

**REGULAR SESSION
FIRST DAY**

Wednesday, October 1, 2008

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, Dinnie Sloman, Executive Director of Cooperative Extension, provided the County Board with a publication explaining the partnership between Cornell University and the Cooperative Extension. He pointed out that next week is National Cooperative Extension and 4-H Week and introduced Susan Harver to explain the 4-H programs.

Susan Harver pointed out that 4-H is evolving from its service to farm families. 2008 has been an exciting year for Otsego County's 4-H Program, as they were involved in a pilot program looking at the field of science. Local 4-H kids made a presentation at the State Fair and will be presenting a science fair at the Oneonta YMCA next week.

John Imperato, CSEA President, pointed out that he is the only advocate to speak on the CSEA Union's behalf. He stated that rumors of Senator Seward undermining the contract negotiation process are false and apologized for any misunderstanding from comments made by CSEA union members.

Cindy Macomber, DSS employee and Otsego County resident/taxpayer, stated that the CSEA employees have gone 619 days without a contract without an end in sight. She stated that she had been told that the negotiations are in the fact finding phase and felt that the negotiators should have been dealing with facts for the past two years. Ms. Macomber said that there are too many excuses and stumbling blocks now. She pointed out that there will always be budget crunches and questioned why county employees are not considered worthy enough of a cost of living increase. Many county employees face issues everyday to make ends meet, and yet the County Board has approved a contracted position at \$100.00 per hour that requires supervision. She stated that she has a problem with that. As a county employee who refers clients to other county agencies, she has a hard time making psychiatric referrals to the Mental Health Clinic when the doctor is required to have three supervisors. She stated that it is hard to fill positions in this region, but that is not an excuse to hire a questionable contractor.

The minutes of July 2, August 6 and August 20, 2008 were approved.

The following communications were read and ordered filed:

Butternuts Town Board – Resolution opposing NYRI's proposed routes.

Joseph J. Rabito, Office of Community Renewal – Letter awarding a \$750,000 New York State Community Development Block Grant to Otsego County for the REDI Project.

The following reports are on file with the Clerk of the Board:

Otsego Manor Financial Report for the year 2007
County of Otsego Financial Report for the year 2007
Mohawk Valley Economic Development District Financial Statements for
the year 2007

Under Special Presentations, Carolyn Lewis from the Economic Development Office introduced Patricia Kennedy, Executive Director of Springbrook. Mrs. Kennedy explained that the organization was started to serve individuals with disabilities through their lifetime. They employ about 800 people in Delaware, Chenango and Otsego Counties. She pointed out that the institute responded to a state RFP to expand services for those children who are hard to place due to the need for 24 hour support. Springbrook is proposing to add 24 new beds. They have had over 400 referrals for these proposed new beds. The project involves the development of clinical support adding 30 new staff and a building project at about \$25 million adding 120 new jobs. The capital project includes the upgrade of water and sewer systems, revamping the parking and roadway system, sizing new infrastructure for possible future expansions, and adding six classrooms, a full size gymnasium, a kitchen and lunch room area and three new houses. Mrs. Kennedy said that it is an exciting project, and they have received positive responses about the project.

Joe Bernier, Chairman of the County of Otsego Industrial Development Agency (COIDA), asked the County Board to create a financial vehicle to help with this and other local projects. He thanked the County Board for its support in the past for economic development in the county. In the past COIDA was able to offer tax exempt bonds to not-for-profit corporations, such as Springbrook. However, state legislature renewing the IDA's ability to issue civic facility bonds has not been approved. Mr. Bernier stated that forming a Local Development Corporation (LDC) would continue this financial avenue with cheap fees and a quick turnaround time. It would be a parallel corporation with COIDA with the same board and staff. He said that there would be no county cost or liability. The LDC is needed to issue finances for local projects.

Joseph Scott, attorney with Russ Hodgson, stated that he has worked with the COIDA for twelve years on bonds. They are presently trying to address the capital financial needs of Springbrook and came up with a financial plan that includes creating a LDC. This would be less cumbersome by having the LDC Board members be the same members as the COIDA Board. He stated that quick action is necessary so Springbrook financing can begin. Mr. Scott explained that forming an LDC for this purpose is a novel approach. His firm is working on getting IRS approval. The County will have no full faith and credit obligation from the issuance of IDA or LDC bonds and those documents will state this. Mr. Scott's firm has issued an assurance that there will be no cost to the County. Their legal opinion is that the county is authorized under New York State law to create an LDC.

Representative Murphy stated that the Solid Waste and Environmental Concerns committee has been working since April on the ICLEI membership for the county. The annual cost is \$1,200 and could be paid from the Building Services budget. He stated that ICLEI will provide software to assist the county in doing an in depth analysis of its energy use. The County Board listened to a teleconference presentation by Courtney Forrester from ICLEI. Ms. Forrester presented an overview of what ICLEI does to help local governments reduce greenhouse gas emissions and how the county will benefit from membership. ICLEI has 499 members from different cities, towns and counties. Otsego

County could see benefits from ICLEI's energy software, an international network of peers, training sessions and events, technical assistance, model local climate programs and ordinances, development of how to guides and the ICLEI website with information and peer networking. ICLEI's five milestones include a baseline inventory and forecast of energy use and greenhouse gas emissions, setting targets and goals, establishment of a local action plan, implementation of the local action plan, and monitoring and evaluating progress of the plan. An application needs to be completed. A Board resolution is not required, and there is no timeline for the inventory to occur.

Representative Lindberg asked if ICLEI wants the county to get municipalities to adopt regulations and energy codes to reduce emissions. Ms. Forrester stated that the county chooses how to proceed and at what level. Representative Murphy suggested if the county participates in ICLEI and demonstrates a savings through the software, that it would be a good example for municipalities to follow.

The Chairman declared a short break.

The Board reconvened.

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

Representative McCarty moved for executive session to discuss contracts and personnel. Seconded, Harrington. Oral vote. Total: 6,167; Ayes: 6,167. Motion carried.

The Board reconvened.

