

**REGULAR SESSION  
FIRST DAY**

**Wednesday, December 3, 2008**

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

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

Under Privilege of the Floor, Diane Elliot, the Interim Director of Hyde Hall, stated that Hyde Hall is one room away from a complete restoration. She asked the County Board for input on how Hyde Hall can best serve the community and distributed a survey for the County Board members to fill out.

Cindy Macomber, Otsego County resident, taxpayer and employee, stated that it was sad to see only six people at the 2009 County Budget Hearing and that the time of the day and the time of year may be part of the problem. She felt that there was not a lot of public notice on the hearing and that the policy should be more than the minimum so more people are aware. Ms. Macomber also stated that not all County Board members are part of the process of selecting a Board Chairman. She would like to see the best person chosen for the job, someone who has the skills to address all the issues and explain things to people. Finally, Ms. Macomber stated that county employees are still working without a contract and are hearing rumors of what is being done. She would like to see an end to the process, but knows that both sides must come to an agreement. There needs to be some resolution before too much longer. County employees are working hard and deserve something.

The following communications were read and ordered filed:

Mary Lou Evans, Otsego Manor employee – Letter commending the Neighborhood Managers, in particular Sherry Hovick and Rick Spencer, for all the time and effort they put into making the change to a social model at Otsego Manor a positive and worthwhile one for the residents.

Paul DeForest, Gilbertsville – Letter commending Dave Polly and the other employees at the Office for the Aging in helping elderly residents to make informed decisions about prescription drug coverage.

John R. Gibb, Director, New York State Emergency Management Office – Letter approving Otsego County's grant application in the amount of \$12,880.22 for the Citizens Corp Grant Program.

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

Otsego County Department of Social Services – 2007 Annual Report.  
Montgomery-Otsego-Schoharie Solid Waste Management Authority – 2009  
Operating Budget

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

Representative Rothenberger moved for an executive session to discuss personnel. Seconded, Stayton, Stuligross, Fournier. Total: 6,167; Ayes: 5,187; Noes: 980 – Powers, Schwerd. Motion carried. {The executive session was held at the end of the meeting.}

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

### **MORTGAGE TAX - 2008**

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, 2008 through September 30, 2008 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>
Oneonta City	98,176.03		98,176.03
Burlington	11,728.55		11,728.55
Butternuts	14,249.72	1,305.88	12,943.84
Cherry Valley	12,879.77	1,845.14	11,034.63
Decatur	2,361.70		2,361.70
Edmeston	9,843.24		9,843.24
Exeter	4,681.79		4,681.79
Hartwick	33,097.32		33,097.32
Laurens	14,278.47	400.21	13,878.26
Maryland	19,724.59		19,724.59
Middlefield	31,176.43	1,669.50	29,506.93
Milford	32,836.82	1,485.82	31,351.00
Morris	9,964.57	1,325.80	8,638.77
New Lisbon	9,503.55		9,503.55
Oneonta Town	68,781.77		68,781.77
Otego	26,772.37	3,957.89	22,814.48
Otsego	81,024.29	4,936.99	76,087.30
Pittsfield	4,988.37		4,988.37
Plainfield	4,591.52		4,591.52
Richfield	16,448.36	2,733.46	13,714.90
Roseboom	4,670.05		4,670.05
Springfield	16,333.72		16,333.72
Unadilla	35,375.94	4,345.94	31,030.00
Westford	5,515.23		5,515.23
Worcester	11,010.81		11,010.81
<b>Totals</b>	<b>580,014.98</b>	<b>24,006.63</b>	<b>556,008.35</b>

Dated: December 15, 2008

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

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### TAX ROLL EXPENSE FOR 2008 TAX ROLL

<u>Towns</u>	<u>Number of Parcels</u>	<u>Expense to Town</u>
Oneonta City	3,582	\$14,686.20
Burlington	937	3,841.70
Butternuts	1,526	6,256.60
Cherry Valley	1,124	4,608.40
Decatur	448	1,836.80
Edmeston	1,421	5,826.10
Exeter	910	3,731.00
Hartwick	1,553	6,367.30
Laurens	1,533	6,285.30
Maryland	1,712	7,019.20
Middlefield	1,801	7,384.10
Milford	2,267	9,294.70
Morris	1,226	5,026.60
New Lisbon	1,047	4,292.70
Oneonta	2,606	10,684.60
Otego	1,846	7,568.60
Otsego	2,841	11,648.10
Pittsfield	1,058	4,337.80
Plainfield	748	3,066.80
Richfield	1,766	7,240.60
Roseboom	829	3,398.90
Springfield	1,221	5,006.10
Unadilla	2,650	10,865.00
Westford	931	3,817.10
Worcester	1,697	6,957.70

**Totals:** 39,280 \$161,048.00

Rate per Account: \$4.10

## TOTAL ELECTION EXPENSE FOR 2009 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:

Tax District	Total No. of Machines	Total No. of Print Packs	# Insp. for class. Each \$25.00	First Election Expense	Second Election Expense	General Election Expense	Total Custodian Expense	Inspector Class Expense	Total Election Expense
Oneonta City	20	20	45	4,792.24	988.94	13,949.60	2,000.00	1,125.00	22,855.78
Burlington	5	5	7	549.03	988.94	2,262.92	500.00	175.00	4,475.89
Butternuts	7	7	13	1,098.06	0.00	3,566.88	700.00	325.00	5,689.94
Cherry Valley	7	7	14	1,098.06	988.94	3,566.88	700.00	350.00	6,703.88
Decatur	5	5	5	549.03	988.94	2,262.92	500.00	125.00	4,425.89
Edmeston	5	5	8	549.03	988.94	2,262.92	500.00	200.00	4,500.89
Exeter	5	5	4	549.03	988.94	2,262.92	500.00	100.00	4,400.89
Hartwick	7	7	17	1,098.06	988.94	3,566.88	700.00	425.00	6,778.88
Laurens	7	7	12	1,098.06	988.94	3,566.88	700.00	300.00	6,653.88
Maryland	9	9	18	1,647.09	0.00	5,190.84	900.00	450.00	8,187.93
Middlefield	7	7	13	1,098.06	988.94	3,566.88	700.00	325.00	6,678.88
Milford	9	9	23	1,647.09	0.00	5,190.84	900.00	575.00	8,312.93
Morris	7	7	13	1,098.06	0.00	3,566.88	700.00	325.00	5,689.94
New Lisbon	5	5	8	549.03	0.00	2,262.92	500.00	200.00	3,511.95
Oneonta	12	12	26	2,196.12	988.94	7,453.76	1,200.00	650.00	12,488.82
Otego	7	7	17	1,098.06	0.00	3,566.88	700.00	425.00	5,789.94
Otsego	12	12	24	2,196.12	0.00	7,453.76	1,200.00	600.00	11,449.88
Pittsfield	5	5	7	549.03	988.94	2,262.92	500.00	175.00	4,475.89
Plainfield	5	5	4	549.03	988.94	2,262.92	500.00	100.00	4,400.89
Richfield	7	7	12	1,098.06	988.94	3,566.88	700.00	300.00	6,653.88
Roseboom	5	5	8	549.03	988.94	2,262.92	500.00	200.00	4,500.89
Springfield	7	7	14	1,098.06	0.00	3,566.88	700.00	350.00	5,714.94
Unadilla	11	11	27	2,196.12	0.00	6,494.80	1,100.00	675.00	10,465.92
Westford	5	5	7	549.03	0.00	2,262.92	500.00	175.00	3,486.95
Worcester	13	13	21	2,196.12	0.00	8,092.72	1,300.00	525.00	12,113.84
<b>Totals:</b>	194	194	367	\$31,694.71	\$13,845.16	\$106,294.52	\$19,400.00	\$9,175.00	\$180,409.39

**PETITION - LAURENS SUPERVISOR - CONSOLIDATED HEALTH DISTRICT**

To the Board of Representatives of Otsego County:

I, the undersigned, Supervisor of the Town of Laurens, do respectfully petition that there be levied and assessed against the taxable property of the said Town of Laurens the sum of \$800.00 for the following purposes:

For the purpose of defraying the expenses for 2009 of the Laurens Consolidated Health District, which district includes the incorporated Village of Laurens, all in accordance with the Budget for 2009 adopted by the Laurens Consolidated Health District Board and filed with the Clerk of the Board of Representatives of Otsego County.

