

**REGULAR SESSION
FIRST DAY**

Wednesday, April 2, 2008

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

Relic, Powers, Clark, Murphy, Fournier, Lindberg, Dubben, Johnson, McCarty, Schwerd, Stayton, Rothenberger, Harrington, Stuligross

Under privilege of the floor, Rodney Klafehn, former County Attorney, stated that it was the purpose of the Otsego County Workers Compensation Plan to hold down the costs and contributions of the participants. That means properly funding the budget and the reserves. When the 2008 budget was prepared, he worked with the Treasurer's Office, Benetech and other self insured counties. In past years the county received reimbursements from the state to offset current year claims and administration expenses, which in effect masked the true annual cost of running the plan. With the enactment of the Workers Comp Reform Act there will be no reimbursements for claims generated after July 2007. The county has been told to expect only \$171,000.00 in 2008 in reimbursements. In addition, the Self Insurance Fund reserve is approximately at \$560,000.00. This reserve amount is not sufficient for 2008, when claims are running approximately \$1.5 million per year. The county owes it to all the participants to properly fund the Plan.

Steve Seneca of the Otsego County Farm Bureau stated that he is pleased that the county will be developing a committee to focus on agriculture and sustainability and is interested to know what it hopes to accomplish for agriculture. He suggested that if there are open advisory positions available, Otsego County Farm Bureau would be glad to help.

The minutes of December 5, 6, 10, and 20, 2007 were approved and are on file with the Clerk of the Board.

The following communications were read and ordered filed:

James P. Powers, Chairman of the Board of Representatives - Letter appointing Deb Currie and Irene Wayand to the Intra-Employee Relations Committee.

Notice of Claim – Gabriel N. Truitt versus the County of Otsego – For poor maintenance and supervision at the Otsego County Correctional Facility.

The following report is on file with the Clerk of the Board:

Mohawk Valley Economic Development District – EDA Final Progress Report for the period January 1, 2007 – December 31, 2007.

Under Special Presentations, Chairman Powers presented Dan Maskin, Executive Director for Opportunities for Otsego, with a copy of the proclamation proclaiming April as Sexual Assault Awareness Month in Otsego County.

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

Representative Relic moved to dispense with the reading of all the resolutions. Seconded, Johnson. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 133-2008

RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE RENEWAL CONTRACTS WITH U S CARE SYSTEMS, INC., ROBYNWOOD HOME FOR ADULTS, VISITING NURSES HOME CARE CORP AND AT HOME CARE PARTNERS, INC. TO PROVIDE SUPPORTIVE SERVICES FOR ELDERLY RESIDENTS OF OTSEGO COUNTY UTILIZING EXPANDED IN-HOME SERVICE FOR THE ELDERLY PROGRAM FUNDING

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, there is a need to provide non-medical, in-home supportive services for elderly residents of Otsego County who are not eligible to receive similar services under Title XVIII, Title XIX or Title XX of the federal Social Security Act or similar governmental assistance; and

WHEREAS, the State of New York, through its Office for the Aging, has approved the County Home Care Plan of the Otsego County Office for the Aging and has awarded funding for such non-medical, in-home supportive services through the Expanded In-Home Services for the Elderly Program (hereinafter referred to as EISEP) as authorized by Section 541 of New York State Executive Law; and

WHEREAS, U S Care Systems, Inc., Robynwood Home For Adults and Visiting Nurses Home Care Corp. are approved home providers for Title XIX home care services in Otsego County under the federal Social Security Act, and are willing to continue to provide EISEP services and At Home Care Partners, Inc. is in the process of obtaining such approval; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to execute renewal agreements with U S Care Systems, Inc., Robynwood Home For Adults, Visiting Nurses Home Care Corp. and At Home Care Partners, Inc. to continue to provide non-medical, in-home supportive services for elderly residents of Otsego County, (Level I and Level II care), utilizing EISEP funding as authorized by section 541 of New York State Executive Law for the period April 1, 2008 to March 31, 2009, with a total amount shared between all providers on a performance basis not to exceed \$217,000 at no more than approved Medicaid or locally negotiated rates, whichever is of lesser cost; and be it further

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

RESOLVED, that these contracts are authorized in the 2008 Office for the Aging budget (6772) at line 4770 In-home Services, and the percentages of source funds are as follows: State EISEP funds 72.5%, local funds 25% and cost sharing fees and contributions 2.5%.

Seconded, Stayton. Roll call vote. Total: 6,167; Ayes: 5,541; Absent: 626 – Fournier. Adopted.

RESOLUTION NO. 134-2008

RESOLUTION - AUTHORIZING CONTRACT FOR THE DEFERRED COMPENSATION PLAN ADMINISTRATOR

RELIC, SCHWERD, JOHNSON

WHEREAS, the County of Otsego did establish a Deferred Compensation Plan for employees; and

WHEREAS, the Deferred Compensation Committee did accept and review proposals for the administration of the Deferred Compensation Plan for a five-year contract period as stipulated in Section 9003 of Subtitle II, Title 9 NYCRR; and

WHEREAS, the Deferred Compensation Committee does recommend the award of such contract to The Hartford as Administrative Services Agency and Financial Organization pursuant to Section 9003 of Subtitle II, Title 9 NYCRR; and

WHEREAS, the Deferred Compensation Committee does recommend that State Street Bank and Trust Company (formerly Investors Bank and Trust Company) act as trustee; now, therefore, be it

RESOLVED, that the Chairperson of the Otsego County Board of Representatives hereby is directed to execute all necessary documents to contract with The Hartford and State Street Bank & Trust Company for administrative, financial and trustee services for the County of Otsego Deferred Compensation Plan for the period February 6, 2008 or as soon thereafter as possible through February 5, 2013.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 135-2008

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO ACT ON BEHALF OF THE COUNTY OF OTSEGO TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK TO AUTHORIZE THE UNDERTAKING AND PAYMENT OF THE FEDERAL AND STATE SHARES FOR THE SECTION 5311 PROJECT GRANT AGREEMENT FOR THE PURCHASE OF EIGHT (8) BUSES

JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER

WHEREAS, the County of Otsego has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for the purchase of eight (8) additional buses; and

WHEREAS, the County of Otsego and the State of New York are entering into an Agreement which authorizes the undertaking of the Project and payment of the Federal and State Shares for the project; now, therefore, be it

RESOLVED, that the Chairman of the Board of Representatives is authorized to sign:

(1) Any and all agreements between the County of Otsego and the State of New York for the above named Project;

(2) Any and all agreements between the County of Otsego and any third party subcontractors necessary to complete the Project, if appropriate;

(3) Any and all agreements between the County of Otsego and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities; and be it further

RESOLVED, that the County of Otsego certifies through this Resolution that the estimated local share of Seventy-Four Thousand Dollars (\$74,000) is committed to this Project from Birnie Bus Tours Incorporated located at 928 County Highway 27, Richfield Springs, New York 13439

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 136-2008

RESOLUTION – AMENDING RESOLUTION NO. 32-2008 – AUTHORIZING OTSEGO COUNTY COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH BERKSHIRE FARMS CENTER AND SERVICES FOR YOUTH, INC. TO STAFF AND OPERATE THE AGENCY OPERATED FOSTER HOME

CLARK, SCHWERD, STULIGROSS

WHEREAS, in accordance with Resolution No. 32-2008, the Otsego County Commissioner of Social Services was authorized to contract with Berkshire Farms Center and Services for Youth, Inc. for the period of January 1, 2008 through December 31, 2008 at an amount not to exceed \$90,000, to staff and operate the East Worcester Agency Operated Foster Home; and

WHEREAS, additional funding is needed to provide transportation for children in the Agency Operated Foster Home; now, therefore, be it

RESOLVED, that Resolution No. 32-2008 is amended, and the Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to enter into an amended agreement with Berkshire Farms Center and Services for Youth, Inc. to increase funding to provide transportation for children in the Agency Operated Foster Home, thus modifying the original agreement as follows:

1. Payment. In no event shall the Department of Social Services' liability exceed \$95,000;

and be it further

RESOLVED, that the funding for this amended agreement is included in the 2008 Social Services Administration Budget (6119.4735) and consists of 12.5% - 25% local cost.

Seconded, Murphy. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted

RESOLUTION NO. 137-2008

**RESOLUTION – AUTHORIZING THE COMMISSIONER
OF SOCIAL SERVICES TO CONTRACT WITH
SANGUINE FAMILY COUNSELING AND CONSULTATION SERVICES**

CLARK, SCHWERD, STULIGROSS

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with Sanguine Family Counseling and Consultation Services, for adolescent outreach services to assist schools in their interventions with at risk youth and assist both the youth and family with linkages to appropriate services. The term of the contract to be April 1, 2008 through June 30, 2008 at an amount not to exceed \$54,000; 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 2008 Social Services Administration Budget (6010) at line 4900 Contracts and consists of 100% State funding.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 138-2008

**RESOLUTION - AMENDING RESOLUTION NO. 25-2008 -
AUTHORIZING CHAIRMAN OF THE BOARD TO
EXECUTE AMENDED CONTRACT WITH THE MENTAL HEALTH
ASSOCIATION IN ULSTER COUNTY, INC.**

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, Resolution No. 25-2008 authorized the Chairman of the Board to execute a contract for the year 2008 with The Harbour Program of MHA in Ulster Co., Inc. for the services of a Psychiatric Nurse Practitioner and to operate Adolescent Outreach Services for adolescents aged 12-21 years, utilizing 100% Community Reinvestment Act funding in an amount not to exceed \$266,268.00, contingent upon the availability of on-going state funds; and

WHEREAS, it is necessary to amend Resolution No. 25-2008 to correct the name

of the contractor and to amend the services being provided under this contract; now, therefore, be it

RESOLVED, that Resolution No. 25-2008 be and hereby is amended as follows:

"WHEREAS, the State of New York has provided a grant in the amount of \$266,268.00 through the Community Reinvestment Act, for the services of a Psychiatric Nurse Practitioner or other qualified medical provider, to operate Adolescent Outreach Services and to provide intensive preventive services; and

WHEREAS, the County, through the Otsego Community Services Board, desires to contract with The Mental Health Association in Ulster County, Inc., 221 Tuytenbridge Road, Lake Katrine, New York 12449, to effectuate these services for the year 2008; the same to be without cost to the County other than this state grant; now, therefore, be it

RESOLVED, that the Chairman of this Board is authorized to execute an amended contract for the year 2008 with The Mental Health Association in Ulster County, Inc. for the services of a Psychiatric Nurse Practitioner or other qualified medical provider, to operate Adolescent Outreach Services and to provide intensive preventive services for children and adolescents aged 5-21 years, utilizing 100% Community Reinvestment Act funding in an amount not to exceed \$266,268.00, contingent upon the availability of on-going state funding; said amended contract shall contain such other terms and obligations as shall be in the best interests of the County of Otsego; and be it further

RESOLVED, that the funds for this amended contract are included in the 2008 Harbour Program – Reinvestment Budget (4326) at lines 4693 MHA and 4810 Harbour Program – Reinvestment and consist of 100% state funds.

Seconded, Rothenberger. Roll Call Vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 139-2008

RESOLUTION - AUTHORIZING CHAIRMAN TO EXECUTE AGREEMENTS WITH EMPIRE ABSTRACT CORP. AND GENESIS ABSTRACT INC. FOR TITLE SEARCHES IN TAX SALE PROCEEDINGS

RELIC, SCHWERD, JOHNSON

WHEREAS, the County is in need of a Certified Abstract Company, licensed and insured, to provide certified title reports to the County Treasurer's Office in conjunction with tax sale proceedings for property in Otsego County which has been advertised for sale for delinquent taxes; and

WHEREAS, the County requested quotes for these services, and Empire Abstract Corp. and Genesis Abstract Inc. submitted the same lowest and acceptable quote; and

WHEREAS, it is in the best interest of the County of Otsego to contract with Empire Abstract Corp. and Genesis Abstract Inc. to provide these professional services to the County; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute agreements with Empire Abstract Corp. and Genesis Abstract Inc. to provide certified title reports to the County Treasurer's Office in conjunction with tax sale proceedings for property in Otsego County which has been advertised for sale for delinquent taxes for a term ending December 31, 2008 at a cost of \$75.00 per search; these services being professional in nature and not requiring public bidding; and be it further

RESOLVED, that the funds for this expenditure are included in the 2008 Tax Advertising and Expense Budget (1362) at line 4800 Other.