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

RESOLUTION NO. 286-20081001

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT FOR PURCHASE OF CERTAIN MATERIAL AND SERVICES (RESURFACING COUNTY ROUTE 35)

DUBBEN, RELIC, MURPHY

WHEREAS, bids have been requested and duly received by the Purchasing Agent for the resurfacing of County Route 35; 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 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 County Route 35

BIDDER: Cobleskill Stone Products, Inc.
P.O. Box 220
Cobleskill, New York 12043-0220

COST: \$237,749.25

and be it further

RESOLVED, that funding for this expenditure is included in the 2008 Highway Budget under D5113.2020, D5113.2104, D5113.2109, D5113.2116, D5113.2117, D5113.2119, D5113.2120, D5113.2121, D5110.4500, and D5110.4570.

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

RESOLUTION NO. 287-20081001

RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY TO RECEIVE GRANT FUNDS

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, \$335,440.00 in FY07 Public Safety Interoperable Communications grant funds are available through the New York State Office of Homeland Security for the replacement or upgrade of the buildings that house the telecommunication equipment for the County's communication towers; and

WHEREAS, to receive these grant funds, the County must contract with the New York State Office of Homeland Security; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to execute an agreement with the New York State Office of Homeland Security to receive \$335,440.00 in FY07 Public Safety Interoperable Communications grant funds for the replacement or upgrade of the buildings that house the telecommunication equipment for the County's communication towers, for the period July 28, 2008 to September 30, 2010, with a project budget as follows:

<u>Description</u>	<u>Grant Amount</u>	<u>Match Amount</u>
Otsego County Consultant Services: Relocation of telecommunication equipment	\$ 21,840.00	\$ 5,460.00
Equipment: Pre-constructed equipment shelters	\$268,800.00	\$67,200.00
Alterations & Renovations: Site Preparation prior to delivery of equipment shelters	<u>\$ 44,800.00</u>	<u>\$11,200.00</u>
Total	\$335,440.00	\$83,860.00

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 Chairman is further authorized to execute any other agreements or documents that may be required for the receipt of these grant funds.

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

RESOLUTION NO. 288-20081001

RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT WITH THE MONTGOMERY, OTSEGO, SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) FOR A FALL CLEAN-UP PROGRAM TO REDUCE GAT SHORTFALL

MCCARTY, FOURNIER, MURPHY, ROTHENBERGER

WHEREAS, Otsego County's solid waste deliveries are currently reported to be 2,005 tons below the County's 2008 guaranteed annual tonnage (GAT) of 43,070 tons; and

WHEREAS, a GAT shortfall could potentially require the County to pay a penalty of \$104.50 times the number of tons in the shortfall; and

WHEREAS, attraction of additional waste that would be credited to Otsego County would reduce any potential penalty for which no waste is delivered; and

WHEREAS, a Fall clean-up program, free to the public, would bring in additional waste to MOSA that would be credited to Otsego County; now, therefore, be it

RESOLVED, that the Chairman of this Board is authorized to contract with MOSA for a Fall clean-up program for the purpose of reducing Otsego County's GAT shortfall; said contract shall include the following terms:

1. Clean-up program waste will be billed by MOSA to the County at the full tipping fee of \$104.50/ton;
2. The amount of waste accepted by the County, together with the expenses charged to the County by MOSA for handling this program waste, shall not exceed the currently projected shortfall penalty of \$209,522.50 (2,005 tons times \$104.50 tipping fee/ton);

and be it further

RESOLVED, that the final operational details for the clean-up program shall be established between the County and MOSA; and be it further

RESOLVED, that the said contract shall contain such other terms and conditions as

are in the best interest of the County of Otsego.

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

RESOLUTION NO. 289-20081001

**RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD
TO EXECUTE AGREEMENT WITH GERHARDT, LLC FOR
PREPARATION OF A LONG RANGE SOLID WASTE
MANAGEMENT PLAN FOR OTSEGO COUNTY**

MCCARTY, FOURNIER, MURPHY, ROTHENBERGER

WHEREAS, there is a need for a Long Range Solid Waste Management Plan for Otsego County; and

WHEREAS, the legal notice announcing the Request for Proposals (RFP) for such plan was published in the County's official newspapers on August 28 – 29, 2008; and

WHEREAS, a pre-proposal conference was held on September 4, 2008 and proposals were opened on September 15, 2008; and

WHEREAS, after review by the Solid Waste and Environmental Concerns Committee, it was determined that the proposal of Gerhardt, LLC is satisfactory for the preparation of the Long Range Solid Waste Management Plan for Otsego County; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to contract with Gerhardt, LLC, 107 Paris Road, New Hartford, New York 13413 for the preparation of a Long Range Solid Waste Management Plan for Otsego County, to include the following tasks and costs:

1. Summarize current Otsego County Solid Waste Management System	\$ 2,500.00
2. Analyze Otsego County obligations to MOSA	\$ 5,500.00
3. Coordinate with Schoharie & Montgomery Counties	\$ 1,500.00
4. Evaluate the potential for an inter-municipal disposal agreement	\$ 2,400.00
5. Evaluate flow control	\$ 3,000.00
6. Determine MOSA's plan for use of reserves	\$ 7,000.00
7. Determine MOSA's strategic & operating plans	\$ 3,000.00
8. Define Otsego County's short-term options	\$ 6,500.00
9. Summarize Previous Siting Studies	\$ 3,500.00
10. Present major technology options	\$ 2,600.00
11. Define Otsego County's best long-term option	\$11,500.00
Complete Final Report – 10/10/09	
Other expenses (copying, printing, secretarial, bond, etc.)	<u>\$ 7,500.00</u>
TOTAL	\$56,500.00

and be it further

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

RESOLVED, that the funds for this project shall be included in the 2008 and 2009 Solid Waste Budgets.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,453; Noes: 714 – Rothenberger, Stuligross. Adopted.