When the sum of \$800.00 has been collected, the same shall be paid to the Otsego County Treasurer and by him paid to the President of said Consolidated Health District or his successor in office.

Dated: November 19, 2008

OSCAR OBERKIRCHER, Supervisor  
Town of Laurens, New York

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**PETITION - MILFORD SUPERVISOR - CONSOLIDATED HEALTH DISTRICT**

To the Board of Representatives of Otsego County:

I, the undersigned, Supervisor of the Town of Milford, do respectfully petition that there be levied and assessed against the taxable property of the said Town of Milford the sum of \$900.00 for the following purposes:

For the purpose of defraying the expenses for 2009 of the Milford Consolidated Health District, which district includes the incorporated Village of Milford, all in accordance with the Budget for 2009 adopted by the Milford Consolidated Health District Board and filed with the Clerk of the Board of Representatives of Otsego County.

When the sum of \$900.00 has been collected, the same shall be paid to the Otsego County Treasurer and by him paid to the President of said Consolidated Health District or his successor in office.

Dated: November 6, 2008

THOMAS R. GALE, Supervisor  
Town of Milford, New York

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## **PETITION - MORRIS SUPERVISOR - CONSOLIDATED HEALTH DISTRICT**

To the Board of Representatives of Otsego County:

I, the undersigned, Supervisor of the Town of Morris, do respectfully petition that there be levied and assessed against the taxable property of the said Town of Morris the sum of \$0.00 for the following purposes:

For the purpose of defraying the expenses for 2009 of the Morris Consolidated Health District, which district includes the incorporated Village of Morris, all in accordance with the Budget for 2009 adopted by the Morris Consolidated Health District Board and filed with the Clerk of the Board of Representatives of Otsego County.

When the sum of \$0.00 has been collected, the same shall be paid to the Otsego County Treasurer and by him paid to the President of said Consolidated Health District or his successor in office.

Dated: October 21, 2008

PETER MCCANN, Supervisor  
Town of Morris, New York

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## **PETITION - OTEGO SUPERVISOR - CONSOLIDATED HEALTH DISTRICT**

To the Board of Representatives of Otsego County:

I, the undersigned, Supervisor of the Town of Otego, do respectfully petition that there be levied and assessed against the taxable property of the said Town of Otego the sum of \$0.00 for the following purposes:

For the purpose of defraying the expenses for 2009 of the Otego Consolidated Health District, which district includes the incorporated Village of Otego, all in accordance with the Budget for 2009 adopted by the Otego Consolidated Health District Board and filed with the Clerk of the Board of Representatives of Otsego County.

When the sum of \$0.00 has been collected, the same shall be paid to the Otsego County Treasurer and by him paid to the President of said Consolidated Health District or his successor in office.

Dated: November 15, 2008

JOSEPH S. HURLBERT, Supervisor  
Town of Otego, New York

Representative Relic moved that all of the foregoing reports be adopted. Seconded, Lindberg. Total: 6,167; Ayes: 6,167. Reports adopted.

**RESOLUTION NO. 333-20081203**

**RESOLUTION - AUTHORIZING CHAIRMAN OF THE BOARD**

**TO CONTRACT WITH PROACT, INC.**

**SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, ProAct, Inc. has offered to provide a discount prescription drug plan for all residents of Otsego County at no cost to the County or its members, to enable Otsego County residents without health insurance/prescription drug coverage to enroll in a program offering discounted prices for prescriptions; and

WHEREAS, it is in the County's best interests to contract with ProAct, Inc. to provide this discount drug plan to residents of the County; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to contract with ProAct, Inc., 443 Electronics Parkway, Liverpool, New York 13088 to provide a discount prescription drug plan for all residents of Otsego County at no cost to the County or its members, in accordance with the following fee schedule:

Processing Fee:     \$0.00 Per Paid Claim

Discount Card Reimbursement Rates:

Covered Persons shall pay to pharmacies participating in the ProAct Pharmacy Network 100% of the calculated price of each prescription as follows:

Retail Store Rate

Brand:           AWP\* - 13% + \$3.75 Dispensing Fee  
Generic:         AWP - 15% or MAC + \$4.00 Dispensing Fee

Mail Order Rate

Brand:           AWP - 18% + \$3.25 Dispensing Fee  
Generic:         AWP - 48% + \$3.50 Dispensing Fee

\*Average Wholesale Price

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.

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

**RESOLUTION NO. 334-20081203**

**RESOLUTION - AUTHORIZING CHAIRMAN TO EXECUTE  
CONTRACT WITH JULIE A. ANDREWS FOR PSYCHIATRIC  
NURSE PRACTITIONER SERVICES AT THE  
OTSEGO COUNTY MENTAL HEALTH CLINIC**

**SCHWERD, CLARK, LINDBERG, STULIGROSS**

WHEREAS, there is a need for the services of a Psychiatric Nurse Practitioner at the Otsego County Mental Health Clinic; and

WHEREAS, Julie A. Andrews, NPP, APRN, 109 Gardner Town Road, Mt. Vision, New York 13810, has expressed a willingness to provide such services; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to execute a contract with Julie A. Andrews, NPP, APRN, 109 Gardner Town Road, Mt. Vision, New York 13810, for the 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

and be it further

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

RESOLVED, that the funds for this contract are included in the 2008 and 2009 Mental Health Budgets (4310) at line 4880 Mental Health Consultants and are 100% reimbursable from fees for service, state and federal funds.

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

### **RESOLUTION NO. 335-20081203**

#### **RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)**

#### **DUBBEN, RELIC, MURPHY**

WHEREAS, Otsego County has acquired eight (8) properties through the State Emergency Management Agency (SEMO) Flood 2006 Buy-Out Program; and

WHEREAS, while this program requires that Otsego County monitor the properties in perpetuity, the County can choose to enter into an agreement with another agency for management of the properties; and

WHEREAS, the DEC is interested in developing a fishing access site on a parcel of land acquired by the County through the SEMO 2006 Buy-Out Program, namely, a parcel identified as Tax Map No. 277-2-8, located on County Route 58 A in the Town of Milford;

and

WHEREAS, the DEC proposes that a Cooperative Agreement with the County be developed, allowing DEC to invest money into site improvements, with the County retaining ownership and most liability, with the stated option that the County may eventually give title to the DEC through a subsequent donation agreement providing the same may be consummated according to the law then and there existing; now, therefore, be it

RESOLVED, that the Chairman of this Board is authorized to enter into a Cooperative Agreement with the New York State Department of Environmental Conservation for the development of a fishing access site on a parcel of land, identified as Tax Map No. 277-2-8 located on County Route 58 A in the Town of Milford, acquired by the County through the SEMO Flood 2006 Buy-Out Program, to allow DEC to invest money into site improvements, with the County retaining ownership and most liability, with the option that the County may eventually give title to the DEC through a subsequent donation agreement; and be it further

RESOLVED, that the Chairman of this Board is further authorized to sign other necessary documents and execute other necessary steps to advance this project; and be it further

RESOLVED, that the agreement(s) shall contain such other terms and conditions as are in the best interests of the County of Otsego.

Seconded, Fournier and Lindberg. Representative Lindberg moved to amend the wording in the fourth WHEREAS and first RESOLVED paragraphs from “with the County retaining ownership and most liability” to “with the County retaining ownership and there being no liability for the County as a provision of the contract.” Seconded, McCarty. Oral vote. Total: 6,167; Ayes: 2,790 – Relic, Lindberg, McCarty, Schwerd, Stayton, Rothenberger, Harrington; Noes: 3,377 – Powers, Clark, Murphy, Fournier, Dubben, Johnson, Stuligross. Motion lost. Roll call vote on original resolution. Total: 6,167; Ayes: 3,832 – Relic, Powers, Clark, Murphy, Fournier, Dubben, Johnson, Stuligross; Noes: 2,335 – Lindberg, McCarty, Schwerd, Stayton, Rothenberger, Harrington. Adopted.

