

**REGULAR SESSION  
FIRST DAY**

**Wednesday, December 2, 2009**

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

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

Under Privilege of the Floor, Sheriff Richard Devlin, Jr. stated that he understands the County Board is planning to reinstate the Correction Officer positions. He thanked the Board for looking into the manner and keeping staff intact. Sheriff Devlin said that he feels that reducing public safety services for the citizens of the county is not an option. He will work with the County Board to cut costs at the Jail. Sheriff Devlin also asked the County Board to reinstate funds for the Deputy positions and the Boat Patrol.

Cindy Macomber, Otsego County resident, employee and taxpayer, stated that she reviewed part of the 2010 Tentative Otsego County Budget and felt that the approved raises for the CSEA contract are not reflected. She also said that she heard about the Sheriff's Department budget cuts and questioned the foresight of the action. People want a quick response time in an emergency. Ms. Macomber suggested that the County Board look at health insurance costs when considering the contract extension for the law enforcement personnel.

Karen Liddle, STOP-DWI Coordinator, asked the County Board to reinstate the administration and Coordinator funds back in the 2010 Stop DWI budget, as there is no cost to the taxpayers. Stop DWI funds should not be included in the county's general budget. Mrs. Liddle remarked that the Stop DWI Program is not just a law enforcement program, but also includes education for youth and adults. The county's program has received awards. The funds can only be used for Stop DWI purposes.

John Imperato, CSEA President, stated that the decisions made today by the County Board will affect a lot of people. He asked the Board members to give a true professional effort and consider their decisions.

The following communications were read and ordered filed:

Four letters from the village of Gilbertsville, the NYS State Police, Furrell Marie Campbell and the village of Cherry Valley urging the County Board to reconsider the impact of cuts for the Sheriff's Department and the Jail in the 2010 County Budget.

Eight letters from Bruce Haight, the Goodyear Lake Association, the Otsego Lake Association, Bruce and Joyce Shultis, Jack Iversen, the Canadarago Lake Association, Robert and Francine Bailey and William Schrack asking the County Board to re-evaluate its decision to eliminate funding for the boat patrol in the 2010 County Budget.

One email from Robert Snyder stating the budget cuts to the Code Enforcement Office will have a disastrous effect on the construction and tourism industries and affect the safety of the citizens in the county.

One letter from Nancy Milavec asking the County Board to reinstate funding in the 2010 County Budget for the County Historian position.

One letter from the Otsego County Farm Bureau congratulating the County Board on creating a workable 2010 budget and holding the line.

June Barwick, Cherry Valley – Letter of recommendation for Neal McManus for the position of Otsego County Code Enforcement Officer.

William R. Steinhaus, Dutchess County Executive – Letter of appreciation for the Otsego County Planning Department staff for its assistance with proposed solid waste legislation.

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

Otsego County Department of Social Services – 2008 Annual Report  
Otsego County Department of Social Services – 2008 Fiscal Report

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

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

### **MORTGAGE TAX DISTRIBUTION - 2009**

The Administration Committee presents the following report of Mortgage Tax Distribution made in accordance with reports of the County Clerk and County Treasurer and in compliance with the provisions of law. The committee has reconciled the distribution of Mortgage Tax from April 1, 2009 through September 30, 2009 as follows:

<u>Tax District</u>	<u>Amount Allocated To Tax District</u>	<u>Amount Apportioned To Villages</u>	<u>Amount Apportioned To City and Towns</u>
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Oneonta City	64,010.96		64,010.96
Burlington	7,163.72		7,163.72
Butternuts	10,788.71	990.44	9,798.27
Cherry Valley	7,336.97	1,043.15	6,293.82
Decatur	2,748.09		2,748.09
Edmeston	11,840.75		11,840.75
Exeter	6,514.77		6,514.77
Hartwick	35,667.08		35,667.08
Laurens	14,652.86	412.99	14,239.87
Maryland	6,146.86		6,146.86
Middlefield	27,909.07	1,511.64	26,397.43
Milford	23,716.95	1,068.79	22,648.16
Morris	6,651.60	876.03	5,775.57
New Lisbon	6,595.81		6,595.81
Oneonta Town	48,576.88		48,576.88
Otego	20,520.45	3,004.94	17,515.51
Otsego	97,492.77	18,844.00	78,648.77
Pittsfield	5,347.33		5,347.33
Plainfield	5,661.23		5,661.23
Richfield	10,735.16	1,778.83	8,956.33
Roseboom	3,205.72		3,205.72
Springfield	10,030.75		10,030.75
Unadilla	22,156.46	2,696.85	19,459.61
Westford	10,245.35		10,245.35
Worcester	9,387.16		9,387.16
<b>Totals</b>	<b>475,103.46</b>	<b>32,227.66</b>	<b>442,875.80</b>

Dated: November 25, 2009

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

RESOLVED, that this Board issues its warrant to the County Treasurer for the distribution of the amount in her hands in accordance with the foregoing report.

Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Report adopted.

## TAX ROLL EXPENSE FOR 2010 TAX ROLL

<u>Towns</u>	<u>Number of Parcels</u>	<u>Expense to Town</u>
Oneonta City	3,603	\$14,772.30
Burlington	947	3,882.70
Butternuts	1,532	6,281.20
Cherry Valley	1,124	4,608.40
Decatur	453	1,857.30
Edmeston	1,426	5,846.60
Exeter	915	3,751.50
Hartwick	1,556	6,379.60
Laurens	1,539	6,309.90
Maryland	1,717	7,039.70
Middlefield	1,803	7,392.30
Milford	2,276	9,331.60
Morris	1,234	5,059.40
New Lisbon	1,055	4,325.50
Oneonta	2,626	10,766.60
Otego	1,854	7,601.40
Otsego	2,849	11,680.90
Pittsfield	1,063	4,358.30
Plainfield	753	3,087.30
Richfield	1,770	7,257.00
Roseboom	831	3,407.10
Springfield	1,234	5,059.40
Unadilla	2,674	10,963.40
Westford	931	3,817.10
Worcester	1,702	6,978.20
<b>Totals:</b>	<b>39,467</b>	<b>\$161,814.70</b>

Rate per Account: \$4.10

Administration Committee moved to approve the report. Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Report adopted.

## TOTAL ELECTION EXPENSE FOR 2010 TAX ROLL

The Administration Committee reports that in accordance with Section 233-a of County Law and Section 93 of the Election Law the following expenditures be charged against the various tax districts, as follows:

