

**REGULAR SESSION
SECOND DAY**

Wednesday, October 17, 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, Durkin, Iversen, Lindberg, Schwerd, Stayton, Rothenberger, Laguna, Hodne.

Under Privilege of the Floor, Janice Rose from Cooperstown asked the County Board to try and stop Governor Eliot Spitzer from giving drivers' licenses to illegal aliens. This will lead to so many other problems. There are many people against this proposal.

Tom Pritchard stated that if Otsego County does not do something soon about telecommunications, it will be the last county to go wireless. This is not an enviable position when you are trying to promote economic development.

The following communications were read and ordered filed:

Donald L. Lindberg, Chairman of the Board - Letter appointing Ronald Feldstein, Philip Durkin and Stephen Fournier to serve on the Telecommunications Committee to oversee the Open Access Model Project and telecommunications needs. Philip Durkin will be the chairman.

Joan M. Carman, Schenevus - Letter stating this past year she was a rehab patient at Otsego Manor. She is now at home receiving care and would like to thank the Otsego Manor Long Term Home Health Care Program and Mary Reitz for the great care she received.

Robert W. Reed, NYS Department of Health - Letter providing the final state fiscal year 2006-07 Medicaid Local Share Cap Reconciliation. The county achieved a savings of \$639,302 under the cap.

John R. Gibb, NYS Emergency Management Office - Letter informing the county that Emergency Service's application for participation in the FFY07 Local Emergency Management Performance Grant has been approved in the amount of \$14,339. In addition Otsego County's Office of Emergency Services received a supplemental award in the amount of \$3,707, bringing the total FFY07 EMOG award to \$18,046.

Under Special Presentations, Walter Buist from the County of Otsego Industrial Development Agency gave a presentation on the proposed countywide open access broadband study. The internet has changed how people access information and purchase goods. Internet access in Otsego County is varied and limited. Better affordable broadband access is necessary if the county wants to attract families and businesses to the area. Mr. Buist said that the proposed study will provide a business plan for an open access telecommunications system, an EMS component for public safety, a marketing plan, an operational development plan, a legal development plan and financial projections. Carolyn Lewis, Otsego County Economic Developer, said that several groups have been

looking at the telecommunications issues for years. COIDA recently funded a study on an inventory and assessment of telecommunications systems in the county. The next step is the proposed business plan proposal. This study will tell the County Board if an open access telecommunications system is feasible in the county and the different alternatives for setting up and financing the system. She stated that there are economic development loan funds that can be used to fund the \$48,000 cost for this study. She asked for the County Board to support the concept and approve using the loan funds to finance the study.

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

Chairman Lindberg said pursuant to Board Rule 8 he was appointing Rudy Laguna, Martha Stayton, Hugh Henderson, Stephen Fournier and himself as Chairman to a Special Investigation Committee to review and assess the matter of the County Treasurer's expenditures of public funds while acting as Public Administrator.

Representative Feldstein moved for an executive session to discuss personnel and contract negotiations. Seconded, Stayton. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, McCarty. Motion carried.

The Board reconvened.

Representative Iversen moved to dispense with the reading of all the resolutions. Seconded, Schwerd. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, McCarty. Motion carried.

RESOLUTION NO. 290-2007

RESOLUTION – DIRECTING THE BUDGET OFFICER TO INCLUDE ADDITIONAL INFORMATION IN THE COUNTY'S TENTATIVE BUDGET

FELDSTEIN, IVERSEN

WHEREAS, the Board of Representatives of Otsego County is desirous of providing to the many users of the Otsego County Budget a more detailed, comprehensive and transparent budget, which represents the County's annual operational and financial plan; and

WHEREAS, County Law Article 7 Finance – subsection 355 paragraph 6 states: "The tentative budget shall include any other material which the Board of Representatives by resolution deems advisable"; and

WHEREAS, the Board of Representatives deems it advisable that the County Tentative Budget shall include the following additional matter:

1. Personal Service

- a. A detail within each administrative unit's budget of the unit's authorized positions by title, current salary and tentative budget estimated salary.
- b. Lump sum detail of estimated overtime wages.
- c. Lump sum detail of any taxable other wages, such as beeper on call, etc.

