

**REGULAR SESSION
FIRST DAY**

Wednesday, November 4, 2009

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

Relic, Powers, Clark, Murphy, Fournier, Lindberg, Dubben, Johnson, McCarty, Schwerd, Stayton, Rothenberger, Stuligross

Under Privilege of the Floor, Carol Boglioli, retired county employee, asked that the County Board include the recent retirees in the increases outlined in the new CSEA contract. She stated that she worked for the county for 32 years and deserves the increase.

Charlene Higgins, retired county employee, also asked the County Board to include the recent retirees in the new CSEA contract, as they are living on a fixed income and this would help their pension.

Claude Joslin, retired county employee, stated that he worked for the county for 34 years and also feels that the recent retirees should be included in the new CSEA contract.

Pauline Lynch, retired county employee, said that she feels the same.

Virginia Armstrong, retired county employee, stated that she hopes the County Board will consider including the recent retirees in the new CSEA contract.

Joe Kenyon, former County Board member from Worcester, said that he was at the County Board meeting to discuss the senior nutrition program. He stated that the program began in 1973. Its purpose was to provide good nutrition for seniors to keep them out of nursing homes and hospitals. There are also additional benefits to the congregate meals, such as educational speakers, flu shot clinics, socialization, etc. Mr. Kenyon stated that the County Board is proposing to eliminate funding for three of the congregate meal sites because of low attendance. He asked if the seniors in these areas are less important than in other areas and suggested that the County Board consider closing all the sites for one day instead of eliminating the three sites altogether. The proposal to switch the meal site attendees to home delivered frozen meals will not provide the same quality of service, and there would be no gain to running all over the county delivering meals. This is geographical discrimination. Mr. Kenyon presented a petition with 445 signatures from all over the county asking to reinstate funding in the 2010 budget for the continuation of the senior nutrition sites in Worcester, Unadilla and Cooperstown. He noted that if the County Board can give \$25,000 to the performing arts, than they can help the seniors also. Mr. Kenyon requested that the County Board do the morally ethical thing for the seniors and put the funds back in the budget.

Cindy Macomber, Otsego County resident, taxpayer and employee, stated that the CSEA employees have voted on the new contract, and now the County Board is scheduled to vote. She said that she is pleased and surprised by the amount presented for 2010 and 2011 in the contract, but felt that the recent retirees should also be included as they worked

during the time period covered by the contract and are entitled to a raise. Ms. Macomber stated that the county will need to do belt tightening with the budget, but it should be done across the board and without detriment to people's well being. She felt that the senior nutrition program provides more than just meals for the seniors and is concerned that frozen meals will be offered as a poor alternative.

Representative Stuligross said that County Board members and residents are aware that everyone is working hard to cut expenses and still maintain services. She stated that there have been changes made to the 2010 proposed budget, but there is no record of them. Unless the County Board members are told where the changes are, they cannot make informed decisions when voting on the 2010 budget. Representative Stuligross feels that there should be open and transparent government. The budget is a very important item, and the County Board members should be promptly notified of all changes.

The following communications were read and ordered filed:

Daniel Wilber, Otsego County Code Enforcement Officer – Letter of resignation, effective November 5, 2009.

Karen Coleman, NYS Department of Labor – Letter notifying the Chenango/Delaware/Otsego Workforce Investment Board that its performance on the Program Year 2008 Common Measures Indicators makes it eligible for an incentive award of \$2,326.30.

Benjamin Fox, New York State Energy Research and Development Authority – Email stating the county's proposal for the NYSERDA's State Energy Program for Region 5 entitled "Otsego County Meadows Complex" was not selected for further consideration for funding.

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

MOSA – 2010 Guaranteed Annual Tonnage Calculation Report
MOSA – 2010 Operating Budget

Under Special Presentations, Greg Eisenhut, Chief Operating Officer for MVEDD, explained that there are six counties represented on the MVEDD Board, including Oneida, Fulton, Montgomery, Schoharie, Herkimer and Otsego. He stated that Otsego County joined because the county felt it was not getting the economic development services elsewhere. MVEDD's functions are serving as a conduit for EDA funds and providing loan programs. Mr. Eisenhut pointed out that for every dollar contributed by Otsego County, \$20 has come back to the county through loan programs. MVEDD works with the county Economic Development Offices to stretch the loan funds. Otsego County was able to access MVEDD loan funds without providing seed money like the other member counties had to. Mr. Eisenhut stated that economic development is an investment. He explained that there have been six loans approved in the region since June despite the recession. Mr. Eisenhut added that Otsego County belongs with MVEDD and asked the County Board to consider including funding for MVEDD in its 2010 budget. He does not want to lose Otsego County as a member.

Representative Johnson moved for executive session for CSEA contract negotiations. Seconded, Relic. Total: 6,167; Ayes: 5,837; Absent: 330 – Harrington.

Motion carried.

The Board reconvened.

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

The Chairman declared a short break.

The Board reconvened.

Representative Relic moved to dispense with the reading of all reports and resolutions. Seconded, Dubben. Total: 6,167; Ayes: 4,793; Absent: 1,374 – Clark, Schwerd, Harrington. Motion carried.

TOWN AND COUNTY TAX BASE FOR 2010 TAX ROLL

The Administration Committee submits the following table of figures from the 2009 assessment rolls of the several towns and city assessed valuations in the county:

<u>City and Town</u>	<u>Full Assessed Value</u>	<u>County Exemptions</u>	<u>City/Town Exemptions</u>	<u>County Tax Base</u>	<u>City/Town Tax Base</u>
Oneonta City	322,533,966	7,794,189	7,795,189	314,739,777	314,738,777
Burlington	45,671,025	2,691,854	1,546,816	42,979,171	44,124,209
Butternuts	79,333,399	3,604,156	3,333,199	75,729,243	76,000,200
Cherry Valley	35,163,367	2,123,318	1,659,183	33,040,049	33,504,184
Decatur	18,510,153	1,866,727	860,852	16,643,426	17,649,301
Edmeston	61,388,280	1,310,241	629,710	60,078,039	60,758,570
Exeter	36,868,596	1,681,577	1,081,333	35,187,019	35,787,263
Hartwick	257,703,284	9,505,220	4,104,163	248,198,064	253,599,121
Laurens	144,175,726	6,256,824	5,319,335	137,918,902	138,856,391
Maryland	149,409,466	20,400,799	16,880,681	129,008,667	132,528,785
Middlefield	189,250,945	4,195,914	2,964,218	185,055,031	186,286,727
Milford	124,563,583	4,369,827	1,516,206	120,193,756	123,047,377
Morris	61,635,343	1,722,654	1,324,977	59,912,689	60,310,366
New Lisbon	42,885,980	2,084,697	1,077,769	40,801,283	41,808,211
Oneonta	286,903,553	11,305,736	11,250,225	275,597,817	275,653,328
Otego	204,457,560	8,253,656	8,240,356	196,203,904	196,217,204
Otsego	821,967,767	11,871,771	8,914,882	810,095,996	813,052,885
Pittsfield	42,643,472	1,070,121	880,437	41,573,351	41,763,035
Plainfield	34,952,218	2,990,227	1,669,714	31,961,991	33,282,504
Richfield	158,101,362	8,875,006	7,635,703	149,226,356	150,465,659
Roseboom	30,424,302	2,535,303	727,597	27,888,999	29,696,705
Springfield	108,862,289	6,171,696	5,764,730	102,690,593	103,097,559
Unadilla	129,319,676	3,973,710	3,826,001	125,345,966	125,493,675
Westford	34,536,591	1,473,667	1,140,977	33,062,924	33,395,614
Worcester	87,224,511	4,869,007	5,045,067	82,355,504	82,179,444
Totals:	3,508,486,414	132,997,897	105,189,320	3,375,488,517	3,403,297,094

The Administration Committee recommends that the foregoing amounts from the 2009 assessment rolls be used as a basis for taxation and therefore offers the following resolution:

Resolved, that the foregoing table of figures as reported be used as a basis for taxation for Otsego County and that levy be made thereon from the report on Town and County Tax Base for the several tax districts within the county for the 2010 tax rolls.