<u>Tax District</u>	<u>Total No. of Machines</u>	<u>Total No. of Print Packs</u>	<u># Insp. for class. Each \$25.00</u>	<u>First Election Expense</u>	<u>Second Election Expense</u>	<u>General Election Expense</u>	<u>Total Custodian Expense</u>	<u>Inspector Class Expense</u>	<u>Total Election Expense</u>
Oneonta City	20	20	35	0.00	5,196.00	13,469.00	2,000.00	875.00	21,540.00
Burlington	4	4	5	0.00	864.20	2,358.80	400.00	125.00	3,748.00
Butternuts	6	6	11	0.00	1,558.80	3,790.70	600.00	275.00	6,224.50
Cherry Valley	4	4	10	1,132.52	994.60	2,071.90	400.00	250.00	4,849.02
Decatur	4	4	7	1,132.52	694.60	1,751.90	400.00	175.00	4,154.02
Edmeston	4	4	4	0.00	664.20	2,358.80	400.00	100.00	3,523.00
Exeter	4	4	6	0.00	864.20	2,358.80	400.00	150.00	3,773.00
Hartwick	6	6	18	0.00	1,458.80	3,790.70	600.00	450.00	6,299.50
Laurens	6	6	10	0.00	1,358.80	3,790.70	600.00	250.00	5,999.50
Maryland	6	6	16	2,390.04	1,294.60	2,551.90	600.00	400.00	7,236.54
Middlefield	9	9	12	1,811.28	1,558.80	3,950.70	900.00	300.00	8,520.78
Milford	12	12	18	2,490.04	1,953.40	5,542.60	1,200.00	450.00	11,636.04
Morris	6	6	11	0.00	1,358.80	3,950.70	600.00	275.00	6,184.50
New Lisbon	4	4	4	0.00	764.20	2,198.80	400.00	100.00	3,463.00
Oneonta	10	10	22	0.00	2,778.40	7,581.40	1,000.00	550.00	11,909.80
Otego	6	6	13	0.00	1,558.80	3,950.70	600.00	325.00	6,434.50
Otsego	12	12	24	0.00	3,217.60	7,741.40	1,200.00	600.00	12,759.00
Pittsfield	4	4	6	0.00	964.20	2,518.80	400.00	150.00	4,033.00
Plainfield	4	4	5	0.00	764.20	2,358.80	400.00	125.00	3,648.00
Richfield	6	6	8	0.00	1,333.80	3,470.70	600.00	200.00	5,604.50
Roseboom	4	4	7	1,132.52	794.60	1,751.90	400.00	175.00	4,254.02
Springfield	2	2	9	0.00	894.60	1,911.90	200.00	225.00	3,231.50
Unadilla	10	10	22	0.00	2,748.00	6,814.50	1,000.00	550.00	11,112.50
Westford	4	4	10	1,132.52	794.60	1,751.90	400.00	250.00	4,329.02
Worcester	11	11	21	3,568.80	2,483.80	5,415.70	1,100.00	525.00	13,093.30
<b>Totals:</b>	168	168	314	\$14,790.24	\$38,916.60	\$99,203.70	\$16,800.00	\$7,850.00	\$177,560.54

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

**RESOLUTION NO. 263-20091202**

**RESOLUTION - AUTHORIZING CHAIRMAN  
OF THE BOARD TO APPROVE CHANGE ORDER FOR THE  
TURNKEY OUTSIDE PLANT FIBER OPTIC PROJECT**

**RELIC, CLARK, JOHNSON, ROTHENBERGER**

WHEREAS, in accordance with Resolution No. 220-20091007, the Chairman of the Board of Representatives was authorized to contract with Schupp's Line Construction, Inc., P.O. Box 13655, Albany, New York 13655, for a Turnkey Outside Plant (OSP) aerial/underground multi-strand single mode optical fiber cable connectivity between the County Office Building (197 Main Street, Cooperstown, New York) and The Meadows Office Building (140 County Highway 33W, Cooperstown, New York) to support wide area network applications for the Information Technology Department, known as the OSP Fiber Optic Cornerstone Project, in accord with the terms and conditions of the County's formal RFP, at the following cost:

Conduit Construction	\$ 50,073.50
Aerial Strand Construction	\$ 5,978.00
Fiber Optic Cable Placement	\$ 61,044.00
F.O. Cable Splice, Terminate & Test	<u>\$ 45,828.00</u>
<b>TOTAL COST NOT TO EXCEED</b>	<b>\$162,923.50</b>

and

WHEREAS, a change order is needed to extend the fiber optic cabling from the Information Technology's Server Room to the Communications Room located in the basement of the County Office Building, at 197 Main Street, Cooperstown, New York, in the amount of \$8,289.00; and

WHEREAS, this change order has been presented to the Administration Committee who has approved this request; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to approve the following change order for the OSP Fiber Optic Cornerstone Project:

**CHANGE ORDER:** Extend the fiber optic cabling from the Information Technology's Server Room to the Communications Room located in the basement of the County Office Building, 197 Main Street, Cooperstown, New York, to include, but not limited to, the actual fiber optic cable, conduit, termination equipment, termination and testing.

**CONTRACTOR:** Schupp's Line Construction, Inc.

AMOUNT: \$8,289.00

and be it further

RESOLVED, that the funding for this change order is included in the 2009 Public Safety Communications Budget (3020-A) at line 2750 Communication Backbone.

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

**RESOLUTION NO. 264-20091202**

**RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH HEALTH RESEARCH, INC. TO RECEIVE GRANT FUNDS FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM PLAN**

**FOURNIER, MCCARTY, STULIGROSS, ROTHENBERGER**

WHEREAS, \$118,766.00 in grant funds are available through the State of New York Department of Health for the development of the County's Public Health Preparedness and Response to Terrorism Plan and related activities for the period August 10, 2009 through August 9, 2010, said grant funds originating from the Centers for Disease Control (CDC) for local public health departments; and

WHEREAS, to access these grant funds, the County must contract with Health Research, Inc.; now, therefore, be it

RESOLVED, that the Chairman of this Board is hereby authorized to execute an agreement with Health Research, Inc. (HRI), One University Place, Rensselaer, New York 12144-3447, to access \$118,766.00 in CDC grant funds for local public health departments, for the development of the County's Public Health Preparedness and Response to Bioterrorism Plan and related activities; 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, McCarty and Harrington. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

**RESOLUTION NO. 265-20091202**

**RESOLUTION - APPOINTING INDIVIDUAL TO SERVE ON MENTAL HEALTH SUBCOMMITTEE OF THE OTSEGO COUNTY COMMUNITY SERVICES BOARD**

**FOURNIER, MCCARTY, STULIGROSS, ROTHENBERGER**

RESOLVED, that pursuant to Section 41.11 of the Mental Hygiene Law, the

following individual be and hereby is appointed to serve on the Mental Health Subcommittee of the Otsego County Community Services Board for the term indicated:

JONATHAN GLAZER  
4349 State Highway 7, Lot 6  
Oneonta, New York 13820  
Term expiring December 31, 2012  
(Replacing James Ennis)

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

**RESOLUTION NO. 266-20091202**

**RESOLUTION - AUTHORIZING E911 COORDINATOR TO PAY  
ANNUAL MAINTENANCE FOR E-911 CAD SYSTEM**

**RELIC, CLARK, JOHNSON, ROTHENBERGER**

RESOLVED, that the E911 Coordinator be and is hereby authorized to pay the following:

ITEM: **Annual Maintenance for the E-911 CAD System**  
(November 1, 2009 to November 1, 2010)

VENDOR: MobileTec International, Inc.  
13157 North Dale Mabry Highway  
Tampa, Florida 33618

COST: \$34,940.88

and be it further

RESOLVED, that the funding for this payment will be included in the 2009 - 2010 Public Safety Communications Budget (3020) at line 4810-A Communication and Radio Maintenance.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 5,837; Noes: 330 – Harrington. Adopted.

**RESOLUTION NO. 267-20091202**

**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 effective January 1, 2009:

Voting Machine Custodian (PT) (1)	\$25.65 per machine
Voting Machine Custodian (PT) (2)	\$35.00 per machine
Voting Machine Custodian (PT) (3)	\$25.65 per machine
Voting Machine Custodian (PT) (4)	\$35.00 per machine
Voting Machine Custodian (PT) (5)	\$25.65 per machine

and be it further

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

Voting Machine Custodian (PT) (1)	\$35.00 per machine
Voting Machine Custodian (PT) (2)	\$35.00 per machine
Voting Machine Custodian (PT) (3)	\$35.00 per machine
Voting Machine Custodian (PT) (4)	\$35.00 per machine
Voting Machine Custodian (PT) (5)	\$35.00 per machine

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. Roll call vote. Total: 6,167; Ayes: 2,650 – Relic, Powers, Murphy, Johnson, Schwerd, Rothenberger; Noes: 3,517 – Clark, Fournier, Lindberg, Dubben, McCarty, Stayton, Harrington, Stuligross. Resolution No. 267-2009 lost.

