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

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

Board Chair Bliss stated that it is a National Day of Mourning and asked for a moment of silence in honor of George H.W. Bush.

Under Privilege of the Floor, Ed Dawyot, Town of New Lisbon, thanked the Highway Department for going back to old ways by mixing salt and sand for the roads as salt is detrimental, what works works, and there is better traction on hills. Mr. Dawyot stated that people are complaining about the gas pipeline in Oneonta but a base is needed until there can be green energy, the pipeline is the safest way to do it, there are many pipelines throughout the United States, it works, and it is economical.

Nicole Dillingham, Board President of Otsego 2000, stated that yesterday the NYS Attorney General and 5 other Attorney Generals (New Jersey, Massachusetts, Maryland, Washington, Oregon and District of Columbia) filed a brief supporting Otsego 2000’s lawsuit that asks that the FERC (Federal Energy Regulatory Commission) consider greenhouse gas impacts for energy projects. Ms. Dillingham discussed the many environmental impacts of greenhouse gas including but not limited to climate change, flooding, and reduced drinking water. Ms. Dillingham suggested that the County write a letter asking the IDA to withdraw their proposal, there have been 6 accidents in this County and there will be more, we are David fighting Goliath but cannot ignore this.

María Ajello, Otsego County employee stated that she is a 10 year employee and is grateful for her employment, distributed her original written request asking the Board for an ethical review of the transfer of her property, stated that employees and their families should not be allowed to bid on properties, she is mandated to help her neighbors, not help herself to what her neighbor has, weeks before the auction she had the money to pay her back taxes but it was denied, had her property for 25 years, nothing in this world has devastated her more, asked the Board to do the right thing and talk with her in executive session.

Patricia Szarpa, Otsego Land Trust, stated she is here to express interest in moving forward with the Roses Hill parcel and asked that the Board reconsider their bid. Ms. Szarpa stated they have forest next to this property, they are honest and good bidders, they followed the process, they have 111 privately
owned properties, protect the land for the public, manage the land, they could be great watch dogs for the 13.5 acres that the County still owns at Roses Hill, the Town of Otsego Supervisor expressed support of this sale as it follows the Town’s Comprehensive Plan, they are looking at developing a hunting program, and asked that the Board bring this back to the table for a vote again.

Joy Sanders, New Lisbon, stated that the article in the Daily Star regarding Delaware County Veterans riding in Otsego County’s van was very negative, the facts are never all there and you don’t always hear both sides. Ms. Sanders stated she has been riding the Veterans van for 10 years, never had a problem, Delaware County has a bus and a van to transport their Veterans, feels that Otsego County should not pick up another County’s Veterans as it is a liability, and stated she will back Dennis Clark the new Veteran’s Director.

Leslie Orzetti, Director of OCCA, thanked the Board Reps for their service this year, stated that the big 3 are here today including the Otsego Land Trust, Otsego 2000, and OCCA proving there are serious environmental issues in the County. Ms. Orzetti stated that she is advocating for the sale of the Roses Hill Property to the Otsego Land Trust as they have contiguous forest next to the property, they would steward the land, will help to conserve forests, and monitor pests. Ms. Orzetti stated that the XNG trucks on State Highway 28 and 205 have decreased but it is still not an appropriate route for large trucks, the problem was mitigated to someone else, and asks that the County please write a letter again to XNG asking them to take the interstate.

Russ Ahrens, Otsego County Employee, held up a Return the Widow’s home sign, stated that many Counties still accept payment of delinquent taxes up to the day of the sale, no announcement was made at Maria Ajello’s auction as ordered by Judge Burns, we as humans make mistakes and asked that Maria Ajello be allowed to make it right, do the ethical thing, don’t take homes from people that want to pay and have the money, there needs to be changes in this County, Representative Clark believed that there was an inappropriate relationship between them and Representative Schwerd, there is a moral duty to help everyone, and asked that election campaign signs get picked up.

Representative Kathy Clark asked that people not be careless with the truth as she said no such sentiment regarding Representative Schwerd and Maria Ajello and Russ Ahrens.

The minutes of November 7, 2018 were approved.

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

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

The following communications were read and ordered filed:
Letter received from Edward Keator, Jr. expressing concerns about the tentative budget document, projected fund balances, and the proposed management raises.