Seconded, Stuligross. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 140-2008

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

RELIC, SCHWERD, JOHNSON

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, 2008 and shall terminate February 28, 2009; 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, Rothenberger and Fournier. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 141-2008

RESOLUTION - AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO CONTRACT FOR PURCHASE OF CERTAIN MATERIALS, SUPPLIES AND SERVICES

DUBBEN, RELIC, MURPHY

WHEREAS, bids have been requested and duly received by the Purchasing Agent for certain materials, supplies and services; 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 bids be accepted; now, therefore, be it

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

GUIDE RAIL & RELATED ITEMS

Bidders: Town & Country Bridge & Rail
PO Box 16395
Albany, New York 12212

Otsego Iron & Metal
PO Box 339, Rose Avenue
Oneonta, New York 13820

HEAVY STEEL, CORRUGATED & ADS CULVERT PIPE

Bidders: Otsego Iron & Metal
PO Box 339, Rose Avenue
Oneonta, New York 13820

Pickett Building Materials
6450 State Highway 23
Oneonta, New York 13820

STRUCTURAL STEEL

Bidder: Otsego Iron & Metal
PO Box 339, Rose Avenue
Oneonta, New York 13820

SAND, STONE & GRAVEL

Bidders: E & R Pope's Excavating
1073 County Highway 1
Mt. Upton, New York 13809

John Bice
861 State Highway 80
New Berlin, New York 13411

David Beisler Seward Sand & Gravel

532 County Highway 58
Oneonta, New York 13820

Hanson Aggregates, Inc.
PO Box 513
Jamesville, New York 13078

Barrett Paving Materials, Inc.
PO Box 400
Washington Mills, New York 13479

Cobleskill Stone Products, Inc.
PO Box 220
Cobleskill, New York 12043

Kiser Excavating Sand & Gravel
PO Box 69
Milford, New York 13807

Stevens Excavating
15 Stevens Lane
Otego, New York 13825

Carver Stone Products
494 Western Turnpike
Altamont, New York 12009

E.L. Kukenberger
6219 State Highway 28
PO Box 163
Fly Creek, New York 13337

Clark Companies
PO Box 427
Delhi, New York 13753

Parker Excavating
PO Box 634
Mount Vision, New York 13810

and be it further

RESOLVED, that funds for these expenditures are included in the 2008 Highway Budget under D5110.4500, D5110.4570, D5110.4572, D5110.4800, D5110.4818, D5112.2020, D5113.2040, D5112.2077, D5113.2104, D5113.2109, D5113.2116, D5113.2117, D5113.2118, D5113.2119, D5113.2120, D5113.2121, D5112.2093, D5112.2095, D5112.2108, D5112.2110, D5112.2096, D5112.2074, D5112.2098, D5113.2040

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

Representative Dubben withdrew **Resolution No. 142-2008 – Authorizing Superintendent of Highways to Contract for the Outsourcing of the Highway Parts Room.** (See the May 7, 2008 County Board meeting for further action.)

RESOLUTION NO. 143-2008

**RESOLUTION - APPOINTING MEMBER TO THE ALTERNATIVES
TO INCARCERATION ADVISORY BOARD**

FOURNIER, HARRINGTON, CLARK, STAYTON

RESOLVED, that the following person is hereby appointed to serve as a member on the Alternatives to Incarceration Advisory Board:

NICOLE GERACE
Chemical Dependencies Program Manager
12 Dietz Street
Oneonta, New York 13820
(Replacing Gay Merrill)

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 144-2008

**RESOLUTION - APPOINTING MEMBERS TO THE
EMERGENCY MEDICAL SERVICES ADVISORY
COUNCIL**

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, by Resolution No. 206 of 1981, the Otsego County Board of Representatives recognized the Otsego County Emergency Medical Services Advisory Council as an advisory council to this Board; and

WHEREAS, County Law, Section 223-b effective July 1, 1993, authorizes the County to create a County EMS Advisory Board; now, therefore, be it

RESOLVED, the following persons are hereby appointed members of the Otsego County Emergency Medical Services Advisory Council for a period of one (1) year commencing January 1, 2008 and ending December 31, 2008:

<u>Name</u>	<u>Representing</u>
Dr. Francis Nolan	A.O. Fox Memorial Hospital
Dr. David Borgstrom	Bassett Healthcare
Tom Robinson, RN	Bassett Healthcare
Kevin Ritton	Office of Emergency Services
Lyle Jones	Office of Emergency Services Alternate
Toni Christiansen	American Red Cross
Deb Clegg	OES, Inc.

Caren Kelsey	OES, Inc.
Deb Klingler	Interested Party
Ginger Krahnert	Interested party
Sid Chase	Interested Party
Jayne Putnam	Interested Party
Bonnie Kaido	Interested Party
Fred Lemister	Interested Party
Gen Smerski	Interested Party
Mark Zeek	Interested Party
Colleen Vesely	Interested Party
Keith Velasco	Interested Party
Roy Althiser	Otsego County Communications/911
Barbara Mann	Otsego County Communications/911 Alternate

Seconded, Relic. Oral vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 145-2008

RESOLUTION - APPROVING SERVICE UPDATE PLAN FOR ALTERNATIVES TO INCARCERATION PROGRAM FOR 2008

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, there is currently in operation in the County of Otsego the Otsego County Alternatives to Incarceration Program and annually is necessary for the preparation, review and approval of the service plan update for the operation of such program for the ensuing year; now, therefore, be it

RESOLVED, that this Board of Representatives does hereby approve the service plan update for the Alternatives to Incarceration Program in Otsego County for the period January 1, 2008 through December 31, 2008 in the amount of \$42,718.00; said plan being on file in the Office of the Clerk of the Board of Representatives; and be it further

RESOLVED, that the Chairman of the Board is authorized to enter into any and all grant documents with the New York State Division of Probation and Correctional Alternatives for said program; and be it further

RESOLVED, that the funding for this plan is included in the 2008 Alternatives to Incarceration Budget (3157) and includes approximately 30% state reimbursement, 22% ATI fees and 48% county funds.

