

**REGULAR SESSION
SECOND DAY**

Wednesday, June 17, 2009

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

The following communications were read and ordered filed:

Marjorie French, Supervisor, Town of Maryland – Letter expressing support for flow control

Notice of Claim – Verizon versus the County of Otsego – For damage to a 48 pair fiber optic cable on County Route 33 in the town of Middlefield. No amount stated.

Notice of Settlement in the matter of Bryan Ruple versus Michael Reckeweg for an inmate's civil rights complaint at the Otsego County Correctional Facility. Settlement amount is \$1,000.

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

Representative Lindberg moved to dispense with the reading of all resolutions. Seconded, Relic. Total: 6,167; Ayes: 5,779; Absent: 388 – Stuligross. Motion carried.

RESOLUTION NO. 164-20090617

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD
TO EXECUTE A CONTRACT BETWEEN
HANCOCK & ESTABROOK, LLP AND THE COUNTY OF OTSEGO**

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

WHEREAS, Hancock & Estabrook, LLP has submitted a proposal to perform these services for the County; now, therefore, be it

RESOLVED, that the Chairman of this Board be and is hereby authorized to contract with Hancock & Estabrook, LLP to perform these services as directed by the County from time to time during the period of this contract at a cost of \$4,250.00 per month with additional billing at hourly rates of \$210.00 for partners and \$170.00 for associates for attorney time in excess of 25 hours per month, excluding travel; plus \$210.00 per hour for partner's time, excluding travel; \$170.00 per hour for associate's time, excluding travel;

\$115.00 for paralegal time, excluding travel, for additional services outlined in the proposal for the period June 1, 2009 through May 31, 2010; and be it further

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

RESOLVED, that a portion of the funding for this contract is included in the 2009 Board of Representatives Budget (1010) at line 4900-A Contracts and in other various County department budgets.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 4,167; Noes: 1,612 – Dubben, McCarty, Schwerd, Harrington; Absent: 388 – Stuligross. Adopted.

RESOLUTION NO. 165-20090617

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

FOURNIER, MCCARTY, STULIGROSS, ROTHENBERGER

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

DOUGLAS LIFGREN (Business Rep)
Astrocom
24 Eagle Street
Cooperstown, New York 13326
Term expiring June 30, 2012

GARY HERZIG (CBO Rep)
Deputy Director
Opportunities for Otsego County
3 West Broadway
Oneonta, New York 13820
Term expiring June 30, 2012

MARIA DESIMONE (Business Rep)
HR Manager
Corning
275 River Street
Oneonta, New York 13820
Term expiring June 30, 2012

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,779; Absent: 388 – Stuligross. Adopted.

RESOLUTION NO. 166-20090617 (original)

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

RELIC, CLARK, JOHNSON, 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:

PATRICIA CRISPELL
Otsego County Department of Health
140 County Highway 33W, Suite 3
Cooperstown, New York 13326
Term to expire June 30, 2010

MICHAEL ADAMS
NYS Department of Transportation
Lower Oneida Street
Oneonta, New York 13820
Term expiring June 30, 2011

SERGEANT ANDERSON THOMAS
Oneonta City Police
79 Main Street
Oneonta, New York 13820
Term expiring June 30, 2011
(Replacing Ken Olsen)

CAMERON ALLISON
Otsego County Undersheriff
172 County Highway 33W
Cooperstown, New York 13326
Term expiring June 30, 2011
(Replacing A. Bruce Carroll)

BARTON R. INGERSOLL
Director of Public Safety
SUNY Oneonta
Oneonta, New York 13820
Term expiring June 30, 2011

CAPTAIN RODNEY CAMPBELL
New York State Police Troop C
199 Oneida Street
Oneonta, New York 13820
Term to expire June 30, 2012

MICHAEL D. BUTLER, President
AAA Tri-County Motor Club
195 Oneida Street

Oneonta, New York 13820
Term to expire June 30, 2012

RON TIDERENCEL, Superintendent
Otsego County Highway Department
20 Linden Avenue
Cooperstown, New York 13326
Term to expire June 30, 2012

BRIAN POKORNY, Director
Otsego County IT Department
197 Main Street
Cooperstown, New York 13326
Term to expire June 30, 2012

Seconded, Fournier. Representative Relic moved to amend the resolution by adding Kevin Ritton of the Office of Emergency Services for a term expiring on June 30, 2010. Seconded, Lindberg. Oral vote on amendment. Total: 6,167; Ayes: 5,779; Absent: 388 – Stuligross. Motion carried.

