

**REGULAR SESSION
SECOND DAY**

Wednesday, May 16, 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, Durkin, Iversen, Lindberg, McCarty, Schwerd, Stayton, Rothenberger, Laguna.

Under Privilege of the Floor, Ted Stucka from Maryland said the money from the excess 2007 county taxes should not be held over until next year. This is not a good idea. The County has had the money for six months and should return it to the taxpayers.

A foster parent said she doesn't mind taking the responsibility and letting a foster child get a driver's license. However, some foster children are moved from one home to another home. It should be the foster parent's decision as to whether a foster child can get a driver's license and drive.

The following communications were read and ordered filed:

Petition with 95 signatures of employees of Otsego Manor - Asking the County Board to let Ed Marchi come back to Otsego Manor as the Administrator. He moved into the Manor with them and is part of their team. They understand that he needed intervention by professionals to help him through a rough patch in his life and would be honored to work once again with Mr. Marchi.

Notice of Claim - Brian M. Gerke versus the County of Otsego - For injuries suffered by plaintiff as a result of the negligent conditions at the Otsego County Correctional Facility. No amount is stated.

Notice of Claim - Jeanne Conroy versus the County of Otsego - For injuries sustained as a result of the negligent care and maintenance of the entrance way to the County Office Building. No amount is stated.

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

Representative Relic moved to dispense with the reading of all the reports and resolutions. Seconded, Fournier. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne. Motion carried.

MORTGAGE TAX - 2007

The Administration Committee presents the following report of Mortgage Tax distribution made in accordance with reports of the County Clerk and County Treasurer and in compliance with the provisions of law. The committee has reconciled the distribution of Mortgage Tax from October 1, 2006 through March 31, 2007 as follows:

<u>Tax District</u>	<u>Amount Allocated To Tax District</u>	<u>Amount Apportioned To Villages</u>	<u>Amount Apportioned To City and Towns</u>
Oneonta City	113,059.87		113,059.87
Burlington	6,717.87		6,717.87
Butternuts	16,941.95	1,579.87	15,362.08
Cherry Valley	8,371.60	1,211.81	7,159.79
Decatur	4,779.93		4,779.93
Edmeston	10,294.15		10,294.15
Exeter	11,458.77		11,458.77
Hartwick	36,333.75		36,333.75
Laurens	32,398.68	874.89	31,523.79
Maryland	15,748.52		15,748.52
Middlefield	41,212.56	2,253.40	38,959.16
Milford	41,742.36	1,921.87	39,820.49
Morris	10,692.34	1,440.63	9,251.71
New Lisbon	13,106.84		13,106.84
Oneonta Town	49,999.08		49,999.08
Otego	32,610.04	4,863.93	27,746.11
Otsego	110,820.30	24,079.41	86,740.89
Pittsfield	12,614.80		12,614.80
Plainfield	5,595.36		5,595.36
Richfield	22,485.95	3,769.10	18,716.85
Roseboom	8,215.32		8,215.32
Springfield	26,106.83		26,106.83
Unadilla	28,341.79	3,548.04	24,793.75
Westford	7,716.59		7,716.59
Worcester	18,087.68		18,087.68
Totals	685,452.93	45,542.95	639,909.98

Dated: May 18, 2007

The Administration Committee offers the following resolution and moves its adoption:

RESOLVED, that this Board issue its warrant to the County Treasurer for the distribution of the amount in her hands in accordance with the foregoing report.

Seconded, Fournier. Oral vote. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne. Adopted.

