

**REGULAR SESSION
FIRST DAY**

Wednesday, July 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, Fournier, Lindberg, Dubben, Johnson, McCarty, Schwerd, Rothenberger, Harrington, Stuligross

The Board held a moment of silence for Rick Yerdon, former Fraud Investigator.

Under privilege of the floor Brian Webster, a radio engineer, expressed his concerns for Resolution No. 223-2008 being presented today, regarding a contract with Alcatel-Lucent to provide microwave connectivity between the Public Safety Building and the County Office Building. He said that he conducted an ad hoc study on the radio system in 2003 and 2008 and found that there exists a flaw in the design due to the location of the Public Safety Building in reference to the Cornish Hill tower. This is due to the fact that radio waves transmit in a conical shape. Trees are encroaching on the radio signal. He is concerned that there has been no review by an independent vendor of this design or the proposed equipment. Mr. Webster suggested that the county wait and conduct a comprehensive plan on its microwave radio needs.

Dinnie Sloman of Cornell Cooperative Extension handed out the Extension's latest brochures. He also informed the County Board that a webinar has been scheduled to address the gas leasing issue. All County Board members will receive further information.

Scott Fickbohm of the Soil and Water Conservation District (SWCD) gave an update on SWCD's current programs, which involve flood projects, the AEM program, NYS Ag & Markets grants, the restoration of wetlands, the Envirothon, the hydro seeding program, the city of Oneonta storm water project, WRP surveys, the Canadarago Lake project, problems with the Susquehanna River in Unadilla, percolation tests, agricultural assessments and the tree sales. He stated that he is a new member to the Otsego County Planning Board.

Cindy Macomber of the Department of Social Services stated that she is a county resident and attended the night County Board meeting held in June. She said that she was disappointed with the actions of certain County Board members at that meeting. Ms. Macomber feels that the CSEA contract is not being settled in negotiations, and the newspaper does not always report all the information on the matter. The County Board is the employer, and the county employees are their employees. She felt that the relationship should not be antagonistic. The employees are not out to screw the County Board, but rather are just trying to do the best with what they have. Employees have to question whether what the county offers during negotiations is reasonable. Ms. Macomber stated that common sense and logic need to prevail.

The following communications were read and ordered filed:

Notice of Claim – Jeanene Rous Higbie versus the County of Otsego – For creating a dangerous condition at the intersection of CR 52 and CR 33 in the Town of Middlefield.

No amount stated.

Under special presentations Kevin Karn of Kimball Associates presented Kimball's proposal to assist the county with its public safety communications RFP process. He gave a history of what services he and Kimball Associates have provided in the past for public safety in Otsego County. Mr. Karn stated that Kimball Associates did a needs assessment on the backbone for the county several years ago. Most of the issues raised in Kimball Associates' Needs Assessment Report from 2002 still stand. The county must move forward on replacing its public safety communications backbone and the 18 MHz system.

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

Representative Fournier moved to dispense with the reading of all the resolutions. Seconded, Lindberg. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Motion carried.

RESOLUTION NO. 220-20080702

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT FOR PURCHASE OF CERTAIN MATERIALS AND SERVICES

DUBBEN, RELIC, MURPHY

WHEREAS, bids have been requested and duly received by the Purchasing Agent for certain materials and services for County Highways; and

WHEREAS, the Superintendent of Highways 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 Chairman of this Board of Representatives be and is hereby authorized to contract with the following firms as set forth below, in accordance with the specifications and bids heretofore received:

ITEM:	Resurfacing County Route #21
BIDDER:	Barrett Paving Materials, Inc. P.O. Box 400 Washington Mills, New York 13479
COST:	\$388,820.94

ITEM:	Resurfacing County Route #40
BIDDER:	Barrett Paving Materials, Inc. P.O. Box 400 Washington Mills, New York 13479
COST:	\$382,775.55

ITEM: Resurfacing County Route #52

BIDDER: Hanson Aggregates
P.O. Box 513
Jamesville, New York 13078

COST: \$271,477.38

ITEM: Centerline & Edgeline Painting
on County Highways

BIDDER: Seneca Pavement Marking Inc.
23 Hunters Run
Horseheads, New York 14845

COST: Centerline - Cost per Mile
(Application & Material) - \$237.00
Edgeline - Cost per Mile
(Application & Material) - \$137.00

and be it further

RESOLVED, that funding for these expenditures is included in the 2008 Highway Budget under the following line items: D5110.4500, D5110.4570, D5110.4800, D5112.2020, D5112.2092, D5112.2096, D5113.2040, D5113.2077, D5113.2104, D5113.2109, D5113.2116, D5113.2117, D5113.2118, D5113.2119, D5113.2120, D5113.2121,

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,006; Absent: 1,161 – Murphy, McCarty, Stayton. Adopted.