RESOLUTION NO. 166-20090617 (amended)

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

RELIC, CLARK, JOHNSON, 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:

PATRICIA CRISPELL
Otsego County Department of Health
140 County Highway 33W, Suite 3
Cooperstown, New York 13326
Term to expire June 30, 2010

KEVIN RITTON
Office of Emergency Services
140 County Highway 33W, Suite 5
Cooperstown, New York 13326
Term to expire June 30, 2010

MICHAEL ADAMS
NYS Department of Transportation
Lower Oneida Street
Oneonta, New York 13820
Term expiring June 30, 2011

SERGEANT ANDERSON THOMAS
Oneonta City Police
79 Main Street
Oneonta, New York 13820
Term expiring June 30, 2011
(Replacing Ken Olsen)

CAMERON ALLISON
Otsego County Undersheriff
172 County Highway 33W
Cooperstown, New York 13326
Term expiring June 30, 2011
(Replacing A. Bruce Carroll)

BARTON R. INGERSOLL
Director of Public Safety
SUNY Oneonta
Oneonta, New York 13820
Term expiring June 30, 2011

CAPTAIN RODNEY CAMPBELL
New York State Police Troop C
199 Oneida Street
Oneonta, New York 13820
Term to expire June 30, 2012

MICHAEL D. BUTLER, President
AAA Tri-County Motor Club
195 Oneida Street
Oneonta, New York 13820
Term to expire June 30, 2012

RON TIDERENCEL, Superintendent
Otsego County Highway Department
20 Linden Avenue
Cooperstown, New York 13326
Term to expire June 30, 2012

BRIAN POKORNY, Director
Otsego County IT Department
197 Main Street
Cooperstown, New York 13326
Term to expire June 30, 2012

Oral vote on amended resolution. Total: 6,167; Ayes: 5,779; Absent: 388 – Stuligross. Adopted as amended.

Representative Lindberg moved to suspend the rules and act upon late Resolution Nos. 157 - 158 and 167. Seconded, Relic. Total: 6,167; Ayes: 5,449; Noes: 330 – Harrington; Absent: 388 – Stuligross. Motion carried.

RESOLUTION NO. 167-20090617

**RESOLUTION – TRANSFERRING FUNDS IN
VARIOUS DEPARTMENTS (2009)**

JOHNSON, SCHWERD, MURPHY

WHEREAS, it appears that it will require funds to complete the year 2009 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2009 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2009 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

2009 TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				
FROM:	Board of Reps	IT Equipment/Hardware	1010-2335-A	-8,475.00
FROM:	Board of Reps	Lodging, Meals, Tolls, Etc.	1010-4010-A	-600.00
FROM:	Board of Reps	Training	1010-4050-A	-175.00
FROM:	Board of Reps	Telephone	1010-4100-A	-1,100.00
FROM:	Board of Reps	Postage & UPS	1010-4400-A	-100.00
FROM:	Board of Reps	Subscriptions/Dues	1010-4650-A	-50.00
FROM:	Board of Reps	Contracts	1010-4900-A	-500.00
FROM:	District Attorney	Contracts	1165-4900-A	-1,682.00
FROM:	Public Defender	Materials & Supplies	1170-4500-A	-1,000.00
FROM:	Public Defender	Assigned Counsel	1170-4755-A	-4,436.00
FROM:	Public Defender	Court Experts	1170-4758-A	-4,500.00
FROM:	Public Defender	Contracts	1170-4900-A	-11,250.00
FROM:	Public Defender-ILS Fund	Training	1171-4050-A	-3,343.00
FROM:	Public Defender-ILS Fund	Contracts	1171-4900-A	-3,343.00
FROM:	Coroners & Medical Examiner	Telephone	1185-4100-A	-100.00
FROM:	County Auditor	Personal Service	1320-1000-A	-15,500.00
FROM:	County Treasurer	Personal Service	1325-1000-A	-11,500.00
FROM:	County Treasurer	Mileage	1325-4005-A	-350.00
FROM:	County Treasurer	Lodging, Meals, Tolls, Etc.	1325-4010-A	-460.00
FROM:	County Treasurer	Training	1325-4050-A	-420.00
FROM:	County Treasurer	Materials & Supplies	1325-4500-A	-125.00
FROM:	County Treasurer	Other	1325-4800-A	-75.00
FROM:	RPTS	Personal Service	1355-1000-A	-24,864.00
FROM:	RPTS	Mileage	1355-4005-A	-1,200.00
FROM:	RPTS	Lodging, Meals, Tolls, Etc.	1355-4010-A	-1,100.00
FROM:	RPTS	Training	1355-4050-A	-413.00
FROM:	RPTS	Materials & Supplies	1355-4500-A	-600.00