## **RESOLUTION NO. 268-20091202**

### **RESOLUTION – AMENDING RESOLUTION NO. 232-20091007 - AMENDING MANUAL FOR ADMINISTRATIVE AND CONFIDENTIAL EMPLOYEES**

#### **JOHNSON, SCHWERD, MURPHY**

WHEREAS, the Manual for Administrative and Confidential Employees was first adopted by Resolution No. 19 of 1971 and amended last by Resolution No. 232-20091007; and

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

RESOLVED, that this Board does hereby amend Article 9 – Section 2. Health Insurance of the Otsego County Manual for Administrative and Confidential Employees, and all related policies, to read as follow, effective immediately:

2. Health Insurance - The County hereby agrees to pay 95% of the premium coverage of full-time administrative and confidential employees, the part-time County Attorney, the part-time Public Defender and their dependents as follows:

The RMSCO CoPlan 15, with the \$5/\$10/\$20 prescription drug co-pay program and eye wear benefits provision (hereinafter the "RMSCO Plan"), shall be offered to eligible full-time and part-time employees, as the base health benefits plan. The County shall continue to make available to such employees, and their eligible dependents, a base group health and hospitalization benefits plan substantially equivalent to, or better than, said base RMSCO Plan.

The County reserves the right to change or provide alternate plans or carriers, HMOs, or to self-insure, as it deems appropriate for any form or portion of health and hospitalization coverage referred to in this Article, including the base RMSCO Plan, so long as the new coverage and benefits are substantially equivalent to, or better than, said base RMSCO Plan.

The Board of Representatives has the right to amend co-pay amounts.

Administrative, supervisory and confidential employees and their eligible dependents shall not be eligible for multiple coverage at any time under the County's health plan. For example, an employee may not be covered under more than one County plan at the same time, nor covered as both an individual and a dependent at the same time under the County's plan.

An employee that does not enroll in the County's health insurance at the time of hire will have the right to join County coverage, pursuant to the particular health plan's rules and regulations, either: (1) if the employee loses his/her alternate coverage due to death, divorce, or loss of insurance for other qualifying reasons beyond the employee's control; or (2) during the County's open enrollment periods.

The Administrative/Confidential Group may send recommendations regarding health insurance to the Negotiations Committee as the Group's input for establishing rates, procedures, etc., at the appropriate time.

Part-time employees (excluding the County Attorney and Public Defender) shall pay 50% of the premium rate.

and be it further

RESOLVED, that a copy of this amended Manual for Administrative and Confidential Employees is on file with the Clerk of this Board.

Representative Relic moved to table Resolution No. 268-2009. Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Motion carried.

**RESOLUTION NO. 269-20091202**

**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:

<b>2009 BUDGET TRANSFERS</b>				
	<b>DEPARTMENT</b>	<b>ACCOUNT NAME</b>	<b>ACCOUNT CODE</b>	<b>AMOUNT</b>
<b>A- GENERAL FUND</b>				
FROM:	Board of Reps	Mileage	1010-4005-A	-1,000.00
FROM:	Board of Reps	Postage & UPS	1010-4400-A	-500.00
FROM:	Board of Reps	Materials & Supplies	1010-4500-A	-200.00
<b>TO:</b>	<b>Board of Reps</b>	<b>Contracts</b>	<b>1010-4900-A</b>	<b>1,700.00</b>
FROM:	Contingent	Other	1990-4800-A	-53,945.44
<b>TO:</b>	<b>Board of Reps</b>	<b>Contracts</b>	<b>1010-4900-A</b>	<b>3,000.00</b>
<b>TO:</b>	<b>Psych Exp-State Chg</b>	<b>Criminal Actions</b>	<b>4390-4696-A</b>	<b>50,945.44</b>
FROM:	CWSN	Evaluations (3-5)	2960-4803-A	-1,000.00
<b>TO:</b>	<b>DOH-CWSN 3-5 Admin</b>	<b>Mileage</b>	<b>4060-4005-A</b>	<b>1,000.00</b>
FROM:	Public Safety Comm	Equipment	3020-2000-A	-19,000.00
FROM:	Public Safety Comm	Mobile Command Vehicle	3020-4510-A	-250.00
FROM:	911 Equipment & Maint	Equipment	3026-2000-A	-5,000.00
FROM:	911 Equipment & Maint	Training	3026-4050-A	-3,750.00
<b>TO:</b>	<b>Public Safety Comm</b>	<b>Comm &amp; Radio Mtc</b>	<b>3020-4810-A</b>	<b>28,000.00</b>
FROM:	Sheriff	Materials & Supplies	3110-4500-A	-2,500.00
FROM:	Sheriff	Fuel	3110-4560-A	-10,000.00
<b>TO:</b>	<b>Sheriff</b>	<b>Vehicle Repair</b>	<b>3110-4515-A</b>	<b>10,000.00</b>
<b>TO:</b>	<b>Sheriff</b>	<b>Other</b>	<b>3110-4800-A</b>	<b>2,500.00</b>
FROM:	Public Health Nursing	Mileage	4072-4005-A	-3,000.00
FROM:	Public Health Nursing	Materials & Supplies	4072-4500-A	-10,000.00
FROM:	Public Health Nursing	Other	4072-4800-A	-4,000.00
FROM:	Public Health Nursing	Contracts	4072-4900-A	-15,900.00
<b>TO:</b>	<b>Public Health Nursing</b>	<b>Personal Service</b>	<b>4072-1000-A</b>	<b>32,900.00</b>
FROM:	Mental Health	Subscriptions/Dues	4310-4650-A	-15.00

<b>TO:</b>	<b>Psych Exp-State Chg</b>	<b>Criminal Actions</b>	<b>4390-4696-A</b>	<b>15.00</b>
FROM:	Social Svcs Admin	Personal Service	6010-1000-A	-58,000.00
<b>TO:</b>	<b>Social Svcs Admin</b>	<b>Prior Years NYS Chgbks</b>	<b>6010-4805-A</b>	<b>55,000.00</b>
<b>TO:</b>	<b>Social Svcs Admin</b>	<b>Advertising</b>	<b>6010-4810-A</b>	<b>3,000.00</b>
FROM:	DSS – Foster Care	Foster Care	6119-4735-A	-55,000.00
<b>TO:</b>	<b>DSS – Juvenile Del. Care</b>	<b>Juvenile Delinquent</b>	<b>6123-4736-A</b>	<b>55,000.00</b>
FROM:	DSS – Medical Assist	Medical Assistance	6101-4733-A	-50,000.00
<b>TO:</b>	<b>DSS – Medical Assist</b>	<b>Contracts</b>	<b>6101-4900-A</b>	<b>50,000.00</b>
FROM:	Veterans	Xerox	6510-4300-A	-600.00
<b>TO:</b>	<b>Veterans</b>	<b>Mileage</b>	<b>6510-4005-A</b>	<b>600.00</b>
FROM:	Planning	Postage & UPS	8020-4400-A	-100.00
<b>TO:</b>	<b>Planning</b>	<b>Mileage</b>	<b>8020-4005-A</b>	<b>100.00</b>
FROM:	Forestry	Heat & Lights	8710-4150-A	-1,000.00
<b>TO:</b>	<b>Forestry</b>	<b>Other</b>	<b>8710-4800-A</b>	<b>1,000.00</b>
<b><u>D - HIGHWAY FUND</u></b>				
FROM:	Highway Admin	Heat & Lights	5010-4150-D	-1,300.00
<b>TO:</b>	<b>Highway Admin</b>	<b>Telephone</b>	<b>5010-4100-D</b>	<b>1,000.00</b>
<b>TO:</b>	<b>Highway Admin</b>	<b>Postage &amp; UPS</b>	<b>5010-4400-D</b>	<b>300.00</b>
FROM:	Road Constr Projects	Chip-Seal Program	5112-2093-D	-25,000.00
<b>TO:</b>	<b>Maintenance</b>	<b>County Equip Charges</b>	<b>5110-4600-D</b>	<b>25,000.00</b>
<b><u>E - ENTERPRISE FUND</u></b>				
FROM:	Infirmery – Enterprise	Heat & Lights	6020-4150-E	-90,000.00
<b>TO:</b>	<b>Infirmery – Enterprise</b>	<b>Mileage</b>	<b>6020-4005-E</b>	<b>15,000.00</b>
<b>TO:</b>	<b>Infirmery – Enterprise</b>	<b>Materials &amp; Supplies</b>	<b>6020-4500-E</b>	<b>75,000.00</b>
<b>2009 BUDGET MODIFICATIONS</b>				
<b><u>A – GENERAL FUND</u></b>				
INCREASE:	Contract-Mental Hlth	RSS	4324-4692-A	77,600.00
INCREASE:	State Aid – Mental Hlth	Rehab Support Svcs	0000-3495-A	77,600.00
INCREASE:	Social Svcs Admin	Contracted Expenses	6010-4900-A	268,320.00
INCREASE:	Federal Aid – Soc Svcs	Social Svcs Admin	0000-4610-A	268,320.00
INCREASE:	Office for the Aging	Last Resort Funding	6772-4990-A	10,000.00
INCREASE:	Fed Aid – OFA	OFA WRAP	0000-4783-A	10,000.00

