

**REGULAR SESSION
FIRST DAY**

Wednesday, June 2, 2010

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, Rowinski, Stuligross.

Under Privilege of the Floor, Adrian Kuzminski of Sustainable Otsego invited County Board members to attend a screening of the documentary "Gas Land" on June 16, 2010 at the Cooperstown High School. He also distributed copies of an economic study, pointing out results from western New York counties, Pennsylvania and Texas, including industry sponsored studies. The study suggests that there are few economic benefits to gas drilling and that there could be a net loss to the area. Mr. Kuzminski stated that he hopes the County Board will consider support for a resolution on a gas drilling moratorium in the state.

Nicole Dillingham from Otsego 2000 stated that the EPA has just started its study on hydro-fracturing, and it will likely take 12 to 18 months to complete. She suggested that the county and state are not ready for gas drilling and are at risk for failure. The county does not currently have an emergency plan for gas drilling, and the state is not ready to manage gas drilling. Ms. Dillingham explained that the proposed Engelbright/Addabbo state bill has a chance to pass and would allow a pause in drilling. She requested that the County Board express its support for this bill to state representatives and stated that the county's Natural Gas Advisory Committee is a good first step.

The following communications were read and ordered filed:

Cathy Jeanette, Alternatives to Incarceration – Letter of resignation effective June 30, 2010.

Under Special Presentations, Don Smyers, Executive Director for Cornell Cooperative Extension, stated that June is Dairy Month. He pointed out the various agricultural programs offered by Cooperative Extension.

Bill Gibson of USDA reviewed a map of active dairy farms in Otsego County. He pointed out that dairy and agriculture remain large in the county. There are about 60 beef, 30 sheep and 14 goat operations, in addition to dairy in the county. As costs for dairy farmers increase and milk payments remain the same, many farmers are in need of help.

Dave Balbian and Kevin Ganoe of Cornell Cooperative Extension's Dairy Team reviewed the dairy programs available to Otsego County farmers. They pointed out that many farmers use neighboring properties to supplement their operations. Mr. Ganoe reviewed the funding for the programs and said that the priorities are precision feed management, dairy cattle management, field crop management and farm business management.

The Chairman declared a short break.

The Board reconvened.

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

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

RESOLUTION NO. 211-20100602

**RESOLUTION – AMENDING RESOLUTION NO. 18-2010106 –
INCREASING HOURS PAID TO PSYCHIATRIC NURSE
PRACTITIONER AT THE OTSEGO COUNTY
COMMUNITY SERVICES CLINICS**

POWERS, STAYTON, MCCARTY, ROWINSKI

WHEREAS, Resolution No. 18-2010106 authorized the Chairman of the Board to execute a contract with Deborah W. Lumia, NPP, APRN, for her services as a Psychiatric Nurse Practitioner at the Otsego County Community Services Clinics, for the period January 1, 2010 through December 31, 2010, at the rate of \$60.00 per hour, not to exceed 768 hours, at a cost not to exceed \$46,080.00 for the term of the contract; and

WHEREAS, it is in the best interests of the County to increase the total hours worked by the Psychiatric Nurse Practitioner for the period January 1, 2010 through December 31, 2010 not to exceed 1,200 hours, at a total cost not to exceed \$72,000.00; now, therefore, be it

RESOLVED, that Resolution No. 18-2010106 is amended, and the Chairman of this Board is authorized to execute an amended agreement with Deborah W. Lumia, NPP, APRN, Psychiatric Nurse Practitioner at the Otsego County Community Services Clinics, increasing the hours worked for the period January 1, 2010 through December 31, 2010, not to exceed 1,200 hours, at a total cost not to exceed \$72,000.00; and be it further

RESOLVED, that the additional funds of \$25,920.00 are included in the Mental Health Budget (4310-A) at line 4880 Consultants and are 100% reimbursed from fees for services, state and federal funds.

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

RESOLUTION NO. 212-20100602

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

MCCARTY, RELIC, LINDBERG, SCHWERD

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

WHEREAS, the Purchasing Agent has made a report to the Public Works Committee of this Board, and this Committee 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, for the period June 2, 2010 through June 1, 2011; said bid proposals being on file at the Highway Department and in the Office of the Clerk of the Board of Representatives:

HOT-IN-PLACE RECYCLE

Bidder: Highway Rehab. Corp.
2258 Route 22
Brewster, New York 10509

LIQUID BITUMINOUS

Bidders: Gorman Bros., Inc.
200 Church Street
Albany, New York 12202

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

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

**ONE (1) 2010 60 FOOT ARTICULATING OVER CENTER
AERIAL DEVICE AND TRUCK (AERIAL TRUCK)**

Bidder: Altec Industries, Inc.
1550 Aerial Avenue
Creedmoor, North Carolina 27522

Cost: \$138,571.00

Funds for these expenditures are included in the 2010 Highway Department under D5110.4500, D5110.4800, D5112.2020, D5112.2093, D5112.2098, D5113.2104, D5112.2121, D5110.4570, D5110.4572, and D5110.4818 and DM5130.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,305; Noes: 862 – McCarty, Schwerd. Adopted.

