

**REGULAR SESSION
FIRST DAY**

Wednesday, September 2, 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, Stuligross

Under Privilege of the Floor, Cindy Macomber, Otsego County resident, taxpayer and employee, stated that county employees are still without a contract. She said that increasing employee salaries will keep employees from leaving. The county and CSEA need to get together and get the union contract done. Ms. Macomber said that if there was anything she could do to make it happen, then let her know.

Sheila Ross, Election Commissioner, said that Board of Election employees are not in the CSEA union, but their raises mirror what happens to union employees. She stated that it would be nice if the County Board addressed the non-union people who have not received a raise in several years.

The following communications were read and ordered filed:

Stephen Lewis, NYS Office of Parks, Recreation and Historic Preservation – Letter approving Otsego County’s application for the 2008-09 Phase III of the snowmobile trail development and maintenance state aid in the amount of \$118,420.56 for 330 miles of snowmobile trails.

Stan Murn, West Islip and Edmeston, NY – Letter praising the Code Enforcement staff for its courteous and cooperative service and professional manner.

Ernest Kroll, Otsego Village Mayor – Letter requesting county funding for the replacement of sidewalks along Otsdawa Road, which is a county road.

Scott Fickbohm, Otsego County Soil and Water Conservation District – Memorandum on natural gas exploration in Otsego County, in which the District proposes to develop a water quality sampling strategy, work with industry and the appropriate agencies to develop a plan of action regarding the environment and safety, attempt to engage with the state, landowners and the industry to make sure sediment and erosion controls are being addressed adequately and assist municipalities with erosion issues.

Summons and Complaint – Frank Spadaro versus Lawrence Lloyd d/b/a Lloyd’s Septic Service, Daniel Wilber and Stanley Meyers – For negligence in the installation, supervision and inspection of Plaintiff’s septic system. The amount claimed is \$100,000 plus interest.

Under Special Presentations, John Holehan from River Street Planning & Development presented an overview of the Otsego County Integrated Housing Needs and Opportunities Study. He said that the project involved five tasks: convening an initial

scoping session, providing public participation, conducting an integrated housing needs and opportunities study, developing action plans and completing a final document. The study includes an assessment of the county's housing needs, an understanding of a healthy housing mix, steps to address local housing market needs, suggested housing friendly regulations and potential tenant and homebuyer demand/options. Recommended housing goals are the provision of a variety of housing in the county, the encouragement of senior housing development, the mitigation or elimination of barriers to affordable housing, the adoption of land use management tools that create opportunities for affordable housing, and the expansion or improvement of public infrastructure and transportation access.

Hans Arnold and Peter Rayhill from Gerhardt presented a solid waste management update. Mr. Arnold said that the final planning report will be presented at the September Solid Waste Committee meeting. This report will contain both short term and long term solid waste options for Otsego County to pursue. The objectives of the report are to lower costs in the short term, eliminate financial risks of the Guaranteed Annual Tonnage (GAT), stabilize costs in the long term and establish a more responsive solid waste system. The report will recommend that Otsego County go on its own and not rely on MOSA for solid waste services and provide recommendations with a timeline on how to achieve this goal. Mr. Arnold stated that Otsego County should provide its own solid waste services, but should keep MOSA intact to oversee the landfill post-closure matters.

The Chairman declared a break.

The Board reconvened.

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

Representative Schwerd moved for an executive session to discuss negotiations. Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Motion carried.

The Board reconvened.

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

RESOLUTION NO. 196-20090902

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT FOR ENGINEERING SERVICES FOR CONSTRUCTION PHASE OF ECONOMIC RECOVERY PROJECT FOR COUNTY ROUTE 33

MCCARTY, HARRINGTON, RELIC

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into an agreement with Barton and Loguidice, P.C., 290 Elwood David Road, Box 3107, Syracuse, New York 13220, for the construction phase of the Economic Recovery Project for County Route 33, located in the Town of Middlefield, PIN 9753.53; these services being professional engineering services and not requiring public bidding, at a cost not to exceed \$24,150.00; and be it further

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

RESOLVED, that the funds for this project are available in the 2009 Highway Budget under 5112-2123-D - Co Hwy 33 (Stimulus).

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

RESOLUTION NO. 197-20090902

**RESOLUTION - AUTHORIZING SUPERINTENDENT OF
HIGHWAYS TO CONTRACT FOR PURCHASE
OF CERTAIN EQUIPMENT AND SERVICES**

MCCARTY, HARRINGTON, RELIC

WHEREAS, bids have been requested and duly received by the Purchasing Agent for certain equipment and services 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; said bid proposals being on file at the Highway Department:

ITEM: Two (2) 2010 Mack GU712 Trucks

VENDOR: Utica Mack
9426 River Road
Marcy, New York 13403

COST: \$157,711.00

The funds for this expenditure are included in the 2009 Highway Budget under DM5130.2000 (CHIPS)

ITEM: Placement of Concrete Curbing along CR #8
in the Town of Oneonta

VENDOR: Deninis Construction Inc.
138 Burr Avenue
Binghamton, New York 13901

COST: \$69,641.60

The funds for this expenditure are included in the 2009 Highway Budget under D5113.2121 (CHIPS)

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,682; Noes: 485 – Schwerd. Adopted.

RESOLUTION NO. 198-20090902

RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH AMI IMAGING, LLC FOR SYSTEMS SERVICE AND SUPPORT

HARRINGTON, CLARK, STULIGROSS

WHEREAS, the Department of Social Services wishes to enter into a contract with AMI Imaging, LLC for support services for a document imaging system at The Meadows Office Complex located at 140 County Highway 33W, Cooperstown, New York, and at the County Office Building located at 197 Main Street, Cooperstown, New York; and

WHEREAS, such system support services are required on an ongoing basis to maintain the system; now, therefore, be it

RESOLVED, that the Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to enter into a contract with AMI Imaging, LLC, 158 Gather Drive, Suite 110, Mt. Laurel, New Jersey 08054, for the purpose of providing ongoing systems service and support for the period of October 1, 2009 through September 30, 2010; said contract shall include the following terms:

1. In no event shall the Department of Social Services' liability exceed the sum of \$38,461.45 for the term of the contract;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Records Management Budget (6011-A) at line 4900 Contract Expenses and consists of 75% Federal and State funds and 25% local funds.

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

RESOLUTION NO. 199-20090902

RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH OTSEGO COUNTY OFFICE FOR THE AGING TO PROVIDE HOME ENERGY ASSISTANCE

PROGRAM (HEAP) OUTREACH AND CERTIFICATION SERVICES

HARRINGTON, CLARK, STULIGROSS

WHEREAS, the Commissioner of Social Services is required to provide services to assist people in applying for benefits associated with the Home Energy Assistance Program (HEAP); and

WHEREAS, the County is required to establish eligibility for HEAP benefits through an application process; and

WHEREAS, the Otsego County Office for the Aging (OFA) has indicated that it can provide this service for persons over age 60 in the County of Otsego; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to contract with the Otsego County Office for the Aging, for the purpose of client HEAP application processing and eligibility determination, for the term September 1, 2009 through August 31, 2010; and be it further

RESOLVED, that the Office for the Aging shall be paid \$20.00 per application received by the Department for the 2009-2010 HEAP season; and be it further

RESOLVED, that the funding for this contract is included in the 2009 Social Services Administration Budget (6010-A) at line 4900 Contracted Expenses and is 100% Federal reimbursable.