- d. Detail of any new position, title and estimated salary and the full-time or part-time status.
2. Equipment and Capital Outlay
 - a. A detail of all machinery and equipment that describes the object of expense. The budget of machinery and equipment shall be in accordance with Otsego County's Fixed Assets Policy.
3. Contractual Expenditures
 - a. An expansion and a more specific description of Contractual Expenditures by object of expense.
 - b. The inclusion with each administrative unit's budget of all applicable central services by type.
 - c. The elimination of all .4800 Other expense accounts, which have customarily been used.
4. Fringe Benefits
 - a. A detailed listing of Fringe Benefits to include at least retirement expense, social security expense, workers' compensation expense, disability insurance expense and unemployment insurance expense and which shall be detailed within each administrative unit's budget.
5. Revenue
 - a. A detail by each administrative unit or authorized agency of all associated revenues by proper account, source and specific description.
6. Cost Centers Operational Results Detail
 - a. Within each administrative unit and authorized agency budget a total of the operational result that is obtained by subtracting total expenditures from total revenue. The result being either:
 - i. Deficit result
 - ii. Surplus result
 - iii. Break even result

now, therefore, be it

RESOLVED, that the Budget Officer for Otsego County be and hereby is directed to include the abovementioned matters in the Otsego County Tentative Budget forthwith; and be it further

RESOLVED, that the Budget Officer be directed to make the necessary changes to the County Chart of Accounts to reflect the required changes to meet this directive and to account for and report all financial accounting in accordance with the Financial Plan as revised.

Seconded, Rothenberger. Roll call. Total: 6,167; Ayes: 3,729; Noes: 1,435 - Relic, Powers, Schwerd; Absent: 1,003 - Fournier, McCarty. Adopted.

Representative Rothenberger withdrew **Resolution No. 294 - Ratifying Labor Agreement With CSEA.**

RESOLUTION NO. 295-2007

**RESOLUTION - IN SUPPORT OF THE CONCEPT OF TRYING
TO CORRECT THE FLOODING AND HEALTH PROBLEMS ON
CANADARAGO LAKE**

HODNE, POWERS, SCHWERD, DURKIN

WHEREAS, Canadarago Lake is a pristine and beautiful body of water located in Otsego County and bordered by the Towns of Richfield, Otsego and Exeter; and

WHEREAS, it is one of the County's largest water bodies, and the waterway that drains the Lake, Oaks Creek, is occupied by federally protected pristine wetland habitat; and

WHEREAS, Canadarago Lake's flooding and health problems caused by the annual spring runoff and, in particular, the Flood of June 2006 reduce the functionality of lakeside septic systems and leach fields, putting at risk the health of County residents and lake users; and

WHEREAS, the aforesaid problems necessitate the development and implementation of a comprehensive plan for the study and correction of these problems; now, therefore, be it

RESOLVED, that this Board of Representatives supports the development and implementation of a comprehensive plan for the study and correction of these problems on Canadarago Lake; and be it further

RESOLVED, that the Otsego County Soil and Water Conservation District is hereby empowered by this resolution to act as the Lead Agency in behalf of the County of Otsego to develop and implement a comprehensive plan for this study and correction of Canadarago Lake's problems, including the engagement of the United States Army Corps of Engineers for assistance with a comprehensive study of the hydrology of the Canadarago Lake and the Oaks Creek watersheds and implementing solutions, an assessment of the local resources necessary to effect such plan, the allocation of local manpower and equipment resource requirements incident to such project among the County and the municipalities surrounding the lake, the securing of inter-municipal agreements by and among the County and said municipalities with respect to such local resource requirements, and the coordination of the local effort in connection with such project; and be it further

RESOLVED, that this resolution of support and empowerment is contingent on the following conditions:

- ▶ No county tax dollars or unreasonable amount of in-kind services shall be required for this project;
- ▶ Further research by the County Attorney into the potential liability issues incident to County involvement with this project;

- ▶ Further research into the septic problems on Canadarago Lake and thorough investigation of alternative solutions.