Seconded, Relic. Roll call vote. Total: 6,167. Ayes: 6,167. Adopted.

RESOLUTION NO. 146-2008

RESOLUTION – CREATING POSITION IN BUILDING SERVICES DEPARTMENT (CLEANER)

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following position be and hereby is created in the Building Services Department, effective June 30, 2008:

Cleaner, Grade 5*,
\$19,881 - \$23,356 (\$695 increment) -
shift differential \$410)

and be it further

RESOLVED, that the funding for this position is included in the 2008 Cooperstown Office Building Budget (1625) at line 1000-A Personal Service and is 100% state court reimbursable; 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, Stuligross. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 147-2008

RESOLUTION – AMENDING RESOLUTION NO. 99 OF 2002- ESTABLISHING AN AMENDED FEE SCHEDULE FOR BUILDING PERMIT AND FIRE INSPECTION FEES

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, the Board has heretofore adopted Resolution No. 99-2002, establishing an amended fee schedule for building permit and fire inspections fees; and

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

RESOLVED, that Resolution 99-2002 is hereby amended, and effective immediately, the following building permit and fire inspection fees are amended as follows:

A. 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) Change of Occupancy Classification.
- (6) ALL solid fuel heating equipment, combustible liquid or gas heating equipment.
- (7) ALL installations of any chimney, flue or gas vent, in any existing structure.
- (8) ALL new septic systems replacements systems and components.

- (9) Installing bulk storage tanks, above and below ground.
- (10) Demolition of any existing structure (except agricultural).
- (11) ALL fire safety equipment, including installation, alteration and maintenance.
- (12) Extension of ALL electrical systems.
- (13) Swimming Pools and Spa's, two (2) feet in depth or greater.
- (14) Fireworks or Pyrotechnic displays
- (15) Manufactured or Modular Homes.
- (16) Cell Tower/Wind Tower Utility Buildings or similar structures.
- (17) Residential accessory structures greater than 144 square feet.
- (18) Any structure, item, activity that is regulated by the NYS Uniform Fire Prevention and Building Code or Energy Code.

Obtaining the proper permits is the sole responsibility of the General or Primary Contractor, or the property owner (only if the owner is the General or Primary Contractor.) However, all contractors are responsible to verify that proper permits are in place. Late fees may be assessed against contractors.

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. Verbal notification shall be made to the Code Office by phone, in person, or by phone message prior to installation. Contractors must have Worker's Compensation Insurance information or an exemption on file with the Code Office prior to commencing work.

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

- (1) Single and Two Family Dwellings - New Construction including Modular Homes. Minimum permit fee \$100.00.

Up to 2000 square feet-	.08 per square foot of habitable space.
2001 to 3000 square feet -	.09 per square foot of habitable space.
3001 to 4000 square feet -	.10 per square foot of habitable space.
4001 and more square feet -	.11 per square foot of habitable space.
A Foundation Only permit at the discretion of the Code Officer - \$20.00 additional fee.	

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. Certified installers required.

A. \$50.00 per section.

Failure to obtain a permit, \$200.00 late fee charge added to the original permit fee.

- (3) Unattached Residential Storage Buildings, Garages, and Car Ports over 144 square feet and under 300 square feet.

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 and Additions, Renovations or Repairs to Like Buildings.

A. .06 cents per square foot. (Minimum Permit Fee of \$50.00)

Attached Garages shall be charged separately from residences or other attached structure.

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

- (5) All Additions, Alterations, Repairs and Conversions to 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 – Unenclosed Porches and Decks
Up to 650 square feet – Permit Fee \$30.00
Over 650 square feet – Permit Fee \$50.00

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 an additional \$50.00 review fee required by New York State. Signs must be

purchased and displayed at key locations to be identified by the Code Enforcement Officer as required by code.

A Foundation Only permit at the discretion of the Code Officer - \$25.00 additional fee.

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 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: woodstoves, wood boilers, coal stoves, pellet or corn stoves, all gas and oil heating equipment.) All heating equipment is required to be listed and labeled by UL or other certified testing agency and installed according to manufacturer's instructions. New construction or remodeling permits include the primary heating system.

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

- (2) Additional heating appliances installed in new or remodel construction, installed at time of construction \$15.00 each.

* Outdoor wood boilers do not require a permit, however proper distances must be maintained from combustibles.

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 that does not involve reconstruction or require a permit under another section of the code. - \$50.00.

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

- (2) Temporary Certificates of Occupancy.

- i. \$40.00 fee good for three (3) months, then must be renewed for each three month period. Maximum period of time for a temporary certificate is twelve (12) months.

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

G. Swimming Pools and Enclosures, Hot Tubs.

- (1) Above and below Ground Pools, two (2) feet in depth or more. 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. \$10.00 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.

J. Miscellaneous Permits.

(1) Fireworks and Pyrotechnics Permits.

i. \$75.00 permit fee for one time issuance.

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, Installation, Alteration or Maintenance.

(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.)

(5) Any fire protection system regulated by the Code.

A. \$50.00 fee.

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

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

M. Plan Review. – Plan reviews requiring over one hour of review for residential plans and 3 hours commercial will be charged \$25.00 per hour residential and \$45.00 per hour commercial over and above the permit fee. Plans submitted without an application fee will be charged at the same rate. Review fees for plans that were submitted without a permit fee will be applied to the permit fee upon submission of application.

N. Annual Residential Permit Renewal Fee. - \$50.00 or the original permit fee, which ever is less for an additional one year period.

O. Commercial Permit Renewal Fee. – 25% of the original permit fee for an additional one year period.

P. Late Fee. - All over due permit renewals, permit fees, late fees, or any other fee charged by the Code Enforcement Office shall be charged a

\$25.00 late fee upon expiration and thereafter upon each annual anniversary of expiration. The late fee shall be in addition to any renewal fees due.

