REGULAR SESSION
FIRST DAY

Wednesday, April 4, 2018

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

Frazier, Farwell, Kennedy, Oberacker, Bliss, Marietta, McCarty, Wilber, Koutnik, Martini, Lapin, Shannon.

Under Privilege of the Floor, Bill Hayes stated that April is Child Abuse Prevention and Awareness Month, the focus should be on prevention, child abuse is preventable, there are resources available including the Parent Handybook which is in print as well as on the County’s website, and the online ACES Study. Mr. Hayes asked that the Caseworkers get a thank you for doing this thankless job noting that there were approximately 1,044 hotline reports that were responded to last year.

Maria Ajello, Otsego County employee, stated that she is happy to be a County employee, child abuse awareness is very important, she has asked several times for an ethical review of the sale of her property, and that Bob Force is not a threat and never was. Mrs. Ajello asked for an Ethics Board to be convened, for her home and property back, or compensation.

Ameen Aswad, Case Manager for Catholic Charities and Executive Director of the Jail Ministry of Otsego County, gave an overview of the Jail Ministry noting that the inmates receive religious counseling and one on one counseling. Mr. Aswad asked that the Board support the Resolution proclaiming April as Second Chances Month relating to individuals with criminal records, to remove the barriers and stigma, bring dignity and respect back to them, and allow them to become productive citizens once again.

Katharine Lloyd, Hartwick, NY, stated she is a Jail Ministry volunteer and there are steps that can be taken including looking into the “Drop the Box” campaign which is to remove the felony check box on job applications.

Russ Ahrens, Otsego County Employee, stated that Maria Ajello should get a 2nd chance as her home was taken away from her even though 42 days prior to the delinquent tax auction she asked them to take her money. Mr. Ahrens stated that people are still speeding on County Highway 26.

Kathy Fundis stated that she is a volunteer with the Jail Ministry and stated that a lot of the people in the Jail are good people that made bad choices and they need the hope for a 2nd chance. Mrs. Fundis stated that
this could happen to any of our children and asked that the Board vote in favor of the Resolution for Second Chance month.

Steve Smith, Executive Director of the Mohawk Valley Economic Development District (MVEDD) gave updates on grants, business loans, the 6 County landbank, and working with Otsego Now. Mr. Smith stated that they are doing everything they can for Otsego County.

The minutes of March 7, 2018 were approved.

The following communications were read and ordered filed:

Letter from the New York State Department of Transportation regarding a Public Information Meeting that will be held on Tuesday, April 17, 2018 at 6:30 p.m. at the Worcester High School Cafeteria, 198 Main Street Worcester, NY regarding the culvert project carrying Route 7 over West Hill Road Creek in Worcester

Letter from the County of Otsego Industrial Development Agency regarding the 80 acres of land located on Roundhouse Road in the City of Oneonta/Town of Oneonta known as the Oneonta Rail Yards noting that the agency expects to consider whether to approve the terms of the Proposed PILOT agreement at a meeting scheduled for April 26, 2018 at 8:00 a.m., local time at the offices of the agency located at 189 Main Street in the City of Oneonta

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

February 2018 Monthly Report of Alternatives to Incarceration Program Services rendered by Catholic Charities of Delaware and Otsego Counties

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

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

Representative Marietta gave a report on the Otsego Now Board. Representative Shannon gave a report on the OFA Advisory Council meeting.

Board Chair declared a break.

The Board reconvened.

Representative Koutnik moved to dispense with the reading of all
resolutions. Seconded, Oberacker. Total: 6,228; Ayes: 5,151; Absent: 1,077 - Clark and Stammel. Motion carried.

Board Chair Bliss asked if any representative wished to remove a resolution(s) from the consent agenda so it can be acted upon separately.

Representative Shannon removed Resolution No. 136 and Representative Frazier removed Resolution No. 139.

Board Chair Bliss called for action on the consent agenda, excluding Resolution Nos. 136 and 139. Representative Koutnik moved to act upon the consent agenda, Resolution Nos. 125-135, 137, 138, 140, and 141.

RESOLUTION NO. 125-20180404

RESOLUTION - AUTHORIZING CONTRACT WITH ACCENT STRIPE FOR ROAD STRIPING

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, there is a need for road striping on Otsego County roads which consists of centerline and edge line painting; and

WHEREAS, bids were secured under bid # 8775-2017 by the County's Purchasing Agent and the proposed bids were reviewed by the Superintendent of Highways; and

WHEREAS, Public Works Committee and Administration Committee have approved the use of such bid; now, therefore, be it

RESOLVED, that the Chair of this Board is authorized to contract with Accent Stripe, 3275 N. Benzing Road, Orchard Park, NY 14127 for the period of October 8, 2017 through December 31, 2017 for road striping which consists of centerline and edge line painting at a cost not to exceed $149,851.80; and be it further

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

RESOLVED, that the funding for this purchase is included in the 2017 Highway Budget line (5112-D) at line 2092 Centerline/Edgeline Painting.
RESOLUTION NO. 126-20180404

RESOLUTION – AWARDING BID FROM SLATE HILL CONSTRUCTORS FOR THE NORTON CROSS ROAD REHABILITATION PROJECT

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, a road in the County of Otsego is in need of rehabilitation; and