### **RESOLUTION NO. 336-20081203**

#### **RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO CONTRACT WITH THE VILLAGE OF UNADILLA**

#### **DUBBEN, RELIC, MURPHY**

WHEREAS, Otsego County has acquired eight (8) properties through the State Emergency Management Agency (SEMO) Flood 2006 Buy-Out Program; and

WHEREAS, while this program requires that Otsego County monitor the properties in perpetuity, the County can choose to enter into an agreement with another agency for management of the properties; and

WHEREAS, the Village of Unadilla is interested in a parcel acquired by the County through the SEMO Flood 2006 Buy-Out Program, namely, a parcel identified as Tax Map

No. 334.18-2-51, located at 14 Fellows Street in the Village of Unadilla; and

WHEREAS, the Village of Unadilla proposes that a Cooperative Agreement with the County be developed, allowing the Village to acquire title to this property through a donation agreement providing the Village of Unadilla shall obtain at its own cost and expense any required approval as may be required by the State Emergency Management Agency (SEMO) Flood 2006 Buy-Out Program, if any; now, therefore, be it

RESOLVED, that the Chairman of this Board is authorized to enter into a Cooperative Agreement with the Village of Unadilla, allowing the Village to acquire title to a parcel of land, identified as Tax Map No. 334.18-2-51, located at 14 Fellows Street in the Village of Unadilla, through a donation agreement; said parcel having been acquired by the County through the SEMO Flood 2006 Buy-Out Program; and be it further

RESOLVED, that the Chairman of this Board is further authorized to sign other necessary documents and execute other necessary steps to advance this project; and be it further

RESOLVED, that the agreement(s) shall contain such other terms and conditions as are in the best interests of the County of Otsego.

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

### **RESOLUTION NO. 337-20081203**

#### **RESOLUTION – AUTHORIZING CHAIRMAN OF THE BOARD TO ENTER INTO AN AGREEMENT FOR A COUNTY INTEGRATED HOUSING NEEDS AND OPPORTUNITY STUDY**

#### **JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER**

WHEREAS, the County applied for and received funding in the amount of \$25,000.00 from the Office of Small Cities 2007 Technical Assistance Grant Program to conduct a County Integrated Housing Needs and Opportunity Study, with a \$20,000.00 local cash match being placed in the 2008 Planning Department Budget; and

WHEREAS, in September 2008, the County solicited proposals for such study; and

WHEREAS, following review and discussion, the Review Committee recommended the proposal of River Street Planning and Development, Suite 202, 270 River Street, Troy, New York 12180, in the amount of \$45,000.00 be awarded to conduct said study; now, therefore, be it

RESOLVED, that the Chairman of this Board be and hereby is authorized to enter into an agreement with River Street Planning and Development to conduct a County Integrated Housing Needs and Opportunity Study in the amount of \$45,000.00, utilizing funding of \$25,000.00 from the Office of Small Cities 2007 Technical Assistance Grant Program plus a \$20,000.00 local cash match; and be it further

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

RESOLVED, that the \$20,000.00 local cash match has been budgeted in the Planning Department's 2008 Budget for this study.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 4,262; Noes: 1,905 – Clark, Fournier, Johnson, Harrington. Adopted.

**RESOLUTION NO. 338-20081203**

**RESOLUTION – RESCINDING RESOLUTION NO. 223-20080702  
(CONTRACT WITH ALCATEL-LUCENT)**

**FOURNIER, HARRINGTON, CLARK, STAYTON**

WHEREAS, on July 2, 2008, this Board of Representatives adopted Resolution No. 223-20080702 authorizing a contract with Alcatel-Lucent, 3400 W. Plano Parkway, Plano, Texas 75075 for the replacement of the County's telephone lines between the Public Safety Building and the County Office Building with microwave connectivity at a cost of \$408,904.00 under state contract pricing; and

WHEREAS, it is in the best interests of the County to rescind Resolution No. 223-20080702 as it is now investigating the option of building a fiber link for connectivity between the Public Safety Building and the County Office Building; and

WHEREAS, neither the County nor the Contractor have formalized a contract pursuant to this prior Resolution and neither have engaged in any services contemplated thereby and are agreed to the cancellation of the proposed project and this Resolution of withdrawal; now, therefore, be it

RESOLVED, that this Board of Representatives rescinds Resolution No. 223-20080702.

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

**RESOLUTION NO. 339-20081203**

**RESOLUTION – APPOINTING MEMBERS TO OTSEGO  
COUNTY YOUTH ADVISORY BOARD**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, pursuant to resolution No. 237 of 1978, the Chairman of the Board of Representatives was authorized to appoint members to the Otsego County Youth Advisory Board; now, therefore, be it

RESOLVED, that the following appointments be and the same are hereby approved:

JOHN HIGGINS  
428 County Highway 47  
Oneonta, New York 13820  
Term to expire December 31, 2010

TOWN OF ONEONTA

DONALD MUNDY  
3 Richards Avenue  
Oneonta, New York 13820  
Term to expire December 31, 2010

TOWN OF ONEONTA

MICHAEL NELSON  
Maryland, New York 12116  
Term to expire December 31, 2010

TOWN OF MARYLAND

KATHY DeJONG  
193 Renwick Road  
Burlington, New York 13315  
Term to expire December 31, 2010

TOWN OF BURLINGTON

CHARLES CHRISTMAN  
119 Moore Road  
Cooperstown, New York 13326  
Term to expire December 31, 2010

TOWN OF MIDDLEFIELD

VERA SOSNOWSKI  
677 County Highway 35  
Maryland, New York 12116  
Term to expire December 31, 2010

TOWN OF MILFORD

RICHARD DEVLIN, JR.  
172 County Highway 33W  
Cooperstown, New York 13326  
Term to expire December 31, 2010

COUNTY SHERIFF

STEVEN ANDREWS  
258 Main Street  
Oneonta, New York 13820  
Term to expire December 31, 2010

CITY OF ONEONTA

JAMES T. RICKARD  
109 Norton Road  
Schenevus, New York 12155  
Term to expire December 31, 2010

TOWN OF MARYLAND

JACKIE HINCKLEY  
1020 County Highway 25  
Richfield Springs, New York 13439  
Term to expire December 31, 2010

TOWN OF RICHFIELD

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

**RESOLUTION NO. 340-20081203**

**RESOLUTION - AUTHORIZING LOAN FROM OTSEGO COUNTY  
MICRO-ENTERPRISE LOAN PROGRAM (NY PIZZERIA/CHEF DINER)**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, Otsego County received a 2003 Micro-Enterprise Grant from the New York State Small Cities Community Development Block Grant (CDBG) to assist Otsego County Small Businesses; and

WHEREAS, the Otsego County Micro-Enterprise Loan Program has been established per the Grant Agreement from the repayments of a loan authorized by the Block Grant, said program to perform the purpose of assisting businesses to undertake projects that will retain or create jobs and/or expand the county's tax base in conformance to HUD requirements and Program Guidelines; and

WHEREAS, an application has been made by NY Pizzeria/Chef Diner – Joseph Vezza to receive a \$40,000.00 loan from this program; and

WHEREAS, a review and evaluation of said application by the Otsego County Department of Economic Development and the Administration Committee have determined that the project and proposal meet the guidelines and loan review criteria of the program; now, therefore, be it

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into a Loan and Development Agreement and other appropriate legal documents which will effectuate a \$40,000.00 loan to NY Pizzeria/Chef Diner – Joseph Vezza for a term of ten (10) years at an annual interest rate of four percent (4%); and be it further

RESOLVED, that the funds for this loan shall be included in the 2008 Community Development Budget, Account CG8695.4900; and be it further

RESOLVED, that the loan shall be subject to the terms and conditions described in the application proposal and as discussed in the Administration Committee and those legal documents shall be prepared by the County Attorney to contain these terms and provisions and others as are in the best interest of the County of Otsego.