EXCEPTION: Inspection fees and No Show fees are as charged in (R) of this section.

Q. **Operation Permit Fees.** - Shall be included in the annual fire inspection fee.

R. **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.
Dormitories	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	Upon Request	\$20.00 per inspection.
Manufactured Home Parks	Once per year	\$50.00 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 \$100.00 will be added to the original inspection fee. Operation Permits and/or Fire Safety Certificates shall be revoked after 120 days with no payment.

Property owners/managers must notify the Code Enforcement Office at least 24 hours prior to the scheduled inspection of any cancellations to avoid a no show fee.

Fire and Safety Inspections verify compliance with the NYS Uniform Fire Prevention and Building Code. Inspections are not intended to bring the subject of the inspection into compliance. It is the responsibility of the property owner or manager to maintain in compliance with the Code at all times. A list of common violation items and corresponding requirements shall be provided at the time of inspection notice. If an indicated violation is included within the provided list, then the owner of the building shall be subject to the return inspection fees listed below (1). If an indicated violation is not contained within the list, the owner/manager will be given appropriate time for correction and the first return

inspection fee for that violation shall be waived for the return inspection.

1. First follow up inspection, for corrections of indicated violations, \$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 cancellation 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.

4. The Code Enforcement Officer shall have discretion on charging follow-up fees.

5. 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.

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

S. 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 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.

Failure to obtain the appropriate Certificate prior to occupancy - \$100.00 late fee.

Seconded, McCarty. Roll call vote. Total: 6,167; Ayes: 5,150; Noes: 1,017 – Lindberg, Schwerd. Adopted.

Representative Fournier withdrew **Resolution No. 148-2008 – Establishing Office Hours for the County Attorney.**

RESOLUTION NO. 149-2008

RESOLUTION - AUTHORIZING DIRECTOR OF INFORMATION TECHNOLOGIES TO PURCHASE COMPUTER EQUIPMENT

UNDER STATE CONTRACT

RELIC, SCHWERD, JOHNSON

RESOLVED, that the Director of Information Technologies be and is hereby authorized to purchase the following computer equipment under the New York State Aggregate contract:

ITEMS: Computers and Related Hardware, not to exceed \$75,000.00
(payable from 1680.2000-A)

Computers and Related Hardware, not to exceed \$131,650.00
(payable from 1680.2335-A)

VENDOR: Current State Contract Holder - (where applicable)

and be it further

RESOLVED, that funds for this purchase are included in the 2008 Department of Information Technologies Budget (1680) at lines 2000-A Equipment and 2335-A IT Equipment/Hardware.

Seconded, McCarty and Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 150-2008

**RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2008
(A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2007 –
ESTABLISHING “CHILD SAFETY ZONES” IN OTSEGO COUNTY)**

CLARK, SCHWERD, STULIGROSS

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 March 5, 2008 a local law for the year 2008 entitled "A Local Law Amending Local Law No. 3 of 2007 – Establishing 'Child Safety Zones' in Otsego County"; 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 2nd day of April, 2008 at 10:00 a.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 2008, as above set forth, be and the same is hereby adopted.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,672; Noes: 495 – Powers. Adopted.

RESOLUTION NO. 151-2008

**RESOLUTION – AMENDING RESOLUTION NO. 363-2007
(MANAGERIAL /CONFIDENTIAL SALARIES)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that Resolution No. 363-2007, establishing salaries for Managerial/Confidential employees for the year 2008, be and is hereby amended as follows, effective immediately:

Establish annual salary of Personnel Clerk at \$23,400.00

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 Otsego County Personnel Office and to the County Treasurer; and be it further

RESOLVED, that the funding for this position is included in the 2008 Personnel Budget (1430) at line 1000 Personal Service.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted

RESOLUTION NO. 152-2008

**RESOLUTION - ABOLISHING POSITION IN PERSONNEL
DEPARTMENT (ACCOUNT CLERK-TYPIST)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following position in the Personnel Department is abolished, effective May 2, 2008:

Account Clerk-Typist, Grade 7

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, Lindberg. Oral Vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 153-2008

RESOLUTION - TO IMPLEMENT THE PROVISIONS OF NEW YORK

**GENERAL MUNICIPAL LAW 239-c PROVIDING FOR TRAINING OF
COUNTY PLANNING BOARD APPOINTEES**

JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER

WHEREAS, New York State General Municipal Law 239-c was recently amended to provide for mandatory training of County Planning Board appointees; and

WHEREAS, GML 239-c provides that to be eligible for reappointment to such board, such member shall have completed the training promoted by the county; and

WHEREAS, GML 239-c also provides that the training required by this paragraph may be waived or modified by the county when, in the judgment of the government body, it is in the best interest of the county to do so; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives supports and encourages the concept that each member of the County Planning Board undertake opportunities to be trained in the field of land use planning; and be it further

RESOLVED, that the Otsego County Board of Representatives waives the requirements of General Municipal Law 239-c and does not mandate that County Planning Board members acquire any minimum amount of training; and be it further

RESOLVED, that eligibility for reappointment and retention of their positions on the Otsego County Planning Board is not contingent upon the completion of any training.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 154-2008 (original)

**RESOLUTION – PROCLAIMING THE WEEK OF
APRIL 7 – 13, 2008 AS NATIONAL PUBLIC HEALTH WEEK
IN THE COUNTY OF OTSEGO**

SCHWERD, LINDBERG, STULIGROSS

WHEREAS, there is a direct connection between climate change and the health and safety of our nation today, and over the past year, the American public's concern about climate change has reached an unparalleled level; and

WHEREAS, few Americans are aware of the very real consequences of climate change on the health of our communities, our families and our children; and

WHEREAS, local, state and federal governments along with numerous other organizations have made it clear that the effects of serious climate changes on the public's health are a matter of when, not if; and

WHEREAS, the public health community can help us make the connection between the way we lead our lives, our impact on the planet and the planet's impact on our health; and

WHEREAS, the residents of Otsego County can make choices and lead life-styles that are healthy for them, their families and the climate; and

WHEREAS, doing so will help communities prepare to manage and lessen the impact of climate change; now, therefore, be it

RESOLVED, that this Board of Representatives does hereby proclaim the week of April 7-13, 2008 as

NATIONAL PUBLIC HEALTH WEEK

in the County of Otsego, supporting the theme "CLIMATE CHANGE: OUR HEALTH IN THE BALANCE" and encourages all residents to participate in National Public Health Week activities.