FROM:	RPTS	Subscriptions/Dues	1355-4650-A	-500.00
FROM:	RPTS	Other	1355-4800-A	-500.00
FROM:	RPTS	MIS Charges	1355-4850-A	-380.00
FROM:	County Attorney	Equipment	1420-2000-A	-1,100.00
FROM:	County Attorney	Telephone	1420-4100-A	-250.00
FROM:	County Attorney	Postage & UPS	1420-4400-A	-110.00
FROM:	Personnel	Mileage	1430-4005-A	-70.00
FROM:	Personnel	Lodging, Meals, Tolls, Etc.	1430-4010-A	-200.00
FROM:	Personnel	Training	1430-4050-A	-300.00
FROM:	Personnel	Materials & Supplies	1430-4500-A	-75.00
FROM:	Personnel	Subscriptions/Dues	1430-4650-A	-100.00
FROM:	Personnel	Other	1430-4800-A	-50.00
FROM:	Personnel	Advertising	1430-4810-A	-1,500.00
FROM:	Information Technologies	Personal Service	1680-1000-A	-16,205.00
FROM:	Information Technologies	IT Equipment/Hardware	1680-2335-A	-7,500.00
FROM:	Information Technologies	Mileage	1680-4005-A	-100.00
FROM:	Information Technologies	Lodging, Meals, Tolls, Etc.	1680-4010-A	-200.00
FROM:	Information Technologies	Training	1680-4050-A	-400.00
FROM:	Information Technologies	IT Materials & Supplies	1680-4535-A	-5,000.00
FROM:	Information Technologies	Fuel	1680-4560-A	-350.00
FROM:	Information Technologies	IT Other/Software-Depts	1680-4835-A	-20,000.00
FROM:	Information Technologies	Contracts	1680-4900-A	-8,000.00
FROM:	IT-Purchasing	IT Equip/Hardware-Depts	1681-2335-A	-25,700.00
FROM:	Municipal Association Dues	Subscriptions/Dues	1920-4650-A	-86.00
FROM:	Sheriff	Equipment	3110-2000-A	-4,000.00
FROM:	Sheriff	Vehicles	3110-2400-A	-5,441.00
FROM:	Sheriff	Vests	3110-2610-A	-1,500.00
FROM:	Sheriff	Mileage	3110-4005-A	-500.00
FROM:	Sheriff	Training	3110-4050-A	-1,000.00
FROM:	Sheriff	Postage & UPS	3110-4400-A	-1,750.00
FROM:	Sheriff	Materials & Supplies	3110-4500-A	-4,000.00
FROM:	Probation	Equipment	3140-2000-A	-500.00
FROM:	Probation	Vehicles	3140-2400-A	-16,430.00
FROM:	Probation	Mileage	3140-4005-A	-1,500.00
FROM:	Probation	Lodging, Meals, Tolls, Etc.	3140-4010-A	-2,500.00
FROM:	Probation	Training	3140-4050-A	-1,200.00
FROM:	Probation	Fuel	3140-4560-A	-2,000.00
FROM:	Jail	Equipment	3150-2000-A	-1,494.00
FROM:	Jail	Appliances	3150-2615-A	-1,941.00
FROM:	Jail	Training	3150-4050-A	-1,000.00
FROM:	Jail	Lodging, Meals, Tolls, Etc.	3150-4010-A	-1,000.00
FROM:	Jail	Materials & Supplies	3150-4500-A	-5,000.00
FROM:	Jail	Food	3150-4525-A	-5,000.00
FROM:	Jail	Other	3150-4800-A	-1,950.00
FROM:	Jail	Medical Expenses	3150-4895-A	-13,000.00
FROM:	Code Enforcement	Mileage	3620-4005-A	-200.00
FROM:	Code Enforcement	Lodging, Meals, Tolls, Etc.	3620-4010-A	-70.00
FROM:	Code Enforcement	Training	3620-4050-A	-200.00
FROM:	Code Enforcement	Telephone	3620-4100-A	-320.00
FROM:	Code Enforcement	Materials & Supplies	3620-4500-A	-203.00
FROM:	Code Enforcement	Vehicle Repair	3620-4515-A	-800.00
FROM:	Code Enforcement	Fuel	3620-4560-A	-1,100.00
FROM:	Department of Health	Materials & Supplies	4010-4500-A	-800.00