RESOLUTION NO. 221-20080702

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO ENTER INTO CONTRACT WITH CARE ENVIRONMENTAL CORP. FOR A HOUSEHOLD HAZARDOUS AND CESQG COLLECTION DAY

MCCARTY, FOURNIER, MURPHY, ROTHENBERGER

WHEREAS, the County, through the Town of Bethlehem, issued a joint bid for several municipalities including the County of Otsego for a household hazardous and CESQG (certified exempt small quantity generators) collection day; and

WHEREAS, Care Environmental Corp., 315 Palmer Road, Denville, New Jersey 07834, submitted the lowest acceptable bid for said clean up day; namely, the total amount to be paid for transportation and disposal fees in accordance with the pricing schedule

listed in the 2007 HHW Response Form for participating New York Communities is \$194,971.30; and

WHEREAS, Otsego County's responsibility, as one of the communities, is limited to the cost of those services actually provided to Otsego County only; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into a contract with Care Environmental Corp. for providing services to the County for a household hazardous and CESQG collection day; the County agrees to pay Care Environmental Corp. for transportation and disposal fees in accordance with the pricing schedule listed in the 2007 HHW Response Form for participating New York Communities, with a total transportation and disposal bid for the municipalities of \$194,971.30; a copy of said response form being on file with the Clerk of the Board; and be it further

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

RESOLVED, that the County's portion of the transportation and disposal fees generated by this Household Hazardous Waste and CESQG Disposal Day is included in the 2008 Solid Waste Budget (8160) at line 4900 Contracts; said funds consisting of approximately 50% state aid, private funds and Solid Waste User Fee monies.

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 5,006; Absent: 1,161 – Murphy, McCarty, Stayton. Adopted.

RESOLUTION NO. 222-20080702

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO ENTER INTO CONTRACT WITH EDISON COMPUTERS FOR COLLECTION OF HOME ENTERTAINMENT ELECTRONICS AT THE 2008 HOUSEHOLD HAZARDOUS AND CESQG COLLECTION DAY

MCCARTY, FOURNIER, MURPHY, ROTHENBERGER

WHEREAS, the 2008 Household Hazardous and CESQG (Certified Exempt Small Quantity Generators) Collection Day will be held on September 6, 2008; and

WHEREAS, Edison Computers has agreed to accept residential home entertainment electronics at this year's Household Hazardous Collection Event at no cost to the residents; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to contract with Edison Computers, 5375 State Highway 7, Oneonta, New York 13820, to accept residential home entertainment electronics at the 2008 Household Hazardous and CESQG Collection Day on September 6, 2008 at no cost to the residents; and be it further

RESOLVED, that Edison Computers shall charge the County at the rate of \$.20/pound for televisions and \$3.00/computer monitor; and be it further

RESOLVED, that the County shall submit these expenses to the New York State Department of Environmental Conservation and MOSA for full reimbursement; 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.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 223-20080702

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE
BOARD TO CONTRACT WITH ALCATEL-LUCENT TO
PROVIDE MICROWAVE CONNECTIVITY BETWEEN
THE PUBLIC SAFETY BUILDING AND THE
COUNTY OFFICE BUILDING**

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, a proposal has been made by Alcatel-Lucent for the replacement of the telephone lines between the Public Safety Building and the County Office Building with microwave connectivity under state contract pricing; and

WHEREAS, it is believed that this new connection would allow the County to consolidate computer servers, and thus, would offer an indirect savings to the County in the future; and

WHEREAS, it is in the best interest of the County to accept this proposal and contract for the replacement of the telephone lines with microwave connectivity; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized to contract with Alcatel-Lucent, 3400 W. Plano Parkway, Plano, Texas 75075, for the replacement of the telephone lines between the Public Safety Building and the County Office Building with microwave connectivity, at a cost of \$408,904.00; and be it further

RESOLVED, that Alcatel NYOGS State Contract #PT59705 shall be utilized for this transaction; and be it further

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

RESOLVED, that the funds for this expenditure are included in the 2008 Public Safety Communications Budget (3020) at line 2750-A Communications Backbone.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 224-20080702

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO
ENTER INTO A LEASE AGREEMENT WITH OMNIPOINT
COMMUNICATIONS INC. d/b/a T-MOBILE USA, INC. FOR
LEASE OF SPACE ON CORNISH HILL TOWER SITE**

FOURNIER, HARRINGTON, CLARK, STAYTON

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into a lease agreement with Omnipoint Communications Inc., d/b/a T-Mobile USA, Inc., 103 Monarch Drive, Liverpool, New York 13088, to provide for the erection of an antenna on a self-supporting structure on property owned by the County, namely, the Cornish Hill Tower Site in the Town of Middlefield, at a monthly rental of \$1,200.00; the term of said lease shall be for a period of five (5) years, with the right to extend the lease for five (5) additional and successive five-year terms subject to the right of the County to earlier terminate this lease term and any renewal term of this surplus tower space upon a determination by the County as Lessor that this rental space is required for usage by the County; and be it further

RESOLVED, that during the initial term and any renewal terms, the rent shall be adjusted to an amount equal to 103% of the monthly rent in effect immediately prior to the adjustment date; and be it further

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

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 225-20080702

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

SCHWERD, CLARK, LINDBERG

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

MICHAEL SHEA, Superintendent
Oneonta School District
189 Main Street
Oneonta, New York 13820
Term expiring June 30, 2011
(Replacing Marie Wiles)

Seconded, Relic. Oral vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy,

Stayton. Adopted.