RESOLUTION NO. 213-20100602

**RESOLUTION – APPROVING APPOINTMENT OF MEMBERS TO
THE WORKFORCE INVESTMENT BOARD FOR CHENANGO,
DELAWARE AND OTSEGO COUNTIES**

POWERS, STAYTON, MCCARTY, ROWINSKI

RESOLVED, that the following appointments be and are hereby approved for the
Chenango, Delaware, Otsego Workforce Investment Board:

JONATHAN DOKUCHITZ
Custom Electronics
87 Browne Street
Oneonta, New York 13820
Term expiring June 30, 2013

BRAD BROOKS
Brooks Machine Products
4 Martin Brook Road
Unadilla, New York 13849
Term expiring June 30, 2013

ZOE VANDERMEULEN
Unadilla Laminated Products
PO Box K
Unadilla, New York 13849
Term expiring June 30, 2013

CAROLYN LEWIS
Otsego County Economic Development Office
242 Main Street
Oneonta, New York 13820
Term expiring June 30, 2013

STEVEN BELK
Job Corps
21 Homer Folks Avenue
Oneonta, New York 13820
Term expiring June 30, 2011
(Replacing John Young)

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

RESOLUTION NO. 214-20100602

**RESOLUTION - APPOINTING MEMBERS TO TRAFFIC
SAFETY BOARD**

RELIC, POWERS, CLARK, ROTHENBERGER

RESOLVED, that pursuant to Section 1673 of the Vehicle and Traffic Law of the State of New York and Otsego County Local Law Nos. 1 of 1971 and 1 of 2009, the following persons be and hereby are appointed to the Otsego County Traffic Safety Board:

SERGEANT GEORGE FLAVELL
Oneonta City Police
79 Main Street
Oneonta, New York 13820
Term expiring June 30, 2011
(Replacing Andrew Thomas)

DEPUTY RON JOHNSTON
Otsego County Sheriff's Office
172 County Highway 33W
Cooperstown, New York 13326
Term to expire June 30, 2011

CHIEF DIANA NICOLS
Cooperstown Police Department
22 Main Street
Cooperstown, New York 13326
Term to expire June 30, 2011

SERGEANT MARK FASSETT
Cooperstown Police Department
22 Main Street
Cooperstown, New York 13326
Term to expire June 30, 2012

KATHY CHASE
Otsego County Department of Health
140 County Highway 33W, Suite 3
Cooperstown, New York 13326
Term to expire June 30, 2013
(Replacing Patricia Crispell)

CHIEF PAT PIDGEON
Oneonta Fire Dept.
79 Main Street
Oneonta, New York 13820
Term expiring June 30, 2013
(Replacing Robert Barnes)

RICHARD DEVLIN, JR.
Otsego County Sheriff
172 County Highway 33W
Cooperstown, New York 13326

Term expiring June 30, 2013

KEVIN RITTON
Deputy Emergency Services Coord.
140 County Highway 33W, Ste 5
Cooperstown, New York 13326
Term expiring June 30, 2013

SERGEANT RAY FREER
Otsego County Sheriff's Office
172 County Highway 33W
Cooperstown, New York 13326
Term to expire June 30, 2013
(Replacing Karen Liddle)

COLEEN VESELY
Bassett Medical Center
1 Atwell Road
Cooperstown, New York 13326
Term to expire June 30, 2013

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

RESOLUTION NO. 215-20100602

**RESOLUTION – AUTHORIZING FILLING OF POSITION
IN CHEMICAL DEPENDENCIES CLINIC**

POWERS, STAYTON, MCCARTY, ROWINSKI

WHEREAS, Resolution No. 242-20091021 froze the filling of current vacant employment positions, funded or unfunded, and filling of other previously created positions as yet unfilled without the formal approval of the Parent Committee and a County Board Resolution; and

WHEREAS, the Health and Education Committee of this Board unanimously approved the filling of a certain position at the Chemical Dependencies Clinic, as set forth below; now, therefore, be it

RESOLVED, that the Director of Community Services is hereby approved to fill the following vacant funded position, effective immediately:

Keyboard Specialist, temporary, part-time,
Grade 5, \$12.2950 per hour, extended
through December 31, 2010

and be it further

RESOLVED, that the funding for this position is included in the 2010 Alcoholism Budget (4250-A) at line 1000 Personal Service and is 100% grant funded.

