget approved by the Otsego County Zone Administrative Board; now, therefore, be it

RESOLVED, that the Chairman of the County Board of Representatives is hereby authorized to sign the 2006-2007 contract between the New York State Department of Economic Development and the County of Otsego with terms as set forth above and to include such other provisions as are in the best interest of the County of Otsego.

Seconded, Henderson and McCarty. Roll call. Total: 6,167; Ayes: 5,357; Absent: 810 - Durkin, Iversen. Adopted.

Under Special Order of the Day, Representative Powers stated that there are some county departments that you cannot get through to. You only get voice mail when you call. You can never reach a person. He said that the County Board needs to make departments more accessible to the taxpayers. Chairman Lindberg said that he would address the issue at the next Cabinet meeting.

Representative Feldstein said that the 2007 County Budget includes revenues that were expected from increasing the Code Enforcement fees. He asked Dan Wilber, Code Enforcement Officer, to review his revenues and come up with an estimate of what the shortfall will be from not increasing the fees. Representative Relic said that the increased revenues in the 2007 budget were attributed to both hiring a new Fire Inspector and to increasing the fees.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, March 7, 2007 at 10:00 a.m.