Under Special Presentations, Karen Sullivan, Director of Planning, gave a presentation on the summary of proposed changes to the Oneonta/Southern and Cooperstown/Northern Transfer Stations and budgetary impact including but not limited to: historical data- the tonnage of solid waste and recyclables from 2014-2018, costs per ton, tip and user fee rates, user fee and tip fee revenue for 2014-2019, the total recyclables collected for 2015-2019 and the associated cost, E-waste- total collected and costs, changes with the new MSW and recycling contract- Northern Transfer Station days are extended to Monday through Friday 7:00 a.m.- 12:00 p.m., Saturdays 8:00 a.m. to 12:00 p.m., Southern Transfer Station will be Monday through Friday 7:00 a.m. to 3:00 p.m. and Saturdays 8:00 a.m. to 12:00 p.m., with no extended hours during the summer month for either location, Casella will now provide debit and credit card processing at both locations, will oversee the mattress recycling program directly with Triad and will pay the utility cost for the recycling building at Oneonta, fee schedule for the NTS and STS for 2019, efforts to reduce recycling costs- improve quality of recycling material, seek alternatives to oversea markets, educate the public and hauling companies to reduce contamination, start at the curbside, put promotional material in the media and provide more information at the transfer stations.

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

During the reports of the Standing committees, Representative Wilber moved for approval for the Chair of the Board to write a letter of support for Representative Lapin to be appointed to the Chesapeake Bay Program’s Local Government Advisory Committee. Seconded, Koutnik. Total: 6,228; Ayes: 5,357; Absent: 523-Stammel; Abstained: 348-Lapin. Motion carried.

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

Representative McCarty gave a report on the Jury Board.
Representative Marietta gave a report on the Otsego Now Board.

Board Chair declared a break.

The Board reconvened.

Representative Koutnik moved to dispense with the reading of all reports and resolutions. Seconded, Martini. Total: 6,228; Ayes: 5,705; Absent: 523-
Stammel. Motion carried.

The Administration Committee offered the following reports for approval:

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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 $0.00 for the following purposes:

For the purpose of defraying the expenses for 2019 of the Milford Consolidated Health District, which district includes the incorporated Village of Milford, all in accordance with the Budget for 2019 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 $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 28, 2018
BERNADETTE ATWELL, 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 2019 of the Morris Consolidated Health District, which district includes the incorporated Village of Morris, all in accordance with the Budget for 2019 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: November 15, 2018
LYNN A. JOY, Supervisor
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 2019 of the Otego Consolidated Health District, which district includes the incorporated Village of Otego, all in accordance with the Budget for 2019 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: October 29, 2018

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

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 2019 of the Laurens Consolidated Health District, which district includes the incorporated Village of Laurens, all in accordance with the Budget for 2019 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 28, 2018

PATRICIA BROCKWAY, Supervisor
Town of Laurens, New York
TOTAL 2018 ELECTION EXPENSE FOR 2019 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:

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Totals: 28 238 $4,774.18 $24,178.26 $26,235.81 $80,911.06 $5,950.00 $4,924.99 $174,974.30
Representative Martini moved to adopt all the foregoing reports as presented. Seconded, Oberacker and McCarty. Total: 6,228; Ayes: 5,705; Absent: 523 - Stammel. Adopted.

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

Board Chair Bliss removed Resolution No. 322 and 323.

Board Chair Bliss called for action on the consent agenda, excluding Resolution Nos. 322 and 323. Representative Koutnik moved to act upon the consent agenda, Resolution Nos. 324-339.

RESOLUTION NO. 324-20181205

RESOLUTION – AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH CATHOLIC CHARITIES OF DELAWARE, OTSEGO, AND SCHOHARIE COUNTIES FOR OPERATION OF THE ALTERNATIVES TO INCARCERATION PROGRAM

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, there is a need to assist Otsego County Courts and Law Enforcement agencies in promoting appropriate and effective Alternatives to Incarceration experiences for eligible participants; and

WHEREAS, through its Purchasing Agent, Otsego County solicited Requests for Proposal for Alternative to Incarceration Program services under RFP #17-OTS-015; and

WHEREAS, by resolution 322-20171206, Catholic Charities of Delaware, Otsego and Schoharie Counties was awarded the contract for Alternative to Incarceration Program services in accordance with the specifications and the proposal received pursuant to RFP #17-OTS-015 for a period of 1 year expiring December 31, 2018; and