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

RESOLUTION NO. 200-20090902

RESOLUTION – APPROVING ADDITIONS TO CERTIFIED AGRICULTURAL DISTRICTS WITHIN OTSEGO COUNTY

DUBBEN, FOURNIER, MCCARTY, STAYTON

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, the Otsego County Board of Representatives established the month of February as the 30-day period in which landowners may petition Otsego County for inclusion of parcels of viable agricultural land within certified agricultural districts; and

WHEREAS, Otsego County received requests from six (6) landowners for inclusion of approximately 632 acres of viable agricultural land within certified agricultural districts; and

WHEREAS, the Otsego County Agricultural and Farmland Protection Board (AFPB) reviewed these requests and recommended that the following parcels consist predominantly of viable agricultural land and should be included in the County's certified

agricultural districts:

<u>TAX ID</u>	<u>ACREAGE</u>	<u>OWNER</u>	<u>TOWN</u>	<u>DISTRICT</u>
285.00-1-34.08	4.43	Charles Platt	Otego	8
116.00-1-67.00	114.50	Moya Williams	Middlefield	3
33.00-1-39.00	11.07	John McNulty	Plainfield	7
33.00-1-46.03	9.47	John McNulty	Plainfield	7
33.00-1-48.02	23.49	John McNulty	Plainfield	7
235.00-2-20.01	117.66	Erika Hall	Morris	8
235.00-2-20.21	90.39	Erika Hall	Morris	8
235.00-2-14.01	112.19	Erika Hall	Morris	8
235.00-1-55.00	148.12	Erika Hall	Morris	8
116.00-1-3.21	0.60	David Bliss	Middlefield	3

and

WHEREAS, the AFPB did not recommend the inclusion of one parcel owned by Charles Platt for failure to meet the criteria set for viable agriculture land set forth in the Agriculture and Markets Law, as follows:

<u>TAX ID</u>	<u>ACREAGE</u>	<u>OWNER</u>	<u>TOWN</u>
285.00-1-34.01	34.01	Charles Platt	Otego

now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives does hereby approve the approximately 632 acres of land as listed above be included in the respective Otsego County Agricultural Districts.

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

RESOLUTION NO. 201-20090902

RESOLUTION - APPROVING EIGHT YEAR EXTENSION OF AGRICULTURAL DISTRICT NO. 8 WITH MODIFICATION

DUBBEN, FOURNIER, MCCARTY, STAYTON

WHEREAS, Agricultural District No. 8 located in the Towns of Butternuts, Morris, and Unadilla was created on October 2, 1985; and

WHEREAS, pursuant to Section 303(a) of the Agriculture and Markets Law, this Board has reviewed Agricultural District No. 8; and

WHEREAS, during the review process, the Agricultural and Farmland Protection Board recommended that Agricultural District No. 8 be continued for another eight year

term with modification that furthers the Agricultural District Consolidation Plan by including parcels from Agricultural Districts Nos. 1 and 13 (those parcels located in the Towns of Otego and Morris and the Village of Otego); and

WHEREAS, there are no apparent adverse environmental impacts associated with the proposed continuation of such district with modification and no opposition was heard at the public hearing held on September 2, 2009; now, therefore, be it

RESOLVED, that Consolidated Agricultural District No. 8 be and the same hereby is approved and continued, with modification that furthers the Agricultural District Consolidation Plan by including parcels from Agricultural Districts Nos. 1 and 13 (those parcels located in the Towns of Otego and Morris and the Village of Otego), for another eight year term; and be it further

RESOLVED, that the map and specific designations of these parcels are on file with the Clerk of the Board.

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

RESOLUTION NO. 202-20090902

**RESOLUTION - CREATING POSITION
IN OFFICE OF EMERGENCY SERVICES
(HOMELAND SECURITY ADMINISTRATOR/NURSE)**

JOHNSON, SCHWERD, MURPHY

RESOLVED, that the following position be and the same is hereby created in Office of Emergency Services, effective September 2, 2009:

Homeland Security Administrator/Nurse, Grade 10,
\$24,160 - \$28,470 (\$862)

and be it further

RESOLVED, that this position shall terminate upon the termination of grant funds; and be it further

RESOLVED, that the funding for this position is included in the 2009 Office of Emergency Services Budget (3641-A) at line 1000 Personal Service and is 100% grant funded; 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 and Lindberg. Roll call vote. Total: 6,167; Ayes: 5,682; Noes: 485 – Schwerd. Adopted.

RESOLUTION NO. 203-20090902

**RESOLUTION – APPROVING THE HONORING OF THE
LOADINGS SET FORTH IN PERMITS ISSUED UNDER THE
DIVISIBLE LOAD OVERWEIGHT PROGRAM OF THE NYS
DEPARTMENT OF TRANSPORTATION ON DESIGNATED PUBLIC
HIGHWAYS OVER WHICH OTSEGO COUNTY HAS JURISDICTION**

MCCARTY, HARRINGTON, RELIC

WHEREAS, pursuant to Chapters 549 and 929 of the Laws of 1985, the New York State Legislature authorized the issuance of divisible load overweight permits for public highways which are not on the State system of highways; and

WHEREAS, pursuant to Chapter 549 of the Laws of 1985, the New York State Legislature has authorization to annually appropriate an amount equal to the fees, fines, penalties, and forfeitures which are deposited into the general fund of the State to be used for several specified programs, including the reconstruction, maintenance, and repair of highways and bridges; and

WHEREAS, the funds which are available to municipalities for the reconstruction and maintenance of bridges under the Chapter 549 Program will be made available to municipalities which honor the State Divisible Load Overweight Permit for highways under said municipality's jurisdiction; and

WHEREAS, Otsego County desires to participate in the Overweight Divisible Load Permit Program of the NYS Department of Transportation on highways over which it has jurisdiction; and

WHEREAS, certain of those highways presently have restrictions relative to weights, truck traffic or operational limitations, or are not suitable because of traffic congestion, topography, geometrics of the highway facilities, zoning or other similar consideration to allow vehicles with such State permits to operate thereon.

NOW, THEREFORE, BE IT RESOLVED, that Otsego County shall participate in the Divisible Load Overweight Program of the NYS Department of Transportation by honoring the Permits issued by the State on such County highways, which shall be designated in writing by the Otsego County Highway Superintendent; and

BE IT FURTHER RESOLVED, that such permittee must have insurance which covers Otsego County relative to issuance and use of the State permit; and

BE IT FURTHER RESOLVED, that Otsego County may be eligible to receive funds for reconstruction, maintenance or repair of highways and bridges under the Chapter 549 Program, and appropriate officials are directed to maximize the availability of such funds to this municipality.

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

RESOLUTION NO. 204-20090902

**RESOLUTION - CREATING POSITIONS IN OTSEGO
MANOR (ACTIVITY LEADER, CLINICAL SERVICES
COORDINATOR AND COMMUNITY HEALTH NURSE)**

JOHNSON, SCHWERD, MURPHY

RESOLVED, that the following positions are hereby created in Otsego Manor, effective immediately:

Activity Leader, Grade 09A, full-time, \$23,614.68 - \$27,804.30 (\$837.93);

Clinical Services Coordinator, Grade 21, part-time, \$23.8155 per hour - \$27.9938 per hour, increment \$.8357/hour; shift differential PM shift \$.3700/hour – NT shift \$.4650/hour;

Community Health Nurse, Grade 14, part-time, under LTHHCP, \$18.4711 per hour - \$21.4381 per hour, increment \$.5934 per hour

and be it further

RESOLVED, that the funding for these positions is included in the 2009 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 and Stuligross. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

RESOLUTION NO. 205-20090902

**RESOLUTION - ABOLISHING POSITIONS AT OTSEGO
MANOR (LICENSED PRACTICAL NURSE AND
UNIVERSAL WORKER II)**

LINDBERG, SCHWERD, DUBBEN, STAYTON

RESOLVED, that the following positions at Otsego Manor are hereby abolished, effective October 4, 2009:

Full-Time Licensed Practical Nurse, Grade 11K,
Position #3, \$29,162.43 - \$33,996.33 (\$966.78);

Full-Time Universal Worker, II, Grade 6Z,
Position #58, \$20,781.35 - \$24,329.40 (\$709.61)

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, Relic. Oral vote. Total: 6,167; Ayes: 5,837; Noes: 330 – Harrington. Adopted.