WHEREAS, the County’s Purchasing Agent requested bids (#8868) for said project; and

WHEREAS, the Purchasing Agent, Superintendent of Highways, and the Public Works Committee reviewed the bids submitted, and recommend that the contract be awarded to Slate Hill Constructors, 6573 Herman Road, Warners, NY 13164 in the amount of $286,250.00 as per bid specifications on file with the Clerk of the Board of Representatives for such road rehabilitation project; now, therefore, be it

RESOLVED, that the bid is awarded to Slate Hill Constructors, 6573 Herman Road, Warners, NY 13164, and the Chair of this Board is authorized to contract with Slate Hill Constructors for rehabilitation of Norton Cross Road in the County of Otsego, at a total cost of $286,250.00; and be it further

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

RESOLVED, that the funds for this expenditure shall be included in the 2018 Road Construction Projects Budget (5112-D) at line 2020 Local Bridge Repairs.

RESOLUTION NO. 127-20180404

RESOLUTION – AUTHORIZING CHAIR OF THE BOARD TO EXECUTE RENEWAL CONTRACTS WITH U S CARE SYSTEMS, INC., ROBYNWOOD HOME FOR ADULTS, VISITING NURSES HOME CARE CORP., AT HOME CARE PARTNERS, INC., PLAN-IT STAFFING AND RESOURCE CENTER FOR INDEPENDENT LIVING TO PROVIDE SUPPORTIVE SERVICES FOR ELDERLY RESIDENTS OF OTSEGO COUNTY UTILIZING EXPANDED IN-HOME SERVICE FOR THE ELDERLY PROGRAM, COMMUNITY SERVICES FOR THE ELDERLY FUNDING
WHEREAS, there is a need to provide non-medical, in-home supportive services for elderly residents of Otsego County who are not eligible to receive similar services under Title XVIII, Title XIX or Title XX of the federal Social Security Act or similar governmental assistance; and

WHEREAS, the State of New York, through its Office for the Aging has approved the County Home Care Plan of the Otsego County Office for the Aging and has awarded funding for such non-medical, in-home supportive services through the Expanded In-Home Services for the Elderly Program (hereinafter referred to as EISEP) as authorized by Section 541 of New York State Executive Law and at state or federal approved rates; and

WHEREAS, EISEP like services may be funded using Community Services for the Elderly (CSE) funding; and

WHEREAS, U S Care Systems, Inc., Robynwood Home For Adults, Visiting Nurses Home Care Corp., At Home Care Partners, Plan-It Staffing, and Resource Center for Independent Living are approved home care providers for Title XIX home care services in Otsego County under the federal Social Security Act, and are willing to continue to provide EISEP and EISEP like services, and At Home Care Partners, Inc. is a Licensed Home Care Services Agency; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute renewal agreements with U S Care Systems, Inc., Robynwood Home For Adults, Visiting Nurses Home Care Corp., At Home Care Partners, Plan-It Staffing, and Resource Center for Independent Living to continue to provide non-medical, in-home supportive services for elderly residents of Otsego County, (Level I and Level II care), utilizing EISEP funding as authorized by section 541 of New York State Executive Law and CSE funding for the period April 1, 2018 to March 31, 2019, with a total amount shared between all providers on a performance basis not to exceed $249,558 at the approved Medicaid or locally negotiated rates as required to assure adequate service levels; and be it further

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

RESOLVED, funding for these contracts is included in the 2018 Office for the Aging Budget (6772-A) at line 4770 In-Home Services with State EISEP fund 59%, CSE funds 15%, local funds 25% and cost sharing fees and
RESOLUTION NO. 128-20180404

RESOLUTION – AUTHORIZING CONTRACT WITH LEGAL AID SOCIETY OF MID-NEW YORK, INC. TO PROVIDE CONFLICT DEFENDER PROGRAM SERVICES AND APPROVING CONTRACT FOR GRANT FUNDS FROM NYS OFFICE OF INDIGENT LEGAL SERVICES (OILS) (Distribution #5)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, Otsego County pursuant to County Law Article 18-B is required to provide legal counsel for certain indigent persons and the Public Defender provides this counsel in eligible cases; however, there is a need for conflict defender services for those cases, largely in Family Court, in which the Public Defender cannot provide the required services because of the existence of a conflict of interest; and

WHEREAS, Otsego County by Resolution Nos. 281-20120905 and 184-20130403 accepted previous funding from New York State Office of Indigent Legal Services and entered into a contract with Legal Aid Society of Mid-New York, Inc. (Legal Aid Society) for conflict defender services to qualifying persons to provide representation including but not limited to, all conflict cases arising in front of the Family Court Judges, the Support Collection Magistrate and Family Court appeals; and

WHEREAS, OILS has made available grant funds in the amount of $334,110 over three years (Distribution #5) and has approved the use of said funds to continue funding the Conflict Defender Program; and

WHEREAS, the County wishes to extend the contract with the Legal Aid Society of Mid-New York, Inc. for the period of April 16, 2018 to April 15, 2020 using funds from NYS OILS grant (Distribution #5) under contract #000736; and