WHEREAS, in accordance with the Request for Proposal, the County may renew the agreement for an additional year and has the option thereafter to extend for three additional one year terms; and

WHEREAS, the Public Safety and Legal Affairs Committee and the
RESOLVED, that the Chair of this Board is authorized to execute an agreement with Catholic Charities of Delaware, Otsego and Schoharie Counties, with offices located at 176 Main Street, Oneonta, New York 13820, for the operation of the Otsego County Alternatives to Incarceration Program for the period of January 1, 2019 through December 31, 2019, at a total cost not to exceed $29,900; and be it further

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

RESOLVED, that the funding for this agreement is included in the 2019 Alternatives to Incarceration Budget (3157-A) at line 4900 Contracts.

RESOLUTION NO. 325-20181205

RESOLUTION – AUTHORIZING AWARD OF PROGRAM INCOME FUNDS TO OTSEGO RURAL HOUSING ASSISTANCE, INC. AND AUTHORIZING CHAIR TO SIGN CONTRACT FOR SAME

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNOON

WHEREAS, by way of Resolution 218-20180801 program funds were authorized to be released from the New York State Small Cities Community Development Block Grant (CDBG) for Farm Restore Housing Rehabilitation for low to moderate income (LMI) households with an emphasis on assisting farmers in residential repairs to their owner occupied homes; and

WHEREAS, the Otsego County Purchasing Agent issued a Request for Proposal #18-OTS-010 for the Administration and Program Delivery of the Farm Restore Housing Rehabilitation Grant Program and the responses were reviewed by the Purchasing Agent and the Intergovernmental Affairs Committee; now, therefore, be it

RESOLVED, that the County awards the Farm Restore Housing Rehabilitation grant contract to Otsego Rural Housing Assistance Inc., 709 County Highway 33, Cooperstown, NY 13326, for a total amount of $50,000; ($3,000 for Administration; $2,350 Program Delivery; $44,650 for Activity cost); and be it further

RESOLVED, that the funded activity must meet one of the three National
Objectives: benefit low moderate income (LMI) persons; aid in the prevention or elimination of slums or blight; or meet community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs; and be it further

RESOLVED, that Chair of the Board is authorized to sign a contract with the award recipient and said contract shall contain the conditions required by the grant and such other terms and conditions as are in the best interest of the County; and be it further

RESOLVED, that the funding for the projects will be distributed from the Revolving Loan Program, 8695-4900-CG; Micro Enterprise 8673-4800-CG and the 8671-4820-CG.

RESOLUTION NO. 326-20181205

RESOLUTION – AUTHORIZING THE AWARD OF PROGRAM INCOME FUNDS TO THOMA DEVELOPMENT, INC. AND AUTHORIZING CHAIR TO SIGN CONTRACT FOR SAME

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, by way of Resolution 218-20180801 program funds were authorized to be released from the New York State Small Cities Community Development Block Grant (CDBG) for Low Moderate Income (LMI) businesses with a focus on Agriculture; and

WHEREAS, the Otsego County Purchasing Agent issued a Request for Proposal #18-OTS-010 for the Administration and Program Delivery of the Micro-Enterprise Grant Program and the responses were reviewed by the Purchasing Agent and the Intergovernmental Affairs Committee; now, therefore, be it

RESOLVED, that the County awards the Micro Enterprise grant contract to Thoma Development Inc., located at 34 Tompkins Street, Cortland, NY 13085 for a total amount of $ 200,000; ($9250 for Administration; $750 for Environmental Review; $20,000 Program Delivery; $170,000 for Activity cost); and be it further

RESOLVED, that the funded activity must meet one of the three National Objectives; Benefit Low Moderate Income (LMI) persons; Aid in the prevention or elimination of slums or blight; or Meet community development needs having a particular urgency because exiting conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs; and be it further
RESOLVED, that Chair of the Board is authorized to sign a contract with the award recipient and said contract shall contain the conditions required by the grant and such other terms and conditions as are in the best interest of the County; and be it further

RESOLVED, that the funding for the projects will be distributed from the Revolving Loan Program, 8695-4900-CG; Micro Enterprise 8673-4800-CG and the 8671-4820-CG.