RESOLUTION NO. 206-20090902

**RESOLUTION – AMENDING POLICY FOR THE USE OF
COUNTY OWNED CELLULAR/SATELLITE PHONES**

MCCARTY, HARRINGTON, RELIC

WHEREAS, the policy for the use of County owned cellular/satellite phones was established by Resolution No. 135 of 2009; and

WHEREAS, it becomes necessary from time to time to amend county policies; now, therefore, be it

RESOLVED, that the county's Policy for the Use of County Owned Cellular/Satellite Phones be and is hereby amended immediately, as follows:

**CELLULAR/SATELLITE PHONE POLICY
OTSEGO COUNTY, NEW YORK**

1. This policy establishes rules and conduct for the acquisition, distribution and use of all cellular/satellite phones owned, leased or otherwise belonging to Otsego County. A cellular/satellite phone belonging to Otsego County is any cellular/satellite phone or similar device including, but not limited to, an internet access device using cellular/satellite phone transmission service that is purchased, rented, leased or otherwise obtained with Otsego County funds.
2. Cellular/satellite phones shall be issued by the Cell Phone Administrator, who shall be designated by the Otsego County Board or Administration Committee. Cellular/satellite phones shall be issued to county employees or other persons authorized to possess and utilize such cellular/satellite phones for the performance of their county duties.
3. Cellular/satellite phones shall be requested of the Cell Phone Administrator by the department head or his/her designee. The department head or his/her designee shall deliver a copy of this written policy with delivery of the phone and also familiarize the cellular/satellite phone user of the requirements of this policy. Decisions of the department head are controlling on the issuance of cellular phones and the Cell Phone Administrator's duties herein are purely administrative within the confines of this policy.

4. Cellular/satellite phones are normally assigned to individuals. Individuals who are assigned a county cellular/satellite phone shall be responsible for the care and security of the phone assigned to them. They shall not loan, or otherwise allow possession of the cellular/satellite phone assigned to them, to any other individual who is not authorized to possess the phone.
5. Cellular/satellite phones may be assigned to a department to be handed out by the department head or his/her designee as needed for short durations of time. A record shall be kept of who the phone was assigned to and the date out and date in.

Individuals who are assigned a county cellular/satellite phone on a temporary basis shall be responsible for the care and security of the phone assigned to them. They shall not loan, or otherwise allow possession of the cellular/satellite phone assigned to them, to any other individual who is not authorized to possess the phone.

6. County cellular/satellite phones are for official county business only. Cellular/satellite phone users shall not use the cellular/satellite phone for illegal, disruptive, unethical or unprofessional activities or for personal use or gain. Cellular/satellite phone users shall take all reasonable precautions to assure that confidentiality is maintained when discussing sensitive matters on a county cellular/satellite phone.
7. Employees who are assigned a cellular/satellite phone are responsible to reimburse the county for any cellular/satellite phone charges that are not related to official county business. Reimbursement shall be in the form of cash, check, or money order payable to the Otsego County Treasurer.
8. The loss, theft, damage, destruction or unauthorized use of a county cellular/satellite phone shall be reported to the department head and the Cellular Phone Administrator, as soon as reasonably possible.
9. Text messaging shall be discouraged. Text messaging should only be used when absolutely necessary. If text messaging is necessary on a regular basis, the department head or his/her designee shall request a text message plan from the Cellular Phone Administrator.
10. Text and voice messages are not personal and private. The county will not routinely monitor individual staff members' text and voice messages and will take reasonable precautions to protect the privacy of text and voice messages. However, Department Heads and/or the Chairman of the Board may access an employee's text and voice messages:
 - a) For a legitimate business purpose (i.e. the need to access information when an employee is absent for an extended period of time);
 - b) To diagnose and resolve technical problems involving hardware, software or communications; and/or
 - c) To investigate possible misuse of text and/or voice messaging when a reasonable suspicion of abuse exists or in conjunction with an approved investigation.

A staff member is prohibited from accessing another user's text and voice messages without his or her permission.

Text and voice messages sent or received in conjunction with agency business may:

- a) Be releasable to the public under Freedom of Information Law;
- b) Require special measures to comply with the Personal Privacy Protection Law.

All text and voice messages, including personal communications, may be subject to discovery proceedings in legal actions.

11. The transmission of photographs via cellular/satellite phone should only be done when absolutely necessary and for county business only. The County shall charge the user for any personal phone use or similar transactions.
12. County employees shall not be talking on their cellular/satellite phone and driving at the same time, except with a hands free set up or a wireless headset. For safety reasons it is recommended that employees pull off the road to send and receive calls. Any county employee fined for operating a motor vehicle and using a county issued hand held cellular/satellite phone at the same time will be obligated to personally pay for the fine and may lose the privilege of having the use of a county cellular/satellite phone.
13. The vehicle chargers are not to be used on a full-time basis. They are made for temporary charging of the phones for immediate use. As you use your cellular phone on a regular basis, let the battery run very low and then recharge it as needed at your home or office.
14. County officials will review alleged violations of the Cellular/Satellite Phone Policy on a case by case basis. Clear violations of the policy may result in termination of cellular/satellite phone usage for the employee at fault and referral for disciplinary actions as appropriate.
15. Requests for waivers to this policy should be presented to the Public Works Committee and will be reviewed on a case by case basis.

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

RESOLUTION NO. 207-20090902

**RESOLUTION - AUTHORIZING CONVEYANCE OF
ABANDONED COUNTY HIGHWAY PROPERTY
IN THE TOWN OF MARYLAND**

MCARTY, HARRINGTON, RELIC

WHEREAS, certain property adjacent to State Route 7 in the Town of Maryland is

no longer necessary for public use and should be abandoned and the property transferred to the adjoining owner, the Town of Maryland; and

WHEREAS, the Town of Maryland is desirous of purchasing the subject property which is adjacent to the Town's highway garage on State Route 7; the property having been acquired by the County of Otsego in 1928 for the reconstruction of the Schenevus-Maryland County Highway 319; and

WHEREAS, pursuant to Sections 118-a and 115-b of the Highway Law of the State of New York, the County is authorized to transfer title to portions of such highway properties so abandoned; and

WHEREAS, the County Highway Superintendent has issued a Declaration that this land is no longer necessary for public use and should be abandoned; the same being filed with the Clerk of the Board; now, therefore, be it

RESOLVED, that it is hereby determined, based on the Declaration of the County Highway Superintendent, that certain property adjacent to State Route 7 in the Town of Maryland, as shown on the attached maps, is no longer required for highway purposes, and is hereby abandoned, and the Chairman is authorized to execute a deed of conveyance and additional transfer documents to convey title to such premises by quit claim deed to the adjoining owner, the Town of Maryland, the same to occur without consideration as prescribed by the provisions of Section 118-a of the Highway Law.

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

RESOLUTION NO. 208-20090902 (original)

**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 BUDGET TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				

FROM:	County Treasurer	Materials & Supplies	1325-4500-A	-500.00
TO:	Debt Service	Contracts	9710-4900-A	500.00
FROM:	Purchasing	Personal Service	1345-1000-A	-19,250.00
TO:	Contingent II	Other	1991-4800-A	19,250.00
FROM:	RPTS	Other	1355-4800-A	-200.00
TO:	RPTS	Mileage	1355-4005-A	200.00
FROM:	Otsego Manor Building	Materials & Supplies	1631-4500-A	-26,000.00
FROM:	Otsego Manor Building	Equipment	1631-2000-A	-5,000.00
TO:	Otsego Manor Building	Vehicle Repair	1631-4515-A	5,000.00
TO:	Otsego Manor Building	Contracts	1631-4900-A	26,000.00
FROM:	Contingent	Other	1990-4800-A	-14,000.00
TO:	Public Safety Comm	Telephone	3020-4100-A	14,000.00
FROM:	Stop DWI	Mileage	3315-4005-A	-100.00
TO:	Stop DWI	Vehicle Repair	3315-4515-A	100.00
FROM:	Emergency Services	Mileage	3641-4005-A	-800.00
TO:	Emergency Services	Subscriptions/Dues	3641-4650-A	800.00
FROM:	Psychiatric Exp-State Charges	Criminal Actions	4390-4696-A	-10,000.00
TO:	Mental Health	MH Consultants	4310-4880-A	10,000.00
FROM:	Weights & Measures	Personal Service	6610-1000-A	-700.00
FROM:	Weights & Measures	Fuel	6610-4560-A	-500.00
FROM:	Weights & Measures	Other	6610-4800-A	-500.00
TO:	Weights & Measures	Equipment	6610-2000-A	1,200.00
TO:	Weights & Measures	Vehicle Repair	6610-4515-A	500.00
S – WORKERS COMPENSATION				
FROM:	Workers Compensation	Workers Comp Payment	1720-4706-S	-700.00
TO:	Workers Compensation	Postage & UPS	1710-4400-S	700.00
2009 BUDGET MODIFICATIONS				
A – GENERAL FUND				
Increase:	State Aid-Public Safety	CAC Grant	0000-3380-A	11,000.00
Increase:	Child Advocacy Center	Misc Renovations	3700-2500-A	4,500.00
Increase:	Child Advocacy Center	Mileage	3700-4005-A	861.00
Decrease:	Child Advocacy Center	Lodging, Meals, Tolls, Etc.	3700-4010-A	-629.00
Increase:	Child Advocacy Center	Telephone	3700-4100-A	1,700.00
Increase:	Child Advocacy Center	Other	3700-4800-A	4,568.00
Increase:	Intergovernmental Charges	Downtown Oneonta Develop	0000-2320-A	26,250.00
Increase:	Economic Development	Other	6425-4800-A	11,666.69
Increase:	Economic Development	Contracts	6425-4900-A	14,583.31

Seconded, Lindberg. Representative Johnson moved to amend the resolution by adding the following transfer: Transfer \$90,000.00 from Contingent 1990-4800-A Other to Unallocated Insurance 1910-4660-A Municipal Insurance Expense. Seconded, Harrington. Oral vote on motion. Total: 6,167; Ayes: 5,541; Noes: 626 - Fournier. Motion carried.