RESOLUTION NO. 290-20081001

**RESOLUTION – TO PURCHASE CERTAIN NON-DURABLE SUPPLIES
FOR OTSEGO MANOR, PUBLIC HEALTH NURSING, PUBLIC SAFETY
BUILDING AND OTSEGO COUNTY OFFICE BUILDING (BUILDING
SERVICES DEPARTMENT)**

HARRINGTON, DUBBEN, STAYTON, LINDBERG

WHEREAS, the City of Oneonta Purchasing Agent has advertised and received bids for certain non-durable supplies for Otsego Manor, Public Health Nursing, Public Safety Building, the County Office Building (Building Services Department), City of Oneonta and the Oneonta City School District for the period of June 1, 2008 to May 31, 2009; and

WHEREAS, the bids have been reviewed and a recommendation has been made approving the lowest acceptable bid for Custodial Supplies (paper and plastic products etc); and

WHEREAS, a complete listing of all prices for individual items is on file with the Clerk of the Board and the Purchasing Agents for Otsego County, City of Oneonta and Oneonta City School District; now, therefore, be it

RESOLVED, that the Department Heads of Otsego Manor, Public Health Nursing, Public Safety Building and the County Office Building (Building Services Department) be and hereby are authorized to purchase the supplies set forth in accordance with the specifications and bids therefore 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 non durable supplies is authorized in the 2008 budgets for each of the above mentioned departments.

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

RESOLUTION NO. 291-20081001

RESOLUTION – APPOINTING HIPAA OFFICER

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, this Board has appointed HIPAA Officers for various County departments/units; and

WHEREAS, it is necessary from time to time to amend the designated officer for certain departments/units; now, therefore, be it

RESOLVED, that the following person be and hereby is appointed as Health Insurance Portability and Accountability Act (HIPAA) Officer for her respective County department/unit:

Heidi Bond
(Replacing Diane Cusworth)

Department of Health

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

RESOLUTION NO. 292-20081001

**RESOLUTION - AUTHORIZING LOAN FROM OTSEGO COUNTY
MICRO-ENTERPRISE LOAN PROGRAM
(INDEPENDENCE MACHINE & TOOL COMPANY)**

RELIC, SCHWERD, JOHNSON

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 Joan & John Ambrose, d/b/a Independence Machine & Tool Company, Inc. to receive a \$13,500.00 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 \$13,500.00 loan to Joan & John Ambrose, d/b/a Independence Machine & Tool Company, Inc. for a term of five (5) 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 all 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: 5,712; Abstained: 455 – Relic. Adopted.

RESOLUTION NO. 293-20081001

RESOLUTION – PROCLAIMING THE MONTH OF OCTOBER 2008 AS DOMESTIC VIOLENCE AWARENESS MONTH IN OTSEGO COUNTY

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, domestic violence, which had historically been merely a family secret and an unspeakable act within that family to be covered up, is and should continue to be acknowledged as a crime in Otsego County; and

WHEREAS, even though one in three women and children are subjects of such abuse, this group alone cannot account as the only targets of domestic violence; may our County not forget the elderly, men and disabled persons, which are also counted among the victims; and

WHEREAS, domestic violence carries over into a victim's place of work and our schools for youth victims and affects people from all economic backgrounds. The presence of such behavior affects the entire County of Otsego, robbing citizens of peace in their own sanctuary, where homes should be a place of tranquility and security and schools should be a place of learning not tarnished by violence and fear; and

WHEREAS, through building bridges with community partners, local law enforcement, the Department of Social Services, Family and Criminal Courts and various organizations, we have been able to collaborate services to assist with the numerous needs for all victims; and

WHEREAS, the personal safety of all people are a top priority and concern for the Violence Intervention Program at Opportunities for Otsego, Inc., county and state leadership, the general public, policy makers, community and religious leaders, and public servants; now, therefore, be it

RESOLVED, the Otsego County Board of Representatives hereby proclaims the month of October 2008 as DOMESTIC VIOLENCE AWARENESS MONTH in the County of Otsego and encourages all citizens to actively participate in the scheduled activities and programs sponsored by OFO's Violence Intervention Program to work toward the elimination of personal and institutional violence.

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

RESOLUTION NO. 294-20081001

**RESOLUTION – PROCLAIMING OCTOBER 5-11, 2008 AS
CORNELL COOPERATIVE EXTENSION WEEK
AND NATIONAL 4-H WEEK**

SCHWERD, CLARK, LINDBERG, STULIGROSS

WHEREAS, Cornell Cooperative Extension of Otsego County enables people to improve their lives and communities through partnerships that put experience and research knowledge to work; and

WHEREAS, the Cornell Cooperative Extension system is a viable partnership among federal, state, and county governments; the educational outreach of Cornell University's knowledge and research; and an effective partnership among community volunteers and staff; and

WHEREAS, nearly 500 professional educators partner with over 50,000 volunteers to assist more than six million individuals, families, communities, and business people in New York State and over 500 volunteers in Otsego County every year; and

WHEREAS, for over one hundred years 4-H Youth Development has served one of every eight youth in New York State and continues to provide meaningful youth development experiences for youth in Otsego County; and

WHEREAS, the Otsego Association is a recognized leader in providing quality educational programming through initiatives in Children, Youth, and Families; Agriculture and Food System Sustainability; Community and Economic Vitality; Environmental and Natural Resources; and Nutrition, Health and Safety Programs; and

WHEREAS, Cornell Cooperative Extension will continue to provide high quality, innovative educational programs and products that help New Yorkers build strong and vibrant communities; now, therefore, be it

RESOLVED, that the Otsego Board of Representatives hereby designates the week of October 5-11, 2008, as CORNELL COOPERATIVE EXTENSION AND NATIONAL 4-H WEEK in Otsego County.

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

RESOLUTION NO. 295-20081001

**RESOLUTION - CREATING POSITION IN DEPARTMENT
OF SOCIAL SERVICES (ACCOUNT CLERK-TYPIST)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following position be and the same is hereby created in the

Department of Social Services, effective immediately:

Account Clerk-Typist, Grade 7, \$21,215 - \$24,950 (\$747)

and be it further

RESOLVED, that the funds for this position are included in the 2008 Social Services Administration Budget (6010) at line 1000-A Personal Service and consist of 50% federal funds; 33% state funds, and 17% local cost; 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: 5,070; Noes: 1,097 – Johnson, McCarty, Harrington. Adopted.

RESOLUTION NO. 296-20081001 (original)

**RESOLUTION - ABOLISHING POSITION IN DEPARTMENT
OF SOCIAL SERVICES (KEYBOARD SPECIALIST)**

CLARK, SCHWERD, STULIGROSS

RESOLVED, that the following position in the Department of Social Services is abolished, effective immediately:

Keyboard Specialist, Grade 5

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. Representative Clark moved to amend the resolution by changing the position title from “Keyboard Specialist” to “Clerk”. Seconded, Fournier. Oral vote. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 296-20081001 (amended)

**RESOLUTION - ABOLISHING POSITION IN DEPARTMENT
OF SOCIAL SERVICES (CLERK)**

CLARK, SCHWERD, STULIGROSS

RESOLVED, that the following position in the Department of Social Services is abolished, effective immediately:

Clerk, Grade 5

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.