RESOLUTION NO. 226-20080702

**RESOLUTION - AUTHORIZING THE FILING OF STATE
FUNDING APPLICATIONS FOR FARMLAND PROTECTION
IMPLEMENTATION PROJECTS**

MCCARTY, FOURNIER, MURPHY, ROTHENBERGER

WHEREAS, the mission of the Otsego Land Trust is to conserve the distinctive rural character of the Otsego County region through protecting open space, lands of scenic value, fragile ecosystems, farmland and forestlands; and

WHEREAS, the Otsego Land Trust is prepared to lead initiatives to protect farmland in Otsego County, and to hold and monitor conservation easements under conditions acceptable to the New York State Department of Agriculture and Markets; and

WHEREAS, the County's authorization is requested for the filing of two (2) applications to the New York State Department of Agriculture and Markets for the funding of two (2) Farmland Protection Implementation Projects; and

WHEREAS, the proposed projects involve the purchase of development rights of the Weaver Farm and the Stitzel Farm in the Town of Springfield; and

WHEREAS, the Weaver Farm has approximately 107 acres; and

WHEREAS, the Stitzel Farm has approximately 1400 acres; 1027 acres in Otsego County and 373 acres in Herkimer County; and

WHEREAS, the funding application will be filed jointly with the County of Herkimer and will not involve any additional County funds; now, therefore, be it

RESOLVED, that this Board of Representatives authorizes the joint filing of two (2) applications, together with the County of Herkimer, with the New York State Department of Agriculture and Markets for the funding of two (2) Farmland Protection Implementation projects; namely, the purchase of development rights of the Weaver Farm and the Stitzel Farm in the Town of Springfield; and be it further

RESOLVED, that the Chairman of the Board is authorized to sign the associated state contract and any other documents that may be necessary to procure this funding.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 2,821 – Powers, Dubben, McCarty, Schwerd, Rothenberger, Harrington, Stuligross; Noes: 2,562 – Relic, Clark, Fournier, Lindberg, Johnson; Absent: 784 – Murphy, Stayton. Resolution lost. {See the August 6, 2008 County Board meeting for further action.}

RESOLUTION NO. 227-20080702

RESOLUTION – ESTABLISHING NEW FAMILY FOSTER CARE RATES

CLARK, SCHWERD, STULIGROSS

RESOLVED, that new family foster care maintenance and care rates are established as follows, effective April 1, 2008:

Age 0-5:	\$11.00 per day \$15.58 per day for trained foster parents
Age 6- 11:	\$12.00 per day \$18.77 per day for trained foster parents
Age 12 & older:	\$13.00 per day \$22.00 per day for trained foster parents
Special:	\$37.48 per day (includes JD & PINS)
Exceptional:	\$56.84 per day
Clothing Allowance:	
Age 0-5	\$.98 per day
Age 6-11	\$1.37 per day
Age 12-15	\$2.13 per day
Age 16 & over	\$2.61 per day
Diaper Allowance:	
Age 0-3	1.81 per day or \$55.00 per month

and be it further

RESOLVED, that Otsego County Department of Social Services is authorized to continually adjust these family foster care maintenance and care rates in accordance to the Maximum State Aid Rates set by the New York State Office of Children and Family Services; and be it further

RESOLVED, that the funding for the above rates is included in the Foster Care Budget (6119) and consists of 50% federal funds, 37.5% state funds, and 12.5% local cost.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 228-20080702

**RESOLUTION - TO PURCHASE CERTAIN MEDICAL SUPPLIES
FOR OTSEGO MANOR AND PUBLIC HEALTH NURSING**

HARRINGTON, DUBBEN, STAYTON, LINDBERG

WHEREAS, the Otsego County Purchasing Agent has advertised and received bids for certain medical supplies for Otsego Manor and Public Health Nursing for the period June 1, 2008 to May 31, 2009; and

WHEREAS, the bids have been reviewed and a recommendation has been made approving the lowest acceptable bids for the medical supplies; and

WHEREAS, a complete listing of all prices for individual items is on file with the Clerk of the Board; now, therefore, be it

RESOLVED, that the Department Heads of Otsego Manor and Public Health Nursing be and hereby are authorized to purchase the medical supplies set forth in accordance with the specifications and bids heretofore received; a complete listing of all prices for individual items being on file with the Clerk of the Board; and be it further

RESOLVED, that the purchase of said medical supplies is authorized in the 2008 budgets for each of the above-mentioned departments.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 229-20080702

**RESOLUTION - CREATING POSITION IN OTSEGO
MANOR (SOCIAL WORK ASSISTANT)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following position is hereby created in Otsego Manor, effective July 6, 2008:

Social Work Assistant, Grade 12,
\$26,379 - \$31,159 (\$956)

and be it further

RESOLVED, that the position of Leisure Time Activities Director, Grade 12A, \$26,808.24 - \$31,563.89 (\$951.13) shall be unfunded, but not abolished; and be it further