RESOLUTION NO. 208-20090902 (amended)

**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 BUDGET TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				
FROM:	County Treasurer	Materials & Supplies	1325-4500-A	-500.00
TO:	Debt Service	Contracts	9710-4900-A	500.00
FROM:	Purchasing	Personal Service	1345-1000-A	-19,250.00
TO:	Contingent II	Other	1991-4800-A	19,250.00
FROM:	RPTS	Other	1355-4800-A	-200.00
TO:	RPTS	Mileage	1355-4005-A	200.00
FROM:	Otsego Manor Building	Materials & Supplies	1631-4500-A	-26,000.00
FROM:	Otsego Manor Building	Equipment	1631-2000-A	-5,000.00
TO:	Otsego Manor Building	Vehicle Repair	1631-4515-A	5,000.00
TO:	Otsego Manor Building	Contracts	1631-4900-A	26,000.00
FROM:	Contingent	Other	1990-4800-A	-90,000.00
TO:	Unallocated Insurance	Municipal Insurance Expense	1910-4660-A	90,000.00
FROM:	Contingent	Other	1990-4800-A	-14,000.00
TO:	Public Safety Comm	Telephone	3020-4100-A	14,000.00

FROM:	Stop DWI	Mileage	3315-4005-A	-100.00
TO:	Stop DWI	Vehicle Repair	3315-4515-A	100.00
FROM:	Emergency Services	Mileage	3641-4005-A	-800.00
TO:	Emergency Services	Subscriptions/Dues	3641-4650-A	800.00
FROM:	Psychiatric Exp-State Charges	Criminal Actions	4390-4696-A	-10,000.00
TO:	Mental Health	MH Consultants	4310-4880-A	10,000.00
FROM:	Weights & Measures	Personal Service	6610-1000-A	-700.00
FROM:	Weights & Measures	Fuel	6610-4560-A	-500.00
FROM:	Weights & Measures	Other	6610-4800-A	-500.00
TO:	Weights & Measures	Equipment	6610-2000-A	1,200.00
TO:	Weights & Measures	Vehicle Repair	6610-4515-A	500.00
S – WORKERS COMPENSATION				
FROM:	Workers Compensation	Workers Comp Payment	1720-4706-S	-700.00
TO:	Workers Compensation	Postage & UPS	1710-4400-S	700.00
2009 BUDGET MODIFICATIONS				
A – GENERAL FUND				
Increase:	State Aid-Public Safety	CAC Grant	0000-3380-A	11,000.00
Increase:	Child Advocacy Center	Misc Renovations	3700-2500-A	4,500.00
Increase:	Child Advocacy Center	Mileage	3700-4005-A	861.00
Decrease:	Child Advocacy Center	Lodging, Meals, Tolls, Etc.	3700-4010-A	-629.00
Increase:	Child Advocacy Center	Telephone	3700-4100-A	1,700.00
Increase:	Child Advocacy Center	Other	3700-4800-A	4,568.00
Increase:	Intergovernmental Charges	Downtown Oneonta Develop	0000-2320-A	26,250.00
Increase:	Economic Development	Other	6425-4800-A	11,666.69
Increase:	Economic Development	Contracts	6425-4900-A	14,583.31

Roll call vote on amended resolution. Total: 6,167; Ayes: 5,541; Noes: 626.
Adopted as amended.

RESOLUTION NO. 209-20090902

**RESOLUTION – ESTABLISHING A PETTY CASH
FUND IN THE PLANNING/SOLID WASTE DEPARTMENT**

JOHNSON, SCHWERD, MURPHY

RESOLVED, that a petty cash fund is hereby established in the Planning/Solid Waste Department for the collection of fees from the sale of maps; and be it further

RESOLVED, that the fund level to be maintained shall not exceed \$50.00 for the

remainder of 2009 and shall not exceed \$100.00 for the year 2010.

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

**LOCAL LAW NO. 2 OF 2009
COUNTY OF OTSEGO, NEW YORK**

**A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2000 -
ESTABLISHING A SOLID WASTE USER FEE**

Section 1. Short Title.

This law shall be known as the Otsego County Solid Waste User Fee Local Law.

Section 2. Findings.

The Board of Representatives of Otsego County finds that:

A. The New York State Solid Waste Management Plan (the "Plan") and the Solid Waste Management Act of 1988 (the "1988 Act") mandates that the amount of solid waste generated and disposed in New York State be managed through the establishment of programs to reduce the amount of waste being produced and disposed by recycling and reusing that portion of the waste stream that can feasibly be so recovered.

B. To provide the citizens of the County with solid waste management and recycling services required by the 1988 Act and the Plan, the County entered into a Service Agreement with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (the "Authority" or "MOSA"), a public benefit corporation created pursuant to Title 13-AA of the Public Authorities Law. The Service Agreement requires the County to deliver or cause to be delivered to MOSA the solid waste generated within the County.

C. The County through the Service Agreement with the Authority has undertaken a number of programs pursuant to the mandates of the Plan and 1988 Act, which provide services to the residents of the County and serve to implement a local solid waste management plan, including but not limited to recycling programs for the collection, processing, transporting and marketing of recyclable materials; the closing and monitoring of landfills in accordance with directives of the Department of Environmental Conservation ("DEC"); the planning of a new landfill; the development of a system of recycling and solid waste transfer stations to process recyclable materials and municipal solid waste generated by County residents; the operation of an existing landfill for the disposal of solid waste generated by County residents; and the educational and administrative functions attendant to these services and facilities.

D. Commencing January 1, 1996, the County will provide transportation of recyclable materials from drop-off locations within the County to recycling facilities and/or markets.

E. The Board of Representatives has determined as a matter of public policy that the cost of providing such services should be borne by the generators of solid waste and recyclable materials, who are the users of the services and facilities being provided.

F. The County has further determined that funding the entire cost of services and facilities by charging a tipping fee at the Authority facilities has raised these tipping fees to unacceptable levels. The County intends to reduce the tipping fee charged at MOSA facilities by paying directly to the Authority a portion of the cost of providing services, creating a market based incentive for private collectors to deliver to MOSA solid waste generated within the County.

Section 3. Purposes.

This law is enacted pursuant to the laws of the State of New York, including Municipal Home Rule Law Section 10 (1)(ii)(a)(9-a) and County Law Sections 226-b and 266, to: institute a plan to charge users of recycling, solid waste management and related services and facilities provided by MOSA and the County, a fee for the use of such services and facilities, which fee shall cover a portion of the cost of the services being provided, and which fee shall be charged on an equitable basis, related to the level of recycling and solid waste services available to the class of users.

Section 4. Definitions and General Provisions.

A. *Board or Board of Representatives* means the Otsego County Board of Representatives.

B. *County* means the County of Otsego.

C. *Fee Status Date* means March 1 for each succeeding fiscal year (ex: March 1, 1995 for fiscal year 1996).

D. *Recyclables or Recyclable Materials* means materials that would otherwise be solid waste, and which can be collected, separated, and/or processed, treated, reclaimed, used or reused so that their component materials or substances can be beneficially used or reused.