Seconded, Lindberg. Oral vote. Total: 6,267; Ayes: 4793; Absent: 1,374 – Clark, Schwerd, Harrington. Motion carried.

INSIDE AND OUTSIDE VALUATIONS FOR 2010 TAX ROLL

The Administration Committee submits the following table of figures compiled from the 2009 assessment rolls of the several towns containing incorporated villages showing the taxable valuation in the areas outside the village corporation limits and taxable valuation within the village corporation limits.

<u>Towns</u>		<u>Property Taxable for County Taxes</u>	<u>Property Taxable For Town Taxes</u>
Butternuts	Outside Corp	61,651,801	61,867,788
	Inside Corp	14,077,442	14,132,412
Cherry Valley	Outside Corp	23,260,591	23,699,597
	Inside Corp	9,779,458	9,804,587
Laurens	Outside Corp	129,962,338	130,886,277
	Inside Corp	7,956,564	7,970,114
Middlefield	Outside Corp	164,757,601	165,936,017
	Inside Corp	20,297,430	20,350,710
Milford	Outside Corp	109,325,364	111,967,732
	Inside Corp	10,868,392	11,079,645
Morris	Outside Corp	44,165,188	44,451,620
	Inside Corp	15,747,501	15,858,746
Otego	Outside Corp	138,092,626	138,110,926
	Inside Corp	58,111,278	58,106,278
Otsego	Outside Corp	494,917,299	496,984,509

	Inside Corp	315,178,697	316,068,376
Richfield	Outside Corp	99,731,303	100,636,076
	Inside Corp	49,495,053	49,829,583
Unadilla	Outside Corp	95,064,702	95,200,099
	Inside Corp	30,281,264	30,293,576

The Administration Committee submits the following resolution and moves its adoption:

Resolved, that the Report on Inside and Outside Valuations be accepted and adopted and that the figures in the foregoing table be used as a basis for the taxation in the several tax districts.

Seconded, Lindberg. Oral vote. Total: 6,267; Ayes: 4793; Absent: 1,374 – Clark, Schwerd, Harrington. Motion carried.

SPECIAL VALUATIONS FOR 2010 TAX ROLL

The Administration Committee submits the following table of figures compiled from the 2009 assessment rolls of the several towns and city as the assessed valuation of the tax districts within the several towns and city:

	<u>Districts</u>	<u>Taxable Assessed Value</u>
City of Oneonta	Library	322,533,966
Town of Burlington	Special Highway Levy	44,124,209
	Brlngtn-Edmstn Fire Prot	45,472,325
	Burlington Flats Light	2,343,705
	West Burlington Light	1,851,633
Town of Butternuts	Special Highway Levy	61,867,788
	General Part Town Levy	61,867,788
	Mt. Upton Fire Prot.	3,528,850
	S. New Berlin Fire Prot.	6,488,756
	Butternuts Fire Prot.	54,749,664
	South New Berlin Light	821,695
	S. New Berlin Water Dist.	568,300
Town of Cherry Valley	Special Highway Levy	23,699,597
	General Part Town Levy	23,699,597
	Cherry Valley Fire District	35,163,367
	Cherry Valley Garbage	25,164,545

Town of Decatur	Special Highway Levy	17,649,301
	Worcester Fire Dist.	10,140,720
	East Worcester Fire Dist.	8,369,333
Town of Edmeston	Special Highway Levy	60,758,570
	Edmeston Fire Dist. 1	18,299,268
	West Edmeston Fire Dist.	6,665,515
	S. Edmeston Fire Prot.	4,079,728
	Brlngtn-Edmstn Fire Prot.	30,919,838
	Edmeston Fire Prot. 2	1,423,931
	Edmeston Light	19,059,596
	West Edmeston Light	1,884,081
	South Edmeston Light	1,671,377
Edmeston Water Dist.	19,590,610	
Town of Exeter	Special Highway Levy	35,787,263
	Schuyler Lake Fire Dist.	36,686,636
	Schuyler Lake Light	4,730,158
	West Exeter Light	1,362,635
Town of Hartwick	Special Highway Levy	253,599,121
	Hartwick Fire Dist.	257,703,284
	Hartwick Light Dist.	23,110,838
	Hartwick Water Dist.	24,142,068
Town of Laurens	Special Highway Levy	130,886,277
	General Part Town Levy	130,886,277
	Laurens Fire District	143,769,916
	Mt. Vision Light	8,718,811
Town of Maryland	Special Highway Levy	132,528,785
	Maryland Fire Dist.	139,874,369
	Maryland Light 1	6,799,746
	Maryland Light 2	20,413,627
	Maryland Water 2	22,139,227
Town of Middlefield	Special Highway Levy	165,936,017
	General Part Town Levy	165,936,017
	Middlefield Fire Prot.	167,767,266
	Hyde Bay Dev. Fire Prot.	974,400
	Middlefield Light	3,810,066
Town of Milford	Special Highway Levy	111,967,732
	General Part Town Levy	111,967,732
	Milford Fire Protection	113,336,807
	Portlandville Light	1,755,300
	Colliersville Light	1,732,780
	E. Portlandville Light	568,700
Town of Morris	Special Highway Levy	44,451,620
	General Part Town Levy	44,451,620

	Morris Fire Prot.	52,985,473
	Butternut-Maple Gr. Prot.	2,843,800
	S. New Berlin Fire Dist.	5,788,900
	South New Berlin Light	889,500
	S. New Berlin Water Dist.	908,000
Town of New Lisbon	Special Highway Levy	41,808,211
	Garrattsville Fire Prot.	42,885,980
	Garrattsville Light	2,238,550
Town of Oneonta	Special Highway Levy	275,653,328
	West Oneonta Fire Dist.	42,119,557
	Oneonta Fire Prot.	243,547,456
	Oneonta Plains Light	78,646,660
	East End Light	15,498,951
	West Oneonta Light	23,542,537
	Cemetery Hill Light	2,559,800
	Pony Farm Ind. Park Light	3,306,800
Town of Otego	Special Highway Levy	138,110,926
	General Part Town Levy	138,110,926
	Otego Fire District	204,411,177
	Wells Bridge Light	2,736,321
Town of Otsego	Special Highway Levy	496,984,509
	General Part Town Levy	496,984,509
	Fly Creek Fire District	211,166,950
	Schuyler Lake Fire Dist.	48,839,676
	Otsego Fire Protection	244,428,347
	Fly Creek Light	20,909,759
Town of Pittsfield	Special Highway Levy	41,763,035
	Pittsfield Fire District	42,631,772
Town of Plainfield	Special Highway Levy	33,282,504
	Leonardsville Fire Dist.	7,119,162
	Unadilla Forks Fire Prot.	27,634,056
	Unadilla Forks Light	3,310,781
	Leonardsville Light	759,569
Town of Richfield	Special Highway Levy	100,636,076
	General Part Town Levy	100,636,076
	Richfield Fire Protection	105,656,095
	Monticello Light	1,741,701
Town of Roseboom	Special Highway Levy	29,696,705
	Roseboom Fire Protection	30,404,202
Town of Springfield	Special Highway Levy	103,097,559
	Springfield Fire District	108,721,829
	Springfield Center Light	4,524,537

	East Springfield Light	2,426,100
Town of Unadilla	Special Highway Levy	95,200,099
	General Part Town Levy	95,200,099
	Wells Bridge Fire Dist.	19,122,437
	Unadilla Fire Prot. 1	47,983,085
	Riverside Fire Prot.	24,436,933
	Mt. Upton Fire Prot.	6,299,256
	Riverside Light	2,596,660
	Wells Bridge Light	2,443,087
	Rockdale Light	448,780
Town of Westford	Special Highway Levy	33,395,614
	Westford Fire Dist.	34,536,591
	Westford Light	1,897,930
Town of Worcester	Special Highway Levy	82,179,444
	Worcester Fire Dist.	62,694,012
	East Worcester Fire Dist.	24,530,199
	Worcester Light	23,560,911
	East Worcester Light	7,370,710

The Administration Committee recommends that this report be made a part of the record of this Board for tax purposes in the tax districts of the county affected by these figures, and therefore, offers the following resolution:

Resolved, that the Report on Special Valuations be accepted and adopted and that the figures and computations in the foregoing table be used as a basis for the taxation in the several tax districts.