RESOLVED, that the funding for the Social Work Assistant position is included in the 2008 Infirmary Enterprise Budget (6020) at line 1000-E Personal Service and is reimbursable as follows: Federal 50%, State 40%, and County 10%; 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. Roll call vote. Total: 6,167; Ayes: 4,667; Noes: 716 – Johnson, Rothenberger; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 230-20080702

**RESOLUTION – CREATING POSITIONS IN COUNTY
CORRECTIONAL FACILITY (CORRECTION OFFICERS)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following positions be and hereby are created in the County's Correctional Facility, effective July 1, 2008:

Two (2) positions of Correction Officer,
Grade 9G, \$28,479 - \$32,975

and be it further

RESOLVED, that the funding for these positions is included in the 2008 Jail Budget (3150) 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, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 231-20080702

**RESOLUTION - CREATING POSITION IN DEPARTMENT OF
HEALTH (SENIOR ACCOUNT CLERK TYPIST)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following position be and hereby is created in the Department of Health, effective July 7, 2008:

Senior Account Clerk Typist, Grade 9,
\$23,135 - \$27,245 (\$822)

and be it further

RESOLVED, that the funding for this position is included in the 2008 Public Health Nurses Budget (4072) at line 1000-A Personal Service and is reimbursable through state aid, grants, third party insurance and fees; 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. Roll call vote. Total: 6,167; Ayes: 5,057; Noes: 326 – Rothenberger; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 232-20080702

**RESOLUTION - ABOLISHING POSITION IN DEPARTMENT
OF HEALTH (SECRETARY I)**

SCHWERD, CLARK, LINDBERG, STULIGROSS

RESOLVED, that the following position in the Department of Health is abolished, effective July 15, 2008:

Secretary I, Managerial/Confidential

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, Fournier. Oral vote. Total: 6,167; Ayes: 5,057; Noes: 326 – Rothenberger; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 233-20080702 (original)

**RESOLUTION - TRANSFERRING FUNDS
IN VARIOUS DEPARTMENTS (2008)**

RELIC, SCHWERD, JOHNSON

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

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

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2008 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

2008 TRANSFERS				
	<u>DEPARTMENT</u>	<u>ACCOUNT NAME</u>	<u>ACCOUNT CODE</u>	<u>AMOUNT</u>
	<u>A - GENERAL FUND</u>			
FROM:	County Auditor	Personal Service	1320-1000-A	-10,623.00
FROM:	Real Property Tax Service	Personal Service	1355-1000-A	-25,697.00
FROM:	County Attorney	Personal Service	1420-1000-A	-1,823.00

FROM:	Personnel	Personal Service	1430-1000-A	-12,600.00
FROM:	Elections	Personal Service	1450-1000-A	-9,782.00
FROM:	Cooperstown Office Building	Personal Service	1625-1000-A	-8,474.00
FROM:	Public Safety Communications	Personal Service	3020-1000-A	-49,471.00
FROM:	Sheriff	Personal Service	3110-1000-A	-11,068.00
FROM:	Probation	Personal Service	3140-1000-A	-2,125.00
FROM:	Jail	Personal Service	3150-1000-A	-125,646.00
FROM:	Code Enforcement	Personal Service	3620-1000-A	-43,362.00
FROM:	Office of Emergency Service	Personal Service	3641-1000-A	-5,418.00
FROM:	Mental Health	Personal Service	4310-1000-A	-7,000.00
FROM:	Planning	Personal Service	8020-1000-A	-34,338.00
TO:	Contingent II	Other	1991-4800-A	347,427.00
FROM:	Otsego Manor	Personal Service	6020-1000-E	-122,407.00
TO:	Contingent II	Other	1991-4800-E	122,407.00
FROM:	Workers Comp	Personal Service	1710-1000-S	-5,000.00
TO:	Contingent II	Other	1991-4800-S	5,000.00
FROM:	Cooperstown Office Building	Maintenance & Repair Parts	1625-4562-A	-4,000.00
TO:	Cooperstown Office Building	Fuel	1625-4560-A	4,000.00
FROM:	Solid Waste & Recycling Prgm	Contracts	8160-4900-A	-780.00
TO:	Public Transportation Service	Service Equipment	5630-2000-A	780.00
FROM:	Forestry	Other	8710-4800-A	-500.00
TO:	Forestry	Contracts	8710-4900-A	500.00
2008 BUDGET MODIFICATIONS				
<u>A - GENERAL FUND</u>				
Increase:	Appropriated Reserves	Reserve for ILS	0000-0511-A	18,000.00
Increase:	Public Defender-ILS Fund	Materials & Supplies	1171-4500-A	13,000.00
Increase:	Public Defender-ILS Fund	Other	1171-4800-A	5,000.00
Increase:	Miscellaneous	Reim Bldgs from Manor	0000-2793-A	10,000.00
Increase:	Otsego Manor Building	Materials & Supplies	1631-4500-A	10,000.00
Increase:	Appropriated Reserves	Reserve for Comm Backbone	0000-0511-A	408,904.00
Increase:	Public Safety Communications	Communication Backbone	3020-2750-A	408,904.00
Increase:	State Aid-Public Safety	CAC Grant	0000-3380-A	123,074.00
Increase:	Child Advocacy Center	Personal Service	3700-1000-A	13,320.00
Increase:	Child Advocacy Center	Equipment	3700-2000-A	44,843.00
Increase:	Child Advocacy Center	Misc Renovations	3700-2500-A	1,600.00
Increase:	Child Advocacy Center	Mileage	3700-4005-A	485.00
Increase:	Child Advocacy Center	Lodging, Meals, Tolls, Etc.	3700-4010-A	32,111.00
Increase:	Child Advocacy Center	Telephone	3700-4100-A	1,200.00
Increase:	Child Advocacy Center	Postage	3700-4400-A	300.00
Increase:	Child Advocacy Center	Materials & Supplies	3700-4500-A	14,500.00