E. *Solid Waste* means all putrescible and non-putrescible solid waste materials generated or originated within the County, including, but not limited to, materials or substances discarded or rejected, whether as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection or for any other reason; or being accumulated, stored, or physically, chemically or biologically treated prior to being discarded or rejected, having served their intended use; or a manufacturing by-product, including, but not limited to, garbage, refuse, waste materials resulting from industrial, commercial, community, and agricultural activities, sludge from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal; but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in the New York Environmental Conservation Law or its implementing regulations.

F. *Billing Unit or Units* refers to the number assigned to each parcel of real property pursuant to Section VI below and shall provide the basis for determining the fee charged.

G. *Solid Waste User Fee Roll* refers to the County Solid Waste Fee Roll which includes the assignment of Billing Units to each parcel.

H. *Unit Charge* means the dollar amount established by the Board of Representatives pursuant to Section V below, as the annual solid waste fee charged for one Billing Unit.

I. *Rate Schedule* refers to the schedule adopted by the Board of Representatives pursuant to Section V. C., establishing classes and formulas for determining Billing Units for parcels of improved real property.

J. In the event that any date herein falls on a Saturday, Sunday or legal holiday, then the applicable date shall be the next succeeding date that is not a Saturday, Sunday or legal holiday.

Section 5. Establishment of Annual Solid Waste Fee.

A. The annual solid waste fee shall be charged to owners of improved real property located within the County, as the owners and users of such property are deemed to generate solid waste or recyclable materials and are therefore users of County provided solid waste and/or recycling facilities and services.

B. The annual solid waste fee shall be an annual fee covering the period from January 1 through December 31 of each calendar year.

C. The Board of Representatives shall establish by resolution a Rate Schedule setting forth classifications or formulas for determining the Billing Units assigned to all parcels based upon the use of the real property. The classification of parcels and the formulas for determining the Billing Units assigned to each class is based on the level of services available to such class, which has been or will be determined by the Board of Representatives in its sole discretion. Information regarding the use of each parcel and property measurements is based upon the County's records for the assessment of property values together with such other data deemed necessary to properly characterize each parcel. The Board of Representatives may change the Rate Schedule from time to time by resolution.

D. On or before December 10 of each year, the Board shall by resolution establish the Unit Charge to be applied for the following fiscal year in calculating the annual solid waste fee to be charged.

E. The annual solid waste fee shall be charged to the owner of each parcel of real property in accordance with this local law based upon the number of Billing Units assigned to such parcel (as set forth in Section VI below) times the Unit Charge established for the year.

F. A one-half unit exemption from the annual solid waste fee shall be allowed for all senior citizens who qualify for the County's senior citizen partial exemption from real property taxes.

Section 6. Preparation of Solid Waste User Fee Roll.

A. Each parcel of improved real property situated in the County shall be assigned to a class of parcels as set forth in the Rate Schedule based upon the use of the parcel as of the Fee Status Date.

B. The Solid Waste Coordinator shall make a reasonable effort to ascertain the name of the owner, last known owner or reputed owner and the use of the parcel as of the Fee Status Date. The Solid Waste Coordinator shall prepare a Solid Waste User Fee Roll listing each parcel in the County, its owner, its property classification code, and the number of Billing Units assigned to it.

C. The tentative Solid Waste User Fee Roll shall be completed on or about October 1. A copy shall be filed in the Solid Waste Office. The Solid Waste Coordinator shall forthwith cause a notice of such filing to be published once in the official newspapers of the County on or about October 8. The notice shall state that a tentative Solid Waste User Fee Roll containing solid waste Billing Units established for each parcel has been completed; that a copy has been filed and may be examined by any person during regular business hours at the Solid Waste Office.

D. Within seven (7) business days following the filing of the tentative Solid Waste User Fee Roll, a Notice shall be mailed to each owner of real property for which a change from the previous year has been made setting forth any change in the number of Billing Units assigned to a parcel. Such notice shall also state that an appeal must be directed to the Solid Waste Coordinator on or before October 31. Failure to mail the notice or failure of the owner to receive the notice shall not prevent the charging, collection and enforcement of the annual solid waste fee against the owner and property.

E. The property owner shall file a statement under oath, specifying the parcel of property, why the assigned classification is erroneous or illegal, what the owner believes is the correct classification and a brief description of the facts supporting the claim. The statement must be made by the owner of the parcel in question or by some other person authorized by the owner to make the statement who has knowledge of the facts stated therein.

F. The Solid Waste Coordinator shall determine in writing the proper classification of each parcel for which a complaint has been filed and shall mail a copy of such determination to the complainant on or before November 7. The decision shall also include information regarding the procedure to appeal the decision to the Appeals Board and the date, time and place of the meeting or meetings of the Appeals Board. Any person desiring to appeal the decision of the Solid Waste Coordinator may file an appeal with the Appeals Board on or before November 15. The appeal shall be in writing and shall include a copy of the Solid Waste Coordinator's decision and a brief description of the reason for the appeal.

G. The Appeals Board shall consist of three County residents appointed by the Board of Representatives. Each member of the Appeals Board shall serve for specified terms to be determined by the Board of Representatives. The Appeals Board shall meet on or before November 30.

H. A final Solid Waste User Fee Roll shall be completed on or about December 1 and shall be filed in the Solid Waste Office.

Section 7. Billing and Collecting of Fee.

A. The annual solid waste fee shall be sent to each owner of real property as a separate line item on the County tax bill. At the discretion of the County, this annual solid waste user fee in the discretion of the Board, may be sent to all owners of real property as a separate statement.

B. The fee shall be due January 1 and payable without interest or penalties by January 31, and payment shall be made to the local tax collector in person or by mail. As directed by law*, this solid waste user fee shall be collected by the local tax collectors with their collection of local taxes. (*Section 266 County Law; Opinion of the State Comptroller 78-550.)

C. All annual solid waste fees shall be a debt and personal obligation of the owner of the parcel of property. Said fees shall be a lien upon the parcel of property as of the due date of the fee.

Section 8. Delinquent Fees.

A. The County shall be entitled to commence a civil action to foreclose upon any lien upon property in accordance with the law or collect any amount due to it.

Section 9. Severability.

If any clause, sentence, paragraph, section or part of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 10. Correction of Errors.

The Board of Representatives authorizes the Appeals Board and the Solid Waste Coordinator to grant correction of an error in the Solid Waste User Fee Roll to the extent permitted by State law and the correction of errors related to the calculation of Billing Units. When it shall appear that an annual solid waste fee has not been paid because of errors or omissions not the fault of the owner, the Appeals Board may modify or waive the penalties, charges, costs and interest to be paid on the fee and may grant refund of paid solid waste fees for a period of one (1) year after payment.

Section 11. Effective Date.

The provisions of this law shall be effective immediately upon the filing of a copy with the Secretary of State.

This Local Law is sponsored by the Solid Waste and Environmental Concerns Committee. Seconded, Lindberg. Local Law laid over under the Rules.

Representative Relic moved to suspend the Rules and act upon late Resolution Nos. 210 – 217. Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 210-20090902

**RESOLUTION - AUTHORIZING SALE OF
COUNTY OWNED PROPERTY**

JOHNSON, SCHWERD, MURPHY

WHEREAS, an offer has been made by Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, to purchase property in the City of Oneonta, for the sum of \$200.00; and

WHEREAS, an offer has been made by Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, to purchase property in the City of Oneonta, for the sum of \$200.00; and

WHEREAS, an offer has been made by Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, to purchase property in the City of Oneonta, for the sum of \$525.00; and

WHEREAS, an offer has been made by Edward W. May, Jr., 256 Chestnut Street, Oneonta NY 13820, to purchase properties in the City of Oneonta, for the sum of \$6,200.00; and

WHEREAS, an offer has been made by Joseph Temming, 3 Spruce Street, Oneonta, NY 13820, to purchase property in the City of Oneonta, for the sum of \$600.00; and

WHEREAS, an offer has been made by Richard Lefkowitz, P.O. Box 266, Gilbertsville, NY 13776, to purchase property in the City of Oneonta, for the sum of \$8,500.00; and

WHEREAS, an offer has been made by William and Carol Rogers, 2922 State Highway 80, Burlington Flats, NY 13315, to purchase property in the Town of Burlington, for the sum of \$200.00; and

WHEREAS, an offer has been made by Axxegg Realty, 378 Avenue P, Brooklyn, NY 11204, to purchase property in the Town of Butternuts, for the sum of \$15,500.00; and