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

RESOLUTION NO. 216-20100602

**RESOLUTION - AUTHORIZING LOAN FROM OTSEGO COUNTY
JOB DEVELOPMENT LOAN PROGRAM
(LARRY'S MEATS, INC./LARRY ALTHISER)**

JOHNSON, SCHWERD, MURPHY

WHEREAS, Otsego County received a 1992 Small Cities Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) to assist the Richfield Springs Economic Development Project; and

WHEREAS, the Otsego County Job Development Revolving Loan Program has been established per the Grant Agreement from the repayments of a loan authorized by the Block Grant, said program to perform the purpose of assisting businesses to undertake projects that will retain or create jobs and/or expand the county's tax base in conformance to HUD requirements and Program Guidelines; and

WHEREAS, an application has been made by Larry's Meats, Inc./Larry Althiser to receive a \$100,000 loan from this program; and

WHEREAS, a review and evaluation of said application by the Otsego County Department of Economic Development and the Administration Committee has determined that the project and proposal meet the guidelines and loan review criteria of the program; now, therefore, be it

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into a Loan and Development Agreement and other appropriate legal documents which will effectuate a \$100,000 loan to Larry's Meats, Inc./Larry Althiser for a term of ten (10) years at an annual interest rate of four percent (4%); and be it further

RESOLVED, that the funds for this loan shall be included in the 2010 Community Development Budget, Account CG8695.4900; and be it further

RESOLVED, that the loan shall be subject to the terms and conditions described in the application proposal and as discussed in the Administration Committee and that legal documents shall be prepared by the County Attorney to contain these terms and provisions and others as are in the best interest of the County of Otsego.

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

RESOLUTION NO. 217-20100602

**RESOLUTION – APPROVING TEMPORARY
HIRE IN PLANNING DEPARTMENT
(PLANNER)**

SCHWERD, JOHNSON, LINDBERG, ROWINSKI

WHEREAS, on May 11, 2010, the Intergovernmental Affairs Committee of this Board approved the temporary hire of a Planner in the Planning Department; now, therefore, be it

RESOLVED, that the Planning Director is hereby approved to hire a temporary Planner, Grade 17, at \$20.8123 per hour, not to exceed ninety (90) days, effective immediately; and be it further

RESOLVED, that the funding for this position will be included in the 2010 Planning Department Budget (8020-A) at line 1000 Personal Service; and be it further

RESOLVED, that the Clerk of the Board 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: 5,790; Noes; 377 – McCarty. Adopted.

RESOLUTION NO. 218-20100602

**RESOLUTION – APPROVING EXTENSION OF
TEMPORARY HIRES IN PLANNING DEPARTMENT
(PLANNER TRAINEE & PLANNING INTERN)**

SCHWERD, JOHNSON, LINDBERG, ROWINSKI

WHEREAS, the Intergovernmental Affairs Committee of this Board has previously approved extending the temporary positions of Planner Trainee and Planning Intern in the Planning Department for an additional three (3) months; and

WHEREAS, both positions will continue to be tasked with amending the County's multi-jurisdictional Hazard Mitigation Plan; now, therefore, be it

RESOLVED, that the Planning Director is hereby approved to extend the following temporary positions in the Planning Department an additional three (3) months or until September 30, 2010:

Planner Trainee - \$17.05 per hour
Planning Intern - \$15.25 per hour

and be it further

RESOLVED, that the funding for these positions is included in the 2010 Planning Department Budget (8020-A) at line 1000 Personal Service and consists of 100% Hazard Mitigation grant monies from the New York State Emergency Management Office (SEMO); and be it further

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

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

RESOLUTION NO. 219-20100602

**RESOLUTION – AUTHORIZING FILLING OF POSITIONS
IN DEPARTMENT OF SOCIAL SERVICES**

CLARK, ROTHENBERGER, STULIGROSS, ROWINSKI

WHEREAS, Resolution No. 242-20091021 froze the filling of current vacant employment positions, funded or unfunded, and filling of other previously created positions as yet unfilled without the formal approval of the Parent Committee and a County Board Resolution; and

WHEREAS, on May 19, 2010, the Human Services Committee of this Board approved the filling of certain positions in the Department of Social Services, as set forth below; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby approved to fill the following vacant funded positions, effective immediately:

Account Clerk-Typist, Grade 7, \$23,880 - \$28,095 (\$843)

Caseworker, Grade 12, \$29,692 - \$35,082 (\$1,078)

Sr. Caseworker, Grade 14, \$32,438 - \$38,373 (\$1,187)

and be it further

RESOLVED, that the funding for these positions is included in the 2010 Social Services Administration Budget (6010-A) at line 1000 Personal Service and is reimbursable at 50% federal, 37.5% state and 12.5% local.

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

RESOLUTION NO. 220-20100602 (original)

**RESOLUTION – TRANSFERRING FUNDS IN
VARIOUS DEPARTMENTS**

JOHNSON, SCHWERD, MURPHY

WHEREAS, it appears that it will require funds to complete the year 2010 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2010 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2010 budget be and is hereby amended accordingly, pursuant to Section 363 of the

County Law:

2010 TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				
FROM:	Real Property Tax Service	Materials & Supplies	1355-4500-A	-340.00
TO:	Real Property Tax Service	Equipment	1355-2000-A	340.00
FROM:	Otsego Manor Building	Equipment	1631-2000-A	-14,500.00
TO:	Otsego Manor Building	Maintenance & Repair Parts	1631-4562-A	14,500.00
FROM:	General Govt Support	County Wide Training	1989-4050-A	-558.00
TO:	Weights & Measures	Training	6610-4050-A	558.00
FROM:	Alternatives to Incarceration	Mileage	3157-4005-A	-300.00
TO:	Alternatives to Incarceration	Telephone	3157-4100-A	300.00
FROM:	Code Enforcement	Personal Service	3620-1000-A	-28,000.00
TO:	Contingent	Other	1990-4800-A	21,500.00
TO:	Planning	Personal Service	8020-1000-A	6,500.00
FROM:	Child Advocacy Center	Consultants	3700-4880-A	-4,000.00
TO:	Child Advocacy Center	Training	3700-4050-A	4,000.00
FROM:	Mental Health	Consultants	4310-4880-A	-13,212.20
TO:	Mental Health	IT Equipment/Hardware	4310-2335-A	5,500.00
TO:	Mental Health	IT Materials & Supplies	4310-4535-A	5,500.00
TO:	Mental Health	Advertising	4310-4810-A	1,962.20
TO:	Mental Health	Medical Expenses	4310-4895-A	250.00