<b>D – HIGHWAY MAINTENANCE FUND</b>				
INCREASE:	Road Constr Projects	Co Hwy 33 (Stimulus)	5112-2123-D	850,000.00
INCREASE:	Fed Aid – Co Road Fund	Co Hwy 33 (Stimulus)	0000-4598-D	850,000.00
<b>DM – MAHCINERY FUND</b>				
INCREASE:	Machinery Fund	Parts	5130-4540-DM	25,000.00
INCREASE:	Interfund Revenues	Transfer from Co Rd Fund Rentals	0000-2822-DM	25,000.00

Seconded, Lindberg and Harrington. Roll call vote. Total: 6,167; Ayes: 4,834; Noes: 1,333 –Fournier, McCarty, Harrington. Adopted.

**RESOLUTION NO. 270-20091202 (original)**

**RESOLUTION - APPROVING REVISIONS TO THE TENTATIVE  
OTSEGO COUNTY BUDGET FOR 2010**

**JOHNSON, SCHWERD, MURPHY**

WHEREAS, pursuant to Section 354 of the County Law, on November 16, 2009, the Budget Officer filed with this Board a tentative budget for 2010, together with the budget message and exemption report; and

WHEREAS, the Board of Representatives has reviewed the 2010 Tentative Otsego County Budget for possible changes, alterations and revisions; now, therefore, be it

RESOLVED, that pursuant to Section 358 of the County Law, this Board does hereby approve the following changes, alterations and revisions for the 2010 Tentative Otsego County Budget:

<u>Account Code</u>	<u>Department</u>	<u>Budget Officer Tentative Budget</u>	<u>County Board Adjustment</u>	<u>2010 Revised Tentative Budget</u>
<b>APPROPRIATIONS</b>				
<b>REVENUES</b>				

and be it further

RESOLVED, as required by Section 358(2) of County Law, that if this Board shall have made any change in the tentative budget, provision shall be made that the total

estimated revenues together with the amount of taxes to be levied shall equal the total estimated expenditures.

Seconded, Lindberg. Representative Lindberg moved to delete \$150,000 for the Meadows Roof Project (1630-2510-A). Seconded, Clark. Total: 6,167; Ayes: 6,167. Motion carried.

Representative Lindberg moved to add \$100,000 for E911 Personal Service. Seconded, Harrington. Total: 6,167; Ayes: 2,442 – Relic, Murphy, Fournier, Lindberg, Harrington; Noes: 3,725. Motion lost.

Representative Lindberg moved to increase the Sales Tax revenue to \$30,500,000. Seconded, Fournier. Total: 6,167; Ayes: 2,363 – Relic, Fournier, Lindberg, Dubben, Harrington; Noes: 3,804. Motion lost.

Representative Lindberg moved to delete \$50,000 for Cooperstown Annual Support (6420-4680-A) and add \$108,772 for Sheriff Personal Service (3110-1000-A) and \$64,176 for fringes (8000). Seconded, Harrington. Representative Lindberg withdrew the motion and Representative Harrington withdrew his second.

Representative Stuligross moved to delete \$50,000 from Cooperstown Annual Support (6420-4680-A). Seconded, Fournier. Total: 6,167; Ayes: 2,986 – Murphy, Fournier, Lindberg, Stayton, Rothenberger, Harrington, Stuligross; Noes: 3,181 – Relic, Powers, Clark, Dubben, Johnson, McCarty, Schwerd. Motion lost.

Representative McCarty moved to delete \$10,000 from Foothills Performing Arts Center (7011-4680-A). Seconded, Lindberg. Total: 6,167; Ayes: 4,606; Noes: 1,561 – Relic, Powers, Stayton, Rothenberger. Motion carried.

Representative Lindberg moved to increase the Appropriated Tobacco Reserve by \$500,000 (Exhibit B). Seconded, Relic. Total: 6,167; Ayes: 4,234; Noes: 1,933 – Clark, Murphy, Johnson, Schwerd. Motion carried.

Representative Stuligross moved to reconsider the \$500,000 increase of the Appropriated Tobacco Reserves. Seconded, Clark. Total: 6,167; Ayes: 2,932 – Clark, Murphy, Johnson, Schwerd, Stayton, Rothenberger, Stuligross; Noes: 3,235 – Relic, Powers, Fournier, Lindberg, Dubben, McCarty, Harrington. Motion lost.

Representative Murphy moved to delete 10% of every Heat and Lights budget line for the various county building budgets. Seconded, Stuligross. Total: 6,167; Ayes: 5,050; Noes: 1,117 – Relic, McCarty, Stayton. Motion carried.

Representative Murphy moved to reduce Jail Material & Supplies (3150-4500-A) by \$10,000. Seconded, Relic. Total: 6,167; Ayes: 6,167. Motion carried.

Representative Stayton moved to delete \$30,000 from Sheriff Vehicle (3110-2100-A). Seconded, Johnson. Total: 6,167; Ayes: 4,224; Noes: 1,943 – Relic, Fournier, Lindberg, Harrington. Motion carried.

Representative Lindberg moved to delete \$20,000 from the Soil and Water Conservation District budget line. Seconded, Harrington. Total: 6,167; Ayes: 532 –

Lindberg; Noes: 5,635. Motion lost.

Representative Schwerd moved to delete \$20,000 from the Old Jail budget. Representative Schwerd withdrew the motion.

Representative Stuligross moved to delete \$5,000 from Public Defenders Expert Witness. There was no second to the motion.

Representative Lindberg moved to increase Emergency Services Training (3641-4050-A) and revenue (3307-A) by \$68,500. Seconded, Relic. Total: 6,167; Ayes: 6,167. Motion carried.

Representative Fournier moved to increase the STOP DWI budget for Personal Service and Administrative expenses. Representative Fournier withdrew the motion.

Representative Rothenberger moved to delete \$25,000 from the Cooperstown Annual Support and add \$10,000 for Opportunities for Otsego, \$5,000 for Foothills Performing Arts Center, \$5,000 for Upper Catskill Community Council of the Arts, \$2,500 for the Otsego County Fair and \$2,500 for the Historian. Seconded, Stayton.

Representative Johnson moved to divide the question and act upon the Cooperstown Annual Support separately. Seconded, Stuligross. Total: 6,167; Ayes: 3,196 – Relic, Clark, Murphy, Dubben, Johnson, Schwerd, Stuligross; Noes: 2,971 – Powers, Fournier, Lindberg, McCarty, Stayton, Rothenberger, Harrington. Motion to divide carried.

Vote on deleting \$25,000 from Cooperstown Annual Support. Total: 6,167; Ayes: 2,360 – Murphy, Lindberg, Stayton, Rothenberger, Harrington, Stuligross; Noes: 3807 – Relic, Powers, Clark, Fournier, Dubben, Johnson, McCarty, Schwerd. Motion lost.

No vote was taken on the remaining portion of the motion for adding funds back into the budget.

Representative Schwerd moved to delete \$50,000 from Cornell Cooperative Extension. There was no second.