WHEREAS, an offer has been made by Justin and Danielle Dunham, 263 County Highway 49, Morris, NY 13808, to purchase property in the Town of Edmeston, for the sum of \$8,700.00; and

WHEREAS, an offer has been made by Benjamin Brkljaca, 1239 41st Street, Brooklyn, NY 11218, to purchase property in the Town of Edmeston, for the sum of \$3,200.00; and

WHEREAS, an offer has been made by John and Sylvia Chesebrough, 21 West

Street, Edmeston, NY 13335, to purchase property in the Town of Edmeston, for the sum of \$50.00; and

WHEREAS, an offer has been made by Dorothy and Byron Bubencik, 1546 County Highway 22, Richfield Springs, NY 13439, to purchase property in the Town of Exeter, for the sum of \$50.00; and

WHEREAS, an offer has been made by Jason Haynes, 177 McKoon Road, Richfield Springs, NY 13439, to purchase property in the Town of Hartwick, for the sum of \$8,500.00; and

WHEREAS, an offer has been made by Shirley Uhle, 578 Patent Line Road, Franklin, NY 13775, to purchase property in the Town of Laurens, for the sum of \$2,500.00; and

WHEREAS, an offer has been made by Frank Uhle, 578 Patent Line Road, Franklin, NY 13775, to purchase properties in the Town of Maryland, for the sum of \$375.00; and

WHEREAS, an offer has been made by Earl Duncan, 7128 State Highway 7, Maryland, NY 12116, to purchase property in the Town of Maryland, for the sum of \$2,000.00; and

WHEREAS, an offer has been made by Kevin Bear, PO Box 896, Livingston Manor, NY 12758, to purchase property in the Town of Middlefield, for the sum of \$7,100.00; and

WHEREAS, an offer has been made by Preserving Place LLC, 1649 Isabella Court, Millersville, MD 21108, to purchase property in the Town of Milford, for the sum of \$2,600.00; and

WHEREAS, an offer has been made by Joseph Steigerwald, PO Box 392, Holbrook, NY 11741, to purchase property in the Town of Milford, for the sum of \$6,400.00; and

WHEREAS, an offer has been made by Roger and Debora Harkness, 65 River Street, Otego, NY 13825, to purchase property in the Town of Otego, for the sum of \$3,300.00; and

WHEREAS, an offer has been made by Gary A. Thompson, PO Box 539, Downsville, NY 13755, to purchase property in the Town of Otsego, for the sum of \$4,000.00; and

WHEREAS, an offer has been made by Axxegg Realty, 378 Avenue P, Brooklyn, NY 11204, to purchase property in the Town of Pittsfield, for the sum of \$32,000.00; and

WHEREAS, an offer has been made by Barbara A. Smith, PO Box 626, Richfield Springs, NY 13439, to purchase property in the Town of Richfield, for the sum of \$375.00; and

WHEREAS, an offer has been made by Thomas Chenel, 302 Taylor Road, Richfield Springs, NY 13439, to purchase property in the Town of Richfield, for the sum of \$8,700.00; and

WHEREAS, an offer has been made by Toni Wright, 1479 County Highway 35, Maryland, NY 12116, to purchase properties in the Town of Richfield, for the sum of \$1,600.00; and

WHEREAS, an offer has been made by Timothy and Susan Kleinschmidt, 265 County Highway 49, Morris, NY 13808, to purchase property in the Town of Roseboom, for the sum of \$275.00; and

WHEREAS, an offer has been made by Bruce VanBrink and Shannon Prime, PO Box 374, Springfield Center, NY 13468, to purchase property in the Town of Springfield, for the sum of \$900.00; and

WHEREAS, an offer has been made by Gary A. Thompson, PO Box 539, Downsville, NY 13755, to purchase property in the Town of Unadilla, for the sum of \$4,000.00; and

WHEREAS, an offer has been made by Michael and Michele Stafford, 245 Southside Drive, Oneonta, NY 13820, to purchase property in the Town of Worcester, for the sum of \$23,000.00; and

WHEREAS, an offer has been made by Loder Properties LLC, 753 East Main Street, Cobleskill, NY 12043, to purchase property in the Town of Worcester, for the sum of \$49,000.00; and

WHEREAS, an offer has been made by Albert and Teresa Mola, 99 Hunnewell Ave., Elmont, NY 11003, to purchase property in the Town of Worcester, for the sum of \$50.00; and

WHEREAS, an offer has been made by Patrick Lavery, 3032 State Highway 30, Gloversville, NY 12078 to purchase property in the Town of Worcester, for the sum of \$2,100.00; and

WHEREAS, the above properties have been foreclosed by judgment of court through an In Rem proceeding to recover the delinquent taxes due, and have been sold at tax sale; and

WHEREAS, this Board of Representatives believes that the offers and amounts are reasonable and represent the market value of the parcels of land and the highest prices obtainable; and

WHEREAS, none of the real property is dedicated to any public use or purpose; now, therefore, be it

RESOLVED, that the Chairman of this Board of Representatives be and hereby is authorized and directed to make, execute and deliver good and sufficient quit claim deeds of conveyance as follows:

To Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, for the sum of \$200.00, conveying property situate in the City of Oneonta, formerly assessed to Karl E. & Lynn R. Gustafson, described as vacant, 0.16 acre, 3 Silver Ave., Tax Map No. 288.17-1-22, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the

Otsego County Clerk's Office on May 21, 2009 in Book 1123 of Deeds at Page 565;

To Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, for the sum of \$200.00, conveying property situate in the City of Oneonta, formerly assessed to Karl E. & Lynn R. Gustafson, described as vacant, 0.16 acre, 5 Silver Ave., Tax Map No. 288.17-1-23, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 21, 2009 in Book 1123 of Deeds at Page 567.

To Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, for the sum of \$525.00, conveying property situate in the City of Oneonta, formerly assessed to Karl E. & Lynn R. Gustafson, described as vacant, 0.14 acre, 9 Silver Ave., Tax Map No. 288.17-1-25, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 21, 2009 in Book 1123 of Deeds at Page 569.

To Edward W. May, Jr., 256 Chestnut Street, Oneonta, NY 13820, for the sum of \$6,200.00, conveying property situate in the City of Oneonta, formerly assessed to Karl E. & Lynn R. Gustafson, described as vacant, 0.51 acre, 6-8 Silver Ave., Tax Map No. 288.17-1-29, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 21, 2009 in Book 1123 of Deeds at Page 571.

To Joseph Temming, 3 Spruce Street, Oneonta, NY 13820, for the sum of \$600.00, conveying property situate in the City of Oneonta, formerly assessed to Karl E. & Lynn R. Gustafson, described as vacant, 0.16 acre, 2 Silver Ave., Tax Map No. 288.17-1-31, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 21, 2009 in Book 1123 of Deeds at Page 573.

To Richard Lefkowitz, PO Box 266, Gilbertsville, NY 13776, for the sum of \$8,500.00, conveying property situate in the City of Oneonta, formerly assessed to Jean & Charles C. Franklin, described as commercial, 0.26 acre, 41 Cliff Street, Tax Map No. 300.5-4-53, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 310.

To William and Carol Rogers, 2922 State Highway 80, Burlington Flats, NY 13315, for the sum of \$200.00, conveying property situate in the Town of Burlington, formerly assessed to Gordon E. & Anna L. Hull, described as vacant, 1.82 acre, State Hwy 80, Tax Map No. 94.00-1-10.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 655.

To Axxegg Realty, 378 Avenue P, Brooklyn, NY 11204, for the sum of \$15,500.00, conveying property situate in the Town of Butternuts, formerly assessed to Steven D. Braff & Josephine Butler, described as Vacant, 16.50 acre, Wilber Hill Road, Tax Map No. 294.00-1-40.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 657.

To Justin and Danielle Dunham, 263 County Highway 49, Morris, NY 13808, for the sum of \$8,700.00, conveying property situate in the Town of Edmeston, formerly assessed to James Guardi, described as Residential, .29 acre, 108 River Road, Tax Map No. 76.02-1-43.00, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 312.

To Benjamin Brkljaca, 1239 41st Street, Brooklyn, NY 11218, for the sum of \$3,200.00, conveying property situate in the Town of Edmeston, formerly assessed to Ryan Scott, described as vacant, 6.50 acre, State Hwy 80, Tax Map No.124.00-1-55.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 659.