Seconded, Lindberg. Representative Johnson moved to amend the resolution by deleting the Code Enforcement transfer of \$21,500.00 from 3620-1000-A Personal Service to Contingent 1990-4800-A. Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Motion carried.

Representative Johnson moved to amend the resolution by adding the following 2010 Budget Modification:

DECREASE:	State Aid-Eco Opportunity & Dev	Tourism/State Matching	0000-3712-A	-50,000.00
DECREASE:	Tourism Matching Funds	I Love NY Adv	6412-4831-A	-50,000.00

Seconded, McCarty. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 220-20100602 (amended)

**RESOLUTION – TRANSFERRING FUNDS IN
VARIOUS DEPARTMENTS**

JOHNSON, SCHWERD, MURPHY

WHEREAS, it appears that it will require funds to complete the year 2010 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2010 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2010 budget be and is hereby amended accordingly, pursuant to Section 363 of the County Law:

2010 TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
<u>A- GENERAL FUND</u>				
FROM:	Real Property Tax Service	Materials & Supplies	1355-4500-A	-340.00
TO:	Real Property Tax Service	Equipment	1355-2000-A	340.00
FROM:	Otsego Manor Building	Equipment	1631-2000-A	-14,500.00
TO:	Otsego Manor Building	Maintenance & Repair Parts	1631-4562-A	14,500.00
FROM:	General Govt Support	County Wide Training	1989-4050-A	-558.00
TO:	Weights & Measures	Training	6610-4050-A	558.00
FROM:	Alternatives to Incarceration	Mileage	3157-4005-A	-300.00
TO:	Alternatives to Incarceration	Telephone	3157-4100-A	300.00
FROM:	Code Enforcement	Personal Service	3620-1000-A	-6,500.00
TO:	Planning	Personal Service	8020-1000-A	6,500.00
FROM:	Child Advocacy Center	Consultants	3700-4880-A	-4,000.00
TO:	Child Advocacy Center	Training	3700-4050-A	4,000.00
FROM:	Mental Health	Consultants	4310-4880-A	-13,212.20
TO:	Mental Health	IT Equipment/Hardware	4310-2335-A	5,500.00
TO:	Mental Health	IT Materials & Supplies	4310-4535-A	5,500.00
TO:	Mental Health	Advertising	4310-4810-A	1,962.20
TO:	Mental Health	Medical Expenses	4310-4895-A	250.00
2010 BUDGET MODIFICATIONS				
DECREASE:	State Aid–Eco Opportunity & Dev	Tourism/State Matching	0000-3712-A	-50,000.00
DECREASE:	Tourism Matching Funds	I Love NY Adv	6412-4831-A	-50,000.00

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

RESOLUTION NO. 221-20100602 (original)

**RESOLUTION – APPROVING TEMPORARY
HIRE IN CODE ENFORCEMENT OFFICE
(BUILDING/FIRE INSPECTOR)**

RELIC, POWERS, CLARK, ROTHENBERGER

WHEREAS, on May 12, 2010, the Public Safety and Legal Affairs Committee of this Board approved the temporary hire of a full-time Building/Fire Inspector in the Code Enforcement Office; now, therefore, be it

RESOLVED, that the Deputy Code Enforcement Officer is hereby approved to hire a temporary, full-time Building/Fire Inspector, Grade 8, \$24,929 - \$29,364 (\$887), effective immediately; and be it further

RESOLVED, that the funding for this position is included in the 2010 Code Enforcement Budget (3620-A) at line 1000 Personal Service; and be it further

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

Seconded, Fournier. Representative Johnson moved to amend by adding to the first RESOLVED paragraph after Deputy Code Enforcement Officer “and the Interim Code Enforcement Officer are”. Seconded, McCarty. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 221-20100602 (amended)

**RESOLUTION – APPROVING TEMPORARY
HIRE IN CODE ENFORCEMENT OFFICE
(BUILDING/FIRE INSPECTOR)**

RELIC, POWERS, CLARK, ROTHENBERGER

WHEREAS, on May 12, 2010, the Public Safety and Legal Affairs Committee of this Board approved the temporary hire of a full-time Building/Fire Inspector in the Code Enforcement Office; now, therefore, be it

RESOLVED, that the Deputy Code Enforcement Officer and the Interim Code Enforcement Officer are hereby approved to hire a temporary, full-time Building/Fire Inspector, Grade 8, \$24,929 - \$29,364 (\$887), effective immediately; and be it further

RESOLVED, that the funding for this position is included in the 2010 Code Enforcement Budget (3620-A) at line 1000 Personal Service; and be it further

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

Roll call vote on resolution as amended. Total: 6,167; Ayes: 5,258; Noes: 909 – Lindberg, McCarty. Adopted as amended.