WHEREAS, the Legal Aid Society of Mid New York, Inc. (LASMNY) has provided such services for the past four years, said services having been reviewed by the Public Safety and Legal Affairs Committee; and

WHEREAS, the County has reviewed the other options available to provide such services, including creating a county position, using the assigned counsel panel, and the existence of other providers, and has
determined provision of said services by contract provides the best service for the lowest cost and that there are no other providers available in this geographic area that can meet the NYS requirements; thus, Legal Aid Society of Mid-New York, Inc. is a single provider for purposes of compliance with NYS procurement law and regulations; now, therefore be it

RESOLVED, that the Chair of the Otsego County Board of Representatives is hereby authorized to enter into a contract with Legal Aid Society of Mid-New York, Inc., 268 Genesee Street, Utica, NY 13502 for April 16, 2018 to April 15, 2020 for conflict defender services in an amount not to exceed $115,000.00 for the period of April 16, 2018 to April 15, 2019, and an amount not to exceeding $115,000.00 for the period of April 16, 2019 to April 15, 2020, consisting of the equivalent of 1.4 staff attorneys and .05 supervising attorney, along with mileage, supplies, postage, telephone and internet as approved by the County. LASMNY shall provide representation including but not limited to, all conflict cases arising in front of the Family Court Judges, the Support Collection Magistrate and Family Court appeals; and

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 Chair of the Board of Representatives is authorized to sign a contract with OILS for distribution #5, contract # 000736 and any extension thereof to accept grant funding in the amount of $334,110.00 over three years for the purposes described herein; and be it further

RESOLVED, that the funds for this contract are included in the 2018 Conflict Defender’s Budget (1172-A) at line 4900 Contracts and similar budget lines in subsequent years.

RESOLUTION NO. 129-20180404

RESOLUTION - APPOINTING DIRECTOR TO THE GREATER MOHAWK VALLEY LAND BANK CORP.

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, by Resolution 291-20161005, the Otsego County Board of
Representatives established and authorized the creation of a regional land bank, known as the Greater Mohawk Valley Land Bank Corp (GMVLB); and

WHEREAS, pursuant to resolution 291-20161005, the Board Chair has authority to appoint a Director to serve on the GMVLB board; now, therefore, be it

RESOLVED, that Judy Pangman, City Hall, 258 Main Street, Oneonta, NY 13820 is hereby appointed as a Director of the GMVLB board for the term of two years, effective immediately thru December 31, 2019, replacing Lizabeth Shannon.

RESOLUTION NO. 130-20180404

RESOLUTION - APPROVING APPOINTMENT OF MEMBER TO THE OTSEGO COUNTY SOLID WASTE USER FEE APPEALS BOARD

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

RESOLVED, that pursuant to Local Law No. 3 of 2000, the Chair of the Board of Representatives has made an appointment to the Otsego County Solid Waste User Fee Appeals Board and the same is hereby approved as follows:

JOHN DONNELLY
264 Butternut Road
Richfield Springs, NY 13439
Term expiring December 31, 2020

RESOLUTION NO. 131-20180404

RESOLUTION – AMENDING RESOLUTION NO. 110-20180307 - APPROVING SUPERINTENDENT OF HIGHWAYS TO PURCHASE AUTOMOTIVE PARTS AND EQUIPMENT

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution No. 110-20180307 amended Resolution 73-
WHEREAS, the Highway Department desires to amend Resolution No. 110-20180307 to increase the total amount for automotive parts and equipment to an amount not to exceed $470,000.00 for the entire year of January 1, 2017 through December 31, 2017; now, therefore, be it

RESOLVED, resolution 110-20180307 is hereby amended to increase the total amount for automotive parts and equipment to an amount not to exceed $470,000.00; and be it further

RESOLVED, that the funding for this expenditure is included in the 2017 Highway Budget (5130-DM) at line 4540 Parts.

RESOLUTION NO. 132-20180404


OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution No. 109-20180307 amended Resolution 30-20180103 and authorized the Chair of the Board to enter into a purchase agreement with Enterprise Fleet Management, Inc. for the Highway Department for a 2018 Chevy 3500HD, WT 4x4 Crew Cab 167.7 inch WB SRW and a 2018 Chevy 3500 HD WT 4x4 Regular Cab 137.5 inch WB DRW with a Plow and Spreader vehicle; and

WHEREAS, at the recommendation of the Purchasing Department, it has become necessary to amend the resolution to remove the specific listing of the makes and models for the necessary equipment; and

WHEREAS, bids were secured under bid #7974-2018 by the County’s Purchasing Agent and the proposed bids were reviewed by the Superintendent of Highways; now, therefore, be it

RESOLVED, that the Superintendent of Highway is hereby authorized to purchase two (2) vehicles with a total cost not to exceed $90,868.19 as presented by the County’s Purchasing Agent; and
RESOLVED, that maintenance package will be determined by the Highway Department and relevant Committee; and be it further

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

RESOLVED, the funds for such vehicle purchase will be available in the 2017 Highway Department budget line (5130-DM) at line 2000.