Seconded, Lindberg. Oral vote. Total: 6,267; Ayes: 4793; Absent: 1,374 – Clark, Schwerd, Harrington. Motion carried.

COUNTY EQUALIZATION RATES FOR 2010 TAX ROLL

City of Oneonta	60.87
Town of Burlington	52.00
Town of Butternuts	57.00
Town of Cherry Valley	34.00
Town of Decatur	44.31
Town of Edmeston	54.30
Town of Exeter	52.00
Town of Hartwick	100.00
Town of Laurens	97.50
Town of Maryland	100.00
Town of Middlefield	60.97

Town of Milford	51.31
Town of Morris	52.69
Town of New Lisbon	42.68
Town of Oneonta	54.55
Town of Otsego	100.00
Town of Otsego	100.00
Town of Pittsfield	52.00
Town of Plainfield	57.00
Town of Richfield	90.00
Town of Roseboom	47.96
Town of Springfield	48.00
Town of Unadilla	58.19
Town of Westford	48.63
Town of Worcester	52.00

The Administration Committee submits the following resolution and moves its adoption:

RESOLVED, that this County Board adopt the foregoing table on equalization rates, which have been prepared by the State Board of Real Property Services and which will be used for the apportionment of the 2010 tax levy in the Otsego County Tax Districts.

Seconded, Lindberg. Oral vote. Total: 6,267; Ayes: 4793; Absent: 1,374 – Clark, Schwerd, Harrington. Motion carried.

TRUE VALUE FOR 2010 TAX ROLL

The Administration Committee, in accordance with percentages heretofore adopted by this board on the 4th day of November 2009, has determined the actual valuation of each tax district of real property in this county. The following table shows the assessed value of real property and the aggregate valuation of the several tax districts, excluding wholly exempt property, upon which the 2010 taxes will be apportioned between the said tax districts.

<u>City and Towns</u>	<u>*Full Assessed Value Before Exemptions</u>	<u>*Taxable Assessed Value for County Purposes</u>	<u>County Equalization Rates</u>	<u>*True Value for Apportionment</u>
City of Oneonta	322,533,966	314,739,777	60.87	529,873,445
Town of Burlington	45,671,025	42,979,171	52.00	87,828,894
Town of Butternuts	79,333,399	75,729,243	57.00	139,181,402
Town of Cherry Valley	35,163,367	33,040,049	34.00	103,421,668
Town of Decatur	18,510,153	16,643,426	44.31	41,774,211
Town of Edmeston	61,388,280	60,078,039	54.30	113,053,923
Town of Exeter	36,868,596	35,187,019	52.00	70,901,146
Town of Hartwick	257,703,284	248,198,064	100.00	257,703,284

Town of Laurens	144,175,726	137,918,902	97.50	147,872,539
Town of Maryland	149,409,466	129,008,667	100.00	149,409,466
Town of Middlefield	189,250,945	185,055,031	60.97	310,400,107
Town of Milford	124,563,583	120,193,756	51.31	242,766,679
Town of Morris	61,635,343	59,912,689	52.69	116,977,307
Town of New Lisbon	42,885,980	40,801,283	42.68	100,482,615
Town of Oneonta	286,903,553	275,597,817	54.55	525,946,018
Town of Otego	204,457,560	196,203,904	100.00	204,457,560
Town of Otsego	821,967,767	810,095,996	100.00	821,967,767
Town of Pittsfield	42,643,472	41,573,351	52.00	82,006,677
Town of Plainfield	34,952,218	31,961,991	57.00	61,319,681
Town of Richfield	158,101,362	149,226,356	90.00	175,668,180
Town of Roseboom	30,424,302	27,888,999	47.96	63,436,827
Town of Springfield	108,862,289	102,690,593	48.00	226,796,435
Town of Unadilla	129,319,676	125,345,966	58.19	222,236,941
Town of Westford	34,536,591	33,062,924	48.63	71,019,105
Town of Worcester	87,224,511	82,355,504	52.00	167,739,444
Totals:	3,508,486,414	3,375,488,517		5,034,241,321

County Equalization Rate: 69.6924559

*Full Assessed Values, Taxable Assessed Values and True Values exclude all wholly exempt property values.

The Administration Committee submits the following resolution and moves its adoption:

Resolved, that the Report on True Value be accepted and adopted and that the valuation of real property for the several tax districts of the county be determined as set forth in the foregoing table as the basis for the apportionment of the taxes of the several tax districts in said county to be levied for 2010.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 4,793; Absent: 1,374 – Clark, Schwerd, Harrington. Adopted.

RESOLUTION NO. 243-20091104

RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH TO RECEIVE GRANT FUNDS

FOURNIER, MCCARTY, ROTHENBERGER

RESOLVED, that the Chairman of the Board, on behalf of the Otsego County Department of Health, be and hereby is authorized to execute an agreement with the State of New York Department of Health, to receive grant funds in the amount of \$37,960.00 for Early Intervention Administration, for the period October 1, 2009 through September 30, 2010; 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.

Seconded, Dubben. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 244-20091104

**RESOLUTION – AMENDING RESOLUTION NO. 334-20081203 –
INCREASING HOURS PAID TO PSYCHIATRIC NURSE
PRACTITIONER AT THE MENTAL HEALTH CLINIC**

FOURNIER, MCCARTY, ROTHENBERGER

WHEREAS, Resolution No. 334-20081203 authorized the Chairman of the Board to execute a contract with Julie A. Andrews, NPP, APRN, 109 Gardner Town Road, Mt. Vision, New York 13810, for her services of a Psychiatric Nurse Practitioner at the Otsego County Mental Health Clinic, for the period December 4, 2008 through December 31, 2009, at the rate of \$60.00 per hour, not to exceed 1,296 hours, at a cost not to exceed \$77,760.00 for the term of the contract, as follows:

For the period December 4, 2008 through December 31, 2008,
not to exceed 96 hours, at a cost not to exceed \$5,760.00.

For the period January 1, 2009 through December 31, 2009,
not to exceed 1,200 hours, at a cost not to exceed \$72,000.00;

WHEREAS, it is in the best interests of the County to increase the total hours worked by the Psychiatric Nurse Practitioner for the period January 1, 2009 through December 31, 2009 not to exceed 1,280 hours, at a total cost not to exceed \$76,800.00; now, therefore, be it

RESOLVED, that Resolution No. 334-20081203 is amended, and the Chairman of this Board is authorized to execute an amended agreement with Julie A. Andrews, NPP, APRN, Psychiatric Nurse Practitioner at the Otsego County Mental Health Clinic, increasing the hours worked for the period January 1, 2009 through December 31, 2009, not to exceed 1,280 hours, at a total cost not to exceed \$76,800.00; and be it further

RESOLVED, that the additional funds of \$4,800.00 are included in the 2009 Alcoholism Budget (4250-A) at line 4880 Consultants and are 100% reimbursed from fees for services, state funds and federal funds.