Seconded, Relic. Representative Feldstein moved to amend the third RESOLVED paragraph by deleting "No county tax dollars or unreasonable amount of in-kind services shall be required for this project". Seconded, Iversen. Roll call on amendment. Total: 6,167; Ayes: 2,842 - Feldstein, Lindberg, Durkin, Iversen, Stayton, Rothenberger, Laguna; Noes: 2,322 - Relic, Powers, Henderson, Schwerd, Hodne; Absent: 1,003 - Fournier, McCarty. Motion lost. Roll call on original resolution. Total: 6,167; Ayes: 2,322 - Relic, Powers, Henderson, Schwerd, Hodne; Noes: 2,842 - Feldstein, Lindberg, Durkin, Iversen, Stayton, Rothenberger; Absent: 1,003 - Fournier, McCarty. Resolution lost. {See the November 7, 2007 County Board meeting for further action.}

RESOLUTION NO. 296-2007

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2007 (A LOCAL LAW AUTHORIZING A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS)

HODNE, POWERS, SCHWERD, DURKIN

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 October 3, 2007 a local law for the year 2007 entitled "A Local Law Authorizing A Real Property Tax Exemption For Cold War Veterans"; 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 17th day of October, 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, Henderson, Iversen and Stayton. Roll call. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, McCarty. Adopted.

Representative Laguna moved to suspend the rules and act upon late Resolution Nos. 297 – 300 and a Local Law. Seconded, Iversen and Stayton. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, McCarty. Motion carried.

RESOLUTION NO. 297 - 2007

RESOLUTION - APPOINTING PROBATION DIRECTOR I

FOURNIER, FELDSTEIN, STAYTON, POWERS

RESOLVED, that Kristen Leahy, 3876 Peakes Brook Road, Delhi, New York 13753, be and hereby is appointed on a probationary basis to the position of Probation Director I at an annual salary of \$48,500.00, effective immediately; and be it further

RESOLVED, that the funding for this position is included in the 2007 Probation Budget (3140) at line 1000 Personal Service.

Seconded, Schwerd. Roll call. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, McCarty. Adopted.

RESOLUTION NO. 298-2007

RESOLUTION - RESCINDING RESOLUTION NO. 278-2007 - CREATING POSITION IN INFORMATION TECHNOLOGIES DEPARTMENT (MICROCOMPUTER SPECIALIST)

FELDSTEIN, IVERSEN, RELIC

WHEREAS, Resolution No. 278-2007 created the position of Microcomputer Specialist, Grade 13, \$27,569 -- \$32,569 (\$1,000), in the Information Technologies Department, effective October 8, 2007; and

WHEREAS, it is in the best interests of the County to rescind this resolution; now, therefore, be it

RESOLVED, that Resolution No. 278-2007, which created the position of Microcomputer Specialist, Grade 13, \$27,569 - \$32,569 (\$1,000), in the Information Technologies Department, is hereby rescinded; and be it further

RESOLVED, that the Clerk of this Board be and hereby is authorized and directed to forward a copy of this resolution to the County Treasurer and to the Personnel Officer.

Seconded, Stayton. Oral vote. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, Stayton. Adopted.