RESOLUTION NO. 133-20180404

RESOLUTION - AUTHORIZING DIRECTOR OF INFORMATION TECHNOLOGIES TO PURCHASE COMPUTER SOFTWARE

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, there is a need for purchasing computer software, specifically Microsoft Office 2016 licenses in the Information Technologies Department; and

WHEREAS, the Administration Committee has approved the Information Technologies Department to purchase said licenses in an amount not to exceed $86,000.00; and

WHEREAS, the County’s Purchasing Agent shall undertake to procure said goods or services and provide an analysis of compliant vendors to the Department Head; and

WHEREAS, after review of the analysis the Department Head is authorized, subject to the purchasing policy and applicable law, to select the vendor and proceed with the purchase as long as the amount to be spent is within the amount authorized by this resolution; now, therefore, be it

RESOLVED, that the Director of Information Technologies is hereby authorized to purchase Microsoft Office 2016 Licenses at a cost not to exceed $86,000.00; and be it further

RESOLVED, that the vendor for this purchase shall be selected after the completion of the procurement process by the Purchasing Agent, and review of the analysis of compliant vendors to be provided by the Purchasing Agent; and be it further
RESOLVED, that the selection of the vendor shall be made by the Department Head in compliance with this resolution, the County’s Purchasing Policy and applicable law; and be it further

RESOLVED, that the funding for this expenditure is included in the 2018 Information Technologies Budget (1680-A) at line 4835 IT Other/Software.

RESOLUTION NO. 134-20180404

RESOLUTION - PROCLAMATION ESTABLISHING THE MONTH OF APRIL AS THE FAIR HOUSING MONTH 2018

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988, the month of April 2018 has been designated by the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity as Fair Housing Month; now, therefore, be it

RESOLVED, that the Board of Representatives of Otsego County hereby declares and proclaims April 2018 as

FAIR HOUSING MONTH

RESOLUTION NO. 135-20180404

RESOLUTION – PROCLAIMING THE MONTH OF APRIL 2018 AS CHILD ABUSE PREVENTION MONTH IN OTSEGO COUNTY

KOUTNIK, KENNEDY, CLARK, LAPIN, MARTINI

WHEREAS, our children represent our greatest hope for the future and Otsego County remains steadfast in its commitment to the safety and security of our children, families and communities; and

WHEREAS, of paramount concern to all New Yorkers are the problems of child abuse, neglect and maltreatment, which endanger vulnerable young lives and cause long-lasting damage to a child's
physical, emotional and cognitive well-being; and

WHEREAS, there are educational and prevention programs that address all forms of child abuse, and people in communities across Otsego County are encouraged to support such efforts that promote a safe and nurturing environment for children and families; and

WHEREAS, citizens should be vigilant and fervent in their efforts to stop child abuse and are asked to call the State Central Register for Child Abuse and Maltreatment at 1-800-342-3720 to report suspected abuse and maltreatment; and

WHEREAS, Otsego County does not tolerate acts of abuse against children and continuously strives to strengthen enforcement of laws to protect children from abuse, neglect, and maltreatment; all citizens are reminded of the many forms of abuse that occur in our society, with greatest concern for the threat of harm to our precious children; now therefore be it

RESOLVED, that Otsego County Board of Representatives proclaims the month of April 2018 as

CHILD ABUSE PREVENTION MONTH

RESOLUTION NO. 137-20180404

RESOLUTION – AMENDING RESOLUTION NO. 41-20180103 ESTABLISHING SALARIES FOR MANAGERIAL/CONFIDENTIAL EMPLOYEES AND ELECTED OFFICIALS FOR THE YEAR 2018

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, Judiciary Law §183-a requires that a full time District Attorney receive an annual salary equivalent to that of a County Judge; and

WHEREAS, the County’s resolution establishing salaries of 2018 require amendment to be in compliance with the statute; now, therefore be it

RESOLVED, that Resolution No. 41-20180103, establishing salaries for Managerial/Confidential employees and elected officials for the year 2018, is amended as follows:
District Attorney $197,600 effective April 1, 2018

and be it further

RESOLVED, that the District Attorney shall be paid retroactively back to April 1, 2018 to date at the respective salary in order to be in compliance with Judiciary Law §183-a; and be it further

RESOLVED, that funding for these increases are included in the 2018 District Attorney Budget (1165-A) at line 1000, Personal Service; and be it further

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

RESOLUTION NO. 138-20180404

RESOLUTION – AMENDING RESOLUTION 86-20180207- ABOLISHING A CERTAIN POSITION IN THE SHERIFF’S DEPARTMENT (ACCOUNT CLERK TYPIST #2)

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, Resolution 86-20180207 authorized the abolishment of a certain position in the Sheriff’s Department; and

WHEREAS, the Sheriff’s Department is in need of changing the date of the abolishment of said position; now therefore be it

RESOLVED, that the following position in the Sheriff’s Department be abolished effective March 31, 2018:

Account Clerk Typist (#2), Grade 12T, $39,061

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.
RESOLUTION NO. 140-20180404
RESOLUTION – APPROVING HOME RULE REQUEST TO
REVOKE SUSPENSION OF ADDITIONAL MORTGAGE TAX
AND TO AUTHORIZE REMITTANCE OF THE ADDITIONAL
TAX TO THE GENERAL FUND OF OTSEGO COUNTY