Increase:	Child Advocacy Center	Subscriptions/Dues	3700-4650-A	4,200.00
Increase:	Child Advocacy Center	Other	3700-4800-A	4,150.00
Increase:	Child Advocacy Center	Consultants	3700-4880-A	6,365.00

Seconded, Fournier. Representative Relic moved to amend the 2008 Budget Modifications by increasing 0000-0511-A – Reserve for Comm Backbone to “\$468,904” and Increasing 3020-2750-A Communication Backbone to “\$468,904”. Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Motion carried.

RESOLUTION NO. 233-20080702 (amended)

**RESOLUTION - TRANSFERRING FUNDS
IN VARIOUS DEPARTMENTS (2008)**

RELIC, SCHWERD, JOHNSON

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

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

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2008 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

2008 TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A - GENERAL FUND				
FROM:	County Auditor	Personal Service	1320-1000-A	-10,623.00
FROM:	Real Property Tax Service	Personal Service	1355-1000-A	-25,697.00
FROM:	County Attorney	Personal Service	1420-1000-A	-1,823.00
FROM:	Personnel	Personal Service	1430-1000-A	-12,600.00
FROM:	Elections	Personal Service	1450-1000-A	-9,782.00
FROM:	Cooperstown Office Building	Personal Service	1625-1000-A	-8,474.00
FROM:	Public Safety Communications	Personal Service	3020-1000-A	-49,471.00
FROM:	Sheriff	Personal Service	3110-1000-A	-11,068.00
FROM:	Probation	Personal Service	3140-1000-A	-2,125.00
FROM:	Jail	Personal Service	3150-1000-A	-125,646.00
FROM:	Code Enforcement	Personal Service	3620-1000-A	-43,362.00
FROM:	Office of Emergency Service	Personal Service	3641-1000-A	-5,418.00
FROM:	Mental Health	Personal Service	4310-1000-A	-7,000.00
FROM:	Planning	Personal Service	8020-1000-A	-34,338.00
TO:	Contingent II	Other	1991-4800-A	347,427.00
FROM:	Otsego Manor	Personal Service	6020-1000-E	-122,407.00
TO:	Contingent II	Other	1991-4800-E	122,407.00

FROM:	Workers Comp	Personal Service	1710-1000-S	-5,000.00
TO:	Contingent II	Other	1991-4800-S	5,000.00
FROM:	Cooperstown Office Building	Maintenance & Repair Parts	1625-4562-A	-4,000.00
TO:	Cooperstown Office Building	Fuel	1625-4560-A	4,000.00
FROM:	Solid Waste & Recycling Prgm	Contracts	8160-4900-A	-780.00
TO:	Public Transportation Service	Service Equipment	5630-2000-A	780.00
FROM:	Forestry	Other	8710-4800-A	-500.00
TO:	Forestry	Contracts	8710-4900-A	500.00
2008 BUDGET MODIFICATIONS				
A - GENERAL FUND				
Increase:	Appropriated Reserves	Reserve for ILS	0000-0511-A	18,000.00
Increase:	Public Defender-ILS Fund	Materials & Supplies	1171-4500-A	13,000.00
Increase:	Public Defender-ILS Fund	Other	1171-4800-A	5,000.00
Increase:	Miscellaneous	Reim Bldgs from Manor	0000-2793-A	10,000.00
Increase:	Otsego Manor Building	Materials & Supplies	1631-4500-A	10,000.00
Increase:	Appropriated Reserves	Reserve for Comm Backbone	0000-0511-A	468,904.00
Increase:	Public Safety Communications	Communication Backbone	3020-2750-A	468,904.00
Increase:	State Aid-Public Safety	CAC Grant	0000-3380-A	123,074.00
Increase:	Child Advocacy Center	Personal Service	3700-1000-A	13,320.00
Increase:	Child Advocacy Center	Equipment	3700-2000-A	44,843.00
Increase:	Child Advocacy Center	Misc Renovations	3700-2500-A	1,600.00
Increase:	Child Advocacy Center	Mileage	3700-4005-A	485.00
Increase:	Child Advocacy Center	Lodging, Meals, Tolls, Etc.	3700-4010-A	32,111.00
Increase:	Child Advocacy Center	Telephone	3700-4100-A	1,200.00
Increase:	Child Advocacy Center	Postage	3700-4400-A	300.00
Increase:	Child Advocacy Center	Materials & Supplies	3700-4500-A	14,500.00
Increase:	Child Advocacy Center	Subscriptions/Dues	3700-4650-A	4,200.00
Increase:	Child Advocacy Center	Other	3700-4800-A	4,150.00
Increase:	Child Advocacy Center	Consultants	3700-4880-A	6,365.00

Roll call vote on amended resolution. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted as amended.