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

**RESOLUTION NO. 341-20081203**

**RESOLUTION - AUTHORIZING LOAN FROM OTSEGO COUNTY  
MICRO-ENTERPRISE LOAN PROGRAM  
(TERRY'S WINES)**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, Otsego County received a 2003 Micro-Enterprise Grant from the New

York State Small Cities Community Development Block Grant (CDBG) to assist Otsego County Small Businesses; and

WHEREAS, the Otsego County Micro-Enterprise Loan Program has been established per the Grant Agreement from the repayments of a loan authorized by the Block Grant, said program to perform the purpose of assisting businesses to undertake projects that will retain or create jobs and/or expand the county's tax base in conformance to HUD requirements and Program Guidelines; and

WHEREAS, an application has been made by Terry's Wines/Terry Tompkins to receive a \$15,000.00 loan from this program; and

WHEREAS, a review and evaluation of said application by the Otsego County Department of Economic Development and the Administration Committee have determined that the project and proposal meet the guidelines and loan review criteria of the program; now, therefore, be it

RESOLVED, that the Chairman of the Board be and hereby is authorized to enter into a Loan and Development Agreement and other appropriate legal documents which will effectuate a \$15,000.00 loan to Terry's Wines/Terry Tompkins for a term of five (5) years at an annual interest rate of four percent (4%); and be it further

RESOLVED, that the funds for this loan shall be included in the 2008 Community Development Budget, Account CG8695.4900; and be it further

RESOLVED, that the loan shall be subject to the terms and conditions described in the application proposal and as discussed in the Administration Committee and those legal documents shall be prepared by the County Attorney to contain these terms and provisions and others as are in the best interest of the County of Otsego.

Seconded, Dubben. Roll call vote. Total: 6,167; Ayes: 5,841; Noes: 326 – Rothenberger. Adopted.

The Chairman called for a short break.

The Board reconvened.

### **RESOLUTION NO. 342-20081203**

#### **RESOLUTION - AUTHORIZING PROGRAM INCOME PLAN FOR SMALL CITIES LOAN PROGRAM**

#### **RELIC, SCHWERD, JOHNSON**

WHEREAS, Otsego County received a 2008 Economic Development Grant for Project Number 868ED649-08 from the New York State Office of Community Renewal to assist Renewable Energy Development, Inc.; and

WHEREAS, the County of Otsego has entered into a sub-recipient agreement with the Otsego County Development Corporation (OCDC) to disperse and administer the

Community Development Block Grant (CDBG) funds; and

WHEREAS, the New York State Office of Community Renewal requires a Program Income Plan for income received in excess of \$25,000.00; and

WHEREAS, Otsego County Development Corporation expects the Revolving Loan fund to generate in excess of \$25,000.00 of income per year; and

WHEREAS, the Otsego County Development Corporation has established a Revolving Loan Program authorized by the Block Grant, for the purpose of assisting businesses to undertake projects that will create jobs; and/or enhance necessary infrastructure capabilities to support other potential businesses opportunities; and

WHEREAS, the Otsego County Development Corporation Revolving Loan Program - Program Income will be used as follows: All principal and interest will be revolved back into the loan fund in order to be available for loans and/or grants to be used for economic development projects that create jobs; and

WHEREAS, eligible businesses to receive OCDC Revolving Loan Program include industrial, service, agricultural and non-retail commercial projects that are consistent with the Program Purpose; and

WHEREAS, the OCDC Loan Program intends to be involved in projects with a total cost of at least \$50,000.00, and fund no more than 40% of a project's total cost to a maximum of \$150,000.00; and

WHEREAS, the Program's goal is not to exceed a ratio of \$20,000.00 per job created within three years; and

WHEREAS, it is expected that loans will normally be issued at a fixed rate of four percent (4%); and

WHEREAS, loan terms will mirror those stipulated by the private financial lender in the project based on the expectant life of the asset(s) financed with Real Estate Financing up to 15 years maximum, Machinery & Equipment with a 5-7 year maximum, and a 3-5 year maximum for Working Capital; and

WHEREAS, eligible activities include the purchase of fixed assets and non-fixed assets including, but not limited to the acquisition and/or construction of new facilities, renovations and/or additions to existing facilities, the purchase of capital equipment and working capital; and

WHEREAS, the Executive Committee of the OCDC Board of Trustees will act as the Loan Review Committee to the program. A simple majority vote of the Committee's membership shall constitute approval of the loan application; and

WHEREAS, a maximum of 15% of the Revolving Loan Fund may be used for Administrative and Program Delivery purposes if necessary; and

WHEREAS, the borrower will be required to submit annual Employment Compliance Reports to the Otsego County Development Corporation to show their progress in meeting employment-hiring goals; and

WHEREAS, the Otsego County Development Corporation will be responsible for submitting Semi-Annual Program Income Reports; now, therefore, be it

RESOLVED, that this Board of Representatives is in agreement with the Program Income Plan as stated.

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

### **RESOLUTION NO. 343-20081203**

#### **RESOLUTION - OTSEGO COUNTY RECOGNIZES ITS EDMESTON GIRLS PANTHERS VARSITY SOCCER TEAM AS 2008 NEW YORK PUBLIC HIGH SCHOOL STATE CO-CHAMPIONS**

##### **ENTIRE BOARD**

WHEREAS, the Edmeston High School Girls Panthers Varsity Soccer Team for this school year 2008-2009 is comprised of team members Stefanie Cornell, Captain Emily Slentz, Ashley Harbison, Taylor Ross, Captain Denyse Schoellig, Becky Bennett, Kori Hamm, Rachel Slentz, Morghen Axtell, Jessica Thornhill, Samantha Martin, Kendra Bressett, Brittany Martin, Suellyn Tophoven, Raven Brown, Emily Holdorf, Amanda Belden, Dayna Vibbard, Tonya Brownell, Emily Bliss, Alexis Brazee and Susanna Johnson, Score Keeper Kris Slentz and coached by Melanie Mumbulo and Assistant Sherri Vibbard; and

WHEREAS, Otsego County is most proud of the accomplishments of this team, including the following:

- 22 – 0 - 2 Win-Loss-Tie Record for 2008;
- 2008 Champions of the Tri Valley League, Section IV and the Region;
- 2 - 2 Tie with Seward to Become the New York State Girls' Class D Co-Champion;
- Junior Susanna Johnson being named the state championship game's "Outstanding Goalie";
- Junior Kori Hamm being honored as New York State Co-Player of the Year in Class D and setting a school record with 42 goals and 13 assists this season;
- Coach Melanie Mumbulo being honored as New York State Co-Coach of the Year in Class D

- The first State Girls Sports Championship at Edmeston High School;

and

WHEREAS, the team has ignited a special community spirit for our county and its sports enthusiasts; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives recognizes the 2008-2009 Edmeston High School Girls Panthers Soccer Team and Class D New York Public High School State Co-Champions.

#### CONGRATULATIONS FOR A JOB WELL DONE

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

#### **RESOLUTION NO. 344-20081203**

#### **RESOLUTION – OPPOSING NYRI’S APPLICATION AND SUPPLEMENTAL FILINGS TO ERECT AN ELECTRIC TRANSMISSION LINE IN NEW YORK STATE**

#### **RELIC, SCHWERD, JOHNSON**

WHEREAS, New York Regional Interconnect, Inc. (NYRI) is seeking approval from the New York State Public Service Commission (PSC) to erect a 200+ mile transmission line between the town of Marcy, Oneida County, New York and the town of Windsor, Orange County, New York; and

WHEREAS, the proposed transmission line and supporting towers will be placed in close proximity to homes, operating farms, businesses, wetlands, water bodies, historic structures, and scenic byways and, if constructed, will be an eyesore on the pastoral and scenic beauty of all the counties affected; and

WHEREAS, tourism and recreation, fostered by the scenic beauty, rural setting and regional location, are a mainstay in the economy and character of upstate New York and its towns and villages; and

WHEREAS, the proposed transmission lines will have the potential for significant impact and degradation of the natural and human environments, tourism, recreation, businesses and the economy of upstate New York and the affected communities; and

WHEREAS, the proposed transmission lines will have a significant adverse impact on the quality of life of the residents, citizens and visitors who live, work and visit upstate New York and the affected communities; and

WHEREAS, the primary consumers of power transmitted by the proposed transmission line are located far from the proposed location of the line, and no power from the proposed transmission line will be available to serve the energy needs of upstate New York users; and

WHEREAS, the commercial nature of the proposed transmission line will provide benefit to speculative investors who live far from the hills and valleys of upstate New York at great cost to the citizens of the area; and

WHEREAS, there are no apparent and meaningful benefits from this proposed transmission line to the citizens, residents and visitors to upstate New York that can reasonably be judged to offset the adverse impacts of this project; and

WHEREAS, citizens, interest groups, local governments and community groups along the proposed and alternate routes of the project have judged this project to be of great negative impact and have expressed opposition to this project for the reasons outlined above; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives joins with other counties, municipalities, and other parties in opposing the certification of the proposed NYRI transmission line; and be it further

RESOLVED, that the Clerk of the Board shall forward a certified copy of this resolution to the NYS Public Service Commissioner, U.S. Senator Hillary Clinton, U.S. Senator Charles Schumer, Congressman Michael Arcuri, Congresswoman Kristen Gillibrand, Governor David Paterson, Senator Dean Skelos, Senator James Seward, Assemblyman Sheldon Silver, Assemblymen William Magee, Assemblyman Marc Butler and Assemblyman Peter Lopez.