Oral vote on amended Resolution. Total: 6,167; Ayes: 6,167. Adopted as amended.

RESOLUTION NO. 297-20081001

**RESOLUTION – APPOINTING COMMISSIONER OF
SOCIAL SERVICES GROUP I**

CLARK, SCHWERD, STULIGROSS

RESOLVED, that Joyce Boyd, be and is hereby appointed Commissioner of Social Services Group I of the County of Otsego for a term of five years, on a probationary period effective October 1, 2008, pursuant to Section 116 of the Social Services Law of the State of New York, at an annual salary of \$65,000.00; and be it further

RESOLVED, that the Commissioner of Social Services Group I shall be entitled to receive from the County reimbursement for all necessary expenses incidental to the transaction of County business; and be it further

RESOLVED, that the funding for this position is included in the 2008 Social Services Administration Budget (6010) at line 1000 Personal Service and is 50% federal reimbursable, 25% state reimbursable and 25% local funds; 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 Officer and to the County Treasurer.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,790; Abstained: 377 – McCarty. Adopted.

RESOLUTION NO. 298-20081001

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

RELIC, SCHWERD, JOHNSON

WHEREAS, an offer has been made by Steve Raptis, Sylvia Raptis, Xenofon Raptis and Georgia Raptis, 378 Avenue P, Brooklyn, NY 11204, to purchase property in the Town of Burlington, for the sum of \$37,500.00; and

WHEREAS, the above property has been foreclosed by judgment of court through

an In Rem proceeding to recover the delinquent taxes due, and has been sold at tax sale; and

WHEREAS, this Board of Representatives believes that the offer and amount are reasonable and represent the market value of the parcel of land and the highest price 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 a good and sufficient quit claim deed of conveyance as follows:

To Steve Raptis, Sylvia Raptis, Xenofon Raptis and Georgia Raptis, 378 Avenue P, Brooklyn, NY 11204, for the sum of \$37,500.00, conveying property situate in the Town of Burlington, formerly assessed to the Fleming Family, described as Residential, .25 acre, 120 Mill Road, Tax Map No. 109.04-1-4.00, as described in a County Treasurer's Deed dated June 20, 2008 and recorded in the Otsego County Clerk's Office on June 24, 2008 in Book 1115 of Deeds at Page 501; and be it further

RESOLVED, that the deed 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 the deed; and be it further

RESOLVED, that the parcel 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 parcel may be ascertained and such description given in the deed as shown by the records in the Otsego County Clerk's Office to which deed and records reference is hereby made and made a part of this resolution.

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

RESOLUTION NO. 299-20081001

RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH OTSEGO COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR THE PREPARATION OF A STATE OF THE LAKE REPORT FOR CANADARAGO LAKE

MCCARTY, FOURNIER, MURPHY, ROTHENBERGER

WHEREAS, Otsego County has partnered with the towns of Exeter, Richfield and Otsego and the Canadarago Lake Association to develop a comprehensive plan for the study and correction of the flooding and health problems on Canadarago Lake; and

WHEREAS, by Resolution No. 295 of 2007, the County empowered the Otsego County Soil and Water Conservation District to act as Lead Agency on this project; and

WHEREAS, the County has previously signed a Memorandum of Understanding with the Otsego County Soil and Water Conservation District for the preparation of a Hydrology and Hydraulics Study at a cost of \$80,000.00, of which the County's share was \$7,500.00; and

WHEREAS, it is now necessary to expand the project to include the preparation of a State of the Lake Report; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to contract with the Otsego County Soil and Water Conservation District, 967 County Highway 33, Cooperstown, New York 13326, for the preparation of a State of the Lake Report for Canadarago Lake at an estimated cost of \$38,000.00, of which the County's share is \$12,500.00; and be it further

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

RESOLVED, that the funds for this project will be included in the 2008 Soil and Water Conservation Budget (8730) at line 4800 Other and are paid for from the Occupancy Tax revenues.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 4,589; Noes: 626 - Fournier; Abstained: 952 – Lindberg, Dubben. Adopted.

RESOLUTION NO. 300-20081001

RESOLUTION - APPROVING THE PROPOSED CERTIFICATE OF INCORPORATION AND CONSENTING TO THE FORMATION OF A LOCAL DEVELOPMENT CORPORATION

JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER

BE IT ENACTED by the Board of Representatives of the County of Otsego, New York (the "Board of Representatives"), as follows:

WHEREAS, on January 31, 2008, Section 854 of the General Municipal Law, commonly referred to as the Civic Facilities Legislation (the "Law") expired and, since the expiration of the Law, industrial development agencies have not been able to provide financial assistance to projects owned or operated by not-for-profit corporations (hereinafter referred to as "Civic Facility Projects"); and

WHEREAS, the ability to finance Civic Facility Projects with tax-exempt bonds has been a very important tool for the County of Otsego Industrial Development Agency (the "Agency"), as the Civic Facility Projects undertaken by the Agency have increased employment opportunities for residents of Otsego County and allowed local not-for-profit corporations to upgrade their facilities at the lowest possible cost; and

WHEREAS, by resolution adopted by the members of the Agency on September 4, 2008 (the "Approving Resolution"), the members of the Agency agreed to request the consent and authorization of the Board of Representatives to form a local development corporation under Section 1411 of the New York State Not For Profit Corporation Law (the "NFPCL"); and

WHEREAS, local development corporations formed under the NFPCL are created to assist, among others, not for profit corporations that are undertaking projects that further any of the following purposes for which local development corporations are created: (1) relieving and reducing unemployment, (2) promoting and providing for additional and maximum employment, (3) bettering and maintaining job opportunities, (4) instructing or training individuals to improve or develop their capabilities for such jobs, (5) carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and (6) lessening the burdens of government and acting in the public interest; and