Seconded, Lindberg and Stayton. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 245-20091104

**RESOLUTION – AUTHORIZING CHAIRMAN TO ENTER INTO
CONTRACT WITH PRESTIGE SERVICES, INC. FOR OPERATION OF THE
NUTRITION PROGRAM FOR THE ELDERLY**

FOURNIER, MCCARTY, ROTHENBERGER

WHEREAS, the County of Otsego, pursuant to Resolution No. 215 of 1979, accepted sponsorship of a Nutrition Program for the Elderly, and authorized the Chairman to enter into a contract for the operation of said program; and

WHEREAS, as a result of the Request for Proposals being issued by the County, Prestige Services, Inc. has been selected to operate Otsego County's Nutrition Program for the Elderly for the period January 1, 2010 through December 31, 2013; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute a contract with Prestige Services, Inc., 743 Pierce Road, Clifton Park, New York 12065, for the continued operation of the subject program for the period beginning January 1, 2010 and terminating December 31, 2013; and be it further

RESOLVED, that the cost to operate said program will be as follows:

2010 Meals	\$6.96 per meal
2011 Meals	\$7.20 per meal
2012 Meals	A maximum of 4%
2013 Meals	A maximum of 4%

and be it further

RESOLVED that the total cost to operate Otsego County's Nutrition Program for the Elderly for 2010 shall not exceed \$807,360.00; and be it further

RESOLVED, that the funds for this contract have been included in the 2010 Office for the Aging (6772-A) proposed budget, and that the funding for this contract consists of approximately 23.9% federal funds, 20% state funds, 12.6% contributions, 6% inter-departmental reimbursement and 37.5% county funds.

Seconded, Lindberg. Representative Lindberg moved to amend the resolution by changing the meal rates for 2010 from "\$6.96" to "\$7.26" and for 2011 from "\$7.20" to "\$7.51" and the total contract amount from "\$807,360.00" to "\$842,160.00". Seconded, Relic and Dubben. Roll call vote on amendment. Total: 6,167; Ayes: 2,659 – Relic, Lindberg, Dubben, Johnson, McCarty, Schwerd; Noes: 2,619 - Powers, Murphy, Fournier, Stayton, Rothenberger, Stuligross; Absent: 889 – Clark, Harrington. Motion failed. Roll call vote on resolution as presented. Total: 6,167; Ayes: 4,793; Noes: 485 – Schwerd; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 246-20091104

RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF OTSEGO COUNTY TO PROVIDE NUTRITION

EDUCATION TO FOOD STAMP ELIGIBLES

HARRINGTON, CLARK, STULIGROSS

WHEREAS, the County has been awarded \$133,380.00 in Federal funds to support Nutrition Education for Food Stamp applicants and participants; and

WHEREAS, the Cornell Cooperative Extension of Otsego County can provide educational programming to enable Otsego County's Food Stamp population to make informed food choices that will support optimal nutritional health and well-being through a maximization of limited resources; and

WHEREAS, Cornell Cooperative Extension of Otsego County will provide the necessary local match of \$133,380.00; and

WHEREAS, the State has approved the Otsego Nutrition Education project with Otsego Cooperative Extension; now, therefore, be it

RESOLVED, that the Commissioner of the Department of Social Services, on behalf of the County of Otsego, is hereby authorized to execute a contract with the Cornell Cooperative Extension of Otsego County for the purpose of providing services to Food Stamp eligibles for the term October 1, 2009 to September 30, 2010, and said contract shall include the following terms:

1. In no event shall the Department of Social Services' liability exceed the sum of \$133,380.00 for the term of the contract;
2. The contract shall contain such other and further conditions as are in the best interest of the County of Otsego;

and be it further

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

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 4,416; Noes: 862 – McCarty, Schwerd; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 247-20091104

RESOLUTION – AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH SANGUINE FAMILY COUNSELING AND CONSULTATION SERVICES

HARRINGTON, CLARK, STULIGROSS

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with Sanguine Family Counseling and Consultation Services, for adolescent outreach services to assist schools in their interventions with at risk youth and

to provide effective alternatives to prevent persons in need of supervision and juvenile delinquents from placement. The term of the contract to be November 1, 2009 through June 30, 2010 at an amount not to exceed \$85,620.00; and be it further

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

RESOLVED, that the funding for this contract will be included in the 2009 Social Services Budget (6010.4900-A) and consists of 100% Federal funding.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 248-20091104

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

DUBBEN, FOURNIER, MCCARTY, STAYTON

WHEREAS, Otsego County's solid waste deliveries are currently reported to be 1,147 tons below the County's 2009 guaranteed annual tonnage (GAT) of 38,871 tons; and

WHEREAS, a GAT shortfall could potentially require the County to pay a penalty of \$106.00 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 \$106.00/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 \$121,582.00 (1,147 tons times \$106.00 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 Stuligross. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 249-20091104

**RESOLUTION - CREATING POSITION IN CHEMICAL
DEPENDENCY CLINIC (STAFF SOCIAL WORKER)**

JOHNSON, SCHWERD, MURPHY

RESOLVED, that the following position be and the same is hereby created in the Chemical Dependency Clinic, effective November 4, 2009:

Staff Social Worker, Grade 20,
\$37,763 - \$44,823 (\$1412)

and be it further

RESOLVED, that the funding for this position is included in the 2009 Alcoholism Budget (4250-A) at line 1000 Personal Service; and be it further

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

Seconded, Stuligross. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 250-20091104

**RESOLUTION - ABOLISHING POSITIONS IN CHEMICAL
DEPENDENCY CLINIC (ALCOHOL ABUSE COUNSELORS)**

FOURNIER, MCCARTY, ROTHENBERGER

RESOLVED, that the following positions in the Chemical Dependency Clinic are hereby abolished, effective November 4, 2009:

Two (2) positions of Alcohol Abuse Counselors, Grade 12,
Position Nos. 1 and 2, \$26,379 - \$31,159 (\$956)

and be it further

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

Treasurer.

Seconded, Lindberg and Dubben. Oral vote. Total: 6,167; Ayes: 5,278; Absent: 889
– Clark, Harrington. Adopted.

RESOLUTION NO. 251-20091104

**RESOLUTION – AUTHORIZING 2007 – 2011 CONTRACT
WITH CIVIL SERVICE EMPLOYEES ASSOCIATION**

JOHNSON, FOURNIER, MURPHY

RESOLVED, that the Chairman of the Board, on behalf of the County of Otsego, be and hereby is authorized to execute and deliver a labor agreement by and between the County of Otsego and the Otsego County chapter of the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, covering the period January 1, 2007 through December 31, 2011; a copy of which will subsequently be filed with the Clerk of the Board of Representatives; and be it further

RESOLVED, that this Board hereby directs the Otsego County Treasurer to make retroactive payments to those employees covered by this CSEA agreement and who are still on the County's active payroll as of the beginning of the first full payroll immediately following ratification of this agreement for the period January 1, 2007 to the time when the new base salary adjustments under this agreement are implemented; and be it further

RESOLVED, that the following budget modifications and transfers be and hereby are authorized and the 2009 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law: Transfer up to \$1,255,533.00 from Miscellaneous Reserves, up to \$761,807.00 from the various Contingent II Budgets (1991-4800) and up to \$400,000.00 from Fund Balances to the appropriate Personal Service Budget (1000) lines.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 252-20091104