RESOLUTION NO. 234-20080702

**RESOLUTION – AUTHORIZING CHAIRMAN OF THE
BOARD TO ENTER INTO AGREEMENT FOR
PROFESSIONAL SERVICES REGARDING A BRANDING
STUDY FOR OTSEGO COUNTY**

JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER

WHEREAS, Ad Workshop proposed to render professional services to Otsego County Economic Development Department, Division of Tourism, in connection with completion of a Branding Study for Otsego County; and

WHEREAS, a Branding Study consists of a SWOT analysis; in-depth input by stakeholders; a competitive profile matrix; and target assessment; all combined to determine a "brand" that differentiates Otsego County's diverse tourism products and provides structure and consistency through any application, media or form; and

WHEREAS, it is in the best interests of the County to contract with Ad Workshop for these professional services; said services being professional in nature and not requiring public bidding; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with Ad Workshop, 44 Hadjis Way, P.O. Box 645, Lake Placid, New York 12946, to render professional services in connection with the completion of a Branding Study for Otsego County, at a cost not to exceed \$25,000, for the term October 15, 2007 through May 15, 2008; and be it further

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

RESOLVED, that the funding for this study is included in the 2008 Tourism Administration Budget (6411) at line 4800 Other and is generated through Occupancy Tax revenues.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

Representative Lindberg moved to suspend the rules and act upon late Resolution Nos. 235 - 238. Seconded, Relic. Oral vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Motion carried.

RESOLUTION NO. 235-20080702

**RESOLUTION - AUTHORIZING LOAN FROM OTSEGO COUNTY
REVOLVING LOAN PROGRAM II
(RENEWABLE ENERGY DEVELOPMENT INC.)**

RELIC, SCHWERD, JOHNSON

WHEREAS, Otsego County received a 2004 Economic Development Grant from the New York State Small Cities Community Development Block Grant (CDBG) to assist Otsego County Small Businesses; and

WHEREAS, the Otsego County Revolving Loan Program II 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 CDBG requirements and Program Guidelines; and

WHEREAS, an application has been made by the Renewable Energy Development, Inc. (REDI), to receive a \$120,000 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 \$120,000 loan to Renewable Energy Development, Inc. for a term of seven (7) 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 2008 Community Development Budget; 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, Lindberg. Roll call vote. Total: 6,167; Ayes: 4,928; Absent: 784 – Murphy, Stayton; Abstain: 455 – Relic. Adopted.

RESOLUTION NO. 236-20080702

RESOLUTION - GRANTING EASEMENT TO VERIZON WIRELESS

DUBBEN, RELIC, MURPHY

WHEREAS, Verizon Wireless is in the processing of installing and constructing an underground electric cable system to supply, transmit and distribute electricity in, through, under, upon and over County property; and

WHEREAS, this underground electric cable system will be located on property owned by the County of Otsego as described below; now, therefore, be it

RESOLVED, that Chairman of the Board be and hereby is authorized to execute and deliver to Verizon Wireless an easement for the purpose of installing and constructing an underground electric cable system to supply, transmit and distribute electricity in, through, under, upon and over property of the County; namely, supply electricity to the County-owned Annex Building - Court Facilities, for the consideration of \$1.00; and be it further

RESOLVED, the County's property within which said easement and right-of-way is to be located is described as follows: Main Street, bounded Northerly by Main Street and southerly by Leatherstocking Street, situate in the Village of Cooperstown, County of

Otsego and State of New York, Tax Map number 115.18, Block 1, Lot 19; and be it further

RESOLVED, that the County of Otsego further grants a conditional easement to replace, repair, and maintain such underground electric cable system in, through, under and to the extent necessary upon and over the above easement area, including above ground metering facilities, conditioned upon Verizon Wireless delivering to the County prior actual notice of Verizon Wireless' intention to so replace, repair or maintain such underground electric cable system, and further conditioned upon payment to the County of a sum sufficient to restore the affected area, such sum to be held in escrow by the County, and further conditioned upon Verizon Wireless obtaining all required consents and approvals of the New York State Electric & Gas Corporation or any municipality or regulatory authority; and be it further

RESOLVED, the easement and right-of-way shall contain such other terms as are in the best interest of the County of Otsego.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Adopted.