FROM:	Early Intervention Program	Mileage	4059-4005-A	-1,550.00
FROM:	Early Intervention Program	Other	4059-4800-A	-300.00
FROM:	Early Intervention Program	Contracts	4059-4900-A	-9,000.00
FROM:	DOH CWSN 3-5 Admin	Mileage	4060-4005-A	-1,500.00
FROM:	DOH CWSN 3-5 Admin	Materials & Supplies	4060-4500-A	-500.00
FROM:	DOH CWSN 3-5 Admin	Other	4060-4800-A	-500.00
FROM:	DOH CWSN 3-5 Admin	Contracts	4060-4900-A	-36,145.00
FROM:	Public Health Nursing	Personal Service	4072-1000-A	-58,356.00
FROM:	Public Health Nursing	Mileage	4072-4005-A	-2,000.00
FROM:	Public Health Nursing	Lodging, Meals, Tolls, Etc.	4072-4010-A	-2,000.00
FROM:	Public Health Nursing	Training	4072-4050-A	-1,286.00
FROM:	Public Health Nursing	Materials & Supplies	4072-4500-A	-12,000.00
FROM:	Public Health Nursing	Subscriptions/Dues	4072-4650-A	-1,000.00
FROM:	Alcoholism	Personal Service	4250-1000-A	-14,524.00
FROM:	Mental Health	Personal Service	4310-1000-A	-17,429.00
FROM:	Social Services Admin	Personal Service	6010-1000-A	-28,819.00
FROM:	Social Services Admin	Vehicle	6010-2400-A	-1,543.00
FROM:	Social Services Admin	Training	6010-4050-A	-11,660.00
FROM:	Social Services Admin	Contracts	6010-4900-A	-34,117.00
FROM:	DSS-HEAP	HEAP	6141-4739-A	-6,000.00
FROM:	Publicity	Personal Service	6410-1000-A	-12,000.00
FROM:	Publicity	Other-Tourism Booth	6410-4840-A	-3,000.00
FROM:	Economic Development	Mileage	6425-4005-A	-200.00
FROM:	Economic Development	Lodging, Meals, Tolls, Etc.	6425-4010-A	-100.00
FROM:	Economic Development	Other	6425-4800-A	-500.00
FROM:	Economic Development	Contracts	6425-4900-A	-1,090.00
FROM:	Empire Zone	Personal Service	6430-1000-A	-27,721.00
FROM:	Youth Program	Telephone	7310-4100-A	-52.00
FROM:	Youth Program	Xerox	7310-4300-A	-20.00
FROM:	Youth Program	Postage & UPS	7310-4400-A	-32.00
FROM:	Youth Program	Materials & Supplies	7310-4500-A	-35.00
FROM:	Planning	Personal Service	8020-1000-A	-2,084.00
FROM:	Planning	Mileage	8020-4005-A	-450.00
FROM:	Planning	Lodging, Meals, Tolls, Etc.	8020-4010-A	-175.00
FROM:	Planning	Training	8020-4050-A	-590.00
FROM:	Planning	Telephone	8020-4100-A	-100.00
FROM:	Planning	Postage & UPS	8020-4400-A	-300.00
FROM:	Planning	Materials & Supplies	8020-4500-A	-1,000.00
FROM:	Planning	Subscriptions/Dues	8020-4650-A	-1,291.00
FROM:	Planning	Other	8020-4800-A	-200.00
FROM:	Solid Waste & Recycling Prog	Mileage	8160-4005-A	-163.00
FROM:	Solid Waste & Recycling Prog	Lodging, Meals, Tolls, Etc.	8160-4010-A	-100.00
FROM:	Solid Waste & Recycling Prog	Other	8160-4800-A	-1,441.00
TO:	Contingent II	Other	1991-4800-A	555,209.00
FROM:	Contingent	Other	1990-4800-A	-10,104.07
TO:	District Attorney	P.S.O.T.	1165-4700-A	10,104.07
<u>D – COUNTY ROAD FUND</u>				
FROM:	Maintenance	Personal Service	5110-1000-D	-69,164.00
FROM:	Maintenance	Asphalt/Stone/Sand/Oil	5110-4570-D	-50,000.00