Representative Johnson moved to delete a Clerk position (\$19,477) in the Department of Social Services and related revenue. Seconded, Relic. Total: 6,167; Ayes: 4,292; Noes: 1,875 – Murphy, McCarty, Stayton, Rothenberger, Stuligross. Motion carried.

Representative Fournier moved to increase the Boat Patrol budget by \$10,500 and revenue (3316-A) by \$11,000. Seconded, Lindberg. Total: 6,167; Ayes: 3,683; Noes: 2,484 – Clark, Johnson, McCarty, Schwerd, Stayton, Stuligross. Motion carried.

Representative Fournier moved to increase Treasurer's Fees revenue (1203-A) by \$30,000. Seconded, Clark. Total: 6,167; Ayes: 3,417 – Relic, Powers, Clark; Fournier, Lindberg, Dubben, Harrington; Noes: 2,750 – Murphy, Johnson, McCarty, Schwerd, Stayton, Rothenberger, Stuligross. Motion carried.

Representative Fournier moved to increase Park Fees revenue (2001-A) by \$3,000. Seconded, Relic. Total: 6,167; Ayes: 4,293; Noes: 1,874 – Johnson, Schwerd, Stayton, Rothenberger, Stuligross. Motion carried.

Representative Lindberg moved to increase sales tax revenue by \$500,000 to \$30,000,000. Seconded, Relic. Total: 6,167; Ayes: 2,905 – Relic, Powers, Fournier, Lindberg, Dubben, McCarty; Noes: 3,262 – Clark, Murphy, Johnson, Schwerd, Stayton, Rothenberger, Harrington, Stuligross. Motion lost.

Representative Harrington moved to reconsider the \$500,000 increase of sales tax revenue. Seconded, Fournier. Total: 6,167; Ayes: 3,235 – Relic, Powers, Fournier, Lindberg, Dubben, McCarty, Harrington; Noes: 2,932 – Clark, Murphy, Johnson, Schwerd, Stayton, Rothenberger, Stuligross. Motion carried.

Vote on motion to increase sales tax revenue by \$500,000. Total: 6,167; Ayes: 3,235 – Relic, Powers, Fournier, Lindberg, Dubben, McCarty, Harrington; Noes: 2,932 – Clark, Murphy, Johnson, Schwerd, Stayton, Rothenberger, Stuligross. Motion carried.

Representative Stayton moved to increase Public Health Nursing Personal Service by \$54,224. Seconded, Fournier. Total: 6,167; Ayes: 4,403; Noes: 1,764 – Clark, Johnson, Schwerd, Harrington. Motion carried.

Representative Schwerd moved to restore two road patrol positions in the Sheriff's Personal Service budget line in the amount of \$107,948. Seconded, Fournier and Harrington. Total: 6,167; Ayes: 6,167. Motion carried.

Representative Fournier moved to increase Jail Personal Service by \$300,530 for six Corrections Officer positions. Seconded, Clark. Total: 6,167; Ayes: 5,777; Noes: 390 – Johnson. Motion carried.

Representative Relic moved to increase Probation Personal Service by \$44,457 and fringe benefits for a Probation Officer position. Seconded, Lindberg. Total: 6,167; Ayes: 4,915; Noes: 1,252 – Johnson, McCarty, Schwerd. Motion carried.

Representative Relic moved to increase Probation Personal Service by \$10,000 for overtime and to move \$6,000 from Countywide Training (1989-4050-A) to Probation Lodging, Meals and Tolls \$3,000 and Training \$3,000. Seconded, Lindberg. Total: 6,167; Ayes: 4,420; Noes: 1,747 – Powers, Johnson, McCarty, Schwerd. Motion carried.

Representative Lindberg moved to increase Office for the Aging Contracts by \$35,000 for the senior nutrition program. Seconded, Relic. Total: 6,167; Ayes: 2,886 – Relic, Powers, Murphy, Lindberg, Dubben, Schwerd; Noes: 3,281 – Clark, Fournier, Johnson, McCarty, Stayton, Rothenberger, Harrington, Stuligross. Motion lost.

Representative Lindberg moved to increase Real Property Tax Service Software by \$13,850. Seconded, Stuligross. Total: 6,167; Ayes: 5,400; Noes: 767 – Johnson, McCarty. Motion carried.

Representative Murphy moved to add \$10,000 for Opportunities for Otsego. Seconded, Lindberg. Total: 6,167; Ayes: 2,030 – Murphy, Lindberg, Stayton, Rothenberger, Stuligross; Noes: 4,137. Motion lost.

Representative Lindberg moved to increase Sales Tax Contracts (1985-4900-A) by \$120,000. Seconded, Stuligross and Harrington. Total: 6,167; Ayes: 6,167. Motion

carried.

Representative Dubben moved to increase Cooperative Extension by \$20,000. Seconded, Powers. Total: 6,167; Ayes: 1,732 – Powers, Lindberg, Dubben, Stayton; Noes: 4,435. Motion lost.

Representative McCarty moved to add three Road Maintainers in the Highway Department Personal Service in the amount of \$120,000. Seconded, Fournier. Total: 6,167; Ayes: 3,306 – Powers, Clark, Murphy, Fournier, Dubben, McCarty, Harrington; Noes: 2,861 – Relic, Lindberg, Johnson, Schwerd, Stayton, Rothenberger, Stuligross. Motion carried.

Representative Rothenberger moved to add \$5,000 for Foothills Performing Arts Center and \$5,000 for UCCCA. Seconded, Powers. Total: 6,167; Ayes: 1,605 – Powers, Murphy, Stayton, Rothenberger; Noes: 4,562. Motion lost.

Representative Lindberg moved to increase the County Historian budget by \$3,000. Seconded, McCarty. Total: 6,167; Ayes: 2,137 – Powers, Murphy, Lindberg, Stayton, Rothenberger; Noes: 4,030. Motion lost.

Representative Murphy moved to add \$1,000 for Otsego Land Trust. Seconded, Johnson. Total: 6,167; Ayes: 2,803 – Powers, Murphy, Dubben, Johnson, Stayton, Rothenberger, Stuligross; Noes: 3,364 – Relic, Clark, Fournier, Lindberg, McCarty, Schwerd, Harrington. Motion lost.

Representative Schwerd moved to add \$5,000 for Mohawk Valley Economic Development District in the Economic Developer budget. Seconded, McCarty. Total: 6,167; Ayes: 2,706 – Relic, Johnson, McCarty, Schwerd, Stayton, Rothenberger, Stuligross; Noes: 3,461 – Powers, Clark, Murphy, Fournier, Lindberg, Dubben, Harrington. Motion lost.

Representative Relic moved to add \$75,000 for 911 Personal Service. Seconded, Fournier. Total: 6,167; Ayes: 1,943 – Relic, Fournier, Lindberg, Harrington; Noes: 4,224. Motion lost.

Representative Stuligross moved to add \$2,500 for Opportunities for Otsego. Seconded, Stayton. Total: 6,167; Ayes: 2,360 – Murphy, Lindberg, Stayton, Rothenberger, Harrington, Stuligross; Noes: 3,807. Motion lost.

Representative Stayton moved to reduce the County Clerk Fees to \$650,000. Seconded, Stuligross. Total: 6,167; Ayes: 4,514; Noes: 1,653 – Powers, Fournier, Lindberg. Motion carried.

Representative Powers moved to add \$20,000 to Public Safety Contracts to hire Kimball for additional consulting services. The County Board agreed to use funding from the \$890,000 included in the 2010 Public Safety Communications Reserve for this contract.