**RESOLUTION - AUTHORIZING THE PURCHASE OF CERTAIN
MATERIALS FOR THE GREATER COOPERSTOWN COUNTY
BUILDINGS FIBER SYSTEM**

RELIC, CLARK, JOHNSON, ROTHENBERGER

RESOLVED, that the E911 Coordinator be and hereby is authorized to purchase the following equipment to connect the county's Central Telephone System to the Greater Cooperstown County Buildings Fiber System under State Contract #PT59041:

ITEM: (2) Versitron Fiber Optic Converter Systems

VENDOR: Ronco Communications & Electronics, Inc.
100 Lomond Place
Utica, New York 13502

COST: \$39,694.00

and be it further

RESOLVED, that funds for this expenditure are included in the 2009 Public Safety Communications Budget (3020-A) at line 2750 Communication Backbone.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 253-20091104

RESOLUTION - AMENDING MEAL REIMBURSEMENT POLICY

JOHNSON, SCHWERD, MURPHY

WHEREAS, the County, pursuant to Resolution No. 214 of 2003, amended the meal reimbursement policy; and

WHEREAS, the County desires to again amend said policy; now, therefore, be it

RESOLVED, that the following is hereby adopted as the amended Meal Reimbursement Policy for all county employees and officials, effective immediately:

MEAL REIMBURSEMENT POLICY OTSEGO COUNTY, NEW YORK

- 1) Otsego County will reimburse county employees and officials for the purchase of meals while on county business within the county under the following conditions:
 - a) Business meetings = Meetings that must be scheduled during mealtime to discuss county related business.
 - b) All day meetings/conferences = Meetings or conferences that are scheduled within the county and that continue through a mealtime. (For example, an all day conference at the Otesaga.)
 - c) Several meetings during the day that are scheduled around meal times and for which the county employee or official is outside of his/her work base. (For example, an employee who works in Cooperstown and has a meeting at 10:00 a.m. and 1:00 p.m. in Oneonta may be reimbursed for lunch.)
 - d) Meal expenses incurred within the county while performing regular job duties outside of the office, such as visitations, will not be reimbursed.
- 2) Claims for in-county meal reimbursements must have an "In-county Meal Reimbursement" form attached to the travel voucher.

- 3) Otsego County will reimburse county employees for the purchase of meals while on county business outside of the county.
- 4) Receipts are required for the claim of all meal purchases. Meal Purchases, including tax and gratuity not to exceed 15%, will be reimbursed at actual expense, not to exceed the federal per diem rate for meals and incidental expenses. Employees are entitled to 75% of the federal per diem meal rate for one day meetings/conferences/seminars. Employees are entitled to 100% of the federal per diem meal rate for overnight meetings/conferences/seminars.

NO MEALS WILL BE REIMBURSED WITHOUT A RECEIPT.

Breakfast out of county will be allowed if the county employee leaves his/her house before 7:00 am. Supper out of county will be allowed if the county employee is out of the county after 5:00 pm. Meal costs included with conference fees that exceed these guidelines will be allowed.

- 5) A meal has to be purchased at one time. Food purchased at a later time will be considered a snack and not eligible for reimbursement.
- 6) No alcoholic beverages will be reimbursed.
- 7) Any meal reimbursement claim for more than one individual must list the names of all the individuals involved.
- 8) Meals for non-county personnel will only be reimbursed with prior written parent committee approval.
- 9) The Administration Committee is authorized to make specific waivers to this policy as it deems necessary.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 254-20091104

RESOLUTION –AMENDING THE ALCOHOL AND DRUG FREE WORKPLACE POLICY FOR OTSEGO COUNTY

JOHNSON, SCHWERD, MURPHY

WHEREAS, the County's Alcohol and Drug Free Workplace Policy was adopted by Resolution No. 235 of 1991 and last amended by Resolution No. 270 of 1991; and

WHEREAS, it is necessary to update and revise this policy from time to time; now, therefore, be it

RESOLVED, that this Board does hereby amend the Alcohol and Drug Free Workplace Policy to read as follows, effective November 4, 2009:

ALCOHOL AND DRUG FREE WORKPLACE POLICY OTSEGO COUNTY, NEW YORK

Purpose and Goal

Otsego County is committed to protecting the safety, health and well being of all employees and other individuals in its workplace. The county recognizes that alcohol abuse and drug use poses a significant threat to our goals. The county has established an Alcohol and Drug Free Workplace Program that balances the county's respect for individuals with the need to maintain an alcohol and drug free environment.

- This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, adversely affect the quality of work and performance of employees, pose serious health risks to users and others, and have a negative impact on productivity and morale.
- All employees are directed not to report to work or be on duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

Covered Individuals

Any individual who is employed by Otsego County, conducts business for Otsego County, is applying for a position or is conducting business on the County's property or on behalf of the County is covered by this Alcohol and Drug Free Workplace Policy. The County's policy includes, but is not limited to, full-time employees, part-time employees, temporary hires and seasonal employees.

Applicability

This Alcohol and Drug Free Workplace Policy is intended to apply whenever any employee is representing or conducting business for the County. Therefore, this policy applies during all working hours, while on-call, standby, and/or while operating or riding in vehicles belonging to the County or while operating their own personal vehicle conducting County business.

To the extent that the terms of this policy are subject to federal, state or local laws regarding drug or alcohol testing, those respective laws shall supersede any inconsistent terms of this policy.

Further,

Prohibited Behavior

It is a violation of this Alcohol and Drug Free Workplace Policy to use, possess, sell, manufacture, distribute, dispense, trade, and/or offer for sale alcohol, illegal drugs or intoxicants or to be under the influence of alcohol, illegal drugs or intoxicants on County property or when operating or riding in County vehicles or while operating their own personal vehicle conducting County business.

Notification of Conviction

Federal law requires that any employee who works in a granted program and who is convicted of any criminal drug statute conviction (including a plea of guilty or a plea of nolo contendere) must notify the County in writing within five (5) calendar days of the conviction or plea. The County will take appropriate disciplinary action and/or require satisfactory participation by the employee within thirty (30) days of notification. If applicable, the County will notify the granting agency within ten (10) days after receiving notice of such employee conviction (Grant is defined in Title 24 Section 21.605 Code of Federal Regulations).

Consequences

One of the goals of this Alcohol and Drug Free Workplace Policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences will be serious.

In the case of an applicant for employment who violates the Alcohol and Drug Free Workplace Policy, any conditional offer of employment can be withdrawn, where permitted by law.

If an employee violates the policy, he or she may be terminated from employment or otherwise disciplined subject to any applicable law or collective bargaining agreement provisions.

Assistance

Otsego County recognizes that alcohol and drug abuse and addiction are treatable illnesses. The County also realizes that early intervention and support improve the success of rehabilitation. To support its employees, the County's Alcohol and Drug Free Workplace Program:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals.
- May allow the use of accrued paid leave while seeking treatment for alcohol and other drug problems pursuant to the County's leave policy, the Family and Medical Leave Act ("FMLA") or the provisions of any applicable law or collective bargaining agreement.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality

All information received by the County through the Alcohol and Drug Free Workplace Program will be treated as confidential to the extent practical. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Shared Responsibility

A safe and productive alcohol and drug free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

Employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the Alcohol and Drug Free Workplace Policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Clearly state consequences of policy violations.

Communication

Communicating this Alcohol and Drug Free Workplace Policy to both supervisors and employees is critical to the County's success. To ensure all employees are aware of their role in supporting the County's Alcohol and Drug Free Workplace Program:

- All employees will receive a written copy of this policy.

Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 255-20091104

RESOLUTION – PROCLAIMING THE MONTH OF NOVEMBER 2009 AS ADOPTION AWARENESS MONTH IN OTSEGO COUNTY

HARRINGTON, CLARK, STULIGROSS

WHEREAS, the youth of Otsego County are our most precious resource and each deserves the safety and security of a nurturing and stable home that provides a strong foundation for a healthy and productive life; and

WHEREAS, it is important that we remember all the children who are in foster care waiting to be adopted as part of a loving and caring family; and

WHEREAS, finding nurturing, permanent homes for waiting children is an objective New York State and Otsego County work towards throughout the year, and during adoption month, special efforts are made to bring greater awareness of the need for adoptive

families; and

WHEREAS, in observing Adoption Month, we also recognize the valuable contributions of adoptive parents who continually strive to improve the quality of life for children they bring into their lives; and

WHEREAS, as we gather together as a family, community, county and nation to celebrate and give thanks for our many blessings, it is the hope that all children awaiting adoption will quickly be placed in a permanent and loving family and, therefore, it is fitting to promote the goals at this observance during this special season, which gives us so many reasons to be grateful; now, therefore, be it

RESOLVED, that Otsego County Board of Representatives in appreciation of all Otsego County Adoptive Families hereby proclaims the month of November 2009 as

ADOPTION AWARENESS MONTH

Seconded, entire Board. Oral vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 256-20091104 (original)

**RESOLUTION – TRANSFERRING FUNDS IN
VARIOUS DEPARTMENTS (2009)**

JOHNSON, SCHWERD, MURPHY

WHEREAS, it appears that it will require funds to complete the year 2009 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2009 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2009 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

2009 BUDGET TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				
FROM:	District Attorney	Expert Witness	1165-4712-A	-972.80
FROM:	District Attorney	Extraditions	1165-4714-A	-2,092.50
TO:	District Attorney	Subscriptions/Dues	1165-4650-A	510.00
TO:	District Attorney	P.S.O.T.	1165-4700-A	2,555.30
FROM:	Dist Atty-Aid to Prosec Grant	Mileage	1166-4005-A	-101.38

TO:	Dist Atty-Aid to Prosec Grant	Other	1166-4800-A	101.38
FROM:	Purchasing	Lodging, Meals, Tolls, Etc.	1345-4010-A	-50.00
TO:	Purchasing	Mileage	1345-4005-A	50.00
FROM:	Board of Elections	Materials & Supplies	1450-4500-A	-1,000.00
TO:	Board of Elections	Mileage	1450-4005-A	1,000.00
FROM:	Cooperstown Office Building	Other	1625-4800-A	-3,000.00
TO:	Cooperstown Office Building	Vehicle Repair	1625-4515-A	3,000.00
FROM:	Annex Building	Other	1626-4800-A	-2,000.00
TO:	Annex Building	Heat & Lights	1626-4150-A	2,000.00
FROM:	Meadows Building	Other	1630-4800-A	-650.00
TO:	Meadows Building	Materials & Supplies	1630-4500-A	650.00
FROM:	Contingency	Other	1990-4800-A	-14,000.00
TO:	Public Safety Comm	Telephone	3020-4100-A	14,000.00
FROM:	Sheriff	Vehicles	3110-2400-A	-610.25
FROM:	Sheriff	Vests	3110-2610-A	-1,500.00
FROM:	Sheriff	Training	3110-4050-A	-1,000.00
TO:	Sheriff	Other	3110-4800-A	3,110.25
FROM:	Jail	Materials & Supplies	3150-4500-A	-8,000.00
TO:	Jail	Other	3150-4800-A	8,000.00
FROM:	Safety Insp-Code Enforcement	Fuel	3620-4560-A	-1,500.00
TO:	Safety Insp-Code Enforcement	Postage & UPS	3620-4400-A	1,500.00
FROM:	Office of Emergency Services	Mileage	3641-4005-A	-4,000.00
TO:	Office of Emergency Services	Vehicle Repair	3641-4516-A	4,000.00
FROM:	RIV Mon & Eval	Equipment Rental	4311-4600-A	-3,280.00
TO:	RIV Mon & Eval	Materials & Supplies	4311-4500-A	3,280.00
FROM:	Intensive Case Management	Wraparound	4315-4810-A	-3,000.00
TO:	Intensive Case Management	Mileage	4315-4005-A	3,000.00
FROM:	Tourism Administration	Subscriptions/Dues	6411-4650-A	-95.98
FROM:	Tourism Administration	Postage & UPS	6411-4400-A	-350.00
TO:	Publicity	Other-Tourism Booth	6410-4840-A	445.98
FROM:	Economic Development	Other	6425-4800-A	-600.00
TO:	Economic Development	Lodging, Meals, Tolls, Etc.	6425-4010-A	300.00
TO:	Economic Development	Postage & UPS	6425-4400-A	300.00
2009 BUDGET MODIFICATIONS				

A – GENERAL FUND				
Decrease:	Federal Aid-Transportation	Section 5311 Oper	0000-4589-A	105,766.00
Increase:	State Aid-Transportation	STOA (Bus System)	0000-3589-A	105,766.00
Increase:	State Aid-Transportation	STOA (Bus System)	0000-3589-A	81,402.00
Increase:	Public Transportation Service	Contracts	5630-4900-A	81,402.00
Increase:	Federal Aid-Other Econ Opp & Dev	OFA Stimulus	0000-4775-A	18,829.00
Increase:	Office for the Aging	Senior Meals	6772-4767-A	18,829.00
Increase:	Miscellaneous	Gifts & Donations	0000-2705-A	750.00
Increase:	Solid Waste & Recycling Prog	Mileage	8160-4005-A	50.00
Increase:	Solid Waste & Recycling Prog	Materials & Supplies	8160-4500-A	436.00
Increase:	Solid Waste & Recycling Prog	Other	8160-4800-A	264.00
S – WORKERS COMPENSATION FUND				
Increase:	Workers Comp	Appropriated Fund Balance	0000-0599-S	300,000.00
Increase:	Workers Comp	Workers Comp Payments	1720-4706-S	300,000.00

Seconded, Lindberg. Representative Relic moved to amend the resolution by adding the following transfers for Public Defender:

FROM:	Public Defender	Fuel	1170-4560-A	437.15
TO:	Public Defender	Materials & Supplies	1170-4400-A	437.15
FROM:	Public Defender	Assigned Counsel	1170-4756-A	4,500.00
TO:	Public Defender	Court Experts	1170-4758-A	4,500.00

Seconded, Lindberg. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Motion carried.

RESOLUTION NO. 256-20091104 (amended)

**RESOLUTION – TRANSFERRING FUNDS IN
VARIOUS DEPARTMENTS (2009)**

JOHNSON, SCHWERD, MURPHY

WHEREAS, it appears that it will require funds to complete the year 2009 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2009 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2009 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