WHEREAS, in furtherance of the public purposes set forth above, a local development corporation formed under the NFPCL is empowered to take the following actions: (1) to construct, acquire, rehabilitate and improve for use by others industrial or manufacturing plants in the territory in which its operations are principally to be conducted, (2) to assist financially in such construction, acquisition, rehabilitation and improvement, to maintain such plants for others in such territory, (3) to disseminate information and furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, (4) to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, (5) to borrow money and to issue negotiable bonds, notes and other obligations therefor, and (6) to sell, lease, mortgage or otherwise dispose of or encumber any such plants or any of its real or personal property or any interest therein upon such terms as it may determine to be suitable; and

WHEREAS, under the laws of the State of New York, local development corporations are permitted to issue tax-exempt bonds for the benefit of qualifying Civic Facility Projects; and

WHEREAS, in accordance with Section 1411(a) of the NFPCL, prior to forming a local development corporation, the Agency must obtain the Board of Representatives' approval of the certificate of incorporation that will be used to form the local development corporation; and

WHEREAS, the Agency has prepared a proposed certificate of incorporation for review by the Board of Representatives and a copy of such proposed certificate of incorporation is attached hereto as Schedule A; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives as follows:

Section 1. The Board of Representatives authorizes the Agency to form a local development corporation in accordance with Section 1411 of the NFPCL; provided, however, that any obligations issued by the local development corporation, and the premium (if any) and interest thereon, shall be special obligations of the local development corporation and shall never be a debt of the State of New York, the County of Otsego, New York or any political subdivision thereof (other than the local development corporation), and

neither the State of New York, the County of Otsego, New York nor any political subdivision thereof (other than the local development corporation) shall be liable thereon.

Section 2. The Board of Representatives approves the form and substance of the certificate of incorporation presented at this meeting and attached hereto as Schedule A, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairman (or Vice Chairman) and the County Attorney shall approve.

Section 3. This resolution shall take effect immediately.

SCHEDULE A

A Not-For-Profit Local Development Corporation
Under Section 402 and 1411 of the Not-For-Profit
Corporation Law of the State of New York

THE UNDERSIGNED, being over the age of eighteen years, for the purpose of forming a not-for-profit local development corporation pursuant to Section 1411 of the N-PCL of the State of New York (the "N-PCL"), hereby certifies as follows:

FIRST: The name of the corporation shall be Otsego County Capital Resource Corporation (hereinafter referred to as the "Corporation").

SECOND: The Corporation will be a corporation as defined in subparagraph (a)(5) of Section 102 of the N-PCL and, as provided in Section 1411 of the N-PCL, will be a Type C Corporation as defined in Section 201 of the N-PCL. The Corporation shall be a public instrumentality of, but separate and apart from, Otsego County (the "County").

THIRD: The purpose for which the Corporation is to be formed and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, is to lessen the burdens of government by fulfilling the purposes now or hereafter referred to in Section 1411(a) of the N-PCL including, without limitation, by means of engaging in the following activities:

(a) promoting community and economic development and the creation of jobs in the non-profit and for profit sectors for the citizens of the County by developing and providing programs for not-for-profit institutions, manufacturing and industrial businesses and other entities to access low interest tax-exempt and non-tax-exempt financing for their eligible projects;

(b) issuing and selling one or more series or classes of bonds, notes and other obligations (the "Obligations") through public letting, private placement, or negotiated underwriting to finance activities referred to in subparagraph (a) above, on a secured or unsecured basis;

(c) engaging the services of one or more underwriters, placement agents, consultants, attorneys, financial advisors and other persons whose services may be appropriate or desirable in connection with the acquisition and financing referred to above;

(d) undertaking projects within the County that are appropriate functions for a non-profit local development corporation for the purpose of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, carrying on scientific research for the purpose of aiding the County by attracting new industry to the County or by encouraging the development of or retention of an industry in the County, and lessening the burdens of government and acting in the public interest; and

(e) in general, performing any and all acts and things, and exercise and any and all powers which may now or hereafter be lawful for the Corporation to do or exercise under and pursuant to the laws of the State of New York for the purpose of accomplishing any of the foregoing purposes of the Corporation.

FOURTH: The activities referred to in subparagraph (a) of paragraph THIRD above will achieve the lawful public purposes of lessening the burdens of government, the carrying out of such purposes and the exercise of the powers conferred on the Corporation being the performance of an essential governmental function, it being understood that the performance of such activities will assist the County in reducing unemployment and promoting additional job growth and economic development.

FIFTH: The operations of the Corporation will be conducted within the territory of the County. Notwithstanding any other provision of this Certificate of Incorporation, the by laws and any provision of law, so long as any Obligations remain outstanding, the Corporation shall not do any of the following:

(a) engage in any business or activity other than as set forth in paragraph THIRD;

(b) without the consent of the County and the affirmative vote of two thirds of the members of the Board of Directors of the Corporation, (i) dissolve or liquidate, in whole or in part, or institute proceedings to be adjudicated bankrupt or insolvent, (ii) consent to the institution of bankruptcy or insolvency proceedings against it, (iii) file a petition seeking or consent to reorganization or relief under any applicable federal or state law relating to bankruptcy or insolvency, (iv) consent to the appointment of a receiver, liquidator, assignee, trustee, sequestrator or other similar official of the Corporation or a substantial part of its property, (v) make a general assignment for the benefit of creditors, (vi) admit in writing its inability to pay its debts generally as they become due or (vii) take any corporate action in furtherance of the actions set forth in clauses (i) through (vi) of this paragraph; or

(c) without the affirmative vote of two thirds of the members of the Board of Directors of the Corporation, merge or consolidate with any other corporation, company or entity or, except to the extent contemplated by paragraph THIRD hereof, sell all or substantially all of its assets or acquire all or substantially all of the assets or capital stock or other ownership interest of any other corporation, company or entity.

When voting on whether the Corporation will take any action described in paragraph (b) above, each Director shall owe his or her primary fiduciary duty or other obligation to the Corporation (including, without limitation, the Corporation's creditors) and not to the members of the Corporation (except as may specifically be required by the Not-For-Profit Corporation Law). Every Director of the Corporation shall be deemed to have consented to the foregoing by virtue of such Director's appointment as a Director of the Corporation.

SIXTH: Pursuant to the requirements of Section 1411(e) of the Not-For-Profit Corporation Law.

(a) All income and earnings of the Corporation shall be used exclusively for its corporate purposes or accrue and, subject to the Corporation's responsibilities under the Obligations, be paid to the New York Job Development Authority.