RESOLUTION NO. 327-20181205

RESOLUTION – APPROVING CONTRACT WITH TOWN AND COUNTY BRIDGE AND RAIL FOR SILANE PENETRATING BRIDGE DECK SEALING

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, the Otsego County 2018 Adopted Budget was approved by the Otsego County Board of Representative on December 6, 2017; and

WHEREAS, the Highway Department budgeted for various Capital Maintenance projects; and

WHEREAS, the Highway Department proposes to use a portion of said funds for silane penetrating bridge deck sealing for necessary projects; and

WHEREAS, the County’s Purchasing Agent requested bids (#9075) for said goods and services; and

WHEREAS, the Superintendent of Highways, after analysis by the Purchasing Agent, and the Public Works Committee have recommended that the contract for this bid be awarded to Town and County Bridge and Rail, 64 Edson Street, Amsterdam, NY 12010; now, therefore, be it

RESOLVED, that the bid is hereby awarded to Town and County Bridge and Rail, 64 Edson Street, Amsterdam, NY 12010, and the Chair of the Board is authorized to contract with Town and County Bridge and Rail for silane penetrating bridge deck sealing in the County of Otsego for the period of September 30, 2018 through September 29, 2019 with the option of two (2) one (1) year extensions at a cost not to exceed $25,000; and be it further

RESOLVED, that said contracts are 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 funding for this expenditure is included in the 2018 Road Construction Projects Budget (5112-D) at line 2093 Seal Program.

RESOLUTION NO. 328-20181205

RESOLUTION - AUTHORIZING RENEWAL OF VARIOUS INSURANCE POLICIES

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the County has contracted for necessary policies of insurance covering various properties and exposures to claim, and certain of said policies expire December 31, 2018; and

WHEREAS, the County desires to self insure to the sum of $250,000 certain of the coverages, namely, auto liability, law enforcement liability, public officials liability and comprehensive general liability; and

WHEREAS, in conjunction with such self insurance, the County desires to obtain insurance coverages over said $250,000; now, therefore, be it

RESOLVED, that the Chair is authorized to contract for the following policies of insurance for the following periods and premiums:

1. General Liability and Excess Liability with NYMIR Insurance Company
   12/31/18 - 12/31/19 .......................... $66,139.70
   $5,000,000 each occurrence/$11,000,000 aggregate
   General Liability and Excess Liability with $250,000 deductible.
   Administration includes charge backs per claims handled.

Claims Administration:

The Risk Manager, part-time, shall oversee all investigations (personal injury and property damage), administration of files and claims and conform to all applicable statutes and rules and as these services have been previously performed by predecessor independent contractor. The County will administer first party claims; the County shall approve claims of $5,000.00 or more referred to legal counsel and selection of legal counsel.

2. Law Enforcement Liability with NYMIR Insurance Company
12/31/18 – 12/31/19 ................................. $35,054.80
$250,000 deductible applies
$5,000,000 each claim/$10,000,000 aggregate

3. Public Officials Liability with NYMIR Insurance Company

12/31/18 – 12/31/19 ................................. $27,277.80
$250,000 deductible applies
$5,000,000 each claim/$10,000,000 aggregate

4. Automobile Liability with NYMIR Insurance Company (Auto 001)

12/31/18 – 12/31/19 ................................. $34,218.70
$250,000 deductible applies
$5,000,000 each claim/$9,000,000 aggregate

5. Automobile Liability with NYMIR Insurance Company (Auto 002)

12/31/18 – 12/31/19 ................................. $8,970.10
$5,000,000 each claim/$9,000,000 aggregate

6. OCP with NYMIR Insurance Company

12/31/18 – 12/31/19 ................................. $275.00

7. Property & Inland Marine with Hartford

12/31/18 – 12/31/19 ................................. $80,147.30

Included within this coverage and premium are the following:

- Boat
- Miscellaneous Equipment
- Valuable Papers
- Radio Equipment
- Contractors Equipment
- EDP Equipment
Automobile Catastrophe Physical Damage Coverage
Boiler & Machinery

8. Crime with Travelers Insurance Company
   
   12/31/18 – 12/31/19. .................................................. $4,724.00
   
   $300,000 employee dishonesty

   
   12/31/18 – 12/31/19. .................................................. $42,144.85
   