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

### **RESOLUTION NO. 345-20081203**

#### **RESOLUTION – AMENDING RESOLUTION NO. 363-2007 (MANAGERIAL’/’/CONFIDENTIAL SALARIES - ECONOMIC DEVELOPMENT SPECIALIST)**

#### **RELIC, SCHWERD, JOHNSON**

RESOLVED, that Resolution No. 363-2007, establishing salaries for Managerial/Confidential employees for the year 2008, be and is hereby amended as follows, effective immediately:

Amend salary for Economic Development Specialist  
from \$34,076.00 to \$33,000.00

and be it further

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

RESOLVED, that the funding for this position is included in the 2008 Economic Development Budget (6425) at line 1000-A Personal Service.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 4,791; Noes: 1,376 – McCarty, Stayton, Rothenberger, Stuligross. Adopted.

**RESOLUTION NO. 346-20081203**

**RESOLUTION - ABOLISHING POSITIONS IN SHERIFF'S DEPARTMENT (COURT ATTENDANTS)**

**FOURNIER, HARRINGTON, CLARK, STAYTON**

RESOLVED, that the following positions in the Sheriff's Department are abolished, effective immediately:

Three (3) positions of Court Attendant, Grade 03C

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

**RESOLUTION NO. 347-20081203 (original)**

**RESOLUTION - TRANSFERRING FUNDS IN VARIOUS DEPARTMENTS (2008)**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, it appears that it will require funds to complete the year 2008 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2008 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2008 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

<b>2008 TRANSFERS</b>				
	<b>DEPARTMENT</b>	<b>ACCOUNT NAME</b>	<b>ACCOUNT CODE</b>	<b>AMOUNT</b>
<b>FUND A - GENERAL FUND</b>				
From:	Board of Representatives	Contracts	1010-4900-A	-1,700.00
To:	Board of Representatives	Printing	1010-4655-A	1,700.00

From:	District Attorney	Lodging, Meals, Tolls, Etc.	1165-4010-A	-1,500.00
To:	<b>District Attorney</b>	<b>Grand Jury Sten/Transcripts</b>	<b>1165-4716-A</b>	<b>1,500.00</b>
From:	RPTS	Telephone	1355-4100-A	-200.00
To:	<b>RPTS</b>	<b>Materials &amp; Supplies</b>	<b>1355-4500-A</b>	<b>200.00</b>
From:	Board of Elections	Materials & Supplies	1450-4500-A	-724.55
To:	<b>Board of Elections</b>	<b>Mileage</b>	<b>1450-4005-A</b>	<b>724.52</b>
To:	<b>Board of Elections</b>	<b>Contracts</b>	<b>1450-4900-A</b>	<b>0.03</b>
From:	Co Building-Court House	Other	1620-4800-A	-6,000.00
From:	Co Building-Court House	Maint. & Repair Parts	1620-4562-A	-3,900.00
To:	<b>Co Building-Court House</b>	<b>Heat &amp; Lights</b>	<b>1620-4150-A</b>	<b>6,000.00</b>
To:	<b>Co Building-Court House</b>	<b>Sewer &amp; Water</b>	<b>1620-4565-A</b>	<b>3,900.00</b>
From:	Cooperstown Office Building	Maint. & Repair Parts	1625-4562-A	-1,200.00
To:	<b>Cooperstown Office Building</b>	<b>Sewer &amp; Water</b>	<b>1625-4565-A</b>	<b>1,200.00</b>
From:	Central Kitchen Building	Maint. & Repair Parts	1628-4562-A	-2,300.00
To:	<b>Central Kitchen Building</b>	<b>Heat &amp; Lights</b>	<b>1628-4150-A</b>	<b>2,300.00</b>
From:	Meadows Building	Roof Replacement	1630-2510-A	-16,000.00
To:	<b>Meadows Building</b>	<b>Heat &amp; Lights</b>	<b>1630-4150-A</b>	<b>16,000.00</b>
From:	Sheriff	Lodging, Meals, Tolls, Etc.	3110-4010-A	-250.00
From:	Sheriff	Postage & UPS	3110-4400-A	-2,000.00
From:	Sheriff	Labor	3110-4811-A	-500.00
To:	<b>Sheriff</b>	<b>Materials &amp; Supplies</b>	<b>3110-4500-A</b>	<b>2,750.00</b>
From:	Jail	Lodging, Meals, Tolls, Etc.	3150-4010-A	-1,754.12
To:	<b>Jail</b>	<b>Other</b>	<b>3150-4800-A</b>	<b>1,754.12</b>
From:	CWSN-Education	Transportation (3-5)	2960-4802-A	-75,000.00
From:	Early Intervention Program	Education (0-3)	4059-4807-A	-50,000.00
To:	<b>CWSN-Education</b>	<b>Education (3-5)</b>	<b>2960-4801-A</b>	<b>125,000.00</b>
From:	Biologicals	Medical Expense	4074-4895-A	-7,000.00
To:	<b>Biologicals</b>	<b>Contracts</b>	<b>4074-4900-A</b>	<b>7,000.00</b>
From:	Alcoholism	Other	4250-4800-A	-863.00
To:	<b>Alcoholism</b>	<b>Malpractice</b>	<b>4250-4690-A</b>	<b>863.00</b>
From:	Mental Health	Materials & Supplies	4310-4500-A	-1,352.00
From:	Mental Health	Equipment Rental	4310-4600-A	-800.00
To:	<b>Mental Health</b>	<b>Mileage</b>	<b>4310-4005-A</b>	<b>1,168.00</b>
To:	<b>Mental Health</b>	<b>Rent</b>	<b>4310-4550-A</b>	<b>350.00</b>
To:	<b>Mental Health</b>	<b>Malpractice</b>	<b>4310-4690-A</b>	<b>634.00</b>
From:	RIV Mon & Eval	Telephone	4311-4100-A	-700.00
From:	RIV Mon & Eval	Postage & UPS	4311-4400-A	-300.00
From:	RIV Mon & Eval	Materials & Supplies	4311-4500-A	-1,737.00
From:	RIV Mon & Eval	Equipment Rental	4311-4600-A	-241.00

<b>To:</b>	<b>RIV Mon &amp; Eval</b>	<b>Rent</b>	<b>4311-4550-A</b>	<b>2,978.00</b>
From:	Intensive Case Mgmt	Telephone	4315-4100-A	-800.00
From:	Intensive Case Mgmt	Postage & UPS	4315-4400-A	-200.00
From:	Intensive Case Mgmt	Materials & UPS	4315-4500-A	-1,200.00
From:	Intensive Case Mgmt	Equipment Rental	4315-4600-A	-1,501.00
<b>To:</b>	<b>Intensive Case Mgmt</b>	<b>Mileage</b>	<b>4315-4005-A</b>	<b>3,000.00</b>
<b>To:</b>	<b>Intensive Case Mgmt</b>	<b>Rent</b>	<b>4315-4550-A</b>	<b>701.00</b>

**2008 BUDGET MODIFICATIONS**

<b>A - GENERAL FUND</b>				
Decrease:	Appropriated Reserve	Communication Backbone	0000-0511-A	-317,904.00
Decrease:	Public Safety Communication	Communication Backbone	3020-2750-A	-317,904.00
Increase:	Appropriated Reserve	Blend Hill Tower	0000-0511-A	220,000.00
Increase:	Public Safety Communication	Communication Backbone	3020-2750-A	220,000.00

Seconded, Lindberg. Representative Relic moved to amend the resolution by adding the following transfers: "Tourism Administration – Transfer \$300 from Material and Supply to Lodging", "STOP DWI – Transfer \$1,400 from Lodging to Other" and "STOP DWI – Transfer \$300 from Postage to Telephone." Seconded, Lindberg. Roll call vote on amendment. Total: 6,167; Ayes: 6,167. Motion carried.