**RESOLUTION NO. 270-20091202 (amended)**

**RESOLUTION - APPROVING REVISIONS TO THE TENTATIVE**

## OTSEGO COUNTY BUDGET FOR 2010

### JOHNSON, SCHWERD, MURPHY

WHEREAS, pursuant to Section 354 of the County Law, on November 16, 2009, the Budget Officer filed with this Board a tentative budget for 2010, together with the budget message and exemption report; and

WHEREAS, the Board of Representatives has reviewed the 2010 Tentative Otsego County Budget for possible changes, alterations and revisions; now, therefore, be it

RESOLVED, that pursuant to Section 358 of the County Law, this Board does hereby approve the following changes, alterations and revisions for the 2010 Tentative Otsego County Budget:

<u>Account Code</u>	<u>Department</u>	<u>Budget Officer Tentative Budget</u>	<u>County Board Adjustment</u>	<u>2010 Revised Tentative Budget</u>
<b><u>APPROPRIATIONS</u></b>				
<b><u>A – GENERAL FUND</u></b>				
1355-4835-A	Real Prop Tax Service – IT Other/Software	26,000	13,850	39,850
1620-4150-A	Co Bldg – Court House – Heat & Lights	37,500	(3,750)	33,750
1622-4150-A	242 Main St/Oneonta – Heat & Lights	27,500	(2,750)	24,750
1623-4150-A	Co Bldg – Old Jail – Heat & Lights	20,000	(2,000)	18,000
1625-4150-A	Cooperstown Co Bldg – Heat & Lights	120,000	(12,000)	108,000
1626-4150-A	Annex Bldg – Heat & Lights	21,000	(2,100)	18,900
1628-4150-A	Central Kitchen – Heat & Lights	18,000	(1,800)	16,200
1629-4150-A	Public Safety Bldg – Heat & Lights	140,000	(14,000)	126,000
1630-2510-A	Meadows Building – Roof Replacement	150,000	(150,000)	0
1630-4150-A	Meadows Bldg – Heat & Lights	125,000	(12,500)	112,500
1985-4900-A	Sales Tax – Contracts	7,080,000	120,000	7,200,000
1989-4050-A	Gen Govt Support – County Wide Training	100,000	(6,000)	94,000
3020-4150-A	Public Safety Comm – Heat & Lights	14,600	(1,460)	13,140
3100-4500-A	Marine Rec Division – Materials & Supplies	0	7,500	7,500
3100-4800-A	Marine Rec Division – Other	0	3,000	3,000
3110-1000-A	Sheriff – Personal Service	1,035,076	60,876	1,095,952
3110-2400-A	Sheriff – Vehicles	60,000	(30,000)	30,000
3140-1000-A	Probation – Personal Service	349,791	43,453	393,244
3140-1001-A	Probation – Personal Service II	37,842	1,004	38,846
3140-4010-A	Probation – Lodging, Meals & Tolls	0	3,000	3,000
3140-4050-A	Probation – Training	0	3,000	3,000

3150-1000-A	Jail – Personal Service	1,724,704	189,012	1,913,716
3150-4500-A	Jail – Materials & Supplies	60,000	(10,000)	50,000
3641-4050-A	Emergency Services – Training	0	68,500	68,500
3641-4150-A	Ofc of Emer Services – Heat & Lights	2,500	(250)	2,250
4072-1000-A	Public Health Nurses – Personal Service	391,260	54,224	445,484
4250-4150-A	Alcoholism – Heat & Lights	5,000	(500)	4,500
6010-1000-A	Social Service Admin - Personal Service	3,880,880	(19,477)	3,861,403
7011-4680-A	Foothills Performing Arts Ctr – Annual Support Agreement	10,000	(10,000)	0
9010-8000-A	Employee Benefits-Retirement	1,924,849	183,923	2,108,772
<b>D – HIGHWAY MAINTENANCE FUND</b>				
5010-4150-D	Highway Admin – Heat & Lights	60,000	(6,000)	54,000
5110-1000-D	Maintenance – Personal Service	1,859,250	78,230	1,937,480
5110-1001-D	Maintenance – Personal Service II	233,522	2,347	235,869
9010-8000-D	Employee Benefits–Retirement	273,355	39,423	312,778
<b>E – ENTERPRISE FUND</b>				
6020-4150-E	Infirmiry – Enterprise – Heat & Lights	700,000	(70,000)	630,000
<b>REVENUES</b>				
<b>A – GENERAL FUND</b>				
0000-1110-A	Sales Tax	(29,500,000)	(500,000)	(30,000,000)
0000-1230-A	Treasurer’s Fees	(80,000)	(30,000)	(110,000)
0000-1255-A	County Clerk’s Fees	(750,000)	100,000	(650,000)
0000-2001-A	Parks Fees	(17,000)	(3,000)	(20,000)
0000-3307-A	State Aid - Emergency Health Services	0	(68,500)	(68,500)
0000-3316-A	State Aid - Marine & Rec Vehicle Division	0	(11,000)	(11,000)
Exhibit B	Appropriated Tobacco Reserve	(837,283)	(500,000)	(1,337,283)

and be it further

RESOLVED, as required by Section 358(2) of County Law, that if this Board shall have made any change in the tentative budget, provision shall be made that the total estimated revenues together with the amount of taxes to be levied shall equal the total estimated expenditures.

Roll call vote as amended. Total: 6,167; Ayes: 5,292; Noes: 875 – Johnson, Schwerd. Adopted as amended.

**RESOLUTION NO. 271-20091202**

**RESOLUTION - ADOPTING OTSEGO COUNTY BUDGET FOR 2010**

**JOHNSON, SCHWERD, MURPHY**

WHEREAS, pursuant to Section 354 of the County Law, on November 16, 2009, the Budget Officer filed with this Board a tentative budget for 2010, together with the budget message and exemption report; and

WHEREAS, the public hearing on the tentative budget was held on December 1, 2009, pursuant to Section 359 of the County Law; and

WHEREAS, this Board, on December 2, 2009, examined the tentative budget as filed and made certain changes, alterations and revisions; now, therefore, be it

RESOLVED, that pursuant to Section 360 of the County Law, the budget for the year 2010, as changed, altered and revised, shall be as follows:

**INSERT 2010 OTSEGO COUNTY BUDGET HERE**

and be it further

RESOLVED, that the final budget as set forth above be and hereby is adopted as the 2010 Otsego County Budget.

Seconded, McCarty and Stuligross. Roll call vote. Total: 6,167; Ayes: 3,746 – Powers, Murphy, Fournier, Dubben, McCarty, Stayton, Rothenberger, Harrington, Stuligross; Noes: 2,421 – Relic, Clark, Lindberg, Johnson, Schwerd. Adopted.

**RESOLUTION NO. 272-20091202**

**RESOLUTION - MAKING APPROPRIATIONS FOR THE CONDUCT  
OF OTSEGO COUNTY GOVERNMENT FOR THE YEAR 2010**

**JOHNSON, SCHWERD, MURPHY**

WHEREAS, this Board by Resolution No. 271 of 2009, has adopted a budget for the fiscal year 2010, pursuant to Section 360 of the County Law; now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the column entitled "adopted" be and they hereby are appropriated for the objects and purposes specified, effective January 1, 2010.

Seconded, Fournier. Roll call vote. Total: 6,167; Ayes: 4,962; Noes: 875 – Johnson, Schwerd; Absent: 330 – Harrington. Adopted.

**RESOLUTION NO. 273-20091202**

**RESOLUTION – AUTHORIZING TEMPORARY HIRE IN  
OFFICE FOR THE AGING**

**FOURNIER, MCCARTY, STULIGROSS, ROTHENBERGER**

WHEREAS, Resolution No. 242-20091021 froze the filling of current vacant employment positions, funded or unfunded, and filling of other previously created positions as yet unfilled without the formal approval of the Parent Committee and a County Board Resolution; and

WHEREAS, on November 18, 2009, the Health and Education Committee of this Board unanimously approved the temporary hire of a Keyboard Specialist in the Office for the Aging to temporarily fill a funded vacant position; now, therefore, be it

RESOLVED, that the Director of the Office for the Aging is hereby approved to hire the following, effective immediately:

One (1) temporary hire Keyboard Specialist, Grade 5  
\$19,477 - \$22,882 (\$681)

and be it further

RESOLVED, that the new 2009 salary rates, \$21,284 - \$25,014 (\$746), will be put into effect when the 2009 retroactive adjustment is paid; and be it further

RESOLVED, that the funding for this position is included in the 2009 Office for the Aging Budget (6772-A) at line 1000 Personal Service; the position is 100% reimbursable through the Department of Social Services with the Department of Social Services receiving 96% federal and state reimbursement.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 4,962; Noes: 1,205 – Johnson, Schwerd, Harrington. Adopted.