Seconded, Relic. Representative Schwerd moved to amend the resolution to read as follows:

RESOLUTION NO. 154-2008 (amendment)

**RESOLUTION – PROCLAIMING THE WEEK OF
APRIL 7 – 13, 2008 AS NATIONAL PUBLIC HEALTH WEEK
IN THE COUNTY OF OTSEGO**

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, the Public's Health and Safety continue to be of vital concern to the leadership in Otsego County; and

WHEREAS, the Otsego County Public Health Department provides many programs to assist with the dissemination of health education and information; and

WHEREAS, local, state and federal governments along with numerous other organizations have made it clear that the effects of serious public health issues effect everyone; and

WHEREAS, the public health community can help us make the connection between the way we lead our lives, the impact on those around us and the overall health of our community; and

WHEREAS, the residents of Otsego County can make choices and lead lifestyles that are healthy for them, their families and their community; and

WHEREAS, doing so will help communities overall to be healthier, happier and safer; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives does hereby proclaim the week of April 7-13, 2008 as NATIONAL PUBLIC HEALTH WEEK in the County of Otsego, and encourages all residents to participate in National Public Health Week activities.

Seconded, Fournier. Roll call vote to amend the resolution. Total: 6,167; Ayes: 2,935 – Relic, Clark, Fournier, Dubben, Johnson, Schwerd; Noes: 3,232. Motion to amend lost. Roll call vote on original resolution. Total: 6,167; Ayes: 4,666; Noes: 1,501 – Fournier, Johnson, Schwerd. Resolution adopted as originally presented.

RESOLUTION NO. 155-2008

**RESOLUTION – PROCLAIMING APRIL 2008 AS SEXUAL
ASSAULT AWARENESS MONTH IN OTSEGO COUNTY**

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, sexual violence is a devastating and intolerable crime, affecting men, women, and children of all races, ages, cultures, economic situations, and abilities; and

WHEREAS, sexual violence is a major social problem in homes, schools, and communities across Otsego County, resulting in countless physical, mental, and other health consequences; and

WHEREAS, sexual violence seriously affects our youth, with one out of every three girls and one out of every six boys being sexually abused before the age of 18; and

WHEREAS, rape remains the most underreported crime in the United States; and

WHEREAS, Otsego County and the Violence Intervention Program of Opportunities for Otsego Inc. in conjunction with other organizations nationwide, designates the month of April as an additional opportunity to promote awareness and prevention of sexual violence; and

WHEREAS, the Violence Intervention Program promotes services for survivors of sexual violence through provider trainings, counseling and support services, and outreach services in schools and communities throughout Otsego County; and

WHEREAS, Otsego County is committed to eliminating sexual violence through education and community action across the county and promoting equality, safety, and respect among all individuals; now, therefore, be it

RESOLVED, the Otsego County Board of Representatives, does hereby proclaim the month of April, 2008 as SEXUAL ASSAULT AWARENESS MONTH in Otsego County and urges all citizens and communities to participate fully in activities and events to observe Sexual Assault Awareness Month.

Seconded, entire Board. Oral vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 156-2008

**RESOLUTION - AUTHORIZING GRANT APPLICATION
FOR SECTION 5311 ANNUAL OPERATING ASSISTANCE**

JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER

WHEREAS, the County of Otsego is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for a project to provide public mass transportation services for Otsego County by a contract dated October 31, 2007 and authorized by Resolution No. 292-2007, for a term of five (5) years and two (2) months of service, beginning November 1, 2007 through December 31, 2012; and

WHEREAS, the County of Otsego and the State of New York have entered into a continuing agreement which authorizes the undertaking of the project and payment of the Federal Share; and

WHEREAS, the County of Otsego is contracting with a third party subcontractor for the project described above; now, therefore, be it

RESOLVED, that the Chairman of the Board of Representatives is authorized to sign any contracts or agreements between the County of Otsego and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 157-2008 (original)

**RESOLUTION - AUTHORIZING PROBATION DIRECTOR
TO SIGN CHECKS**

FOURNIER, HARRINGTON, CLARK, STAYTON

RESOLVED, this Board of Representatives authorizes Kristen Leahy, Probation Director I, to sign checks on behalf of the Otsego County Probation Department for the following checking account at Key Bank, Cooperstown, New York:

Restitution Account #325280007676

and be it further

RESOLVED, that a certified copy of this resolution may be filed with Key Bank, Cooperstown Branch, Cooperstown, New York, to the attention of Peggy Chicorelli.

Seconded, Relic. Representative Fournier moved to amend the last RESOLVED paragraph by adding "or her successor" after Peggy Chicorelli. Seconded, Relic. Oral vote on motion. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 157-2008 (amended)

RESOLUTION - AUTHORIZING PROBATION DIRECTOR

TO SIGN CHECKS

FOURNIER, HARRINGTON, CLARK, STAYTON

RESOLVED, this Board of Representatives authorizes Kristen Leahy, Probation Director I, to sign checks on behalf of the Otsego County Probation Department for the following checking account at Key Bank, Cooperstown, New York:

Restitution Account #325280007676

and be it further

RESOLVED, that a certified copy of this resolution may be filed with Key Bank, Cooperstown Branch, Cooperstown, New York, to the attention of Peggy Chicorelli or her successor.

Oral vote on amended resolution. Total: 6,167; Ayes: 6,167. Adopted as amended.