**RESOLUTION NO. 347-20081203 (amended)**

**RESOLUTION - TRANSFERRING FUNDS  
IN VARIOUS DEPARTMENTS (2008)**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, it appears that it will require funds to complete the year 2008 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2008 budget; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2008 budget be and it is hereby amended accordingly, pursuant to Section 363 of the County Law:

<b>2008 TRANSFERS</b>				
	<b>DEPARTMENT</b>	<b>ACCOUNT NAME</b>	<b>ACCOUNT CODE</b>	<b>AMOUNT</b>
<b>FUND A - GENERAL FUND</b>				

From:	Board of Representatives	Contracts	1010-4900-A	-1,700.00
To:	<b>Board of Representatives</b>	<b>Printing</b>	<b>1010-4655-A</b>	<b>1,700.00</b>
From:	District Attorney	Lodging, Meals, Tolls, Etc.	1165-4010-A	-1,500.00
To:	<b>District Attorney</b>	<b>Grand Jury Sten/Transcripts</b>	<b>1165-4716-A</b>	<b>1,500.00</b>
From:	RPTS	Telephone	1355-4100-A	-200.00
To:	<b>RPTS</b>	<b>Materials &amp; Supplies</b>	<b>1355-4500-A</b>	<b>200.00</b>
From:	Board of Elections	Materials & Supplies	1450-4500-A	-724.55
To:	<b>Board of Elections</b>	<b>Mileage</b>	<b>1450-4005-A</b>	<b>724.52</b>
To:	<b>Board of Elections</b>	<b>Contracts</b>	<b>1450-4900-A</b>	<b>0.03</b>
From:	Co Building-Court House	Other	1620-4800-A	-6,000.00
From:	Co Building-Court House	Maint. & Repair Parts	1620-4562-A	-3,900.00
To:	<b>Co Building-Court House</b>	<b>Heat &amp; Lights</b>	<b>1620-4150-A</b>	<b>6,000.00</b>
To:	<b>Co Building-Court House</b>	<b>Sewer &amp; Water</b>	<b>1620-4565-A</b>	<b>3,900.00</b>
From:	Cooperstown Office Building	Maint. & Repair Parts	1625-4562-A	-1,200.00
To:	<b>Cooperstown Office Building</b>	<b>Sewer &amp; Water</b>	<b>1625-4565-A</b>	<b>1,200.00</b>
From:	Central Kitchen Building	Maint. & Repair Parts	1628-4562-A	-2,300.00
To:	<b>Central Kitchen Building</b>	<b>Heat &amp; Lights</b>	<b>1628-4150-A</b>	<b>2,300.00</b>
From:	Meadows Building	Roof Replacement	1630-2510-A	-16,000.00
To:	<b>Meadows Building</b>	<b>Heat &amp; Lights</b>	<b>1630-4150-A</b>	<b>16,000.00</b>
From:	Sheriff	Lodging, Meals, Tolls, Etc.	3110-4010-A	-250.00
From:	Sheriff	Postage & UPS	3110-4400-A	-2,000.00
From:	Sheriff	Labor	3110-4811-A	-500.00
To:	<b>Sheriff</b>	<b>Materials &amp; Supplies</b>	<b>3110-4500-A</b>	<b>2,750.00</b>
From:	Jail	Lodging, Meals, Tolls, Etc.	3150-4010-A	-1,754.12
To:	<b>Jail</b>	<b>Other</b>	<b>3150-4800-A</b>	<b>1,754.12</b>
From:	Stop DWI	Lodging, Meals & Tolls	3315-4010-A	-1,400.00
From:	Stop DWI	Postage	3315-4400-A	-300.00
To:	<b>Stop DWI</b>	<b>Telephone</b>	<b>3315-4100-A</b>	<b>300.00</b>
To:	<b>Stop DWI</b>	<b>Other</b>	<b>3315-4800-A</b>	<b>1,400.00</b>
From:	CWSN-Education	Transportation (3-5)	2960-4802-A	-75,000.00
From:	Early Intervention Program	Education (0-3)	4059-4807-A	-50,000.00
To:	<b>CWSN-Education</b>	<b>Education (3-5)</b>	<b>2960-4801-A</b>	<b>125,000.00</b>
From:	Biologicals	Medical Expense	4074-4895-A	-7,000.00
To:	<b>Biologicals</b>	<b>Contracts</b>	<b>4074-4900-A</b>	<b>7,000.00</b>
From:	Alcoholism	Other	4250-4800-A	-863.00
To:	<b>Alcoholism</b>	<b>Malpractice</b>	<b>4250-4690-A</b>	<b>863.00</b>
From:	Mental Health	Materials & Supplies	4310-4500-A	-1,352.00
From:	Mental Health	Equipment Rental	4310-4600-A	-800.00

<b>To:</b>	<b>Mental Health</b>	<b>Mileage</b>	<b>4310-4005-A</b>	<b>1,168.00</b>
<b>To:</b>	<b>Mental Health</b>	<b>Rent</b>	<b>4310-4550-A</b>	<b>350.00</b>
<b>To:</b>	<b>Mental Health</b>	<b>Malpractice</b>	<b>4310-4690-A</b>	<b>634.00</b>
From:	RIV Mon & Eval	Telephone	4311-4100-A	-700.00
From:	RIV Mon & Eval	Postage & UPS	4311-4400-A	-300.00
From:	RIV Mon & Eval	Materials & Supplies	4311-4500-A	-1,737.00
From:	RIV Mon & Eval	Equipment Rental	4311-4600-A	-241.00
<b>To:</b>	<b>RIV Mon &amp; Eval</b>	<b>Rent</b>	<b>4311-4550-A</b>	<b>2,978.00</b>
From:	Intensive Case Mgmt	Telephone	4315-4100-A	-800.00
From:	Intensive Case Mgmt	Postage & UPS	4315-4400-A	-200.00
From:	Intensive Case Mgmt	Materials & UPS	4315-4500-A	-1,200.00
From:	Intensive Case Mgmt	Equipment Rental	4315-4600-A	-1,501.00
<b>To:</b>	<b>Intensive Case Mgmt</b>	<b>Mileage</b>	<b>4315-4005-A</b>	<b>3,000.00</b>
<b>To:</b>	<b>Intensive Case Mgmt</b>	<b>Rent</b>	<b>4315-4550-A</b>	<b>701.00</b>
From:	Tourism Administration	Materials & Supplies	6411-4500-A	\$300.00
<b>To:</b>	<b>Tourism Administration</b>	<b>Lodging, Meals &amp; Tolls</b>	<b>6411-4010-A</b>	<b>\$300.00</b>

**2008 BUDGET MODIFICATIONS**

<b>A - GENERAL FUND</b>				
Decrease:	Appropriated Reserve	Communication Backbone	0000-0511-A	-317,904.00
Decrease:	Public Safety Communication	Communication Backbone	3020-2750-A	-317,904.00
Increase:	Appropriated Reserve	Blend Hill Tower	0000-0511-A	220,000.00
Increase:	Public Safety Communication	Communication Backbone	3020-2750-A	220,000.00

Roll call vote on amended Resolution. Total: 6,167; Ayes: 5,164; Noes: 1,003 – Fournier, McCarty. Adopted.