**RESOLUTION NO. 274-20091202**

**RESOLUTION - ESTABLISHING OTSEGO COUNTY  
SOLID WASTE UNIT CHARGE FOR 2010**

**DUBBEN, FOURNIER, MCCARTY, STAYTON**

WHEREAS, Local Law No. 2 of 1998 entitled “Otsego County Solid Waste User Fee Local Law” provides that this Board by resolution shall establish a solid waste fee annually on or before December 10 of each year for utilization in the following fiscal year (Section V); and

WHEREAS, the Solid Waste Committee has reviewed all matters pertaining to the setting of this Solid Waste Fee, including residential and non-residential solid waste deliveries within the County, the 2010 tipping fee to be charged by MOSA of \$106.00 per ton of solid waste delivered and the comparative tipping fee charges of private and commercial solid waste delivery sites within or adjacent to Otsego County to which haulers could deliver their solid waste; now, therefore, be it

RESOLVED, that the Solid Waste Unit Charge for 2010 shall be \$28.00.

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

**RESOLUTION NO. 275-20091202**

**RESOLUTION - AUTHORIZING THE CHAIRMAN OF THE BOARD  
TO EXECUTE A SUBSIDIZATION AGREEMENT WITH MOSA**

**DUBBEN, FOURNIER, MCCARTY, STAYTON**

WHEREAS, the Montgomery, Otsego, Schoharie Solid Waste Management Authority (hereinafter referred to as MOSA) has determined it necessary to implement a tipping fee of \$106.00 per ton, effective January 1, 2010, to fulfill its financial obligations; and

WHEREAS, the participating Counties have acknowledged the need to subsidize from their own County governments the above tipping fee to facilitate the ongoing flow of

waste to MOSA; and

WHEREAS, the law authorizes each participating County to subsidize with a uniform rate charged for all waste delivered from that County and payment to MOSA of the differential based on tonnage delivered, and the Solid Waste Committee of this Board agrees with this concept; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with MOSA, agreeing to subsidize the tonnage tipping fee for all County taxpayers, residents, businesses, organizations and governmental entities for 2010 as follows:

- \$14.00 subsidization from Otsego County/\$92.00 tipping fee to be paid by each hauler/customer number who has entered into a written contract with Otsego County account or Otsego County user card holder

- This contract is subject to either party terminating the same upon 30 days advance notice, or immediately upon any change of the tipping fee by MOSA during 2010 as elected by Otsego County;

and be it further

RESOLVED, that said Subsidization Agreement 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 is included in the 2010 Solid Waste Budget (8160-A) at line 4901 Tipping Fee Subsidy and is fully funded through the Solid Waste User Fee.

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

## **RESOLUTION NO. 276-20091202**

### **RESOLUTION - AUTHORIZING CHAIRMAN TO CONTRACT FOR THE COLLECTION, LOADING, HAULING AND PROCESSING OF RECYCLABLES**

**DUBBEN, FOURNIER, MCCARTY, STAYTON**

WHEREAS, bids have been requested and duly received by the Otsego County Purchasing Agent for the collecting, loading, hauling and processing of recyclables from various locations in Otsego County; and

WHEREAS, the Solid Waste Coordinator has made a report to the Solid Waste 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 be and hereby is authorized to contract with the following firm for the collecting, loading, hauling and processing of recyclables for the contract period commencing January 1, 2010 and ending December 31, 2012 in accordance with the specifications and bid heretofore received:

VENDOR: Waste Recovery Enterprises  
PO Box 2189  
Sidney, New York 13838

COSTS: \$77.50/ton (unlimited tonnage)  
Delivery of recyclables to Oneida Herkimer MRF  
Additional cost for processing \$25/ton (2010)

and be it further

RESOLVED, that the funding for this contract is included in the 2010 Solid Waste and Recycling Program Budget (8160-A) at line 4900 Contracts and is fully funded from the Solid Waste User Fee; and be it further

RESOLVED, that this contract shall contain such other and further terms as are in the best interest of the County.

Seconded, Harrington. Roll call vote. Total: 6,167; Ayes: 4,679; Noes: 1,488 – Fournier, Lindberg, Harrington. Adopted.

#### **RESOLUTION NO. 277-20091202**

#### **RESOLUTION – AUTHORIZING THE CHAIRMAN TO EXECUTE INTERGOVERNMENTAL AGREEMENT WITH ONEIDA HERKIMER SOLID WASTE AUTHORITY FOR PROCESSING OF RECYCLABLES**

**DUBBEN, FOURNIER, MCCARTY, STAYTON**

WHEREAS, the County, is interested in formulating an Intergovernmental Agreement with the Oneida Herkimer Solid Waste Authority (hereafter referred to as OHSWA) for the processing of recyclable material collected and delivered by Otsego County to OHSWA; and

WHEREAS, OHSWA has expressed a willingness to provide for the processing of Otsego County's recyclables at the OHSWA Recycling Center located on Leland Road in the City of Utica, New York; and

WHEREAS, the County has awarded a contract to the following firm for the collecting, loading, hauling and processing of recyclables for delivery to OHSWA for the contract period commencing January 1, 2010 and ending December 31, 2012 in accordance with the specifications and bid heretofore received:

VENDOR: Waste Recovery Enterprises  
PO Box 2189  
Sidney, New York 13838

COSTS: \$77.50/ton (unlimited tonnage)  
Delivery of recyclables to Oneida Herkimer MRF

Additional cost for processing \$25/ton (2010)

now, therefore, be it

RESOLVED, the Chairman of the Board of Representatives is authorized to enter into an Intergovernmental Agreement with OHSWA, 1600 Genesee Street, Utica, New York 13502, for the processing of recyclable material collected and delivered by Otsego County to OHSWA, in accordance with the following terms:

1. OHSWA agrees to accept Otsego County recyclables at a three year fixed rate, beginning January 1, 2010 and ending December 31, 2012; recyclable material shall consist of all paper and containers acceptable to OHSWA.
2. Otsego County agrees to pay a rate of \$25.00 in 2010; \$26.00 in 2011; and \$27.00 in 2012 for each ton of recyclables delivered to OHSWA for processing and marketing

and be it further

RESOLVED, that said Intergovernmental Agreement shall contain such other terms and conditions which are in the best interests of the County; and be it further

RESOLVED, that the funds for this agreement are included in the 2010 Solid Waste Department Budget (8160-A) at line 4900 Contracts and are fully funded from the Solid Waste User Fee.

Seconded, Harrington. Total: 6,167; Ayes: 6,167. Adopted.

#### **RESOLUTION NO. 278-20091202**

#### **RESOLUTION – AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR A MUNICIPAL WASTE REDUCTION AND/OR RECYCLING PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAW OF NEW YORK STATE**

**DUBBEN, FOURNIER, MCCARTY, STAYTON**

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, the County of Otsego, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY OF OTSEGO:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That James P. Powers, Chairman of the County Board of Representatives, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE.
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and Recycling Project with matching funds not to exceed \$23,000.00.
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-7253, together with ONE complete application.
5. That this resolution shall take effect immediately.

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

Representative Fournier moved to suspend the rules and act upon late Resolution Nos. 279 - 283. Seconded, Johnson. Total: 6,167; Ayes: 6,167. Motion carried.