2009 BUDGET TRANSFERS				
	DEPARTMENT	ACCOUNT NAME	ACCOUNT CODE	AMOUNT
A- GENERAL FUND				
FROM:	District Attorney	Expert Witness	1165-4712-A	-972.80
FROM:	District Attorney	Extraditions	1165-4714-A	-2,092.50
TO:	District Attorney	Subscriptions/Dues	1165-4650-A	510.00
TO:	District Attorney	P.S.O.T.	1165-4700-A	2,555.30
FROM:	Dist Atty-Aid to Prosec Grant	Mileage	1166-4005-A	-101.38
TO:	Dist Atty-Aid to Prosec Grant	Other	1166-4800-A	101.38
FROM:	Public Defender	Fuel	1170-4560-A	437.15
TO:	Public Defender	Materials & Supplies	1170-4400-A	437.15
FROM:	Public Defender	Assigned Counsel	1170-4755-A	4,500.00
TO:	Public Defender	Court Experts	1170-4758-A	4,500.00
FROM:	Purchasing	Lodging, Meals, Tolls, Etc.	1345-4010-A	-50.00
TO:	Purchasing	Mileage	1345-4005-A	50.00
FROM:	Board of Elections	Materials & Supplies	1450-4500-A	-1,000.00
TO:	Board of Elections	Mileage	1450-4005-A	1,000.00
FROM:	Cooperstown Office Building	Other	1625-4800-A	-3,000.00
TO:	Cooperstown Office Building	Vehicle Repair	1625-4515-A	3,000.00
FROM:	Annex Building	Other	1626-4800-A	-2,000.00
TO:	Annex Building	Heat & Lights	1626-4150-A	2,000.00
FROM:	Meadows Building	Other	1630-4800-A	-650.00
TO:	Meadows Building	Materials & Supplies	1630-4500-A	650.00
FROM:	Contingency	Other	1990-4800-A	-14,000.00
TO:	Public Safety Comm	Telephone	3020-4100-A	14,000.00
FROM:	Sheriff	Vehicles	3110-2400-A	-610.25
FROM:	Sheriff	Vests	3110-2610-A	-1,500.00
FROM:	Sheriff	Training	3110-4050-A	-1,000.00
TO:	Sheriff	Other	3110-4800-A	3,110.25
FROM:	Jail	Materials & Supplies	3150-4500-A	-8,000.00
TO:	Jail	Other	3150-4800-A	8,000.00
FROM:	Safety Insp-Code Enforcement	Fuel	3620-4560-A	-1,500.00

TO:	Safety Insp-Code Enforcement	Postage & UPS	3620-4400-A	1,500.00
FROM:	Office of Emergency Services	Mileage	3641-4005-A	-4,000.00
TO:	Office of Emergency Services	Vehicle Repair	3641-4516-A	4,000.00
FROM:	RIV Mon & Eval	Equipment Rental	4311-4600-A	-3,280.00
TO:	RIV Mon & Eval	Materials & Supplies	4311-4500-A	3,280.00
FROM:	Intensive Case Management	Wraparound	4315-4810-A	-3,000.00
TO:	Intensive Case Management	Mileage	4315-4005-A	3,000.00
FROM:	Tourism Administration	Subscriptions/Dues	6411-4650-A	-95.98
FROM:	Tourism Administration	Postage & UPS	6411-4400-A	-350.00
TO:	Publicity	Other-Tourism Booth	6410-4840-A	445.98
FROM:	Economic Development	Other	6425-4800-A	-600.00
TO:	Economic Development	Lodging, Meals, Tolls, Etc.	6425-4010-A	300.00
TO:	Economic Development	Postage & UPS	6425-4400-A	300.00
2009 BUDGET MODIFICATIONS				
A – GENERAL FUND				
Decrease:	Federal Aid-Transportation	Section 5311 Oper	0000-4589-A	105,766.00
Increase:	State Aid-Transportation	STOA (Bus System)	0000-3589-A	105,766.00
Increase:	State Aid-Transportation	STOA (Bus System)	0000-3589-A	81,402.00
Increase:	Public Transportation Service	Contracts	5630-4900-A	81,402.00
Increase:	Federal Aid-Other Econ Opp & Dev	OFA Stimulus	0000-4775-A	18,829.00
Increase:	Office for the Aging	Senior Meals	6772-4767-A	18,829.00
Increase:	Miscellaneous	Gifts & Donations	0000-2705-A	750.00
Increase:	Solid Waste & Recycling Prog	Mileage	8160-4005-A	50.00
Increase:	Solid Waste & Recycling Prog	Materials & Supplies	8160-4500-A	436.00
Increase:	Solid Waste & Recycling Prog	Other	8160-4800-A	264.00
S – WORKERS COMPENSATION FUND				
Increase:	Workers Comp	Appropriated Fund Balance	0000-0599-S	300,000.00
Increase:	Workers Comp	Workers Comp Payments	1720-4706-S	300,000.00

Roll call vote on amended resolution. Total: 6,167; Ayes: 4652; Noes: 626 – Fournier; Absent: 889 – Clark, Harrington. Adopted as amended.

Representative Relic moved to suspend the rules and act upon late Resolution Nos. 257 - 262. Seconded, Fournier. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Motion carried.

RESOLUTION NO. 257-20091104

**RESOLUTION – INCREASING HOURS WORKED BY
OCCUPATIONAL THERAPIST AT OTSEGO MANOR**

LINDBERG, SCHWERD, DUBBEN, STAYTON

WHEREAS, Cynthia Kelleher has been providing her services as Occupational Therapist at Otsego Manor at the rate of \$50.00 per hour, not to exceed 400 hours, at a cost not to exceed \$19,999.00 for the year 2009; and

WHEREAS, a County Board resolution was not necessary due to the contract amount being under \$20,000.00, and approval for this contract was given by the Otsego Manor Committee; and

WHEREAS, it is in the County's best interests to increase the Occupational Therapist's hours to 460 hours, which increases the contract amount to \$23,000.00, making it necessary to adopt this resolution; now, therefore, be it

RESOLVED, that the Chairman of this Board is authorized to execute an amended contract with Cynthia Kelleher, 687 County Highway 14, Mt. Vision, New York, to provide her services to Otsego Manor as Occupational Therapist, at the rate of \$50.00 per hour, not to exceed 460 hours, at a cost not to exceed \$23,000.00; and be it further

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

RESOLVED, that the funds for this amended contract are included in the 2009 Otsego Manor Enterprise Budget (6020) at line 4900-E Contracts.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 258-20091104

**RESOLUTION - FIXING DATE AND LOCATION OF
PUBLIC HEARING ON 2010 OTSEGO COUNTY BUDGET**

JOHNSON, SCHWERD, MURPHY

WHEREAS, Section 359 of the County Law provides that before final adoption of the budget the Board of Representatives shall hold a public hearing on the tentative budget for 2010 with such changes, alterations and revisions as shall have been therein made by the Budget Officer and the Board, and that the time when and place where such hearing shall be held shall be fixed by resolution of the Board of Representatives; now, therefore, be it

RESOLVED, that the public hearing on the tentative county budget, pursuant to

Section 359 of the County Law, shall be held at the Otsego County Courthouse, in the Courtroom (second floor), in the Village of Cooperstown, New York, on the 1st day of December, 2009, at 7:30 p.m. in the evening; and be it further

RESOLVED, that the Clerk of the Board shall cause notice of such hearing to be published in accordance with the law.

Seconded, Relic. Oral vote. Total: 6,167; Ayes: 5,278; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 259-20091104

**RESOLUTION – AMENDING RESOLUTION NO. 363-2007 –
(MANAGERIAL/CONFIDENTIAL SALARIES) – AMENDING
SALARIES FOR VOTING MACHINE CUSTODIANS**

JOHNSON, SCHWERD, MURPHY

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

Voting Machine Custodian (PT) (1)	\$7,208
Voting Machine Custodian (PT) (2)	\$9,835
Voting Machine Custodian (PT) (3)	\$7,208
Voting Machine Custodian (PT) (4)	\$9,835
Voting Machine Custodian (PT) (5)	\$7,208

and be it further

RESOLVED, that the salaries for these positions are established for the year 2010 as follows:

Voting Machine Custodian (PT) (1)	\$9,835
Voting Machine Custodian (PT) (2)	\$9,835
Voting Machine Custodian (PT) (3)	\$9,835
Voting Machine Custodian (PT) (4)	\$9,835
Voting Machine Custodian (PT) (5)	\$9,835

and be it further

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

RESOLVED, that the funding for these positions is included in the Elections Budget (1450) at line 1000-A Personal Service.