(b) The property of the Corporation is irrevocably dedicated to charitable purposes. No part of the income or earnings of the Corporation shall inure to the benefit or profit of, nor shall any distribution of its property or assets be made to, any member, director or officer of the Corporation, or private person, corporate or individual, or to any other private interest, except that the Corporation may repay loans made to it and may repay contributions (other than dues) made to it to the extent that any such contribution may not be allowable as a deduction in computing taxable income under the Internal Revenue Code of 1986, as amended.

(c) If the Corporation accepts a mortgage loan or loans from the New York Job Development Authority, the Corporation shall dissolve in accordance with the provisions of paragraph (g) of Section 1411 of the N-PCL upon the repayment or other discharge in full by the Corporation or all such loans.

SEVENTH: (a) The Corporation shall not attempt to influence legislation by propaganda or otherwise, or participate in or intervene, directly or indirectly, any political campaign on behalf of or in opposition to any candidate for public office.

(b) The Corporation shall not engage in any activities not permitted to be carried on by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.

(c) The Corporation shall not accept a mortgage loan or loans from the New York Job Development Authority.

EIGHTH: In the event of the dissolution of the Corporation or the winding up of its affairs, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the Corporation, distribute all of the remaining assets and property of the Corporation to the County. Any of such assets not so disposed of shall be disposed of by order of the Supreme Court of the State of New York pursuant to Section 1008 of the N-PCL.

NINTH: The office of the Corporation shall be located in Otsego County, New York. The Corporation at all times shall:

(a) upon request by the County, the Corporation shall make available any and all books and records of the Corporation for inspection by the Chairman of the Board of Representatives and his or her staff; and

(b) submit to the Board of Representatives an annual financial report together with a report of the operations and accomplishments of the Corporation for such annual period.

(c) The Board of Representatives, the New York State Authority Budget Office and the New York State Comptroller shall have the right to conduct an annual audit of the books and records of the Corporation.

TENTH: The sole member of the Corporation shall be the County.

ELEVENTH: The Corporation shall be managed by a Board of Directors, who shall be comprised of those persons named in paragraph TWELFTH hereof (the "Directors"). Each of the Directors shall serve at the pleasure of the governing body of the County and continue to hold office until his successor is appointed and has qualified in accordance with the Corporation's By-laws.

The Corporation is a public body (as such term is defined in the Open Meetings Law) and, as such, each meeting of the Board of Directors of the Corporation shall be conducted in the manner prescribed by the Open Meetings Law. The Directors will not receive compensation for services provided to or on behalf of the Corporation.

TWELFTH: The Corporation shall consist of not less than three nor more than nine Directors. The Directors will be appointed by the governing body of the County and shall include (a) the Chairman of County of Otsego Industrial Development Agency, (b) the Vice-Chairman of County of Otsego Industrial Development Agency, (c) the Treasurer of County of Otsego Industrial Development Agency, (d) the Secretary of County of Otsego Industrial Development Agency, and (e) any additional members of the County of Otsego Industrial Development Agency.

(a) The names of the Directors are as follows:

- (i) Joseph A. Bernier, Chairman
- (ii) Len Marsh, Vice Chairman
- (iii) Jeffrey C. Lord, Treasurer
- (iv) Sharon A. Oberiter, Secretary
- (v) Gregory Relic, Member
- (vi) Hugh I. Henderson, Member
- (vii) Walter Buist, Member
- (viii) James Salisbury, Member
- (ix) James M. Jordan, Member

It is acknowledged that the Directors hold comparable positions with County of Otsego Industrial Development Agency established by Chapter 252 of the 1973 Laws of the State of New York, as amended. By reason of the shared public purposes of the Corporation and the County of Otsego Industrial Development Agency, none of the Directors of the Corporation shall be deemed to have a conflict of interest solely due to such person's position with the County of Otsego Industrial Development Agency.

The powers of the corporation set forth in paragraph THIRD hereof shall be subject to the following limitations:

(A) The Corporation shall not undertake a project, issue Obligations or otherwise provide any type of financial assistance to any entity without the County of Otsego Industrial Development Agency first requesting that the Corporation undertake a project or provide financial assistance to any entity.

(B) The bonds or notes and other obligations of the Corporation shall not be a debt of the State of New York or the County of Otsego, and neither the State of New York nor the County of Otsego shall be liable thereon, nor shall they be payable out of any funds other than those of the Corporation.

(C) The Corporation shall hold a public hearing on any financial assistance in excess of \$100,000 proposed to be provided by the Corporation to a project at which interested parties shall be provided with reasonable opportunity, both orally and in writing, to present their views with respect to the project. The Corporation shall give the same notice of such hearing as the County of Otsego Industrial Development Agency would be required to give pursuant to the provisions of Section 859-a and b of the General Municipal Law of the State of New York as if such hearing was a public hearing of the County of Otsego Industrial Development Agency with respect to a project.

THIRTEENTH: The Corporation will be subject to the Public Authorities Accountability Act of 2005 (the "Act"). As such, the Corporation will be required to, among other things: (1) undergo annual independent audits and submit the results of such audits to the County and the New York State Authority Budget Office, (2) prepare and submit its annual budget to the County and the New York State Authority Budget Office, (3) adopt the various ethical, reporting, property disposition and disclosure policies required by the Act, and (4) form governance and audit committees to ensure the Corporation is in compliance with the Act and any other applicable laws.

FOURTEENTH: The Secretary of State of the State of New York is designated as agent of the Corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the Corporation served upon him or her is c/o County of Otsego Industrial Development Agency, 242 Main Street, Oneonta, New York 13820, Attn: Carolyn Lewis, Chief Executive Officer.

FIFTEENTH: The By-laws of the Corporation may be adopted, amended or repealed by a majority of the Directors of the Corporation upon 30 days notice to all of the Directors, provided, however, that the Corporation shall not amend, alter, change or repeal any provision of the adopted By-laws without the consent of the County.

SIXTEENTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in any manner now or hereafter provided herein or by statute; provided, however, that (1) so long as any Obligations remain outstanding, the Corporation shall not amend, alter, change or repeal any provision of Paragraphs THIRD, FIFTH, NINTH, FOURTEENTH and FIFTEENTH of this Certificate of Incorporation (the "Restricted Articles") without the affirmative vote of two-thirds of the members of the Board of Directors of the Corporation and the consent of the County, (2) the Corporation shall not amend or change any provision of any Article other than the Restricted Articles so as to be inconsistent with the Restricted Articles and (3) so long as the Corporation continues to exist, the provisions of paragraph THIRD, TENTH, ELEVENTH or TWELFTH of this Certificate of Incorporation shall not be amended, altered, changed or repealed without the unanimous vote of the Directors; provided further, that all the Directors shall have received 30 days advance notice of any proposed amendment, alteration, change or repeal.

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

RESOLUTION NO. 301-20081001

RESOLUTION – ADOPTING CREDIT CARD POLICY

RELIC, SCHWERD, JOHNSON

WHEREAS, the County has found it necessary to establish a Credit Card Policy for the use of County Credit Cards; now, therefore, be it

RESOLVED, that the following is the Otsego County Credit Card Policy:

**CREDIT CARD POLICY
OTSEGO COUNTY, NEW YORK**

1. County credit cards may only be used by personnel of those departments and for those items for which credit card charging has been approved by the Administration Committee (see Exhibit 1).
2. County credit cards are for official business only. Improper or unauthorized use of the card by the cardholder may be subject to the following actions: reimbursement by the employee to the county for the unauthorized charges and/or suspension of the card.
3. Original receipts or invoices must support all transactions. Invoices are to be fully itemized when possible. If personal charges are included on the invoice, such as a personal call from a hotel room, then documentation must be included with the vendor claim form that the cardholder has reimbursed such personal charges to the county. Personal reimbursement is to be made within thirty (30) days of the first monthly billing by the credit card company of the personal expense.
4. Sales tax must be avoided by cardholder by presenting a tax exemption certificate at the time of purchase or transaction. Cardholders must inform the vendor that this is a tax exempt transaction prior to the transaction being completed. An exception to this is for sales tax charged at restaurants.
5. County credit cards are to be maintained in a secure place by the respective cardholder with appropriate controls to protect against unauthorized use by department employees and others.
6. If a county credit card is lost or stolen, the cardholder shall IMMEDIATELY notify the credit card company and supervisor or department head of cardholder.
7. Prior to separation from Otsego County employment, the cardholder shall surrender the county credit card to his or her supervisor or department head.

8. County credit cards may be revoked at any time by an authorized county official without the permission or consent of the cardholder or the cardholder's department head.
9. Credit card users must agree to follow ALL county policies and procedures for purchasing items and services, including but not limited to, the Purchasing Policy and the Meal Reimbursement Policy.

EXHIBIT 1

APPROVED COUNTY CREDIT CARDS AND THEIR APPROVED USES

1) Tourism

- a) For use at travel shows and conferences (transportation, lodging, meals, etc.)

2) DSS

- a) For use during out of area transports and pickups of children (transportation, lodging, meals, etc.)
- b) For use by DSS employees for lodging expenses (2006)

3) District Attorney

- a) For use during extraditions (transportation, lodging, meals, etc.)
- b) For the purchase of items reimbursed from the forfeiture account and made in accordance with the county's Purchasing Policy (2008)

4) Purchasing Department

(Any county department requesting use of the Purchasing credit card, must submit its request to the Purchasing Agent in writing at least one week before the order is needed. The budget code containing the funds must be included in the request. Failure to provide the necessary documentation for the order and/or receipts of the purchase will be grounds to deny a department access to this credit card.)

- a) For use by all county departments to hold and pay for hotel reservations (2004/2008)
- b) For use by all county departments to purchase items that need to be paid for by credit card (2008)

5) Sheriff's Department

- a) For travel related expenses (transportation, lodging, meals, etc.) (2007)
- b) For the purchase of items that are needed immediately during an emergency situation with the approval of a supervisor (2008)

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,505; Noes: 662 – McCarty, Stayton. Adopted.

RESOLUTION NO. 302-20081001

**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:	Purchasing	Training	1345-4050-A	-600.00
TO:	Purchasing	Mileage	1345-4005-A	250.00
TO:	Purchasing	Lodging, Meals, Tolls, Etc.	1345-4010-A	350.00
FROM:	242 Main St/Oneonta Building	Misc. Renovations	1622-2500-A	-12,000.00
TO:	Otsego Manor Building	Maint. & Repair Parts	1631-4562-A	5,000.00
TO:	Otsego Manor Building	Other	1631-4800-A	7,000.00
FROM:	Alternatives to Incarceration	Mileage	3157-4005-A	-105.00
TO:	Alternatives to Incarceration	Materials & Supplies	3157-4500-A	105.00
FROM:	Child Advocacy Center	Miscellaneous Renovations	3700-2500-A	-700.00
FROM:	Child Advocacy Center	Lodging, Meals, Tolls, Etc.	3700-4010-A	-6,022.00
FROM:	Child Advocacy Center	Telephone	3700-4100-A	-500.00
FROM:	Child Advocacy Center	Postage & UPS	3700-4400-A	-175.00
FROM:	Child Advocacy Center	Subscriptions/Dues	3700-4650-A	-1,410.00
FROM:	Child Advocacy Center	Consultants	3700-4880-A	-730.00
TO:	Child Advocacy Center	Personal Services	3700-1000-A	1,519.00
TO:	Child Advocacy Center	Equipment	3700-2000-A	4,533.00
TO:	Child Advocacy Center	Mileage	3700-4005-A	250.00
TO:	Child Advocacy Center	Materials & Supplies	3700-4500-A	3,082.00
TO:	Child Advocacy Center	Advertising	3700-4810-A	153.00
FROM:	Forestry	Other	8710-4800-A	-50.00
TO:	Forestry	Heat & Lights	8710-4150-A	50.00