RESOLUTION NO. 299-2007

RESOLUTION - RESCINDING RESOLUTION NO. 285-2007 - ABOLISHING POSITION IN DEPARTMENT OF SOCIAL SERVICES (MICROCOMPUTER SPECIALIST)

FELDSTEIN, IVERSEN, RELIC

WHEREAS, Resolution No. 285-2007 abolished the position of Microcomputer Specialist, Grade 13, in the Department of Social Services, effective October 8, 2007; and

WHEREAS, it is in the best interests of the County to rescind this resolution; now, therefore, be it

RESOLVED, that Resolution No. 285-2007, which abolished the position of Microcomputer Specialist, Grade 13, in the Department of Social Services, is hereby rescinded; and be it further

RESOLVED, that the Clerk of this Board be and hereby is authorized and directed to forward a copy of this resolution to the County Treasurer and to the Personnel Officer.

Seconded, Laguna. Oral vote. Total: 6,167; Ayes: 5,164; Absent: 1,003 - Fournier, McCarty. Adopted.

RESOLUTION NO. 300-2007 (original)

RESOLUTION - REQUIRING ALL ELECTED OTSEGO COUNTY OFFICIALS TO PAY TOWARD HEALTH INSURANCE PREMIUM

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that commencing in Fiscal Year 2008, all elected Otsego County officials shall pay three percent (3%) toward their County health insurance premium.

Seconded, Powers. Representative Powers moved to change the percentage from "3%" to "5%". Seconded, Relic. Total: 6,167; Ayes: 3,360; Noes: 1,384 - Feldstein, Henderson, Rothenberger; Abstained: 420 - Durkin; Absent: 1,003 - Fournier, McCarty. Motion carried.

RESOLUTION NO. 300-2007 (amended)

RESOLUTION - REQUIRING ALL ELECTED OTSEGO COUNTY OFFICIALS TO PAY TOWARD HEALTH INSURANCE PREMIUM

FELDSTEIN, IVERSEN, RELIC

RESOLVED, that commencing in Fiscal Year 2008, all elected Otsego County officials shall pay five percent (5%) toward their County health insurance premium.

Roll call on amended resolution. Total: 6,167; Ayes: 4,418; Noes: 746 - Durkin, Rothenberger; Absent: 1,003 - Fournier, McCarty. Adopted as amended.

**LOCAL LAW NO. 6 OF 2007
COUNTY OF OTSEGO, NEW YORK**

A LOCAL LAW ESTABLISHING THE SALARIES OF EMERGENCY SERVICES COORDINATOR, COUNTY HIGHWAY SUPERINTENDENT, COMMISSIONER OF ELECTIONS (R), DIRECTOR OF REAL PROPERTY TAX SERVICES II, PERSONNEL OFFICER, COUNTY TREASURER AND SHERIFF FOR THE YEAR 2008

BE IT ENACTED, by the Board of Representatives of the County of Otsego as

follows:

SECTION 1. The salary for Emergency Services Coordinator is established at an annual sum not to exceed Forty-Eight Thousand Dollars (\$48,000.00).

SECTION 2. The salary for County Highway Superintendent is established at an annual sum not to exceed Fifty-Three Thousand Six Hundred Dollars (\$53,600.00).

SECTION 3. The salary for Commissioner of Elections (R) is established at an annual sum not to exceed Six Thousand Eight Hundred Ninety Dollars (\$6,890.00).

SECTION 4. The salary for Director of Real Property Tax Services II is established at an annual sum not to exceed Fifty Thousand Dollars (\$50,000.00).

SECTION 5. The salary for Personnel Officer is established at an annual sum not to exceed Fifty-Three Thousand Eight Hundred Thirteen Dollars (\$53,813.00).

SECTION 6. The salary for County Treasurer is established at an annual sum not to exceed Sixty-Two Thousand Seven Hundred Forty-One Dollars (\$62,741.00).

SECTION 7. The salary for Sheriff is established at an annual sum not to exceed Sixty Thousand Two Hundred Forty-Four Dollars (\$60,244.00).

SECTION 8. This Local Law shall take effect January 1, 2008.

This Local Law is offered by the Administration Committee. Seconded, Durkin. Local Law laid over under the rules.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, November 7, 2007 at 10:00 a.m. for a public hearing on a Local Law regarding 2008 salaries and the Board meeting to follow.