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the County has heretofore adopted Resolution No. 91-20180207 requesting the New York State Legislature and Governor to authorize imposition of the additional mortgage tax pursuant to Tax Law section 253 (2)(a) and payment of said tax to the general fund of the County of Otsego pursuant to an amendment to the Tax Law section 261 (1) or other sections of the Tax Law as deemed necessary; and

WHEREAS, the Otsego County Board of Representatives must approve a Home Rule Request requesting the State legislature to amend the tax law, in relation to authorizing the imposition of additional mortgage tax and payment of said tax to the general fund of the County of Otsego (Bill S.5364/A.7209), in form as on file with the Clerk of the Board of Representatives, which will impose an additional mortgage recording tax of twenty-five cents (25¢) for each one hundred dollars ($100) of mortgage value, effective immediately and shall expire December 31, 2020; now, therefore, be it

RESOLVED, that this Board of Representatives does hereby approve a Home Rule Request (Bill S.5364/A.7209) to the State Legislature to amend the tax law, authorizing the collection of an additional ¼% mortgage recording tax, now through December 31, 2020.

RESOLUTION NO. 141-20180404
RESOLUTION – TRANSFERRING FUNDS IN VARIOUS DEPARTMENTS (2018)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, it appears that it will require funds to complete the year 2018 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2018 budget; now, therefore, be it
RESOLVED, that the following transfers be and the same are hereby authorized, and the 2018 budget be and is hereby amended accordingly, pursuant to Section 363 of the County Law:

### 2017 Budget Transfers

#### A - GENERAL FUND

<table>
<thead>
<tr>
<th>FROM:</th>
<th>TO:</th>
<th>Centerline/Edgeline Painting 5112-2092-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway</td>
<td>Highway</td>
<td>(10,000.00)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FROM:</th>
<th>TO:</th>
<th>Interfund Transfer 9901-9000-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway</td>
<td></td>
<td>10,000.00</td>
</tr>
</tbody>
</table>

### 2017 Budget Modifications

#### DM - MACHINERY

| Increase: Machinery Interfund Transfer 0000-5031-DM | 10,000.00 |
| Increase: Machinery Parts 5130-4540-DM | 10,000.00 |

### 2018 Budget Transfers

#### A - GENERAL FUND

| FROM: Board of Elections Materials and Supplies 1450-4500-A | 1,100.00 |
| TO: Board of Elections Training 1450-4050-A | 1,100.00 |

| FROM: Board of Elections Materials and Supplies 1450-4500-A | 900.00 |
| TO: Board of Elections Vehicle Repair 1450-4515-A | 900.00 |

### 2018 Budget Modifications

#### A - GENERAL FUND

| Increase: Department of Health Donations/PHN 0000-2710-A | 1,000.00 |
| Increase: Department of Health Other 4010-4800-A | 1,000.00 |

Seconded, Lapin. Roll call vote on consent agenda. Total: 6,228; Ayes: 5,151; Absent: 1,077- Clark and Stammel. Adopted.

**RESOLUTION NO. 136-20180404**

RESOLUTION – AUTHORIZING EXEMPTION OF CERTAIN PARCELS LOCATED IN THE TOWNS OF SPRINGFIELD, ONEONTA, AND NEW LISBON FROM TAXATION AND PLACE INTO ROLL SECTION 8
WHEREAS, Otsego County has tax liens on the parcels listed below, within the County; and

WHEREAS, it is the finding of the Board of Representatives that there is no practical method to enforce these liens and that a supplemental proceeding would not be effective; and

WHEREAS, the Board of Representatives finds that there is no practical method to enforce collection of taxes that would otherwise be levied against these parcels in the future; now, therefore, be it

RESOLVED, that the tax liens on the following property be cancelled pursuant to Section 1138 of the Real Property Tax Law, RPS 8:

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>TOWN</th>
<th>ASSESSED VALUE</th>
<th>TAXES</th>
<th>FEES/PENALTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>55.61-1-1700</td>
<td>Springfield</td>
<td>$900.00</td>
<td>$16.46</td>
<td>$80.00</td>
</tr>
<tr>
<td>300.00-3-10.02</td>
<td>Oneonta</td>
<td>$1000.00</td>
<td>$43.93</td>
<td>$80.00</td>
</tr>
<tr>
<td>191.00-1-78.00</td>
<td>New Lisbon</td>
<td>$2,200.00</td>
<td>$53.17</td>
<td>$80.00</td>
</tr>
</tbody>
</table>

; and be it further

RESOLVED, that these parcels be made exempt pursuant to Section 1138 of the Real Property Tax Law, RPS Section 8; and be it further

RESOLVED, that the Director of Real Property is hereby authorized to place these properties on Tax Roll Section 8 and add the exemption; and be it further

RESOLVED, that a copy of this resolution be filed with the county tax enforcement officer (County Treasurer) and with the Director of Real Property.

Seconded, Wilber. Roll call vote. Total: 6,228; Ayes: 5,151; Absent: 1,077- Clark and Stammel. Adopted.
RESOLUTION NO. 139-20180404

RESOLUTION – AUTHORIZING THE CHAIR OF THE BOARD OF REPRESENTATIVES TO ACCEPT THE AUTHORIZATION AND DELEGATION BY THE OTSEGO COUNTY SHERIFF

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

RESOLVED, that the Chair of the Board of Representatives is authorized to accept the authorization and delegation by the Otsego County Sheriff pursuant to his letter of March 9, 2018 to act as the appointing authority within the meaning of Civil Service Law 2 (9) for all purposes of Civil Service Law section 72 in connection with the matter concerning Ros Devlin.