E - ENTERPRISE FUND				
FROM:	Infirmary-Enterprise	Personal Services	6020-1000-E	-60,000.00
FROM:	Infirmary-Enterprise	Equipment	6020-2000-E	-2,500.00
FROM:	Infirmary-Enterprise	Medical Expense	6020-4895-E	-15,000.00
TO:	Infirmary-Enterprise	Equipment Rental	6020-4600-E	2,500.00
TO:	Infirmary-Enterprise	Other	6020-4800-E	15,000.00
TO:	Infirmary-Enterprise	Long Term Care	6020-4955-E	60,000.00
2008 BUDGET MODIFICATIONS				
A - GENERAL FUND				
Increase:	Fines and Forfeitures	Forfeiture of Crime Proceeds	0000-2625-A	4,300.00
Increase:	District Attorney	Crime Proceeds Expense	1165-4825-A	4,300.00
Decrease:	Miscellaneous	Reim Bldgs from Manor	0000-2793-A	10,000.00
Decrease:	242 Main St/Oneonta Building	Misc. Renovations	1622-2500-A	8,000.00
Decrease:	242 Main St/Oneonta Building	Other Expenses	1622-4800-A	2,000.00
Increase:	Appropriated Reserves	Reserve for Occupancy Tax	0000-0511-A	12,500.00
Increase:	Soil & Water Conservation	Canadarago Lake Project	8730-4700-A	12,500.00
D - COUNTY ROAD FUND				
Increase:	State Aid-County Road Fund	Consolidated Highway Aid	0000-3501-D	351,339.90
Increase:	CHIPS	Capital Maintenance	5113-2121-D	351,339.90

Seconded, Lindberg. Total: 6,167; Ayes: 5,541; Noes: 626 – Fournier. Adopted.

RESOLUTION NO. 303-20081001

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD
TO EXECUTE AGREEMENT WITH STATE OF NEW YORK,
DIVISION OF CRIMINAL JUSTICE SERVICES FOR RECEIPT
OF GRANT FUNDS FOR DISTRICT ATTORNEY'S OFFICE**

FOURNIER, HARRINGTON, CLARK, STAYTON

WHEREAS, the Otsego County District Attorney's Office has been awarded a state grant to expedite the processing of repeat and serious felony offenders; and

WHEREAS, the grant funds will be used as follows: \$34,235 for personnel (Assistant District Attorney); \$3,257 for fringe benefits; \$1,486 for travel; and \$525 for a copier maintenance agreement; for a total project cost of \$39,503; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute

an agreement with the State of New York, Division of Criminal Justice Services, for receipt of grant funds from the State of New York in the amount of \$39,503 for the term April 1, 2008 to December 31, 2009; said funds to be utilized as follows: \$34,235 for personnel (Assistant District Attorney); \$3,257 for fringe benefits; \$1,486 for travel; and \$525 for a copier maintenance agreement, to be used by the District Attorney's Office to expedite the processing of repeat and serious felony offenders; 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 this resolution authorizes the expenditure of said project funds.

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

RESOLUTION NO. 304-20081001

**RESOLUTION – CREATING POSITIONS IN
SHERIFF'S DEPARTMENT (COURT ATTENDANTS)**

RELIC, SCHWERD, JOHNSON

RESOLVED, that the following positions be and hereby are created in the Sheriff's Department, effective immediately:

Nine (9) positions of Court Attendant,
Grade 03C, \$8.4400 per hour

and be it further

RESOLVED, that the funds for these positions are included in the 2008 Sheriff's Budget (3110) 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, Fournier. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

**LOCAL LAW NO. 2 OF 2008
COUNTY OF OTSEGO, NEW YORK**

**A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF
1992 – TO REVISE SECTION 6 OF LOCAL LAW NO.
1 OF 1956 – APPORTIONMENT OF COSTS OF THE
WORKERS' COMPENSATION FUND**

BE IT ENACTED by the Legislature of the County of Otsego as follows:

Section 1: Section 6 of Local Law No. 1 of 1956 is amended to read as follows:

The apportionment of costs of administering the Otsego County Self-Insurance Fund shall be shared by the participants in the following manner:

<u>Year</u>	<u>Apportionment</u>
2009	40% Experience
AND	40% Salaries and Wages Paid
THEREAFTER	20% Full Value Assessment

When calculating the experience rating for each participant a twenty-five thousand dollar (\$25,000) cost cap shall be imposed on each incident per year. This is done for purposes of limiting the exposure to a participant for any extraordinary costs that may arise in a given year, in any single incident.

Section 2. A separate line item in the operating budget shall be maintained in the 2009 Workers' Compensation Fund Operating Budget and annually thereafter for purposes of funding the Reserve Account with a minimal reserve fund of \$500,000.

This Local Law is offered by the Administration Committee. Seconded, Lindberg. Local Law laid over under the Rules.

Representative Stuligross moved to suspend the rules and act upon late Resolution No. 305. Seconded, Stayton. Oral vote. Total: 6,167; Ayes: 6,167. Motion carried.

RESOLUTION NO. 305-20081001

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT FOR HAULING AND DISPOSAL OF WASTE FROM OTSEGO COUNTY BUILDING FACILITIES (VET'S DISPOSAL)

DUBBEN, RELIC, MURPHY

WHEREAS, a Request for Proposals (RFP) has been issued and proposals have been duly received by the Purchasing Agent for the hauling and disposal of waste from Otsego County's Building Facilities; and

WHEREAS, the Director of Building Services has made a report to the Public Works Committee of this Board and has made a recommendation to this Board that the proposal of Vet's Disposal be awarded; now, therefore, be it

RESOLVED, that the Chairman of this Board of Representatives be and is hereby authorized to contract with Vet's Disposal, 49 Lower River Street, Oneonta, New York, in accordance with the proposal received as follows:

- ITEM: Hauling and Disposal of Waste from the
Cooperstown Office Building, Meadows Complex,
Otsego Manor and the Highway Building
- BIDDER: Vet's Disposal
49 Lower River Street

Oneonta, New York 13820

COST: Total cost not including recyclables for all four (4) Building Facilities including tipping fees for a two (2) year period - \$54,252.48

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 funding for this contract is included in the County Office Building Budget (1625) at line 4900-A Contracts.

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

Representative Murphy moved to take Resolution No. 260-2008 from the table. Seconded, Stayton and Rothenberger. Roll call vote. Total: 6,167; Ayes: 2,683 – Clark, Murphy, Fournier, Stayton, Rothenberger, Stuligross; Noes: 3,484 – Relic, Powers, Lindberg, Dubben, Johnson, McCarty, Schwerd, Harrington. Motion lost.

All the general business of the Board having been transacted, the Chairman declared the meeting recessed until Wednesday, October 15, 2008 at 7:00 p.m.