**RESOLUTION NO. 348-20081203 (original)**

**RESOLUTION - ADOPTING REVISIONS TO THE TENTATIVE  
OTSEGO COUNTY BUDGET FOR 2009**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, pursuant to Section 354 of the County Law, on November 14, 2008, the Budget Officer filed with this Board a tentative budget for 2009, together with the budget message and exemption report; and

WHEREAS, the Board of Representatives has reviewed the 2009 Tentative 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 2009 Tentative County Budget:

<u>Account Code</u>	<u>Department</u>	<u>Budget Officer Tentative Budget</u>	<u>County Board Adjustment</u>	<u>2009 Revised Tentative Budget</u>
<b>APPROPRIATIONS</b>				
<b>FUND A – GENERAL FUND</b>				
1355-4005-A	Real Property Tax Service	1,400	200	1,600
1355-4010-A	Real Property Tax Service	1,000	200	1,200
1355-4500-A	Real Property Tax Service	12,100	2,000	14,100
1355-4835-A	Real Property Tax Service	25,000	3,000	28,000
1680-4005-A	Information Technologies	800	(200)	600
1680-4010-A	Information Technologies	600	(200)	400
1680-4500-A	Information Technologies	12,500	(2,000)	10,500
1680-4835-A	Information Technologies	58,000	(3,000)	55,000
4310-4880-A	Mental Health	319,680	(20,000)	299,680
		431,000	(20,000)	411,080

<b>REVENUES</b>				
<b>FUND A – GENERAL FUND</b>				
0000-1620-A	Mental Health Fees	(875,000)	20,000	(855,000)
		(875,000)	20,000	(855,000)

Seconded, Lindberg. Representative Fournier moved to amend the Probation Department budget by increasing 3140-4560-A to \$10,000, decreasing 3140-4005-A to \$2,000, decreasing 3140-4515-A to \$2,000, and increasing 3140-2400-A to \$16,430. Seconded, Clark. Representative Lindberg moved to call the question. Roll call vote on motion to call the question. Total: 6,167; Ayes: 6,167. Motion carried. Roll call vote on proposed amendment. Total: 6,167; Ayes: 3,096 – Clark, Murphy, Fournier, Dubben, McCarty, Stayton, Harrington; Noes: 2,683 – Relic, Powers, Lindberg, Johnson, Schwerd, Rothenberger; Absent: 388 – Stuligross. Motion carried.

Representative Dubben moved to amend the budget by adding \$80,000 in Personal Service for a County Manager. Seconded, Murphy, Rothenberger and Stuligross. Representative Lindberg moved to call the question on the County Manager position. Roll call vote on motion to call the question. Total: 6,167; Ayes: 4,043 – Relic, Powers, Clark, Lindberg, Dubben, Johnson, McCarty, Schwerd, Harrington; Noes: 2,124 – Murphy, Fournier, Stayton, Rothenberger, Stuligross. Motion carried. Roll call vote on proposed amendment. Total: 6,167; Ayes: 2,544 – Murphy, Fournier, Dubben, Stayton, Rothenberger, Stuligross; Noes: 3,623 – Relic, Powers, Clark, Lindberg, Johnson, McCarty, Schwerd, Harrington. Motion lost.

Representative Harrington moved to amend the Cooperative Extension budget by decreasing 8751-4680-A by \$20,000. Seconded, Johnson. Roll call vote on proposed amendment. Total: 6,167; Ayes: 1,205 – Johnson, Schwerd, Harrington; Noes: 4,962. Motion lost.

Representative Stuligross moved to amend the Social Services Administration budget by increasing 6010-2400-A by \$16,000, decreasing 6010-4005-A by \$1,500, decreasing 6010-4515-A by \$3,000, increasing revenue 3610-A by \$2,875, and increasing revenue 4610-A by \$8,625. Seconded, Clark. Roll call vote on proposed amendment. Total: 6,167; Ayes: 3,142 – Relic, Clark, Murphy, Fournier, Stayton, Harrington, Stuligross; Noes: 3,025 – Powers, Lindberg, Dubben, Johnson, McCarty, Schwerd, Rothenberger. Motion carried.

Representative Fournier moved to amend the Foothills Performing Arts Center budget by decreasing 7011-4680-A by \$20,000. Seconded, Johnson. Roll call vote on proposed amendment. Total: 6,167; Ayes: 1,016 – Fournier, Johnson; Noes: 5,151. Motion lost.

Representative Clark moved to amend the Foothills Performing Arts Center budget by decreasing 7011-4680-A by \$12,500. Seconded, Johnson. Total: 6,167; Ayes: 1,575 – Clark, Fournier, Johnson; Noes: 4,592. Motion lost.

**RESOLUTION NO. 348-20081203 (amended)**

**RESOLUTION - ADOPTING REVISIONS TO THE TENTATIVE  
OTSEGO COUNTY BUDGET FOR 2009**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, pursuant to Section 354 of the County Law, on November 14, 2008, the Budget Officer filed with this Board a tentative budget for 2009, together with the budget message and exemption report; and

WHEREAS, the Board of Representatives has reviewed the 2009 Tentative 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 2009 Tentative County Budget:

<u>Account Code</u>	<u>Department</u>	<u>Budget Officer Tentative Budget</u>	<u>County Board Adjustment</u>	<u>2009 Revised Tentative Budget</u>
<b>APPROPRIATIONS</b>				
<b>FUND A – GENERAL FUND</b>				
1355-4005-A	Real Property Tax Service	1,400	200	1,600
1355-4010-A	Real Property Tax Service	1,000	200	1,200
1355-4500-A	Real Property Tax Service	12,100	2,000	14,100
1355-4835-A	Real Property Tax Service	25,000	3,000	28,000
1680-4005-A	Information Technologies	800	(200)	600
1680-4010-A	Information Technologies	600	(200)	400
1680-4500-A	Information Technologies	12,500	(2,000)	10,500

1680-4835-A	Information Technologies	58,000	(3,000)	55,000
3140-2400-A	Probation	0	16,430	16,430
3140-4005-A	Probation	6,500	(4,500)	2,000
3140-4515-A	Probation	5,000	(3,000)	2,000
3140-4560-A	Probation	5,000	5,000	10,000
4310-4880-A	Mental Health	319,680	(20,000)	299,680
6010-2400-A	Social Services Administration	32,000	16,000	48,000
6010-4005-A	Social Services Administration	40,500	(1,500)	39,000
6010-4515-A	Social Services Administration	14,580	(3,000)	11,580
		534,660	5,430	540,090

<b>REVENUES</b>				
<b>FUND A – GENERAL FUND</b>				
0000-1620-A	Mental Health Fees	(875,000)	20,000	(855,000)
0000-3610-A	Social Service Administration	(1,741,478)	(2,875)	(1,744,353)
0000-4610-A	Social Service Administration	(3,648,087)	(8,625)	(3,656,712)
		(6,264,565)	8,500	(6,256,065)

Roll call vote on amended resolution. Total: 6,167; Ayes: 4,057; Noes: 2,110 – Lindberg, Johnson, McCarty, Schwerd, Rothenberger. Adopted.

**RESOLUTION NO. 349-20081203**

**RESOLUTION - ADOPTING OTSEGO COUNTY BUDGET FOR 2009**

**RELIC, SCHWERD, JOHNSON**

WHEREAS, pursuant to Section 354 of the County Law, on November 14, 2008, the Budget Officer filed with this Board a tentative budget for 2009, together with the budget message and exemption report; and

WHEREAS, the public hearing on the tentative budget was held on December 2, 2008, pursuant to Section 359 of the County Law; and

WHEREAS, this Board, on December 3, 2008, 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 2009, as changed, altered and revised, shall be as follows:

**INSERT 2009 OTSEGO COUNTY BUDGET HERE**

and be it further

RESOLVED, that the final budget as set forth above be and hereby is adopted as the 2009 Otsego County Budget.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 2,322 – Relic, Powers, Murphy, Schwerd, Stuligross; Noes: 3,845 – Clark, Fournier, Lindberg, Dubben, Johnson, McCarty, Stayton, Rothenberger, Harrington. Resolution No. 349-2008 lost. {Since no further action was taken on the Tentative 2009 Otsego County Budget in 2008, the Tentative 2009 Otsego County Budget, as revised by Resolution 349-20081203 on December 3, 2008, became the Final 2009 Otsego County Budget on December 20, 2008, pursuant to County Law Section 361.}

Representative Relic withdrew **Resolution 350-20081203 – Making Appropriations For The Conduct Of County Government For The Year 2009.**

**RESOLUTION NO. 351-20081203**

**RESOLUTION - APPOINTING REPUBLICAN  
COMMISSIONER OF ELECTIONS**

**JOHNSON, SCHWERD, MCCARTY, ROTHENBERGER**

RESOLVED, that pursuant to Section 30 of the Election Law, Sheila Ross, 124 Willow Ave, PO Box 55, Fly Creek, New York 13337, be and hereby is appointed Republican Election Commissioner of Otsego County, for a term of two years, commencing January 1, 2009 and ending on the 31st day of December, 2010, at an annual salary not to exceed \$6,890.00; and be it further

RESOLVED, that the funding for this position is included in the 2009 Elections Budget (1450) at line 1000 Personal Service.