RESOLUTION NO. 222-20100602

RESOLUTION – ESTABLISHING THE STANDARD WORK DAY AND REPORTING DAYS FOR THE NYS AND LOCAL EMPLOYEES RETIREMENT SYSTEM FOR CERTAIN COUNTY OFFICIALS

JOHNSON, SCHWERD, MURPHY

RESOLVED, that the Otsego County Board of Representatives hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this legislative body:

TITLE	NAME	STANDARD WORK DAY (Hrs/Day)	TERM BEGINS/ENDS	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (Based on Record of Activities)
ELECTED OFFICIALS					
County Representative	Kathleen Clark	6	01/01/2010 – 12/31/2011	N	15.06
County Representative	Floyd Dubben	6	01/01/2010 – 12/31/2011	N	20.00
County Representative	Stephen Fournier	6	01/01/2010 – 12/31/2011	N	9.51
County Representative	James Johnson	6	01/01/2010 – 12/31/2011	N	18.33
County Representative	Donald Lindberg	6	01/01/2010 – 12/31/2011	N	20.00
County Representative	James Powers	6	01/01/2010 – 12/31/2011	N	13.06
County Representative	Gregory Relic	6	01/01/2010 – 12/31/2011	N	16.53
County Representative	Catherine Rothenberger	6	01/01/2010 – 12/31/2011	N	15.11
County Representative	Linda Rowinski	6	01/01/2010 – 12/31/2011	N	6.31
County Representative	Betty Anne Schwerd	6	01/01/2010 – 12/31/2011	N	20.00
County Representative	Martha Stayton	6	01/01/2010 – 12/31/2011	N	5.41
Coroner	James Magee	6	01/01/2008 – 12/31/2011	Y	N/A
County Clerk	Kathleen Sinnott Gardner	7(Sept-June) 6(July-Aug)	01/01/2008 – 12/31/2011	N	20.00
District Attorney	John Muehl	7(Sept-June) 6(July-Aug)	01/01/2008 – 12/31/2011	N	20.00
Sheriff	Richard Devlin, Jr.	7(Sept-June) 6(July-Aug)	01/01/07 – 12/31/2010	N	20.00
Treasurer	Daniel Crowell	7(Sept-June)	01/01-2010 –	N	20.00

		6(July-Aug)	12/13 /2013		
APPOINTED OFFICIALS					
Assistant District Attorney	William Green	7(Sept-June) 6(July-Aug)	01/01/2008 – 12/31/2011	N	8.01
Assistant District Attorney	Marvin Parshall, Jr.	7(Sept-June) 6(July-Aug)	01/01/2008 – 12/31/2011	N	8.12
Assistant Public Defender	Dolores Fogarty	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	N	20.00
Assistant Public Defender	Robert Gouldin	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	N	15.54
Assistant Public Defender	Edward Gozigian	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	N	---
Assistant Public Defender	Bruce Maxson	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	N	16.57
Chief Assistant District Attorney	Michael Getman	7(Sept-June) 6(July-Aug)	01/01/2008 – 12/31/2011	N	15.30
Clerk of the Board	Laura Child	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	Y	N/A
Commissioner of Social Services	Joyce Boyd	7(Sept-June) 6(July-Aug)	10/01/2008 – 09/20/2013	Y	N/A
County Attorney	Ellen Cocomma	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	N	17.43
Deputy Clerk of the Board	Lynn Vogel	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	Y	N/A
Deputy Commissioner of Social Services	Eve Bouboulis	7(Sept-June) 6(July-Aug)	10/01/2008 – 09/30/2013	Y	N/A
Deputy County Clerk	Correne Fellone	7(Sept-June) 6(July-Aug)	01/01/2008 – 12/31/2011	Y	N/A
Deputy Emergency Services Coordinator	William Johnston, Jr.	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2010	N	---
Deputy Highway Superintendent	Kevin Flint	7(Sept-June) 6(July-Aug)	07/06/2007 – 07/05/2011	Y	N/A
Deputy Treasurer	Carol McGovern	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2013	Y	N/A
Director of Information Technologies	Brian Pokorny	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	Y	N/A
Director of Real Property Tax Services	Peter Galarneau	7(Sept-June) 6(July-Aug)	10/01/2007 – 09/30/2013	Y	N/A
Director of Veterans Service Agency	Tex Seamon	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	Y	N/A
Emergency Services Coordinator	Lyle Jones	7(Sept-June) 6(July-Aug)	01/01/2009 – 12/31/2010	Y	N/A
Highway Superintendent	Ronald Tiderencel	7(Sept-June) 6(July-Aug)	07/06/2007 – 07/05/2011	Y	N/A
Personnel Officer	Jeannette Gliha	7(Sept-June) 6(July-Aug)	10/16/2006 – 10/15/2012	Y	N/A
Public Defender	Richard Rothermel	7(Sept-June) 6(July-Aug)	01/01/2010 – 12/31/2011	N	20.00

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 4,281; Noes: 1,509 – Powers, Fournier, Stuligross; Abstained: 377 – McCarty. Adopted.