## **RESOLUTION NO. 279-20091202**

### **RESOLUTION – AUTHORIZING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT**

#### **DUBBEN, FOURNIER, MCCARTY, STAYTON**

WHEREAS, the Montgomery, Otsego, Schoharie Solid Waste Management Authority (herein referred to as MOSA) was created in 1987 by enactment by the New York State Legislature of Title 13-AA Section 2041 of the Public Authorities Law at the request of Montgomery, Otsego, and Schoharie Counties; and

WHEREAS, the Counties of Montgomery, Otsego and Schoharie (herein referred to as COUNTIES), and MOSA wish to enter into a Post Closure Monitoring and Maintenance Agreement to (1) satisfy the long-term responsibility for monitoring and maintenance of the three (3) closed Landfills used in the past by the Counties; (2) to ensure the protection of public health, safety and environment and natural resources; and (3) to satisfy the requirements of Article 27 of the New York State Department of Environmental Conservation (NYDEC) pursuant thereto, including without limitation New York State's Solid Waste Management Regulation, 6 NYCRR Part 360, and any regulations adopted in amendment or substitution therefore for the establishment of a municipal guaranty; and

WHEREAS, by execution of the Post Closure Monitoring and Maintenance Agreement, the Counties and MOSA will authorize the use of reserves for the defeasance of existing bonds, thereby permitting additional flexibility in considering solid waste planning alternatives for the MOSA service area; and

WHEREAS, the Counties are required to enact a resolution authorizing the execution of the Post Closure Monitoring and Maintenance Agreement; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives does hereby authorize the execution of the Post Closure Monitoring and Maintenance Agreement between the Counties and MOSA by its County Board Chairman, and agrees to an irrevocable commitment to annually pay its share, as set forth below, of the Annual Post Closure Expenses (defined as those expenses incurred for the post closure monitoring and maintenance of the Landfills) as follows:

1. The allocation of Post Closure Expenses is reflective of estimates of land use, population, waste generation, and historic use of the Landfills, and shall be as follows:

Montgomery County	42%
Otsego County	40%
Schoharie County	18%

2. In addition, the agreement shall provide for the following:
  - a. Designated Post Closure Manager:
  - b. Annual Engineer's Report
  - c. Method of Funding
  - d. Establishment of Post Closure Operating Fund
  - e. Establishment of Post Closure Reserve Fund

and be it further

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

RESOLVED, that the Clerk of this Board shall forward a certified copy of this Resolution to MOSA, to the Clerk of the Montgomery County Board of Supervisors and to the Clerk of the Schoharie County Board of Supervisors.

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

**RESOLUTION NO. 280-20091202**

**RESOLUTION – AUTHORIZING FILLING OF  
POSITIONS AT OTSEGO MANOR**

**LINDBERG, SCHWERD, DUBBEN, STAYTON**

WHEREAS, Resolution No. 242-20091021 froze the filling of current vacant employment positions, funded or unfunded, and filling of other previously created positions as yet unfilled without the formal approval of the Parent Committee and a County Board Resolution; and

WHEREAS, on November 16, 2009, the Otsego Manor Committee of this Board unanimously approved the filling of certain positions at Otsego Manor, as set forth below; now, therefore, be it

RESOLVED, that the Administrator of Otsego Manor is hereby approved to fill the following vacant funded positions, effective immediately:

Part-Time Universal Worker, II, Grade 6, \$10.6571 per hour  
Part Time Certified Nursing Assistant, Grade 8J, \$12.4138 per hour  
Full-Time Licensed Practical Nurse, Grade 11, \$29,162.43 - \$33,996.33  
(\$966.78)  
Neighborhood Manager, Managerial/Confidential, \$36,936 annually

and be it further

RESOLVED, that the following new 2009 salary rates will be put into effect when the 2009 retroactive adjustment is paid:

Part-Time Universal Worker, II, Grade 6, \$11.6455 per hour  
Part Time Certified Nursing Assistant, Grade 8J, \$13.5456 per hour  
Full-Time Licensed Practical Nurse, Grade 11, \$31,869 - \$37,154  
(\$1,057)  
Neighborhood Manager, Managerial/Confidential, \$36,936 annually

and be it further

RESOLVED, that the funding for these positions is included in the 2009 Infirmary - Enterprise Budget (6020-E) at line 1000 Personal Service.

Seconded, Stuligross. Roll call vote. Total: 6,167; Ayes: 4,962; Noes: 1,205 – Johnson, Schwerd, Harrington. Adopted.

## **RESOLUTION NO. 281-20091202**

### **RESOLUTION – AUTHORIZING FILLING OF POSITION IN SHERIFF'S DEPARTMENT**

#### **RELIC, CLARK, JOHNSON, ROTHENBERGER**

WHEREAS, Resolution No. 242-20091021 froze the filling of current vacant employment positions, funded or unfunded, and filling of other previously created positions as yet unfilled without the formal approval of the Parent Committee and a County Board Resolution; and

WHEREAS, on November 12, 2009, the Public Safety and Legal Affairs Committee

of this Board approved the filling of a certain position in the Sheriff's Department, as set forth below; now, therefore, be it

RESOLVED, that the Sheriff is hereby approved to fill the following vacant funded position, effective immediately:

Full-Time Account Clerk Typist, Grade 12T, \$29,630 - \$34,308

and be it further

RESOLVED, that the funding for this position is included in the Sheriff's Budget (3110-A) at line 1000 Personal Service.

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

### **RESOLUTION NO. 282-20091202**

#### **RESOLUTION – CREATING POSITIONS IN SHERIFF'S DEPARTMENT (COOK & SR. CIVIL CLERK)**

#### **JOHNSON, SCHWERD, MURPHY**

WHEREAS, on November 12, 2009, the Public Safety and Legal Affairs Committee of this Board approved the creation of new positions in the Sheriff's Department, as set forth below; and

WHEREAS, on November 23, 2009, the Administration Committee of this Board also approved the creation of these positions; now, therefore, be it

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

Cook, part-time, Grade 07V, \$10.48 hr./\$7,455.00 yr.,  
effective December 7, 2009; the funding for this  
position is included in the Jail Budget (3150-A)  
at line 1000 Personal Service

Sr. Civil Clerk, part-time, Grade 13G, \$16.49 hr./\$27,500.00 yr.,  
effective January 4, 2010; the funding for this position  
is included in the Sheriff's Budget (3110-A) at line 1000  
Personal Service

and be it further

RESOLVED, that funds shall be transferred from a vacant funded full-time Sr. Civil Clerk's position (salary \$34,200.00) to fund the newly created part-time Sr. Civil Clerk's position; 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, Lindberg. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

**RESOLUTION NO. 283-20091202**

**RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO  
ENTER INTO A LEASE AGREEMENT WITH WAMC FOR  
LEASE OF SPACE ON CORNISH HILL TOWER SITE**

**RELIC, CLARK, JOHNSON, ROTHENBERGER**

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into a lease agreement with WAMC, an educational corporation, having its principal place of business at 318 Central Avenue, Albany, New York 12206, to provide for the construction and operation of a translator antenna/wireless communication facility on property owned by the County, namely, the Cornish Hill Tower Site in the Town of Middlefield, for an initial term of five (5) years with the option to renew the Lease for two (2) additional periods of five (5) years upon the same terms and subject to the same conditions applicable to the initial term except the rent will be adjusted by any increase in the Consumer Price Index (CPI); and be it further

RESOLVED, that the rental for the premises shall be as follows:

December 1, 2009 to November 30, 2010 - \$4800 to be paid in equal monthly installments of \$400.00;

December 1, 2010 to November 30, 2015 - \$4800 plus any annual increase in the CPI;

and be it further

RESOLVED, that said lease agreement shall contain such other terms and provisions as are in the best interest of the County of Otsego.

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

Under Special Order of the Day, Representative McCarty said that he thought next year the County Board should look into raising the sales tax another ½ percent.

All the general business of the Board having been transacted, the Chairman declared the meeting recessed until Wednesday, December 16, 2009 at 7:30 p.m.