RESOLUTION NO. 158-2008

RESOLUTION - AUTHORIZING TRANSFER OF PROPERTY TO THE COUNTY OF OTSEGO

RELIC, SCHWERD, JOHNSON

WHEREAS, Brian D. Duffy died intestate on January 22, 2007 with no surviving spouse or children, and no known next-of-kin; and

WHEREAS, the County Treasurer is named as Public Administrator for this estate; and

WHEREAS, the decedent died possessed of real property located in Maryland, Otsego County, New York, namely, 1.61 acres of land with a residential structure which was demolished in April 2007 by court order; and

WHEREAS, the estate is unable to pay necessary costs associated with maintaining this property, and the estate assets are insufficient to extinguish any of the liens against the decedent's property; and

WHEREAS, the unpaid 2008 general property tax bill for this property exceeds \$15,000, and there are no estate funds available to pay this amount, and penalties and assessments continue to accrue; and

WHEREAS, to minimize the continued expense of estate administration, it is in the County's best interest to acquire title to the subject property now instead of waiting for the eventual foreclosure by the County of the decedent's remaining real property; now, therefore, be it

RESOLVED, for the reasons as stated above, this Board of Representatives authorizes the transfer of Brian D. Duffy's real property to the County of Otsego, subject

to the order of the Surrogate's Court allowing the transfer of property to the County and closing this estate; and be it further

RESOLVED, that the Clerk of this Board is authorized to forward certified copies of this resolution to the County Treasurer and to Alicia M. Nemec, Esq., 6 Ford Avenue, Oneonta, New York 13820, who represents the Public Administrator of this estate.

Seconded, Lindberg. Roll call vote. Total: 6,167. Ayes: 6,608; Absent: 559 – Clark. Adopted.

RESOLUTION NO. 159-2008

**RESOLUTION – CREATING POSITION IN PUBLIC SAFETY
COMMUNICATIONS (PART-TIME DISPATCHER)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following position be and hereby is created in Public Safety Communications, effective April 6, 2008:

Dispatcher, part-time,
Grade 10* - \$12.4649 per hour

and be it further

RESOLVED, that this position shall exist during the training period for the new Dispatchers, which position shall end on September 29, 2008; and be it further

RESOLVED, that the funding for this position is included in the 2008 Public Safety Communications Budget (3020) at line 1000-A 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 vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 160-2008

**RESOLUTION - AUTHORIZING SHERIFF TO PURCHASE MOTOR
VEHICLES UNDER STATE CONTRACT**

FOURNIER, HARRINGTON, CLARK, STAYTON

RESOLVED, that the County Sheriff be and is hereby authorized to purchase the following motor vehicle under New York State Contract #PC62886:

VENDOR: Van Bortel Ford, Inc.
7325 Route 96
Victor, New York 14534

ITEM & COST: One (1) 2008 Ford E-150 8 Passenger Van
(including \$245.00 delivery charge) - \$17,807.57

and be it further

RESOLVED, that the funding for this purchase is included in the 2008 Jail Budget (3150) at line 2400-A.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

Representative Relic moved to suspend the rules and act upon late Resolution Nos. 161 - 163. Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 161-2008

RESOLUTION – APPROVING PLAN FOR SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) IN OTSEGO COUNTY FOR 2008

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, pursuant to §1197 of the NYS Vehicle and Traffic Law (VTL) and 15 NYCRR Part 172, there is currently in operation in the County of Otsego, the Otsego County Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) and annually is necessary for the preparation, review and approval of the final plan for the operation of such program for the ensuing year; and

WHEREAS, such plan for the year 2008 has been submitted to the New York State Department of Motor Vehicles, Governor's Traffic Safety Committee (GTSC) in the amount of \$208,364.00, and said plan requires approval of the Board; now, therefore, be it

RESOLVED, that the Board of Representatives does hereby approve the final plan for the STOP-DWI Program in Otsego County for the year 2008, said plan being on file in the Office of the Clerk of the Board of Representatives; and be it further

RESOLVED, that the funding for this plan is included in the 2008 STOP-DWI Budget (3315) and includes 100% revenues from fines from driving while under the influence of alcohol and/or drugs and aggravated unlicensed operation offenses.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 162-2008

RESOLUTION - TRANSFERRING FUNDS IN VARIOUS DEPARTMENTS (2007 & 2008)

RELIC, SCHWERD, JOHNSON

WHEREAS, it appears that it will require funds to complete the years 2007 and 2008 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2007 and 2008 budgets; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2007 and 2008 budgets be and they are hereby amended accordingly, pursuant to Section 363 of the County Law:

2007 TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
<u>A - GENERAL FUND</u>				
FROM:	Board of Elections	Personal Service	1450-1000-A	-6,710.49
TO:	Board of Representatives	Mileage	1010-4005-A	3,595.87
TO:	Board of Representatives	Contracts	1010-4900-A	3,114.62
FROM:	Board of Elections	Personal Service	1450-1000-A	-4,871.52
TO:	Coroners	Mileage	1185-4005-A	741.42
TO:	Coroners	P.S.O.T.	1185-4700-A	4,130.10
FROM:	Purchasing	Other	1345-4800-A	-351.21
TO:	Purchasing	Materials & Supplies	1345-4500-A	351.21
FROM:	Real Property Tax Service	Personal Service	1355-1000-A	-293.00
TO:	Real Property Tax Service	Other	1355-4800-A	293.00
FROM:	County Clerk	Personal Service	1410-1000-A	-498.00
TO:	County Clerk	Equipment	1410-2000-A	498.00
FROM:	County Attorney	Lodging, Meals, Tolls, Etc	1420-4010-A	-500.00
FROM:	County Attorney	Telephone	1420-4100-A	-245.97
FROM:	County Attorney	Other	1420-4800-A	-555.16
TO:	County Attorney	Materials & Supplies	1420-4500-A	1,301.13
FROM:	Personnel	Telephone	1430-4100-A	-19.73
TO:	Personnel	Other	1430-4800-A	19.73
FROM:	Central Telephone System	Other	1650-4800-A	-3,676.77
TO:	Central Telephone System	Telephone	1650-4100-A	3,676.77
FROM:	Board of Elections	Personal Service	1450-1000-A	-5,362.67
TO:	Community College	Other	2490-4800-A	5,362.67
FROM:	CWSN	Transportation (3-5)	2960-4802-A	-9,113.87
TO:	CWSN	Education (3-5)	2960-4801-A	9,113.87
FROM:	Sheriff	MIS Charges	3110-4850-A	-3,534.92