RESOLUTION NO. 161-2007

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO
CONTRACT FOR FOOD AND DIETARY SERVICES AT OTSEGO
MANOR**

LAGUNA, ROTHENBERGER, FOURNIER

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute a contract with Sodexho Operations, LLC, 86 Hopmeadow Street, Simsbury, Connecticut 06089-9693, to provide food and dietary services to the residents of Otsego Manor; the services being professional in nature and not requiring public bidding; said contract to contain such other terms and conditions as are in the best interests of the County of Otsego and to contain the following provisions:

1. Sodexho Operations shall provide clinical and supervisory staff as follows:
 - One (1) part-time Registered Dietitian/Director
 - One (1) full-time Food Service Manager
 - One (1) full-time Production Manager
 - One (1) full-time Chef
 - One (1) full-time Dietitian
 - One (1) part-time Clerk

2. Not to exceed \$688,238.00 for the period February 20, 2007 to January 31, 2008; \$57,353.16 payable monthly;

and be it further

RESOLVED, that the funding for the above contract is included in the 2007 Otsego Manor Budget (6020) at line 4800 Other Expense.

Seconded, Durkin. Roll call. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne. Adopted.

RESOLUTION NO. 162-2007 (original)

RESOLUTION - FIXING DATE AND LOCATION OF PUBLIC HEARING ON THE RECALCULATION OF THE COUNTY'S 2007 REAL PROPERTY TAX LEVY

FELDSTEIN, IVERSEN, RELIC

WHEREAS, the Otsego County Board of Representatives duly adopted the 2007 Budget in accordance with the provisions of Article 7 of the County Law of the State of New York; and

WHEREAS, said Budget increased the amount of the real property tax to a greater degree than had been anticipated by the Board of Representatives; and

WHEREAS, by Resolution No. 42-2007, the Otsego County Board of Representatives requested the New York State Legislature to adopt legislation authorizing the County to correct the 2007 Otsego County tax roll and to grant a real property tax refund or credit; and

WHEREAS, by Resolution No. 123-2007, the County Board made a Home Rule Request to the State Legislature to authorize the County of Otsego to correct said tax roll and grant such real property tax refund; and

WHEREAS, State legislation has now been signed into law, authorizing the County of Otsego to correct the 2007 tax roll and grant a real property tax refund or credit; and

WHEREAS, said legislation requires that a public hearing be held by the County Board of Representatives in accordance with Section 359 of the County Law; now, therefore, be it

RESOLVED, that a public hearing on the recalculation of the County's 2007 real property tax levy, in the manner specified in Section 359 of the County Law, shall be held at the Otsego County Courthouse, in the Courtroom (second floor), in the Village of Cooperstown, New York, on the 30th day of May, 2007 at 7:30 p.m.; and be it further

RESOLVED, that the Clerk of the Board shall cause notice of such hearing to be published according to law.

Seconded, Fournier. Representative Fournier moved to amend the 5th WHEREAS and 1st RESOLVED paragraphs to read as follows:

RESOLUTION NO. 162-2007 (amended)

**RESOLUTION - FIXING DATE AND LOCATION OF
PUBLIC HEARING ON THE RECALCULATION
OF THE COUNTY'S 2007 REAL PROPERTY TAX LEVY**

FELDSTEIN, IVERSEN, RELIC

WHEREAS, the Otsego County Board of Representatives duly adopted the 2007 Budget in accordance with the provisions of Article 7 of the County Law of the State of New York; and

WHEREAS, said Budget increased the amount of the real property tax to a greater degree than had been anticipated by the Board of Representatives; and

WHEREAS, by Resolution No. 42-2007, the Otsego County Board of Representatives requested the New York State Legislature to adopt legislation authorizing the County to correct the 2007 Otsego County tax roll and to grant a real property tax refund or credit; and

WHEREAS, by Resolution No. 123-2007, the County Board made a Home Rule Request to the State Legislature to authorize the County of Otsego to correct said tax roll and grant such real property tax refund; and

WHEREAS, State legislation has been presented to the Governor for his signature, authorizing the County of Otsego to correct the 2007 tax roll and grant a real property tax refund or credit; and

WHEREAS, said legislation requires that a public hearing be held by the County Board of Representatives in accordance with Section 359 of the County Law; now, therefore, be it

RESOLVED, that a public hearing on the recalculation of the County's 2007 real property tax levy, in the manner specified in Section 359 of the County Law, shall be held at the Otsego County Courthouse, in the Courtroom (second floor), in the Village of Cooperstown, New York, on the 30th day of May, 2007 at 7:30 p.m., contingent upon the Governor's signature on said legislation; and be it further

RESOLVED, that the Clerk of the Board shall cause notice of such hearing to be published according to law.