   $1,000,000 each claim/$3,000,000 aggregate on professional liability
   $1,000,000 each OCC/$2,000,000 aggregate on healthcare general liability

10. Cyber Liability with Axis Surplus Insurance Company
    
    12/31/18 – 12/31/19. .................................................. $11,096.00
    
    Policy Limit- $2,000,000
    $25,000 deductible applies

   and be it further

   RESOLVED, that these contracts shall be entered into with various insurance companies through its agent, Rose and Kiernan; and be it further

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

   RESOLVED, that the funds for the above policies are included in the 2019 Unallocated Insurance Budget (1910-A) at line 4660.

RESOLUTION NO. 329-20181205

RESOLUTION - AUTHORIZING RENEWAL OF INSURANCE POLICY FOR EXCESS EMPLOYERS LIABILITY INSURANCE

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY
WHEREAS, the County has contracted for Excess Employers Liability Insurance which expires December 31, 2018; and

WHEREAS, it is in the best interests of the County to renew this policy for 2019; now, therefore, be it

RESOLVED, that the Chair is authorized to contract the following policy of insurance for the following period and premium:

Excess Employers Liability with Capitol Indemnity Corporation

12/31/18 - 12/31/19 .................................................. $11,985.00
$ 50,000 deductible applies

and be it further

RESOLVED, that this contract shall be entered into with Capitol Indemnity Corporation through its agent, Rose and Kiernan; and be it further

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

RESOLVED, that the funds for the above policy are included in the 2019 Self-Insurance (Workers Compensation) Budget (1710-A) at line 4801 Insurance.

RESOLUTION NO. 330-20181205

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2018
(A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF OTSEGO A PUBLIC NUISANCE, AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY’S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, there was duly presented to the Board of Representatives of the County of Otsego at a regular meeting duly held in the Meeting Room of the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on November 7, 2018, a local law for the year 2018 entitled "A Local Law Declaring the Opioid Epidemic and Its Effects on the County Of Otsego a Public Nuisance, and Establishing a Cost Recovery Procedure For the County’s Expenditures Incurred in Providing Services Related
to the Opioid Epidemic”; and

WHEREAS, a public hearing was duly held on the proposed Local Law in the Meeting Room of the Board of Representatives in the Otsego County Office Building, 197 Main Street, Cooperstown, New York on the 5th day of December, 2018 at 9:50 a.m., at which time all interested persons were heard; now, therefore, be it

RESOLVED, that a local law of the County of Otsego for the year 2018, as above set forth, be and the same is hereby adopted.

RESOLUTION NO. 331-20181205

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2018
(A LOCAL LAW TO AMEND LOCAL LAW NO. 1 of 2017 TO PROVIDE FOR THE INSTALLMENT PAYMENT OF ELIGIBLE DELINQUENT TAXES PURSUANT TO REAL PROPERTY TAX LAW SECTION 1184)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, there was duly presented to the Board of Representatives of the County of Otsego at a regular meeting duly held in the Meeting Room of the Board of Representatives in the Otsego County Office Building, Cooperstown, New York on November 7, 2018, a local law for the year 2018 entitled "A Local Law to Amend Local Law No. 1 of 2017 to Provide For the Installment Payment of Eligible Delinquent Taxes Pursuant to Real Property Law Section 1184”; and

WHEREAS, a public hearing was duly held on the proposed Local Law in the Meeting Room of the Board of Representatives in the Otsego County Office Building, 197 Main Street, Cooperstown, New York on the 5th day of December, 2018 at 9:50 a.m., at which time all interested persons were heard; now, therefore, be it

RESOLVED, that a local law of the County of Otsego for the year 2018, as above set forth, be and the same is hereby adopted.