Representative Lindberg moved to suspend the rules and act upon late Resolution Nos. 223 - 229. Seconded, Relic. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 223-20100602

**RESOLUTION - AMENDING RESOLUTION NO. 304 OF 2006 -
ESTABLISHING REVISED INVESTMENT POLICY AND
REDESIGNATING DEPOSITORIES FOR THE
COUNTY OF OTSEGO**

JOHNSON, SCHWERD, MURPHY

WHEREAS, Resolution No. 304 of 2006 established a revised Investment Policy for the County of Otsego; and

WHEREAS, it is in the best interests of the County of Otsego to revise this Investment Policy; now, therefore, be it

RESOLVED, that Resolution No. 304 of 2006 is hereby amended, and the Otsego County Board of Representatives hereby establishes the following revised Investment Policy for the County of Otsego:

**OTSEGO COUNTY INVESTMENT POLICY
OTSEGO COUNTY, NEW YORK**

The County Treasurer is authorized to invest all funds including proceeds of obligations and reserve funds, as follows:

- Certificates of Deposit issued by a bank or trust company authorized to do business in New York State.
- Time deposit accounts in a bank or trust company authorized to do business in New York State
- Obligations of New York State
- Obligations of the United States government
- Repurchase agreements involving the purchase and sale of direct obligations of the United States
- Repurchase agreements will only be used in limited circumstances and after informing the Chairman of the Board of Representatives or members of the Administration Committee.
- The Board of Representatives shall decide the names of the banks and the amounts that may be deposited in each, and is designated as follows:
 - Key Bank, N.A. \$50,000,000 maximum on deposit
66 South Pearl Street
Albany, New York 12207
 - Wilber National Bank \$50,000,000 maximum on deposit

245 Main Street
Oneonta, New York 13820

- NBT Bank \$50,000,000 maximum on deposit
52 South Broad Street
Norwich, New York 13815
- New York \$50,000,000 maximum on deposit
Main Office
Citizens Bank, N.A. (New York)
833 Broadway
Albany, New York 12207
- Bank of Cooperstown \$10,000,000 maximum on deposit
73 Chestnut Street
Cooperstown, New York 13326

The County Treasurer shall determine the amount and length of time that funds shall be invested.

All funds except reserve funds may be invested in:

- Obligations of agencies of the Federal Government, if principal and interest is guaranteed by the United States
- With the approval of the State Comptroller, in revenue anticipation notes or tax anticipation notes of other local governments

Only reserve funds may be invested in:

- Obligations of the local government
- All other local government officials receiving money in their official capacity must deposit such funds in negotiable order of withdrawal accounts

All investments made pursuant to this investment policy shall comply with the following conditions:

- Collateral
 - Certificates of Deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation (FDIC) or by obligations of New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the County of Otsego or a custodial bank. The market value of collateral shall at all times equal or exceed the principal amount of the Certificate of Deposit.
 - Securities purchased through a repurchase agreement shall be valued to market at least weekly
 - Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States, and

obligations of federal agencies the principal and interest of which are guaranteed by the United States government.

- Operations, audit and reporting
 - The County Treasurer or the Deputy County Treasurer shall authorize the purchase and sale of all securities and execute contracts for repurchase agreements and certificates of deposit on behalf of the County of Otsego.
 - The County of Otsego will encourage the purchase and sale of securities and certificates of deposit through a competitive or negotiated process involving at least three bids for each transaction.
 - The Administration Committee, at its convenience, will periodically review new investments and the inventory of existing investments and will also discuss with the County Treasurer any changes contemplated in the County's investments.
 - At least annually, and if practicable, at a meeting of the Board of Representatives, the members shall review and amend, if necessary, these investment guidelines.

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

RESOLUTION NO. 224-20100602

RESOLUTION – CLASSIFYING THE ACTIONS AND APPROVING SEQR NEGATIVE DECLARATION FOR THE EMERGENCY SERVICES TELECOMMUNICATIONS SYSTEM PROJECT (TOWER REPLACEMENT AT ROCKDALE)

RELIC, POWERS, CLARK, ROTHENBERGER

WHEREAS, Otsego County is upgrading its emergency services telecommunications system; and

WHEREAS, by Resolution No. 107-20100203, Otsego County declared itself as Lead Agency for the SEQR review in accordance with the requirements of Part 617 of Title 6 of the New York Code of Rules and Regulations of the State of New York; and

WHEREAS, presently there is a project underway that comes under SEQR regulations; namely,

Rockdale – involves the replacement of a 120 foot guyed Rohn 45g tower at the Rockdale tower site with a 190 foot steel lattice self-supporting tower, and the replacement of the existing equipment shelter with a 30 ft x 12 ft structure; and

WHEREAS, it is the responsibility of the County, as Lead Agency for this proposed project, to make a determination of significance pursuant to Part 617 of the implementing regulations per Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law; and