Roll call on motion. Total: 6,167; Ayes: 4,514; Noes: 980 - Powers, Schwerd; Abstained: 285 - Stayton; Absent: 388 - Hodne. Motion carried. Roll call on amended resolution. Total: 6,167; Ayes: 4,514; Noes: 980 - Powers, Schwerd, Abstained: 285 - Stayton; Absent: 388 - Hodne. Adopted as amended.

Representative Iversen moved to suspend the rules and act upon late Resolution Nos. 163 - 167. Seconded, McCarty and Laguna. Total: 6,167; Ayes; 5,779; Absent: 388 - Hodne. Motion carried.

RESOLUTION NO. 163-2007

RESOLUTION – CREATING POSITION IN TREASURER'S DEPARTMENT (PRINCIPAL ACCOUNT CLERK-TYPIST)

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that the following position be and hereby is created in the Treasurer's Department, effective May 21, 2007:

Principal Account Clerk-Typist, Grade 14,
\$28,819 - \$34,084 (\$1053)

and be it further

RESOLVED, that the funding for this position is included in the 2007 County Treasurer Budget (1325) 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, Durkin. Roll call. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne. Adopted.

RESOLUTION NO. 164-2007

RESOLUTION - ABOLISHING POSITION IN TREASURER'S OFFICE

(ACCOUNT CLERK-TYPIST)

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that the following position in the Treasurer's Office is abolished, effective May 21, 2007:

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, Henderson. Oral vote. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne. Adopted.

RESOLUTION NO. 165-2007

**RESOLUTION – AUTHORIZING SUPERINTENDENT OF HIGHWAYS
TO CONTRACT FOR PURCHASE OF CERTAIN EQUIPMENT,
MATERIALS, SUPPLIES AND SERVICES**

MCCARTY, HENDERSON, HODNE

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

ITEM: Four (4) Complete Plow Units with Shelving
Wings (Installation on New Trucks)

VENDOR: Viking Clives, USA
14331 Mill Street
Harrisville, New York 13648

COST: \$125,570.52 (\$31,392.63/unit)

The funds for this expenditure are included
in the 2007 Highway Budget under DM5130.
2000 Equipment.

ITEM: One (1) New 2007 Broce RJ-350 Self-Propelled Sweeper

VENDOR: Tracy Road Equipment
1523 Route 11
Kirkwood, New York 13795

COST: \$40,442.00

The funds for this expenditure are included in the 2007 Highway Budget under DM5130. 2000 Equipment.

ITEM: One (1) New 2008 Mack Tandem Axle Dump Truck Model GU713

VENDOR: Utica Mack
Box R, 6426 River Road
Marcy, New York 13403

COST: \$139,711.00

The funds for this expenditure are included in the 2007 Highway Budget under DM5130. 2000 Equipment.

ITEM: Three (3) New 2008 Mack Single Axle Dump Truck Model GU712

VENDOR: Utica Mack
Box R, 6426 River Road
Marcy, New York 13408

COST: \$393,333.00

The funds for this expenditure are included in the 2007 Highway Budget under DM5130. 2000 Equipment.

ITEM: Zone Paving - Bituminous Material, Equipment, Services, Parking Lots and Related Work

VENDORS: Barrett Paving Materials Inc.
P.O. Box 400

Washington Mills, New York 13479

Cobleskill Stone Products
P.O. Box 220, 112 Rock Road
Cobleskill, New York 12043

Carver Sand & Gravel
494 Western Turnpike
Altamont, New York 12009

Hanson Aggregates Inc.
237 Kingdom Road
Jordanville, NY 13361

COST: Said bid proposals being on file at the Highway Department and in the Office of the Clerk of the Board of Representatives

The funds for this expenditure are included in the 2007 Highway Budget under D5110.4500, D5110.4800, A8710.4800, A8710.4500, D5112.2020, D5112.2040, D5112.2041, D5112.2074, D5112.2077, D5112.2079, D5112.2085, D5112.2096, D5112.2104, D5112.2108, D5112.2109, D5112.2115