In the absence of any objections, late Resolution A-F were presented and acted upon in accordance with the Rules of Order and numbered Resolution Nos.142-147.

RESOLUTION NO. 142-20180404

RESOLUTION – AUTHORIZING THE CHAIR OF THE BOARD OF REPRESENTATIVES TO ENTER INTO A RETAINER AGREEMENT WITH THE LAW FIRM OF NAPOLI SHKOLNIK, PLLC TO COMMENCE A LAWSUIT ON BEHALF OF THE COUNTY OF OTSEGO AGAINST MANUFACTURERS AND DISTRIBUTORS OF PRESCRIPTION OPIATES

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the Otsego County Board of Representatives along with many public officials including the Department of Social Services, the County Sheriff, the District Attorney, Coroners, and various County agencies, have serious concerns regarding the growing opioid addiction and increase in deaths in the County which has been linked to opioid overdoses; and

WHEREAS, the Otsego County Board of Representatives asked the County Attorney to investigate whether to pursue litigation against certain pharmaceutical companies that may be linked to opioid overdoses; and

WHEREAS, the County Attorney now recommends that the County
pursue a litigation against pharmaceutical companies and distributors who engaged in and financially benefited from a course of conduct meant to mislead doctors, patients, regulators, and the medical community, and whose conduct resulted in, among other things, over-prescribed opioid medications that caused increased emergency room admissions, increased opioid overdoses, increased Medicaid costs, and increased law enforcement costs. The County Attorney further recommends that the County enter into a contingency fee agreement with the law firm of Napoli Shkolnik, PLLC for representation in such a lawsuit, and

WHEREAS, Napoli Shkolnik, PLLC represents several municipalities across New York State and other states in the nation that have taken legal action against pharmaceutical companies and distributors; now, therefore, be it

RESOLVED, that the County of Otsego is authorized to commence a lawsuit against manufacturers and distributors of prescription opiates and other individuals associated with these manufacturers, subject to approval by the County Attorney as to form and content of a complaint and other supporting documents; and be it further

RESOLVED, that the Chair of the Board of Representatives is authorized to negotiate and execute a contingency fee agreement with Napoli Shkolnik, PLLC, subject to approval by the County Attorney and contract to contain such other terms and conditions as are in the best interest of the County of Otsego.

Seconded, Farwell. Roll Call vote. Total: 6,228; Ayes: 5,151; Absent: 1,077 - Clark and Stammel. Adopted.

RESOLUTION NO. 143-20180404

RESOLUTION - PROCLAMATION ESTABLISHING THE MONTH OF APRIL AS SECOND CHANCE MONTH 2018

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, every person is endowed with human dignity and value; and

WHEREAS, redemption and second chances are American values; and

WHEREAS, an estimated 65 million American citizens have a criminal record; and
WHEREAS, the U.S. Department of Justice reports that 626,024 individuals returned to their community from state and federal prisons in 2016, including 22,047 from New York State; and

WHEREAS, individuals those who have paid their debt after committing a crime face significant barriers, also known as collateral consequences, to reintegrating into society; and

WHEREAS, the Council of State Governments reports that the number of legal collateral consequences of a criminal conviction exceeds 48,000; and

WHEREAS, many of these consequences are mandatory, without taking into account the seriousness of the offense, the time passed since the offense, the individual’s efforts to make amends and earn back the public’s trust, or whether the consequence has a proven public safety benefit; and

WHEREAS, gaining meaningful employment is one of the most significant predictors of successful reentry and reducing future criminal activity; and

WHEREAS, ninety percent of those who have previously been incarcerated struggle to find employment because of both societal and legal barriers which are often not directly related to the offense committed or any proven public safety benefit; and

WHEREAS, every jurisdiction has laws which prohibit individuals with a criminal record from working in certain industries, such as cosmetology, operation of arcade games, automotive parts recycling, camping equipment sales, boiler inspection, and many others; and

WHEREAS, over sixty percent of employers report they would not be willing to hire someone with any criminal record and many employers utilize a blanket no-hire policy for individuals with a criminal record; and

WHEREAS, education has also been shown to be a significant predictor of successful reentry; and

WHEREAS, those with a criminal record have lower levels of educational attainment than the general population and have significant difficulty acquiring admission to and funding for educational programs; and
WHEREAS, individuals convicted of certain crimes are barred from receiving the financial aid necessary to acquire additional skills and knowledge; and

WHEREAS, many individuals, regardless of their efforts to live positively, are denied admission to institutions of higher education on account of their criminal record despite a lack of empirical evidence showing a campus safety risk; and

WHEREAS, people with a criminal history also face significant barriers in securing a place to live; and

WHEREAS, fifty-six percent of landlords are unwilling to rent to an individual with a criminal record containing a felony charge and thirty-two percent are unwilling to rent to an individual with a previous misdemeanor conviction; and