WHEREAS, the County has heretofore completed a full Environmental Assessment

form (EAF) for the proposed action, and all the factors that may have a substantial impact have been considered and reviewed; now, therefore, be it

RESOLVED, that Otsego County has classified the following action under SEQRA as:

Rockdale - unlisted

and be it further

RESOLVED, that Otsego County, acting through the Board of Representatives, as the Lead Agency pursuant to the State Environmental Quality Review Act, after reviewing the appropriate environmental assessment statements and additional investigations completed, determines that the Emergency Services Telecommunications System project, namely, the Rockdale tower replacement as described above, will not result in any significant adverse environmental impact; and be it further

RESOLVED, that the Chairman of this Board is hereby authorized and directed to sign and submit a Negative Declaration and to file the same as prescribed by law; the Negative Declaration being in form as filed with the Clerk of the Board.

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

RESOLUTION NO. 225-20100602

RESOLUTION – AUTHORIZING CHAIRMAN TO EXECUTE FREQUENCY RELOCATION AGREEMENT WITH SPECTRUMCO, LLC.

RELIC, POWERS, CLARK, ROTHENBERGER

WHEREAS, the County of Otsego is presently licensed to operate on Licensed Frequencies within 2110 to 2155 MHz band; and

WHEREAS, the FCC has reallocated and auctioned the 2110 to 2155 MHz frequencies, including those used by the County, from fixed microwave services to the Advanced Wireless Services (“AWS”); and

WHEREAS, SpectrumCo is licensed by the FCC to operate AWS systems in the Utica market; and

WHEREAS, SpectrumCo desires that the County vacate the Licensed Frequencies and relocate its system to the replacement system in order to avoid any potential interference between the County of Otsego and SpectrumCo’s operation on or use of the Licensed Frequencies; and

WHEREAS, SpectrumCo and the County have voluntarily entered into negotiations in good faith to reach an agreement as to the terms of the relocation; and

WHEREAS, SpectrumCo and the County desire that the County cease use of its Microwave Operations to clear the Licensed Frequencies for use by SpectrumCo on a

primary basis, consistent with the FCC's grant of AWS licenses to SpectrumCo pursuant to Public Notice DA 06-2408, dated November 29, 2006, and consistent with the relocation procedures set forth in Part 27 of the FCC's rules and the FCC's Ninth Report and Order in ET Docket No. 00-258; and

WHEREAS, the County will cease all of its operations on the Licensed Frequencies and forfeit, to the FCC, the County's license(s) to operate on such Licensed Frequencies; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to enter into a Frequency Relocation Agreement with SpectrumCo, LLC to contain the following terms:

1. The parties agree that the County's Microwave Operations will be decommissioned no later than November 30, 2010, and the County shall take all of the necessary and proper acts to Decommission the Licensed Frequencies on or before the Decommissioning Date.

2. As compensation to the County for the execution, delivery and performance of this agreement, SpectrumCo shall pay to the County \$114,122.00 payable as follows:

\$45,649.00 (40%) upon the Effective Date of the Agreement;

\$57,061.00 (50%) upon the County's cessation of the Microwave Operations over the Licensed Frequencies;

\$11,412.00 (10%) upon the County's submission to SpectrumCo of FCC form 601(s) filed with the FCC

3. The agreement shall contain such other terms and conditions as are in the best interests of the County of Otsego.

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

RESOLUTION NO. 226-20100602

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO TERMINATE THE RECYCLING CONTRACT WITH WASTE RECOVERY ENTERPRISES

FOURNIER, MCCARTY, POWERS, MURPHY

WHEREAS, on December 23, 2009, the County of Otsego signed a three year contract with Waste Recovery Enterprises for the collection, handling and hauling of recyclable materials for the County's 2010 - 2012 Recycling Program at a rate of \$77.50 per ton, as authorized by Resolution No. 276-20091202; and

WHEREAS, the County Solid Waste and Environmental Concerns Committee decided to release a Request for Proposals in order to consider an alternative approach and potentially less expensive method of collecting recyclables in Otsego County; and

WHEREAS, through its Purchasing Agent, a Request for Proposals was released and proposals were received on April 13, 2010; and

WHEREAS, interviews with two of the five submitted proposers were held by the Solid Waste and Environmental Concerns Committee on May 26, 2010; and

WHEREAS, the Solid Waste and Environmental Concerns Committee has recommended accepting the proposal of Hawkins and Hurlbut of 6718 Martin Street, Rome, New York, at a price of \$63.00/ton; and

WHEREAS, the current contract with Waste Recovery Enterprises allows for either party to terminate for cause at any time upon 60 days written notice; and on 30 days notice in the event of default in performance by the Contractor; and

WHEREAS, the Solid Waste and Environmental Concerns Committee of this Board has heretofore approved sponsoring this resolution, authorizing the County to take the necessary steps of terminating the current recycling contract with Waste Recovery Enterprises; now, therefore, be it

RESOLVED, this Board of Representatives hereby authorizes the Chairman of this Board to execute a written notice of termination to Waste Recovery Enterprises, terminating the December 23, 2009 contract for the collection, handling and hauling of recyclable materials for the County's 2010 – 2012 Recycling Program.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,712; Noes: 455 – Relic. Adopted.