RESOLUTION NO. 332-20181205

RESOLUTION – UPGRADING SALARY FOR A CERTAIN POSITION IN THE PROBATION DEPARTMENT (PROBATION ASSISTANT)
FRAZIER, WILBER, STAMMEL, FAWELL, OBERACKER

WHEREAS, there have been changes to the rules and regulations established by the Division of Criminal Justice Services (DCJS) that affect professional positions within the Probation Department; and

WHEREAS, these changes required a review to be made to the Probation Assistant title for possible reclassification; and

WHEREAS, the Personnel Officer and Probation Director have determined that job titles with similar job duties and minimum qualifications as the Probation Assistant were allocated at higher salary grades than the current Probation Assistant grade; and

WHEREAS, grade allocation is a non-mandatory subject of negotiations therefore only requiring Board approval; now, therefore, be it

RESOLVED, the salaries for the Probation Assistant will be upgraded as follows:

Probation Assistant, Grade 11C, $32,001 - $37,786 ($1,157)

and be it further

RESOLVED, the new salary grade for Probation Assistant shall be considered effective as of November 7, 2018; and be it further

RESOLVED, the funding for these salaries is included in the 2018 Probation Department Budget (3410-A) at line 1000 Personal Service; and be it further

RESOLVED, 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.

RESOLUTION NO. 333-20181205

RESOLUTION – CREATING A POSITION IN THE PUBLIC DEFENDER’S OFFICE (PUBLIC DEFENDER #1)

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

RESOLVED, that the following position is created, funded and authorized to be filled in the Public Defender’s Office, effective January 1, 2019:
RESOLUTION NO. 334-20181205

RESOLUTION – UNFUNDING A CERTAIN POSITION IN THE PUBLIC DEFENDER’S OFFICE (PART TIME PUBLIC DEFENDER #1)

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, a certain position in the Public Defender’s Office is not being utilized and it is necessary to amend the current budget to reflect same so that the funds still available for this position can be used for other purposes; now, therefore, be it

RESOLVED, that the following position in the Public Defender’s Office be unfunded effective December 31, 2018:

Part Time Public Defender (#1), Grade 19A, $66,644

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. 335-20181205

RESOLUTION – ESTABLISHING OTSEGO COUNTY SOLID WASTE USER FEE AND USER FEE SCHEDULE FOR 2019

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL
WHEREAS, Section 226-b of the County Law and Local Law No.1 of 2014 authorized Otsego County to engage in solid waste management services and to charge a user fee for such services, and Otsego County has undertaken and will continue to undertake solid waste management services within this County including solid waste delivery, recycling and related services, and by the authority stated above, establishes a rate schedule for users within Otsego County; now, therefore, be it

RESOLVED, that the Solid Waste User Fee for 2019 will be twenty-dollars ($20) per unit and the rate schedule is set as follows:

Units (individual, fractional or multiple) shall be charged to all parcels of improved real property in the County. The charge for a parcel may be individual assignment to a parcel on the Roll.

A) RESIDENTIAL PROPERTIES

- #200, 210, 240, 250, 260, 270 – Single Family Residence 1 Unit
- Single Family Residence with Real Property Senior Citizen Exemption (codes 41800-41807, or 41890-41891) ½ Unit
- #220 – Two Family Residence 2 Units
- #230 – Three Family Residence 3 Units
- # 417 – Camps/Cottages – per residence located upon each separately assessed parcel 1 Unit
- #271, 280,410,411,412,416,620 and 100 series – Other Residential Units per residence located upon each separately assessed parcel 1 Unit

B) NON-RESIDENTIAL PROPERTIES

- See Individual Parcel on Solid Waste User Fee Roll (The minimum charge per parcel shall be 1.00 unit)

C) EXEMPTIONS

- Houses of Worship 0 Units
- Vacant Land 0 Units

RESOLUTION NO. 336-20181205

RESOLUTION – AUTHORIZING THE CHAIR TO ESTABLISH 2019 TIP FEE AND RATE SCHEDULE FOR THE ONEONTA AND COOPERSTOWN TRANSFER STATIONS

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

WHEREAS, Resolution #295-20181107 authorized Otsego County to enter
into a five year contract agreement with Casella Waste of New York, Inc. for the operation and maintenance of the Southern (Oneonta) transfer station located on Silas Lane in the City of Oneonta and the Northern (Cooperstown) Transfer station located on NYS Highway 28/80 to transport and deliver all non-recyclable solid waste from the two transfer stations to a permitted landfill as described in the terms of the agreement; and

WHEREAS, Resolution #180-2014423 authorized Otsego County to establish the hours of operation, tip fee and rates for each of the two transfer stations; and

WHEREAS, Resolution # 255-20160803 included the cost for recycling of mattresses to the fee schedule; and