RESOLUTION NO. 237-20080702 (original)

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE
BOARD TO CONTRACT WITH L. ROBERT KIMBALL &
ASSOCIATES FOR ASSISTANCE IN UPGRADING
PUBLIC SAFETY COMMUNICATIONS SYSTEM**

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, the County of Otsego is upgrading its public safety communications system; and

WHEREAS, L. Robert Kimball & Associates, a professional architectural and engineering firm, has submitted a satisfactory proposal to assist the County in this project, which professional services do not require public bidding; and

WHEREAS, L. Robert Kimball & Associates has during the years 2000-2002 provided professional services to the then communications system and is particularly familiar with the County System, which will assist both the Contractor and the County, in accomplishing the above upgrade project; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to contract with L. Robert Kimball & Associates, 328 Innovation Boulevard, Suite 222, State College, Pennsylvania 16803, to assist the County in upgrading its public safety communications system, to include the following terms and costs, all of which require the prior written authorization of the County to proceed and then be compensated:

1. Task 1 - Definite System Requirements
 - Review and comment on current system design
 - Review and comment on tower loading requirements
 - Review and comment on microwave path analysis

- Verify FAA compliance
- Verify soil analysis compliance (by others)
- Verify environmental impact compliance (by others)

Deliverable: Letter Report
 Expected Time to Completion: 30 days
 Cost: at an average rate of \$140.00 per hour,
 not to exceed \$15,000.00

2. Task 2 - Tower System Procurement

- Develop system performance specification
- Packaged bid documents incorporated with County contract terms and conditions
- Respond to vendor questions
- Conduct pre-bid conference - with one same day vendor - walk-through
- Evaluate response

Deliverables:
 ▪ RFP document
 ▪ Letter report of evaluation and recommendation
 Expected Time to Completion: 60 days
 Cost: at an average rate of \$140.00 per hour,
 not to exceed \$25,000.00

3. Task 3 - Microwave Relocation Assistance

- Review and comment on AWS Carrier scope of work
- Review and comment on AWS Carrier project
- Provide client advocate services - negotiations
- Conduct pre-contract, on-site walk-through with AWS Carrier
- Conduct one post-contract, on site walk-through with AWS

Deliverable: Letter report and recommendation
 Expected Time to Completion: 60 days
 Cost: at an average rate of \$140.00 per hour,
 not to exceed \$20,000.00

TOTAL COST - NOT TO EXCEED \$60,000.00

and be it further

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

RESOLVED, that the funds for this expenditure are included in the 2008 Public Safety Communications Budget (3020) at line 2750-A Communications Backbone.

Seconded, Relic. Representative Fournier moved to amend Task 1 to include: "Review and comment on proposed connectivity project with Alcatel-Lucent." Seconded, Relic. Oral vote on amendment. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Motion carried.

RESOLUTION NO. 237-20080702 (amended)

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE
BOARD TO CONTRACT WITH L. ROBERT KIMBALL &
ASSOCIATES FOR ASSISTANCE IN UPGRADING
PUBLIC SAFETY COMMUNICATIONS SYSTEM**

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, the County of Otsego is upgrading its public safety communications system; and

WHEREAS, L. Robert Kimball & Associates, a professional architectural and engineering firm, has submitted a satisfactory proposal to assist the County in this project, which professional services do not require public bidding; and

WHEREAS, L. Robert Kimball & Associates has during the years 2000-2002 provided professional services to the then communications system and is particularly familiar with the County System, which will assist both the Contractor and the County, in accomplishing the above upgrade project; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to contract with L. Robert Kimball & Associates, 328 Innovation Boulevard, Suite 222, State College, Pennsylvania 16803, to assist the County in upgrading its public safety communications system, to include the following terms and costs, all of which require the prior written authorization of the County to proceed and then be compensated:

1. Task 1 - Definite System Requirements

- Review and comment on current system design
- Review and comment on proposed connectivity project with Alcatel-Lucent
- Review and comment on tower loading requirements
- Review and comment on microwave path analysis
- Verify FAA compliance
- Verify soil analysis compliance (by others)
- Verify environmental impact compliance (by others)

Deliverable: Letter Report

Expected Time to Completion: 30 days

Cost: at an average rate of \$140.00 per hour,
not to exceed \$15,000.00

2. Task 2 - Tower System Procurement

- Develop system performance specification
- Packaged bid documents incorporated with County contract terms and conditions
- Respond to vendor questions
- Conduct pre-bid conference - with one same day vendor - walk-through
- Evaluate response

Deliverables:

- RFP document
 - Letter report of evaluation and recommendation
- Expected Time to Completion: 60 days
Cost: at an average rate of \$140.00 per hour,
not to exceed \$25,000.00

3. Task 3 - Microwave Relocation Assistance

- Review and comment on AWS Carrier scope of work
- Review and comment on AWS Carrier project
- Provide client advocate services - negotiations
- Conduct pre-contract, on-site walk-through with AWS Carrier
- Conduct one post-contract, on site walk-through with AWS

Deliverable: Letter report and recommendation
Expected Time to Completion: 60 days
Cost: at an average rate of \$140.00 per hour,
not to exceed \$20,000.00

TOTAL COST - NOT TO EXCEED \$60,000.00

and be it further

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

RESOLVED, that the funds for this expenditure are included in the 2008 Public Safety Communications Budget (3020) at line 2750-A Communications Backbone.