FROM:	Maintenance	Culverts	5110-4572-D	-8,000.00
FROM:	Road Construction Projects	Local Bridge Repairs	5112-2020-D	-40,000.00
TO:	Contingent II	Other	1991-4800-D	167,164.00

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,449; Noes: 330 – Harrington; Absent: 388 – Stuligross. Adopted.

The Chairman declared a short break.

The Board reconvened.

RESOLUTION NO. 157-20090603

**RESOLUTION – CREATING POSITION IN
THE PLANNING DEPARTMENT
(DIRECTOR OF WEIGHTS & MEASURES I)**

JOHNSON, SCHWERD, MURPHY

RESOLVED, that the following position is created in the Planning Department, effective June 3, 2009:

Director of Weights & Measures I, Grade 12,
\$26,379 - \$31,159 (\$956)

and be it further

RESOLVED, that the funding for this position is included in the 2009 Weights & Measures Budget (6610-A) at line 1000 Personal Service and is reimbursable in the amount of \$4,725 from state aid; 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, Lindberg. Roll call vote. Total: 6,167; Ayes: 4,698; Noes: 626 – Fournier; Absent: 843 – Relic, Stuligross. Adopted.

RESOLUTION NO. 158-20090603

**RESOLUTION - ABOLISHING POSITION IN DEPARTMENT
OF WEIGHTS & MEASURES
(DIRECTOR OF WEIGHTS & MEASURES I)**

JOHNSON, SCHWERD, MURPHY

RESOLVED, that the following position in the Department of Weights & Measures is hereby abolished, effective June 3, 2009:

Director of Weights & Measures I, Grade 12, Position #1,

\$26,379 - \$31,159 (\$956)

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 County Treasurer and to the Personnel Officer.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,324; Absent: 843 – Relic, Stuligross. Adopted.

Representative Harrington moved to suspend the rules and act upon late Resolution No. 168. Seconded, Stayton. Total: 6,167; Ayes: 5,779; Absent: 388 – Stuligross. Motion carried.

RESOLUTION NO. 168-20090617

**RESOLUTION - AUTHORIZING THE PURCHASE OF CERTAIN
MATERIALS FOR THE GREATER COOPERSTOWN COUNTY
BUILDINGS FIBER SYSTEM**

CLARK, RELIC, STAYTON

WHEREAS, bids have been requested and duly received by the Purchasing Agent for certain materials for the Greater Cooperstown County Buildings Fiber System; and

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

RESOLVED, that the E911 Coordinator be and hereby is authorized to contract with the following firm as set forth below, in accordance with the specifications and bid heretofore received; said bid proposal being on file in the Purchasing Department and the Office of the Clerk of the Board of Representatives:

ITEM: PVC PIPE – SCHEDULE 80

VENDOR: Chemung Supply Corporation
PO Box 527
Elmira, New York 14902

COST: \$19,800.00 - 20,000 feet at \$0.99 per foot

and be it further

RESOLVED, that funds for this expenditure are included in the 2009 Public Safety Communications Budget (3020-A) at line 2750 Communications Backbone.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,779; Absent: 388 – Stuligross. Adopted.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, July 1, 2009 at 10:00 a.m.