TO:	Sheriff	Materials & Supplies	3110-4500-A	1,115.92
TO:	Sheriff	Other	3110-4800-A	240.00
TO:	Sheriff	Homeland Security Grant	3110-4810-A	2,179.00
FROM:	Alternatives to Incarceration	Mileage	3157-4005-A	-190.81
FROM:	Alternatives to Incarceration	Materials & Supplies	3157-4500-A	-106.44
TO:	Alternatives to Incarceration	Telephone	3157-4100-A	297.25
FROM:	Office of Emergency Services	Training	3641-4050-A	-1,586.84
TO:	Office of Emergency Services	Mileage	3641-4005-A	1,586.84
FROM:	Alcoholism	Personal Service	4250-1000-A	-167.32
TO:	Alcoholism	Equipment Rental	4250-4600-A	167.32
FROM:	Mental Health	Personal Service	4310-1000-A	-246.38
TO:	Mental Health	Mileage	4310-4005-A	246.38
FROM:	DSS-HEAP	Other	6141-4800-A	-143,599.11
TO:	Social Services Admin	Mileage	6010-4005-A	1,184.95
TO:	Social Services Admin	Contracts	6010-4900-A	142,414.16
FROM:	Tourism Administration	Mileage	6411-4005-A	-6.87
TO:	Tourism Administration	Lodging, Meals, Tolls, Etc	6411-4010-A	6.87
FROM:	Empire Zone	Personal Service	6430-1000-A	-1,975.00
TO:	Tourism Matching Funds	Contracts	6412-4900-A	1,975.00
FROM:	Veterans	Lodging, Meals, Tolls, Etc	6510-4010-A	-156.11
TO:	Veterans	Postage & UPS	6510-4400-A	2.00
TO:	Veterans	Medical Van Expense	6510-4810-A	154.11
<u>D - COUNTY ROAD FUND</u>				
FROM:	Highway Administration	Telephone	5010-4100-D	-828.02
TO:	Highway Administration	Heat & Lights	5010-4150-D	828.02
<u>E - ENTERPRISE FUND</u>				
FROM:	Infirmiry-Enterprise	Equipment	6020-2000-E	-17,202.33
TO:	Infirmiry-Enterprise	Other	6020-4800-E	15,575.08
TO:	Infirmiry-Enterprise	Contracts	6020-4900-E	1,627.25
2008 TRANSFERS				
<u>A - GENERAL FUND</u>				
FROM:	Otsego Manor Building	Materials & Supplies	1631-4500-A	-10,000.00
TO:	Otsego Manor Building	Mtc and Repair Parts	1631-4562-A	10,000.00
FROM:	Contingent	Other	1990-4800-A	-194.54
TO:	Consolidated Court Cost	P.S.O.T.	1162-4700-A	194.54

FROM:	Probation	IT Other/Software	3140-4835-A	-3,423.00
TO:	Probation	Vehicle Expense	3140-4515-A	3,423.00
2008 BUDGET MODIFICATIONS				
A - GENERAL FUND				
Increase:	State Aid-General	RPTS Grant	0000-3080-A	25,000.00
Increase:	Real Property Tax Service	Personal Service	1355-1000-A	25,000.00
Increase:	State Aid-General	Court Mtc Reimb	0000-3032-A	31,895.00
Increase:	Building Services	Personal Service	1625-1000-A	31,895.00
Increase:	Public Safety	Telephone Commissions-Jail	0000-1520-A	20,000.00
Increase:	Jail	Vehicle	3150-2400-A	17,800.00
Increase:	Jail	Vehicle Expense	3150-4515-A	2,200.00
Increase:	Transportation	Public Trans/Birnie	0000-1789-A	77,357.00
Increase:	State Aid-Transportation	Section 5311 Capital	0000-3588-A	77,357.00
Increase:	Federal Aid-Transportation	Section 5311 Capital	0000-4588-A	618,856.00
Increase:	Transportation	Service Equipment	5630-2000-A	773,570.00
Increase:	Federal Aid-Econ Opport & Develop	OFA WRAP	0000-4783-A	2,390.44
Increase:	Office for the Aging	Last Resort Funding	6772-4990-A	2,390.44

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 163-2008

RESOLUTION – AUTHORIZING CHANGE ORDERS FOR ALL CONTRACTS PERTAINING TO CONVERSION OF ANNEX BUILDING TO COURT FACILITIES

DUBBEN, RELIC, MURPHY

WHEREAS, this Board has authorized the conversion of the County-owned Annex Building to New York State Unified Court System specifications for new Court Facilities, at a total project cost of \$1,114,893.00; and

WHEREAS, in accordance with Resolution No. 93-2008, construction contracts for the commencement of construction have been awarded; and

WHEREAS, this Board desires to authorize certain individuals and the Public Works Committee to approve certain change orders for any such contracts providing recommendations for the same are received from the appropriate architect, engineer, construction manager and/or project consultant; now, therefore, be it

RESOLVED, that this Board authorizes the following to approve and bind the County as to any and all change orders for any contract heretofore awarded or hereinafter

let pertaining to the construction, or for the providing of materials for construction of the new Court Facilities, providing the individuals and Committee have a supporting recommendation for such change orders from the architect, engineers, construction manager and/or project consultant:

- | | |
|--|--|
| \$1 - \$10,000 per change order | = Chairman of the Board and Director of Building Services approval |
| \$10,001 - \$19,999 per change order | = Public Works Committee approval |
| \$20,000 or greater per change order not to exceed a maximum of \$100,000.00 | = County Board approval |

and be it further

RESOLVED, that the funding for these change orders is included in the 2008 Annex Building Budget (1626) at line 4905-A Annex Renovations.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

Representative Stuligross requested the date be included in the title for each resolution.

Representative Johnson moved for executive session regarding personnel and negotiations. Seconded, Relic. Total: 6,167; Ayes: 6,167. Motion carried.

The Board reconvened.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, May 7, 2008 at 10:00 a.m.