Roll call vote on amended resolution. Total: 6,167; Ayes: 5,006; Noes: 377 – McCarty; Absent: 784 – Murphy, Stayton. Adopted as amended.

The Chairman declared a short break.

The County Board reconvened.

RESOLUTION NO. 238-20080702

**RESOLUTION – AWARDING FUEL OIL AND LOW SULPHUR
DIESEL FUEL AND PROPANE CONTRACTS FOR COUNTY
OF OTSEGO**

DUBBEN, RELIC, MURPHY

WHEREASE, the Otsego County Purchasing Department, advertised for sealed bids for supplying No. 2 fuel oil, low sulphur diesel fuel, propane and propane station, and an automated pump system to the County in accordance with specifications prepared and advertised to proposed bidders by the County of Otsego Purchasing Agent; 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 Chairman of the Board is hereby authorized to enter into contracts to purchase No. 2 fuel oil, low sulphur diesel fuel, kerosene and propane from the following firms for the period July 1, 2008 through June 30, 2009 inclusive as the lowest responsible bids and bidders and that said contracts shall be in accordance with bid specifications, as well as contain such other terms and provisions as are in the best interests of the County of Otsego:

ITEMS **No. 2 Fuel Oil**
AND **Tanker Load (6,500 gallons minimum)**
COST: \$ +.0575 Firm Differential

No. 2 Fuel Oil
Regular Delivery Truck
\$ +.2200 Firm Differential

Ultra Low Sulphur Diesel Fuel
Delivered as needed
Tanker Load (6,500 gallons minimum)
\$+.0590 Firm Differential

Ultra Low Sulphur Diesel Fuel
Regular Delivery Truck
\$ +.3950 Firm Differential

BIDDER: Mirabito
 44 Grand Street
 Sidney, New York 13838

ITEMS **Kerosene for Mixture Purposes in Winter Blends**
AND \$ +.4500 Firm Differential
COST:

Dyed Kerosene, delivered as needed
\$ +.4500 Firm Differential

BIDDER: Mirabito
 44 Grand Street
 Sidney, New York 13838

ITEMS **Propane Station and Propane**
AND \$ +.35 Firm Differential
COST:

BIDDER: Paraco Gas Corporation
 4871 State Highway 28
 Cooperstown, New York 13326

and it be further

RESOLVED, that the funding for these contracts is included in the various 2008 County Building Budgets at line 4150 Heat and Lights.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,006; Noes: 377 – McCarty; Absent: 784 – Murphy, Stayton. Adopted.

The Chairman requested that the issues regarding the Business Officer Manager position in Mental Health be resolved.

Susan Dalesandro gave the County Board an update on how the position was created and where it currently stands. She said that to date the person has taken on added responsibilities, including policy formulation, administrative reports, oversight of clerical staff at the Chemical Dependencies Clinic and Mental Health Clinic, billing and database work and corporate compliance, but is not getting paid for the extra work.

Representative Fournier moved to suspend the rules and act upon late Resolution No. 239. Seconded, Relic. Oral vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Motion carried.

RESOLUTION NO. 239-20080702

RESOLUTION – REAFFIRMING SALARY OF BUSINESS OFFICE MANAGER POSITION AND ABOLISHING POSITION IN MENTAL HEALTH DEPARTMENT (SR. ACCOUNT CLERK TYPIST)

FOURNIER

RESOLVED, that the Otsego County Board of Representatives hereby reaffirms that the annual salary for the Business Office Manager position in the Department of Mental Health is set at \$34,000.00 for the years 2007 and 2008; and be it further

RESOLVED, that this Board hereby directs the County Treasurer to pay Martha Quackenbush for serving as the Business Office Manager from the date of her temporary/provisional appointments; and be it further

RESOLVED, that the following position in the Department of Mental Health is abolished, effective July 2, 2008:

Sr. Account Clerk Typist, Grade 9

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; and be it further

RESOLVED, that the funds for this position will be included in the RIV Monitoring &

Evaluation Budget (4311) at line 1000 Personal Service and are 100% state reimbursable.

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 4,898; Noes: 485 – Schwerd; Absent: 784 – Murphy, Stayton. Adopted.

Representative Schwerd moved to reconsider **Resolution No. 219-2008 – Adopting A Local Law For The Year 2008 (A Local Law Amending Local Law No. 4 of 2007 – Imposing A Tax On The Occupancy Of Certain Hotel, Motel And Similar Rooms In Otsego County)**. Seconded, Relic. Roll call vote on motion. Total: 6,167; Ayes: 2,777 – Relic, Powers, Lindberg, Dubben, Johnson, Schwerd; Noes: 2,606 – Clark, Fournier, McCarty, Rothenberger, Harrington, Stuligross; Absent: 784 – Murphy, Stayton. Motion lost.

Representative Relic moved for an executive session to discuss personnel and contract negotiations. Oral vote. Total: 6,167; Ayes: 5,383; Absent: 784 – Murphy, Stayton. Motion carried.

The Board reconvened.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, August 6, 2008 at 10:00 a.m.