WHEREAS, Resolution # 295-20181107 set the hours of operation for the Northern Transfer Station (Cooperstown) and the Southern Oneonta Transfer Station which shall remain in effect for 2019; now, therefore, be it

RESOLVED, that the Official Hours of Operation for the Northern Cooperstown Station and Southern Oneonta Station for 2019 are:

Northern Transfer Station (Cooperstown)
- Monday thru Friday 7:00 to Noon
- Saturday 8:00 am to Noon

Southern Transfer Station (Oneonta)
- Monday thru Friday 7:00 am to 3:00 pm
- Saturday 8:00 am to Noon

and be it further

RESOLVED, that the Official Otsego County Tip Fee beginning January 1, 2019 through December 31, 2019 shall be $80.00 per ton and that the rates, fees and surcharges, (“Rate Schedule”) are as follows for 2019:

- Tip Fee- In County Waste - $80/ton
- Scale Minimum Fee – (up to 500 lbs) $20/ton
- Recycling-Commercial Haulers $55/ton
- Per Bag Fee-Up to 30 gallon bag/container $4.00/bag
- Freon Removal $28.00
- Bulk White Goods $28.00
- Auto Tires $6.00/tire
Truck Tires $15.00/tire
Tires mixed in MSW $30.00
Tires by the Ton $240.00
Mattress/box springs $25.00/unit
Certified Weight Charge $5.00
Returned Check Charge $30.00

RESOLUTION NO. 337-20181205
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:

<table>
<thead>
<tr>
<th>2018 Budget Transfers</th>
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<tbody>
<tr>
<td>A - GENERAL FUND</td>
<td></td>
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<tr>
<td>FROM:</td>
<td>Sheriff</td>
<td>Fuel</td>
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<tr>
<td>TO:</td>
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<td>TO:</td>
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<td>Other</td>
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<td>Family Assistance</td>
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<tr>
<td>TO:</td>
<td>Social Services</td>
<td>Child Welfare/Foster Care</td>
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<tr>
<td>FROM:</td>
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<td>Juvenile Delinquent</td>
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<tr>
<td>TO:</td>
<td>Social Services</td>
<td>Safety Net</td>
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<tr>
<th>2018 Budget Modifications</th>
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<td>A - GENERAL FUND</td>
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</table>
RESOLUTION NO. 338-20181205

RESOLUTION – AUTHORIZING ELECTRONIC SIGNATURE AND ADOPTING THE RENSSELAER COUNTY BUSINESS ANALYSIS AND RISK ASSESSMENT DATED OCTOBER 2016

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, New York State adopted an Electronic Signatures and Records Act (ESRA) to facilitate commerce and government by giving electronic signatures the same force and effect as signatures produced by non-electronic means; and

WHEREAS, regulations authorized under ESRA allow governmental entities to use electronic signatures provided a business analysis and risk assessment is undertaken prior to selecting an electronic signature program; and

WHEREAS, Otsego County wishes to use software developed by Discover eGov located in Pittsford, New York, which is a web based contract management system utilized by other New York counties and which contains an electronic signature component; and

WHEREAS, Rensselaer County utilizes the same software for its contract management system and conducted and prepared a Business Analysis and Risk Assessment on October 2016; and

WHEREAS, ESRA regulations permit a governmental entity to adopt an existing risk assessment for the same program of another governmental entity; and

WHEREAS, the IT Director and the Administration Committee reviewed and approved the Rensselaer County assessment; now, therefore, be it

RESOLVED, that pursuant to 9NYCRR 540.4, the Otsego County Board of Representatives hereby adopts the Rensselaer County Business Analysis and Risk Assessment.
RESOLUTION NO. 339-20181205

RESOLUTION – ADOPTING THE OTSEGO COUNTY ELECTRONIC SIGNATURES AND RECORDS POLICY

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, New York State adopted an Electronic Signatures and Records Act (ESRA) to facilitate commerce and government by giving electronic signatures the same force and effect as signatures produced by non-electronic means; and

WHEREAS, the Administration Committee of this Board reviewed and authorized the adoption of the Otsego County Electronic Signatures and Records Policy; and

WHEREAS, the Otsego County Electronic Signatures and Records Policy will be available for review by any Otsego County employee at the Otsego County Personnel Office and on the County website; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives hereby approves and adopts the Otsego County Electronic Signatures and Records Policy, annexed to this resolution, effective December 5, 2018:

OTSEGO COUNTY ELECTRONIC SIGNATURES AND RECORDS POLICY

1. Introduction. New York State adopted an Electronic Signatures and Records Act (ESRA) which provides guidance to New York State governmental entities, including Counties. The purpose of ESRA is to “…facilitate e-commerce and e-government in New York State by giving electronic signatures (e-signatures) ... the same force and effect as signatures and records produced by non-electronic means." The modernization of the work product, correspondence and other materials produced on behalf of and by Otsego County has resulted in a greater reliance on computers, the internet and electronic means of communication.