WHEREAS, individuals with criminal history are also barred from seeking access to public housing or receiving public housing assistance; and

WHEREAS, this inability to access housing has been found to increase the number of individuals returning to prison; and

WHEREAS, many people with a criminal history also face other significant challenges such as an inability to regain voting rights, volunteer in their community, and secure identification documentation, and significant debt as a result of their conviction and incarceration; and

WHEREAS, all of these barriers prevent the 65 million Americans with criminal records from contributing fully to their families and communities; and

WHEREAS, these barriers can contribute to recidivism, which increases victimization and decreases public safety; and

WHEREAS, the inability to find gainful employment and other collateral consequences of conviction inhibit the economic mobility of people with criminal history, which negatively impacts the well-being of their children and families for generations; and

WHEREAS, the legal barriers and stigma associated with a criminal record results in lost human capital and lost economic output for the United States; and
WHEREAS, the anniversary of the Second Chance Act of 2007, which has provided reentry services to over 137,000 people in 49 states and the District of Columbia since its passage, falls on April 9; and

WHEREAS, the anniversary of the death of Charles Colson, who used his second chance following his incarceration for a Watergate-related crime to found Prison Fellowship, the nation’s largest outreach to prisoners and their families, falls on April 21, 2012; and

WHEREAS, a robust coalition of businesses, congregations, and other organizations across the country has celebrated Second Chance Month since April 2017 through events, Second Chance 5ks, briefings, social media campaigns, advocacy, press, and other activities; and

WHEREAS, the designation of April as Second Chance Month can contribute to increased public awareness about the challenges faced by those who have paid their debt, and opportunities for individuals, employers, congregations, and communities to extend second chances; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives honors the work of communities, governmental institutions, non-profits, congregations, employers, and individuals to remove unnecessary legal and societal barriers that prevent individuals with a criminal record from becoming productive members of society; and be it further

RESOLVED, that the Otsego County Board of Representatives calls upon the people of Otsego County of the state of New York to observe Second Chance Month through actions and programs that promote awareness of the challenges facing those who have paid their debt and opportunities to unlock second chances; and be it further

RESOLVED, that the Otsego County Board of Representatives designates April 2018 as SECOND CHANCE MONTH


RESOLUTION NO. 144-20180404
RESOLUTION – AWARDING BED TAX MONIES
FOR 2018

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, under Local Law No. 5 of 1989 (amended by Local Law No. 4 of 2007), the Otsego County Board of Representatives enacted the “Hotel/Motel and Similar Room Occupancy Tax Law”, commonly known as the Bed Tax Law; and

WHEREAS, the law provides that not less than $200,000 collected each year be used for the promotion, planning and development of tourism in the County; and

WHEREAS, by Resolution No. 128 of 2014, the County of Otsego revised its guidelines for making bed tax money awards and renamed the guidelines as “Otsego County Community Events Grants Program Guidelines” as its official policy for the application, review and award of bed tax monies; and

WHEREAS, the County’s Intergovernmental Affairs Committee has reviewed each grant application, and said Committee recommends that awards be made to the organizations named below; now, therefore, be it

RESOLVED, that the County Board of Representatives hereby awards Community Events Grants to the following non-profit organizations:

Hospice Celebrity Party $2,000
Catskill Symphony Orchestra opening concert/Cellist L. Button $1,500
Glimmerglass Film Days- Otsego 2000 $2,000
Earth Festival 2018/OCCA $750
QUENCH- Publication to promote Beverage Trail $500
Live Theater on the Lake/Fenimore Art Museum $2,000
CCE/Farm Day $1,500
Cherry Valley Outdoor Games $2,500
Fly in Pancake Breakfast $1,000
SUNY Oneonta Mayors Cup Tournament $2,000
Summer Harvest Festival/Butternut Valley Alliance $600
Oneonta Outlaws $2,000
Splash Path 5K/Pathfinder Village $1,500
Cooptoberfest/Coop Chamber of Commerce $2,000
Race the Lake/Clark Sports Center $2,000
RESOLVED, that said contracts 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 awards are made strictly for those projects or activities outlined in the applications presented to the County, and funding shall not be used for any other purpose; and be it further
RESOLVED, that the funding for these awards is included in the 2018 Publicity Budget (6410-A) at line 4830 Events.

Representative Lapin stated he will be abstaining from voting on this resolution as he is an employee of OCCA.
Representative Farwell stated that she will also be abstaining from voting as there is an appearance of a conflict of interest with her sister in law.
The following Representatives disclosed the community events grants with which they are affiliated with:
Representative Marietta stated he is on the Cornell Cooperative Extension Board, the Cooperstown Chamber of Commerce Board, and his wife is affiliated with Girls on the Run.
Representative Oberacker stated he is a member of the Schenevus Fire Department.
Representative Kennedy stated that she works with the Cooperstown Farmer’s Market which works closely with Otsego 2000.
Board Chair Bliss stated that he is on the Otsego Land Trust Board, is a participant with Blendos Fitness, is on the Farmer’s Museum Board, and the Cooperstown Rotary Club.
Representative Koutnik stated that he works with the Worcester Wieting Theater and his wife is a paid performer at the Springfield 4th of July Parade.
Representative Frazier stated that he owns a box at the Oneonta Outlaws and the Unadilla Carnival of Sales is sponsored by the Unadilla Chamber of Commerce in which he is a director of.