To John and Sylvia Chesebrough, 21 West Street, Edmeston, NY 13335, for the sum of \$50.00, conveying property situate in the Town of Edmeston, formerly assessed to Roger Davis, described as vacant, 0.17 acre, South Street, Tax Map No. 124.06-1-1.02, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 661.

To Dorothy and Byron Bubencik, 1546 County Highway 22, Richfield Springs, NY 13439, for the sum of \$50.00, conveying property situate in the Town of Exeter, formerly assessed to David J. & Theresa J. Zydell, described as vacant, 0.06 acre, State Hwy 28, Tax Map No. 67.09-1-27.02, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 663.

To Jason Haynes, 177 McKoon Road, Richfield Springs, NY 13439, for the sum of \$8,500.00, conveying property situate in the Town of Hartwick, formerly assessed to Joel P. & Marilyn P. Habercorn, described as Residential, .18 acre, 3089 County Highway 11, Tax Map No. 144.15-1-12.00, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 316.

To Shirley Uhle, 578 Patent Line Road, Franklin, NY 13775, for the sum of \$2,500.00, conveying property situate in the Town of Laurens, formerly assessed to Rita Dunn, described as Vacant, 0.28 acre, 28 Brook Street, Tax Map No. 240.11-1-26.00, as described in a County Treasurer's Deed dated July 20, 2009 and recorded in the Otsego County Clerk's Office on July 21, 2009 in Book 1124 of Deeds at Page 887.

To Frank Uhle, 578 Patent Line Road, Franklin, NY 13775, for the sum of \$375.00, conveying property situate in the Town of Maryland, formerly assessed to Roy Hendrickson Jr. described as Vacant, .48 acre, 7592 State Hwy 7, Tax Map No. 245.10-1-29.00, as described in a County Treasurer's Deed dated May 20, 2008 and recorded in the Otsego County Clerk's Office on May 20, 2008 in Book 1114 of Deeds at Page 606.

To Earl Duncan, 7128 State Highway 7, Maryland, NY 12116, for the sum of \$2,000.00, conveying property situate in the Town of Maryland, formerly assessed to the Brian T. Duffy Estate, Tax Map No. 261.00-1-44.01, as described in a Deed dated September 4, 2008 from Myrna A. Thayne, as Administratrix of Brian T. Duffy to Otsego County recorded in the Otsego County Clerk's Office on September 9, 2008 in Book 1117 of Deeds at Page 619.

To Kevin Bear, PO Box 896, Livingston Manor, NY 12758, for the sum of \$7,100.00, conveying property situate in the Town of Middlefield, formerly assessed to Arlene E. Gaughan, described as Residential, .66 acre, 3331 County Highway 35, Tax Map No. 148.00-1-12.01, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at

To Preserving Place LLC, 1649 Isabella Court, Millersville, MD 21108, for the sum of \$2,600.00, conveying property situate in the Town of Milford, formerly assessed to Michael Twomey, described as Vacant, 0.29 acre, State Hwy 28, Tax Map No. 194.00-2-17.04, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 665.

To Joseph Steigerwald, PO Box 392, Holbrook, NY 11741, for the sum of \$6,400.00, conveying property situate in the Town of Milford, formerly assessed to Joseph M. Hollmen, described as Residential, .20 acre, 376 Shutter Road, Tax Map No. 228.00-1-16.00, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 320.

To Roger and Debora Harkness, 65 River Street, Otego, NY 13825, for the sum of \$3,300.00, conveying property situate in the Town of Otego, formerly assessed to Ray Hansen Enterprises, LLC, described as Vacant, 0.91 acre, River Street, Tax Map No. 317.20-1-59.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 667.

To Gary A. Thompson, PO Box 539, Downsville, NY 13755, for the sum of \$4,000.00, conveying property situate in the Town of Otsego, formerly assessed to Justin Velasco, described as Residential, .63 acre, 2101 County Highway 26, Tax Map No. 68.00-1-5.01, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 322.

To Axxegg Realty, 378 Avenue P, Brooklyn, NY 11204, for the sum of \$32,000.00, conveying property situate in the Town of Pittsfield, formerly assessed to Janice B. Grassi, described as Vacant, 40.37 acre, Ketcham Road, Tax Map No. 172.00-1-34.0, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 669.

To Barbara A. Smith, PO Box 626, Richfield Springs, NY 13439, for the sum of \$375.00, conveying property situate in the Town of Richfield, formerly assessed to County of Otsego, described as Vacant Land, .03 acre, Elm Street Ext., Tax Map No. 24.08-2-10.00, as described in a County Treasurer's Deed dated August 24, 2007 and recorded in the Otsego County Clerk's Office on August 28, 2007 in Book 1107 of Deeds at Page 146.

To Thomas Chenel, 302 Taylor Road, Richfield Springs, NY 13439, for the sum of \$8,700.00, conveying property situate in the Town of Richfield, formerly assessed to Frederick Scott & Anna Clements, described as Residential, .44 acre, 97 Elm Street Ext., Tax Map No. 24.08-2-13.00, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 300.

To Toni Wright, 1479 County Highway 35, Maryland, NY 12116, for the sum of \$1,600.00, conveying property situate in the Town of Richfield as follows: (1) property formerly assessed to Castlton Environmental Contractors Inc., described as Vacant, 6.07 acre, Elm Street Ext, Tax Map No. 24.08-2-16.01, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26,

2009 in Book 1123 of Deeds at Page 671; (2) property formerly assessed to Castlton Environmental Contractors Inc., described as Vacant, 0.32 acre, Linden Ave, Tax Map No. 24.08-2-16.02, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 673; (3) property formerly assessed to Castlton Environmental Contractors Inc., described as Vacant, 3.35 acre, Linden Ave, Tax Map No. 24.08-2-17.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 675.

To Timothy and Susan Kleinschmidt, 265 County Highway 49, Morris, NY 13808, for the sum of \$275.00, conveying property situate in the Town of Roseboom, formerly assessed to Peter & Irene Erdman, described as Vacant, 0.38 acre, County Hwy 50, Tax Map No. 89.00-2-12.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 677.

To Bruce VanBrink and Shannon Prime, PO Box 374, Springfield Center, NY 13468, for the sum of \$900.00, conveying property situate in the Town of Springfield, formerly assessed to AM Telecom Prop Inc., described as Vacant, 0.32 acre, County Hwy 30, Tax Map No. 28.00-2-1.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 681.

To Gary A. Thompson, PO Box 539, Downsville, NY 13755, for the sum of \$4,000.00, conveying property situate in the Town of Unadilla, formerly assessed to Cecilia & Annette Y. Nichols, described as Residential, .64 acre, 536 County Highway 3, Tax Map No. 329.00-1-42.02, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 302.

To Michael and Michele Stafford, 245 Southside Drive, Oneonta, NY 13820, for the sum of \$23,000.00, conveying property situate in the Town of Worcester, formerly assessed to Douglas E. Calhoun, described as Residential, 8.93 acre, 258 Hill Road, Tax Map No. 200.00-1-38.01, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 304.

To Loder Properties LLC, 753 East Main Street, Cobleskill, NY 12043, for the sum of \$49,000.00, conveying property situate in the Town of Worcester, formerly assessed to Thomas P. Messineo, described as Residential, 6.55 acre, 85 Lutheranville Road, Tax Map No. 201.00-1-30.00, as described in a County Treasurer's Deed dated June 19, 2009 and recorded in the Otsego County Clerk's Office on June 26, 2009 in Book 1124 of Deeds at Page 306.

To Albert and Teresa Mola, 99 Hunnewell Ave, Elmont, NY 11003, for the sum of \$50.00, conveying property situate in the Town of Worcester, formerly assessed to AGI Inc., described as Vacant, 0.55 acre, Lutheranville Road, Tax Map No. 201.00-1-32.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 685.

To Patrick Lavery, 3032 State Highway 30, Gloversville, NY 12078, for the sum of

\$2,100.00, conveying property situate in the Town of Worcester, formerly assessed to Mary Ellen Zenobia, described as Vacant, 0.40 acre, County Hwy 39, Tax Map No. 265.00-1-24.00, as described in a County Treasurer's Deed dated May 19, 2009 and recorded in the Otsego County Clerk's Office on May 26, 2009 in Book 1123 of Deeds at Page 687.