Seconded, Lindberg. Representative Johnson moved to table Resolution No. 259-20091104. Seconded, Relic. Total: 6,167; Ayes: 4,652; Noes: 626 – Fournier; Absent: 889 – Clark, Harrington. Motion carried. {See Resolution No. 267 at the December 2, 2009 County Board meeting for further action.}

RESOLUTION NO. 260-20091104

**RESOLUTION - AUTHORIZING CHAIRMAN TO
EXECUTE AGREEMENT WITH SELECT REHABILITATION
TO PROVIDE REHABILITATION THERAPY SERVICES
AT OTSEGO MANOR**

LINDBERG, SCHWERD, DUBBEN, STAYTON

WHEREAS, there is a need for rehabilitation therapy services at Otsego Manor; and

WHEREAS, the County is not obligated to bid these services, given they are professional in nature; and

WHEREAS, Select Rehabilitation has agreed to provide these professional services to the County; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized, subject to the condition referenced herein, to enter into an agreement with Select Rehabilitation, 550 Frontage Road, Suite 2415, Northfield, Illinois 60093, for a term of one (1) year, to provide rehabilitation therapy services with regard to Otsego Manor's physical therapy, occupational therapy and speech language pathology requirements and as directed by the County's Otsego Manor from time to time during the term of this Agreement and, at the following costs which shall be billed and paid monthly during the term hereof:

1. Medicare Part A & Skilled HMO at the following per diem rate:

Ultra High	\$102.86
Very High	\$ 71.43
High	\$ 46.43
Medium	\$ 21.43
Low	\$ 6.43

2. Medicare Part B/Other Payer Sources:

69% of the geographically adjusted Physician Fee Schedule

3. Home Health:

\$75.00 per home health visit and the prevailing Federal mileage allowance;

and be it further

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

RESOLVED, that the funds for this agreement are included in the 2009 Infirmity Enterprise Budget (6020) at line 4895-E Medical Expenses and are 100% federally reimbursable; and be it further

RESOLVED, that the Chairman's authority to execute the agreement with Select Rehabilitation is conditioned upon reaching an appropriate Memorandum of Agreement with the Civil Service Employees Association, Inc. to address the labor relations issues associated with the anticipated retention of Select Rehabilitation as above authorized.

Seconded, Relic. Roll call vote. Total: 6,167; Ayes: 4,746; Noes: 532 – Lindberg; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 261-20091104

**RESOLUTION – PLACING OPERATION OF THE E911 DEPARTMENT
UNDER THE OFFICE OF EMERGENCY SERVICES**

RELIC, CLARK, JOHNSON, ROTHENBERGER

WHEREAS, this year the Board has undertaken a broad series of communications related initiatives, including the upgrade of up to five (5) communication towers and the County's gigahertz technology for all users including fire and safety, and these duties require that the E911 Department's responsibilities be reassigned; and

WHEREAS, this Board of Representatives therefore deems it in the best interest to place the day-to-day operation of the E911 Department under the Office of Emergency Services; now, therefore, be it

RESOLVED, that effective immediately, the day-to-day operation of the E911 Department is now placed under the Office of Emergency Services.

Seconded, Dubben and Stayton. Roll call vote. Total: 6,167; Ayes: 4,261; Noes: 1,017 – Lindberg, Schwerd; Absent: 889 – Clark, Harrington. Adopted.

RESOLUTION NO. 262-20091104

**RESOLUTION - ADOPTING OTSEGO COUNTY MUTUAL SELF-
INSURANCE (WORKERS' COMPENSATION) PLAN AS WELL AS
PARTICIPANT ALLOCATIONS FOR 2010**

JOHNSON, SCHWERD, MURPHY

WHEREAS, the Otsego County Mutual Self-Insurance Plan for workers' compensation coverage was established by Local Law No. 3 of 1956; and

WHEREAS, annually a budget must be adopted for the following year and the participants' allocation determined; now, therefore, be it

RESOLVED, that the budget for the Otsego County Mutual Self-Insurance (Workers' Compensation) Plan and the participants' allocation for the year 2010 are hereby adopted as follows:

OTSEGO COUNTY MUTUAL SELF-INSURANCE
(WORKERS' COMPENSATION) PLAN BUDGET
FISCAL YEAR BEGINNING JANUARY 1, 2010

<u>EXPENDITURES:</u>	<u>2009</u>	<u>2010</u>
1710-1000-S Personal Service	60,076.00	60,076.00
1710-2000-S Equipment	0.00	0.00
1710-4000-S Contractual Expense		
-4000 Physicals	57,500.00	57,000.00
-4001 Investigative Services	1,000.00	1,000.00
-4005 Mileage	800.00	1,000.00
-4010 Lodging, Meals, Tolls, Etc.	0.00	0.00
-4100 Telephone	300.00	300.00
-4300 Xerox	0.00	0.00
-4400 Postage	1,200.00	1,800.00
-4500 Mat. & Supplies	400.00	200.00
-4705 Workers Comp Reimb.	285,000.00	325,000.00
-4800 Other	0.00	99,000.00
-4990 Trans. To Reserves	0.00	0.00
Total Contracted Expense	346,200.00	485,300.00
1720-4706-S Workers Comp Payments	1,123,724.00	1,400,000.00
1720-4800-S Other	0.00	0.00
9030-8000-S Social Security	4,596.00	4,987.00
TOTAL EXPENDITURES	\$1,534,596.00	\$1,950,363.00

REVENUES:

0000-2222-S Participants Assessments	(1,000,000.00)	(1,353,363.00)
0000-2300-S Insurance Recoveries	(0.00)	(0.00)
0000-2401-S Interest on Deposits	(30,000.00)	(12,000.00)
0000-2701-S Ref Prior Years Exp	(504,596.00)	(285,000.00)
0000-0909-S Fund Balance	(0.00)	(300,000.00)
TOTAL REVENUES	\$1,534,596.00	\$1,950,363.00

APPORTIONMENT OF 2010 PARTICIPANT ASSESSMENTS

AMOUNTS

<u>PARTICIPANTS</u>	<u>PERCENT</u>	<u>APPORTIONED</u>
Oneonta City	15.842	214,400.84
Burlington	0.387	5,249.53
Butternuts	0.640	8,664.84
Cherry Valley	0.464	6,284.84
Decatur	0.205	2,786.32
Edmeston	0.363	4,920.99
Exeter	0.328	4,449.07
Hartwick	2.348	31,788.07
Laurens	0.645	8,729.94
Maryland	0.665	9,001.49
Middlefield	0.823	11,138.60
Milford	0.743	10,055.88
Morris	0.632	8,564.41
New Lisbon	0.412	5,577.03
Oneonta	1.643	22,238.31
Otego	0.867	11,735.27
Otsego	2.555	34,589.56
Pittsfield	0.332	4,504.37
Plainfield	-0.196	-2,660.14
Richfield	0.620	8,393.57
Roseboom	0.332	4,502.53
Springfield	0.839	11,366.21
Unadilla	1.939	26,244.13
Westford	0.950	12,866.10

Worcester	1.310	17,741.99
Cherry Valley - Village	0.133	1,810.18
Cooperstown - Village	3.936	53,273.28
Laurens - Village	0.035	482.46
Milford - Village	0.109	1,476.32
Morris - Village	0.165	2,239.55
Otego - Village	0.564	7,639.75
Richfield Springs - Village	0.419	5,677.07
Unadilla -Village	0.762	10,324.87
Otsego County	58.174	787,305.77
TOTALS		1,353,363.00

Seconded, Dubben. Roll call vote. Total: 6,167; Ayes: 4,616; Noes: 662 – McCarty, Stayton; Absent: 889 – Clark, Harrington. Adopted.

All the general business of the Board having been transacted, the Chairman declared the meeting adjourned until Wednesday, December 2, 2009 at 10:00 a.m.