RESOLUTION NO. 227-20100602

**RESOLUTION - AUTHORIZING CHAIRMAN TO CONTRACT
FOR THE COLLECTION, LOADING, HAULING AND
PROCESSING OF RECYCLABLES**

FOURNIER, MCCARTY, POWERS, MURPHY

WHEREAS, proposals have been requested and duly received by the Otsego County Purchasing Agent for the collecting, loading, hauling and processing of recyclables from various locations in Otsego County; and

WHEREAS, the Solid Waste and Environmental Concerns Committee held interviews with two of the five proposers; and

WHEREAS, the Solid Waste Committee and Environmental Concerns Committee of this Board and has made a recommendation to this Board that the lowest responsible proposal be accepted; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with the following firm for the collecting, loading, hauling and processing of recyclables for the contract period commencing no later than August 1, 2010, in accordance with the specifications and proposals heretofore received:

VENDOR: Hawkins & Hurlbut
Attn: Thomas Hawkins, Jr.

6718 Martin Street
Rome, New York 13440

COSTS: \$63.00/ton (unlimited tonnage) for two-stream delivery and \$58.95/ton for single stream delivery upon retrofitting of the Oneida Herkimer MRF. Delivery of recyclables to Oneida Herkimer MRF Additional cost for processing \$25/ton (2010).

and be it further

RESOLVED, that the funding for this contract is included in the 2010 Solid Waste and Recycling Program Budget (8160-A) at line 4900 Contracts and is fully funded from the Solid Waste User Fee; and be it further

RESOLVED, that this contract shall contain such other and further terms as are in the best interest of the County.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,712; Noes: 455 – Relic. Adopted.

RESOLUTION NO. 228-20100602

RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CONTRACT FOR LABOR NEGOTIATOR

JOHNSON, SCHWERD, MURPHY

WHEREAS, it is in the best interest of the County to obtain the services of a labor negotiator to act on its behalf during negotiations regarding the contracts between the County of Otsego and the recognized bargaining units, and to provide legal advice regarding County labor issues and training; and

WHEREAS, requests for proposals have been issued and proposals have been received for these services; and

WHEREAS, interviews were conducted with three (3) proposers; and

WHEREAS, a report was made to the Administration Committee of this Board, and the Administration Committee has made a recommendation to this Board that the proposal of Roemer, Wallens, Gold and Mineaux be accepted and approved; now, therefore, be it

RESOLVED, that the Chairman of this Board be and is hereby authorized to contract with Roemer, Wallens, Gold and Mineaux, 13 Columbia Circle, Albany, New York 12203, to perform the services of a Labor Negotiator to act on the County's behalf during negotiations regarding the contracts between the County of Otsego and the recognized bargaining units and to provide legal advice regarding County labor issues and training, as specified in Exhibit B of their proposal, said proposal being on file with the Clerk of the Board, and as directed by the County from time to time during the period of this contract at a cost of \$2,950 per month, monthly payments to begin September 1, 2010, for the period

June 1, 2010 through May 31, 2011; and be it further

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

RESOLVE, that the funding for this contract is included in the 2010 Board of Representatives Budget (1010-A) at line 4900 Contracts and in other various County department budgets.

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

RESOLUTION NO. 229-20100602

RESOLUTION – SUPPORTING ASSEMBLY BILL A-9919 ALLOWING COUNTY CLERKS TO RETAIN SHARE OF FEES COLLECTED FOR MOTOR VEHICLE TRANSACTIONS

RELIC, POWERS, CLARK, ROTHENBERGER

WHEREAS, the New York State Vehicle and Traffic Law places the responsibility of operating Department of Motor Vehicle offices to 51 counties across New York State through their respective County Clerks; and

WHEREAS, acting as an “agent” of the New York State Department of Motor Vehicles, our county taxpayers bear the cost of running local Department of Motor Vehicle operations; and

WHEREAS, the county’s current share of certain transaction fees is 12.7%, available only if a customer appears in person; and

WHEREAS, numerous transactions the counties are required to perform are time consuming and labor intensive, and New York State does not allow the Counties any fee; and

WHEREAS, we are often competing with the New York State Department of Motor Vehicles for limited business in order to sustain our operations; and

WHEREAS, the Commissioner of Motor vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the New York State Department of Motor Vehicles website www.nydmv.state.ny.us, and more online transactions can be expected in the near future leaving the County with even fewer revenue sharing opportunities; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives supports Assembly Bill A-9919, allowing County Clerks who operate DMV offices to retain a share of fees collected from County residents for motor vehicle transactions completed through the New York State Department of Motor Vehicles website; and be it further

RESOLVED, that the Clerk of this Board is hereby directed to transmit copies of this

resolution to Governor David A. Paterson, Senator James L. Seward, Assemblyman William Magee, Assemblyman Marc W. Butler, Assemblyman Peter D. Lopez and NYSAC.

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

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, July 7, 2010 at 10:00 a.m.