RESOLVED, that each of the deeds shall bear the seal of the County, attested over by the seal of the County Clerk, who is hereby authorized and directed to attach a certified copy of this resolution, attested by the seal of the Board of Representatives, to each of the deeds; and be it further

RESOLVED, that the parcels of real property to be conveyed be bounded and described as to adjacent owners thereto as the same are set forth in the County Treasurer's Deed to the County of Otsego or a full and complete description of such parcels may be ascertained and such description given in the deeds as shown by the records in the Otsego County Clerk's Office to which deeds and records reference is hereby made and made a part of this resolution.

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

RESOLUTION NO. 211-20090902

RESOLUTION - AUTHORIZING LOAN FROM OTSEGO COUNTY MICRO-ENTERPRISE LOAN PROGRAM (G & ESTHETICS INC. d/b/a KARMA SPA AND BOUTIQUE)

JOHNSON, SCHWERD, MURPHY

WHEREAS, Otsego County received a 2003 Micro Enterprise Grant from the New York State Small Cities Community Development Block Grant (CDBG) to assist Otsego County Small Businesses; and

WHEREAS, the Otsego County Micro-Enterprise Revolving Loan Program has been established per the Grant Agreement 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 G & Esthetics, Inc. d/b/a Karma Spa and Boutique to receive a \$16,500 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 have 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 \$16,500 loan to G & Esthetics, Inc. d/b/a Karma Spa and Boutique for a term of seven (7) years at an annual interest rate of four (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. Total: 6,167; Ayes: 5,841; Abstained: 326 – Rothenberger. Adopted.

RESOLUTION NO. 212-20090902

**RESOLUTION – DESIGNATING OTSEGO COUNTY
ECONOMIC DEVELOPMENT DEPARTMENT
APPLICANT AND OPERATOR OF THE NEW
YORK STATE MATCHING FUNDS PROGRAM**

SCHWERD, LINDBERG, ROTHENBERGER

WHEREAS, tourism is a major factor in the economy of Otsego County; and

WHEREAS, funds are available through the New York State Department of Commerce for the promotion of tourism; now, therefore, be it

RESOLVED, that the Otsego County Economic Development Department be and hereby is designated to apply to and operate the New York State Matching Funds program of the Department of Commerce; \$250,000.00 being committed by the County in this tourism promotion effort; and be it further

RESOLVED, that the \$250,000.00 will be included in the 2010 Publicity Budget (6410) at line 4830 Tourist Promotion; said funds to be allocated from the 2010 Otsego County Hotel/Motel and Similar Room Occupancy Tax revenues; and be it further

RESOLVED, that the Otsego County Economic Development Department will designate the project director authorized to sign all vouchers and encumbrances; and be it further

RESOLVED, that this resolution is contingent upon the approval of the state budget and availability of state funding.

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

RESOLUTION NO. 213-20090902

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

JOHNSON, SCHWERD, MURPHY

WHEREAS, the Department of Social Services has been unsuccessful in retaining an attorney with part-time status; and

WHEREAS, there is a need for attorney support for the Resource and Recovery Unit of the Department which involves the legal work associated with recovery of funds from estates and repayments to the Department as well as legal work associated with the Child Support Unit and other areas of the Department that had been handled by a part-time attorney when the position was occupied; and

WHEREAS, repeated vacancies in the part-time attorney position cause serious disruptions in the steadfast prosecution of unpaid claims in every stage of the recovery process and thus lesser ultimate monies are recovered; and

WHEREAS, it has been determined that the legal work will be distributed between the two (2) full-time Social Services Attorneys with compensation for the additional workload; now, therefore, be it

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

Social Services Attorney – Add a stipend of \$10,000.00 for additional duties
Social Services Attorney (1) – Add a stipend of \$10,000.00 for additional duties

and be it further

RESOLVED, that the Clerk of the Board be and hereby is authorized and directed to forward a copy of this resolution to the Otsego County Personnel Office and to the County Treasurer; and be it further

RESOLVED, that the funding for these positions is included in the 2009 Social Services Administration Budget (6010) at line 1000-A Personal Service.

Seconded, Stuligross. Roll call. Total: 6,167; Ayes: 3,588; Noes: 2,579 – Clark, Fournier, Lindberg, McCarty, Schwerd. Adopted.

RESOLUTION NO. 214-20090902

**RESOLUTION – INCREASING SALARY OF
PHYSICAL THERAPY AIDE AT OTSEGO MANOR**

JOHNSON, SCHWERD, MURPHY

WHEREAS, that the current grade and salary range for the position of Physical Therapy Aide at Otsego Manor is Grade 07C with a salary range of \$21,667.82 - \$25,379.67 (increment \$742.37); and

WHEREAS, it is in the best interests of the County to increase the grade and salary

for this position; now, therefore, be it

RESOLVED, that the grade and salary range for the position of Physical Therapy Aide at Otsego Manor are increased as follows, effective immediately:

Physical Therapy Aide, Grade 08J, \$24,206.91 - \$28,395.51 (\$837.72)

and be it further

RESOLVED, that the funding for this position is included in the 2009 Infirmary Enterprise Budget (6020) at line 1000-E Personal Service; 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. Total: 6,167; Ayes: 4,185; Noes: 1,982 – Clark, Johnson, McCarty, Rothenberger, Harrington. Adopted.

RESOLUTION NO. 215-20090902

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

MCCARTY, HARRINGTON, RELIC

WHEREAS, bids have been requested and duly received by the Purchasing Agent for certain services 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 bid 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 firm as set forth below, in accordance with the specifications and bid heretofore received:

ITEM:	Resurfacing of County Route #33 from Village of Cooperstown to NYS #166 for a total of 11.29+/- miles
BIDDER:	Barrett Paving Materials, Inc. P.O. Box 400 Washington Mills, New York 13479
COST:	\$799,959.00

and be it further

RESOLVED, that funding for this expenditure shall be included in the 2009 Highway

Budget under 5112-2123-D – Co Hwy 33 (Stimulus).

Seconded, Lindberg and Dubben. Roll call vote. Total: 6,167; Ayes: 5,682; Noes: 485 – Schwerd. Adopted.

RESOLUTION NO. 216-20090902

**RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD
TO CONTRACT FOR PURCHASE OF PASSENGER VAN
FOR OTSEGO MANOR**

LINDBERG, SCHWERD, DUBBEN, STAYTON

WHEREAS, bids have been requested and duly received by the Purchasing Agent for the purchase of one (1) 2008 passenger van for Otsego Manor's Skilled Nursing Facility; and

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

RESOLVED, that the Chairman of the Board of Representatives be and hereby is authorized to contract with the following firm as set forth below, in accordance with the specifications and bid heretofore received:

ITEM: 2008 FORD E-250/BRAUN PACKAGE A

VENDOR: Empire Bus Sales, LLC
3050 Lake Road
Horseheads, New York 14845

COST: \$30,517.00

The funds for this expenditure are included
in the 2009 Infirmary-Enterprise Budget (6020-E)
at line 2000 Equipment

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

RESOLUTION NO. 217-20090902

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO
ENTER INTO CONTRACT FOR THE OPERATION OF THE
WORKFORCE INVESTMENT ACT**

FOURNIER, MCCARTY, STULIGROSS, ROTHENBERGER

WHEREAS, Chenango County, Delaware County and Otsego County have together been designated as a Local Workforce Investment Area (LWIA) pursuant to the Workforce

Investment Act (WIA); and

WHEREAS, it is necessary to define the lines of authority and responsibility of the three Chief Elected Officials (CEO's), the three Counties, and the Local Workforce Investment Board under WIA and establish the relationship amongst the Counties and the Board; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into an agreement with Chenango County, Delaware County and the Workforce Investment Board for the purposes of establishing an operational agreement amongst the three Counties and the Workforce Investment Board; 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, including the expressed understanding that this agreement supersedes all prior such agreements and acts to be the sole operative agreement of all parties; and be it further

RESOLVED, that funding for this agreement is included in the 2009 WIA Budget and is 100% federally reimbursed.

Seconded, Relic and Lindberg. Roll call 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, October 7, 2009 at 10:00 a.m.