

**REGULAR SESSION
SECOND DAY**

Wednesday, September 19, 2007

The Chairman called the Board to order, the roll was called and the following Representatives were found to be present:

Relic, Powers, Feldstein, Henderson, Fournier, Durkin, Iversen, Lindberg, McCarty, Schwerd, Rothenberger, Laguna, Hodne.

Under Privilege of the Floor, Kathy Clark said the County Board will be considering a resolution to spend \$43,500 to hire a budget advisor. Instead of hiring an advisor, Board members should take advantage of courses the New York State Comptrollers Office has available and become more knowledgeable of the county's finances.

The following communications were read and ordered filed:

David Sheppard, New York State Office of Homeland Security - Letter stating that Otsego County is being awarded \$73,000 under the State Homeland Security Program and \$54,000 under the Law Enforcement Terrorism Prevention Program.

Colleen Thorn - Letter of resignation as Probation Director I, effective September 27, 2007.

Summons and Verified Complaint - Progressive Northeastern Insurance Company and David York versus the County of Otsego and Wade Thayer - For the negligence and carelessness in the operation of a Highway Department vehicle. Amount claimed is \$16,962.50 plus interest and costs.

The following report is on file with the Clerk of the Board:

2006 County of Otsego Financial Report by Ciaschi, Dietershagen, Little, Mickelson & Company

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

Representative Rothenberger moved for an executive session to discuss personnel. Seconded, Iversen. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Motion carried.

The Board reconvened.

Representative Fournier moved to dispense with the reading of all the resolutions. Seconded, Relic and Iversen. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Motion carried.

RESOLUTION NO. 259-2007

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO

**CONTRACT WITH VENESKY & COMPANY FOR THE SERVICES OF A
BUDGET ADVISOR**

FELDSTEIN, IVERSEN, RELIC

WHEREAS, it has been determined that the County can benefit from the services of a Budget Advisor to assist the Board of Representatives, the Administration Committee and the Budget Officer in preparing the County's operational and capital budgets for fiscal year 2008 (FY 2008); and

WHEREAS, in response to the County's Request for Proposals (RFP), Venesky & Company has submitted a satisfactory and acceptable proposal to provide these services; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to contract with Venesky & Company, 6114 Route 31, Cicero, New York 13039, to provide the services of a Budget Advisor to assist the Board of Representatives, the Administration Committee and the Budget Officer in preparing the County's operational and capital budgets for fiscal year 2008, review departmental requests and justifications and provide fiscal and budget analysis/recommendations of County programs and operations, and said services shall also include:

- Reviewing the current (FY 2007) budget and prior year budget (FY 2006) including the following funds: General Fund, Special Grants Fund, Revolving Loan Fund, County Road Fund, Highway Machinery Fund, Otsego Manor Enterprise Fund and the Workers' Compensation Fund;
- Meeting with the Board of Representatives, the Budget Officer, and the Administration Committee to explain and/or advise regarding fiscal or budgetary impacts of the FY 2008 budget;
- Creating and preparing reports regarding fiscal and budgetary matters;

and be it further

RESOLVED, that the total fixed fee for these services is \$43,500.00; and be it further

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

RESOLVED, that the funds for the contract shall be included in the 2007 Board of Representatives Budget (1010) at line 4900 Contracts.

Seconded, Fournier and Rothenberger. Roll call. Total: 6,167; Ayes: 4,066; Noes: 1,816 - Relic, Henderson, McCarty, Schwerd; Absent: 285 - Stayton. Adopted.

RESOLUTION NO. 260-2007

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT FOR EMERGENCY CONSTRUCTION OF TWO (2) BRIDGE ABUTMENTS

MCCARTY, HENDERSON, HODNE

RESOLVED, that the Chairman of the Board be and hereby is authorized to execute an agreement with Tioga Construction Co., Inc., 333 Gros Blvd, Herkimer, New York 13350, for the emergency excavation and construction of two (2) bridge abutments on County Route 39 over the Schenevus Creek in the Town of Worcester, BIN #3354410, for the County Highway Department, at a cost of \$36,600.00; and be it further

RESOLVED, that in accordance with the Otsego County Purchasing Policy and Procedures, Section 14(1), Exceptions to Bidding - Emergency, this work is emergency in nature and does not require public bidding; and be it further

RESOLVED, that the funds for this expenditure are included in the 2007 Highway Budget under D5112.2115, D5110.4500 and D5110.4800.

Seconded, Feldstein. Roll call. Total: 6,167; Ayes: 5,882; Absent: 528 - Stayton. Adopted.

RESOLUTION NO. 261-2007

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

HENDERSON, IVERSEN, STAYTON

RESOLVED, that the following appointment be and is hereby approved for the Chenango, Delaware, Otsego Workforce Investment Board, effective September 19, 2007:

CLAIRE MCMILLAN
Center Director
Oneonta Job Corps
21 Homer Folks Avenue
Oneonta, New York 13820
Term expiring June 30, 2009
(Replacing George Sabol)

Seconded, Hodne. Oral vote. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Adopted.