Seconded, Koutnik. Roll Call vote. Total: 6,228; Ayes: 4,300; Absent: 1,077- Clark and Stammel; Abstained: 851- Farwell and Lapin. Adopted.

RESOLUTION NO. 145-20180404

RESOLUTION – AUTHORIZING OTSEGO COUNTY COMMISSIONER OF SOCIAL SERVICES TO RENEW CONTRACT WITH S&T SECURITY

KOUTNIK, KENNEDY, CLARK, LAPIN, MARTINI

WHEREAS, the Otsego County Department of Social Services believes that the presence of a security guard on site will greatly diminish the possibility of violent incidents in the Department of Social Services at the Meadows Complex; and
WHEREAS, the Department of Social Services believes that the presence of one (1) Security Guard is in the best interest of its staff and clients at the Meadows Complex; and

WHEREAS, S&T Security has indicated a willingness to provide security services to the Department of Social Services at the Meadows Complex; and

WHEREAS, the County’s Purchasing Agent has approved a contract with S&T Security; now therefore, be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with S&T Security to provide security services for the Department of Social Services at the Meadows Complex, at a cost not to exceed $45,000.00 for the period of April 1, 2018 through December 31, 2018; and be it further

RESOLVED, that the funding for this contract is included in the 2018 Social Services Administration Budgets (6010-A) at line 4900 Contracts with estimated reimbursement through 66% Federal and 16% State funds, with 18% local cost.

Seconded, McCarty. Roll Call vote. Total: 6,228; Ayes: 5,151; Absent: 1,077- Clark and Stammel. Adopted.

RESOLUTION NO. 146-20180404

RESOLUTION – AMENDING RESOLUTION 122-20180307- AUTHORIZING CHAIR OF THE BOARD TO ENTER INTO A PURCHASE AGREEMENT FOR 13 SNOWPLOW TRUCKS FOR THE HIGHWAY DEPARTMENT

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution 122-20180307 authorized the Chair of the Board to enter into a purchase agreement for 13 Snowplow trucks for the Highway Department; and

WHEREAS, it is now necessary to amend Resolution 122-20180307 due to a change in the market interest rate from the time of said Resolution and actual signing or the lease-purchase agreement; now, therefore, be it

RESOLVED, that Resolution 122-20180307 is hereby amended to
reflect the change in interest rate, monthly payments, and total cost according to the terms as set forth below:

1. Purchaser: County of Otsego, New York
2. Lender: JP Morgan Chase Bank N.A. -Chase Equipment Finance
3. Vendor: To be determined through bid #1889
4. Equipment: 13 Snowplow trucks
5. Equipment Cost: $2,779,300.42
6. Term: 60 months
7. Current Fixed Rate: 3.04 % or to be determined based on best rate
8. Monthly Payments: $49,989.81 or to be determined based on best rate
9. First Payment Due: 30 days after closing

and be it further

RESOLVED, that said agreements 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 funds for this purchase are included in the 2018 Highway Department budget line (5130-DM) at line 2000 Equipment and will be contained in similar budget lines in subsequent years.

Seconded, Koutnik. Roll Call vote. Total: 6,228; Ayes: 5,151; Absent: 1,077- Clark and Stammel. Adopted.

RESOLUTION NO. 147-20180404

RESOLUTION – AMENDING RESOLUTION 123-20180307 APPROVING SUPERINTENDENT OF HIGHWAYS TO PURCHASE AUTOMOTIVE PARTS AND EQUIPMENT AND APPROVING INVOICES

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution 123-20180307 approved the Superintendent of Highways to purchase needed automotive parts and equipment in an amount not to exceed $150,000.00 through Gillee's Auto Truck and Marine, Inc., the existing vendor, through March 31, 2018; and
WHEREAS, there is a need to extend that time frame to allow for another contract to be put in place for said automotive parts;

WHEREAS, the Highway Superintendent and the County Purchasing Agent are in the process of undertaking procurement of the needed automotive parts; now, therefore, be it

RESOLVED, that until such time as another contract is in place and a new vendor(s) are selected, the Highway Superintendent is authorized to obtain needed automotive parts and equipment from the existing vendor, Gillee’s Auto Truck and Marine, Inc.; and be it further

RESOLVED, that until new vendor(s) are selected, invoices for said purchases shall be reviewed and authorized by the Public Works Committee and payment for same, in amount not to exceed $406,250.00 to May 30th, 2018, authorized by a Board Resolution, if needed; and be it further

RESOLVED, that the funding for this expenditure is included in the 2018 Highway Budget (5130-DM) at line 4540 Parts.

Seconded, Koutnik. Roll Call vote. Total: 6,228; Ayes: 5,151; Absent: 1,077- Clark and Stammel. Adopted.

Representative Koutnik moved for an executive session to discuss the medical, financial, credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Seconded, Martini. Total: 6,228; Ayes: 5,151; Absent: 1,077- Clark and Stammel. Motion carried.

All the general business of the Board having been transacted, the Board Chair declared the meeting adjourned until Wednesday, May 2nd, 2018 at 10:00 a.m.