ITEM: Liquid Bituminous Materials, Supplies & Services

VENDORS: Suit-Kote Corp.
1911 Lornings Crossing
Cortland, New York 13045

American Asphalt Distributors
20 Robinson Road
Clinton, New York 13323

Vestal Asphalt, Inc.
201 Stage Road
Vestal, New York 13850

COST: Said bid proposals being on file at the Highway Department and in the Office of the Clerk of the Board of Representatives

The funds for this expenditure are included in the 2007 Highway Budget under D5110.4500, D5110.4800, A8710.4800, A8710.4500, D5112.2020, D5112.2040, D5112.2041, D5112.2074, D5112.2077, D5112.2079, D5112.2085, D5112.2096, D5112.2104,

D5112.2108, D5112.2109, D5112.2115, D5112.2095,
D5112.2093.

Seconded, Fournier. Roll call. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne.
Adopted.

RESOLUTION NO. 166-2007

**RESOLUTION - APPROVING THE MASONRY RESTORATION
WORK ON THE CIVIL WAR MEMORIAL**

MCCARTY, HENDERSON, HODNE

WHEREAS, the Civil War Memorial, located on the front lawn of the Otsego County Courthouse, is deteriorating and in need of repair; and

WHEREAS, the Memorial has stood for more than 90 years, having been presented to the County of Otsego by Edward Severin Clark in 1916; and

WHEREAS, William H. Parsons & Associates has agreed to perform the necessary masonry repair and restoration work on the Civil War Memorial; and

WHEREAS, Jane Clark has agreed to donate a portion of the necessary funding to the Veteran's Club of Cooperstown for this purpose; now, therefore, be it

RESOLVED, that this Board of Representatives does hereby approve William H. Parsons & Associates performing the necessary masonry repair and restoration work on the Civil War Memorial; and be it further

RESOLVED, through the efforts of this restoration work, it is hoped that the Civil War Memorial will proudly stand for years to come as a symbol of bravery, sacrifice and remembrance for those who gave their lives during the Civil War; and be it further

RESOLVED, that this project does not require expenditure of County funds.

Seconded, entire Board. Oral vote. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne.
Adopted.

RESOLUTION NO. 167-2007

**RESOLUTION - DECLARATION OF LEAD AGENCY FOR
PERIPHERAL PARKING PROJECT DURING THE 2007 BASEBALL
HALL OF FAME
INDUCTION WEEKEND**

HODNE, POWERS, SCHWERD, DURKIN

WHEREAS, it is estimated that as many as 50,000 people will be in Cooperstown to attend the Baseball Hall of Fame Induction Weekend on July 27 through July 30, 2007; and

WHEREAS, to alleviate the parking problem in the Village of Cooperstown during this Induction Weekend, plans are being made for peripheral parking outside of the Village to accommodate the many vehicles coming into Cooperstown; and

WHEREAS, it is necessary for a Lead Agency to be established for this project; now, therefore, be it

RESOLVED, that, effective immediately, the County of Otsego declares itself as Lead Agency for the Peripheral Parking Project for the 2007 Baseball Hall of Fame Induction Weekend on July 27 through July 30, 2007; and be it further

RESOLVED, that as Lead Agency, the County will be responsible for negotiations with Birnie Bus Service Inc. and the landowners, as well as the signing of contracts and the coordination of signage for the peripheral parking lots; and be it further

RESOLVED, that the Chairman of this Board is authorized to sign any agreements and other documents that may be necessary for this project.

Seconded, Feldstein. Roll call. Total: 6,167; Ayes: 3,995; Noes: 1,784 - Relic, Fournier, McCarty, Rothenberger; Absent: 388 - Hodne. Adopted.

Representative Rothenberger moved for an executive session to discuss personnel and negotiations. Seconded, Powers. Total: 6,167; Ayes: 5,779; Absent: 388 - Hodne. Adopted.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, June 6, 2007 at 10:00 a.m.