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

**RESOLUTION NO. 352-20081203**

**RESOLUTION - APPOINTING EMERGENCY  
SERVICES COORDINATOR**

**FOURNIER, HARRINGTON, CLARK, STAYTON**

RESOLVED, that Lyle W. Jones, Jr. be and he hereby is appointed Emergency Services Coordinator, for a term commencing January 1, 2009 and ending on the 31st day of December, 2010, at an annual salary not to exceed \$48,000.00; and be it further

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

Treasurer; and be it further

RESOLVED, that the funding for this position is included in the 2009 Office of Emergency Services Budget (3641) at line 1000 Personal Service.

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

**RESOLUTION NO. 353-20081203**

**RESOLUTION - ESTABLISHING OTSEGO COUNTY  
SOLID WASTE UNIT CHARGE FOR 2009**

**MCCARTY, FOURNIER, MURPHY, ROTHENBERGER**

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 2009 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 2009 shall be \$28.00.

Seconded, Lindberg. Roll call vote. Total: 6,167; Ayes: 3,450 – Clark, Murphy, Fournier, Johnson, McCarty, Stayton, Rothenberger, Stuligross; Noes: 2,717 – Relic, Powers, Lindberg, Dubben, Schwerd, Harrington. Adopted.

Representative McCarty withdrew **Resolution 354-20081203 – Authorizing The Chairman Of The Board To Execute A Subsidization Agreement With MOSA.** {See the December 22, 2008 County Board meeting for further action.}

Representative Relic withdrew **Resolution 355-20081203 – Approving Expenditure For Software Maintenance Agreement For County-wide Accounting System.** {See the December 22, 2008 County Board meeting for further action.}

Representative Relic moved to suspend the rules and act upon late Resolution Nos. 356 - 359. Seconded, Lindberg. Oral vote. Total: 6,167; Ayes: 5,837; Noes: 330 – Harrington. Motion carried.

**RESOLUTION NO. 356-20081203**

**RESOLUTION - AUTHORIZING THE CHAIRMAN OF  
THE BOARD TO CONTRACT WITH ALLEN TUNNELL  
CORPORATION FOR A CENTRALIZED TAX**

## **DATABASE, SOFTWARE AND IMPLEMENTATION**

### **RELIC, SCHWERD, JOHNSON**

WHEREAS, it is in the best interests of the County to have a Centralized Tax Database available, which will contain information describing the physical attributes of all parcels in the County, as well as the tax status and payment history; and

WHEREAS, this information will allow the printing of tax bills, collection of current taxes and management of delinquent taxes; and

WHEREAS, the Allen Tunnell Corporation has submitted a satisfactory proposal for the implementation of this database, and a grant of \$50,000 from the New York State Real Property Services is available for this project; now, therefore, be it

RESOLVED, that the Chairman of the Board be and hereby is authorized to contract with Allen Tunnell Corporation, 15 Charles Street, Binghamton, New York 13905, for a Centralized Tax Database, associated software and implementation, at a cost not to exceed \$50,000.00; and be it further

RESOLVED, in accordance with the Otsego County Purchasing Policy and Procedures, Section 14(2), Exceptions to Bidding - Professional Services and Consultants, public bidding is not required due to the fact that this purchase of said database, associated software, and implementation is professional in nature; and be it further

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

RESOLVED, that the funding for this contract comes from a grant from the New York State Office of Real Property Services in the amount of \$50,000.

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

## **RESOLUTION NO. 357-20081203**

### **RESOLUTION – APPROVING AMENDMENT XI TO THE OTSEGO COUNTY HEALTH CARE PLAN**

### **RELIC, SCHWERD, JOHNSON**

WHEREAS, the Otsego County Health Care Plan is amended to allow in-network benefits for out-of-network attending radiology, anesthesiology and pathology associated with in-network hospital or emergency room services; and

WHEREAS, Amendment XI, as set forth below, requires the approval of the Board of Representatives; now, therefore, be it

RESOLVED, that this Board of Representatives approves Amendment XI to the Otsego County Health Care Plan, effective January 1, 2009; said text of amendment reads as follows:

**THE OTSEGO COUNTY HEALTH CARE PLAN  
AMENDMENT XI  
EFFECTIVE JANUARY 1, 2009**

The Otsego County Health Care Plan is amended to allow in-network benefits for out-of-network attending radiology, anesthesiology and pathology associated with in-network Hospital or Emergency room services.

The subsection entitled "Radiology, Anesthesiology, Pathology, and Emergency Services Performed at a Participating Hospital" is added to the section entitled "Medical Expense Benefits Special Conditions" as follows:

**Radiology, Anesthesiology, Pathology, and Emergency Services Performed at a Participating Hospital:** When a Covered Family Member receives treatment in a Hospital or an Emergency room that is a member of the Preferred Provider Network, all associated charges for anesthesia, diagnostic testing, laboratory and x-ray services in connection with such treatment will be covered at the in-network benefit level.

Amendment XI to The Otsego County Health Care Plan is adopted effective January 1, 2009.

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

**RESOLUTION NO. 358-20081203**

**RESOLUTION – AMENDING RESOLUTION NO. 66 OF 2008 –  
AUTHORIZING COMMISSIONER OF SOCIAL SERVICES  
AND THE DIRECTOR OF OFFICE FOR THE AGING TO  
EXECUTE AN AGREEMENT FOR VARIOUS MEDICAID  
FUNDED LONG TERM CARE IN-HOME SERVICES PROGRAMS  
AND THE OPERATION OF A POINT OF ENTRY  
FOR LONG TERM CARE SERVICES**

**CLARK, SCHWERD, STULIGROSS**

WHEREAS, Resolution No. 66-2008 authorized the Commissioner of Social Services and the Director of the Otsego County Office for the Aging to execute an agreement and other documents that may be necessary for the provision of various Medicaid Funded Long Term Care In-Home Services Programs and the operation of a Point of Entry for Long Term Care Services in an amount not to exceed \$239,765.00 for the period of January 1, 2008 through December 31, 2008; and

WHEREAS, it is now necessary to amend Resolution No. 66-2008 due to an increase in funding; 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 enter into an amended agreement with the

Director of the Office for the Aging, as authorized by Resolution No. 66-2008, by modifying the original agreement as follows:

1. Payment. In no event shall the County's liability exceed \$247,765.00

and be it further

RESOLVED, that the funding for this amended agreement is included in the 2008 Social Services Administration Budget (6010) at line 4900 Contracted Expenses and is 95% reimbursable through Federal and State funds.

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

### **RESOLUTION NO. 359-20081203**

#### **RESOLUTION – AMENDING RESOLUTION NO. 331-20081105 – CREATING POSITIONS IN OTSEGO MANOR (CLINICAL SERVICES COORDINATOR)**

#### **RELIC, SCHWERD, JOHNSON**

WHEREAS, Resolution No. 331-20081105 created seven (7) full-time positions of Clinical Services Coordinator at Otsego Manor, at Grade 21A, with a salary range of \$42,463 - \$49,913 and an increment of \$1,490; and

WHEREAS, the above salary range is based on 1,783 hours per year, and should be based on 2,080 hours per year, thus the need to amend Resolution No. 331-20081105; now, therefore, be it

RESOLVED, that Resolution No. 331-20081105 is amended, and the salary range for seven (7) full-time positions of Clinical Services Coordinator at Otsego Manor is amended to \$49,536.24 - \$58,227.10 (\$1,738), and the grade is amended to Grade 21; 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, Dubben. Roll call vote. Total: 6,167; Ayes: 6,167. Adopted.

The Board went into executive session for a personnel matter. {The motion was voted on at the beginning of the meeting.}

All the general business of the Board having been transacted, the Chairman declared the meeting recessed until Monday, December 22, 2008 at 7:30 P.M.