RESOLUTION NO. 262-2007

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2007 (A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2006 – IMPOSING A TAX ON THE OCCUPANCY OF CERTAIN HOTEL, MOTEL AND

SIMILAR ROOMS IN OTSEGO COUNTY)

FELDSTEIN, IVERSEN, RELIC

WHEREAS, there was duly presented to the Board of Representatives of the County of Otsego at a regular meeting duly held in the Meeting Room of the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on September 5, 2007 a local law for the year 2007 entitled "A Local Law Amending Local Law No. 4 Of 2006 – Imposing A Tax On The Occupancy Of Certain Hotel, Motel And Similar Rooms In Otsego County"; and

WHEREAS, a public hearing was duly held on the proposed Local Law at the Meeting Room for the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on the 19th day of September, 2007 at 7:30 p.m., at which time all interested persons were heard; now, therefore, be it

RESOLVED, that a local law of the County of Otsego for the year 2007, as above set forth, be and the same is hereby adopted.

Seconded, Durkin. Roll call. Total: 6,167; Ayes: 4,135; Noes: 1,357 - Powers, McCarty, Schwerd; Abstained: 390 - Iversen; Absent: 285 - Stayton. Adopted.

RESOLUTION NO. 263-2007

**RESOLUTION - ABOLISHING POSITION IN PERSONNEL
DEPARTMENT (GRANTS WRITER/ADMINISTRATOR)**

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that the following position in the Personnel Department is hereby abolished, effective immediately:

Grants Writer/Administrator,
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, Henderson. Oral vote. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Adopted.

RESOLUTION NO. 264-2007

RESOLUTION OF APPRECIATION FOR DANIEL DENOFRIO

ENTIRE BOARD

WHEREAS, Daniel Denofrio has worked for the County of Otsego for two and one half years from May 16, 2005 through September 30, 2007 in the Department of Social Services; and

WHEREAS, Daniel Denofrio has served the county as Commissioner of Social Services and Acting Director of Community Services; and

WHEREAS, Daniel Denofrio has with sincere effort devoted himself to represent the county's best interests in all human services matters and has served on numerous human services committees that support the residents of this county; and

WHEREAS, the Otsego County Board of Representatives and other county employees will remember Daniel Denofrio for his strong commitment to the children and social service programs in the county; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives does hereby commend Daniel Denofrio for his dedication in serving Otsego County and its residents and wishes him well in his retirement.

Seconded, entire Board. Oral vote. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Adopted.

RESOLUTION NO. 265-2007

RESOLUTION – TRANSFERRING FUNDS IN BOARD OF REPRESENTATIVES

FELDSTEIN, IVERSEN, RELIC

WHEREAS, it appears that it will require funds to complete the year 2007 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2007 budget; now, therefore, be it

RESOLVED, that the following transfer be and the same is hereby authorized, and the 2007 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

2007 Budgets Transfers				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				
FROM:	Contingent	Other	1990.4800A	-43,500.00
TO:	Board of Representatives	Contracts	1010.4900A	43,500.00

Seconded, Fournier. Roll call. Total: 6,167; Ayes: 4,066; Noes: 1,816 - Relic,

Henderson, McCarty, Schwerd; Absent: 285 - Stayton. Adopted.

Representative McCarty moved to remove Resolution No. 258-2007 from the table for County Board action. Seconded, Powers. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Motion carried.

RESOLUTION NO. 258-2007

RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD OF REPRESENTATIVES TO ENTER INTO A LEASE AGREEMENT WITH VERIZON WIRELESS FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF CELLULAR COMMUNICATIONS EQUIPMENT IN THE TOWER OF THE OTSEGO COUNTY COURTHOUSE AND AN EQUIPMENT SHELTER IN CONJUNCTION THEREWITH

MCCARTY, HENDERSON, HODNE

RESOLVED, that the Chairman of the Otsego County Board of Representatives be and hereby is authorized to execute a Lease Agreement with Verizon Wireless for the installation, operation and maintenance of cellular communications equipment in the tower of the Otsego County Courthouse, as well as ground space for the installation, operation and maintenance of an equipment shelter in conjunction therewith, as shown and depicted on Schedule A of the proposed Lease Agreement, for an initial term of five (5) years, with provision for the four (4) automatic renewals thereof for similar five (5) year terms; and be it further

RESOLVED, that this Resolution is made subject to approval of site and construction plans by all appropriate parties, and to the approval of the final terms, provisions and conditions of said Lease Agreement by the County Attorney.

Seconded, Powers. Roll call. Total: 6,167; Ayes: 5,882; Absent: 285 - Stayton. Adopted.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, October 3, 2007 at 10:00 a.m.