2. Policy Statement. This policy provides for the utilization of an electronic signature by Otsego County by means of methods that are practical, secure, and balance risk and cost. The County electronic signature authorization
process will be instituted for contracts with other persons or entities and for internal documentation and certification. The e-signature system will utilize user authentication by verifying the user's unique credentials, such as username and password, or a digital certificate. This policy does not supersede situations where laws specifically require a written signature. This policy does not limit the option to conduct the transaction on paper or in non-electronic form and the right to have documents provided or made available on paper at no charge. The e-signature must be protected by reasonable security measures as applicable to established computer functions of the County.

3. **Evaluation Process for Use of Electronic Signature.** a) An evaluation will be performed by the IT Director to determine risks associated with each e-signature application to determine the quality and security of the e-signature method required. The evaluation should be provided to the Administration Committee and include specifications for recording, documenting, and/or auditing the e-signature as required for non-repudiation and other legal requirements, and other factors as determined by the IT Director.

4. **Maintenance and Review Requirements.** a) **Security:** Software and/or hardware that are required for e-signatures will be provided by the County, which will ensure that appropriate controls and monitoring of the software/hardware are in place. b) **Periodic Review:** A review of each e-signature implementation will be conducted periodically by the IT Director, but not less than biennially. This will include an evaluation of the e-signature use to determine whether any applicable legal, business, or data requirements have changed. A determination will be made as to the continued appropriateness of the risk assessment and e-signature implementation method. A record of this review will be documented and filed as part of the official record for the e-signature implementation method maintained by the County. If as a result of the periodic review the risk level changes, a new risk assessment must be completed within 90 days, including review and approval. The results of the review shall be submitted to the Administration Committee who shall evaluate and make recommendations to the County Board for any changes deemed necessary and appropriate.

5. **Electronic Documents and Records Management.** Electronic records created in the transaction of public business are public records and subject to the Public Records Law and need to be retained according to a records retention and disposition schedule. The shift to e-signatures on contracts will have the effect of creating higher volume of e-records to maintain and store, as automating the contract management and execution process transfers previously paper generated contracts, amendments, and MOUS to electronic records. These e-records are now considered original official documents. Therefore, e-records must be preserved in a format that makes the information easily accessible and useable to all persons who are entitled by law to access
such records. For this reason, e-records must be capable of being retrieved in a timely manner. All laws applicable to traditional paper government records, at the county, state and federal levels, are also applicable to electronic records, including public records and retention laws.

6. **Use and Acceptance of E-signatures and E-records.** The use and acceptance of e-signatures and e-records shall be voluntary and never mandatory or required in order to obtain a service from the County, conduct a business transaction and/or enter into a legal agreement or contract. This policy does not limit the right of the party to conduct a transaction on paper nor does it apply to any situation where a written signature is required by law. The County must produce e-records in paper form, if requested. This does not mean the County must maintain paper copies of e-records, only that the County must have the capability to generate e-records and provide citizens timely access to records, as permitted by law, in both paper and electronic formats.

Seconded, Martini. Roll call vote on consent agenda. Total: 6,228; Ayes: 5,705; Absent: 523- Stammel. Adopted.

**RESOLUTION NO. 322-20181205 (original)**

**RESOLUTION - ADOPTING OTSEGO COUNTY BUDGET FOR 2019**

**KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY**

WHEREAS, pursuant to Section 354 of the County Law, on November 15, 2018, the Budget Officer filed with this Board a tentative budget for 2019, together with the budget message and exemption report; and

WHEREAS, the public hearing on the tentative budget was held on November 27, 2018 pursuant to Section 359 of the County Law; and

WHEREAS, this Board, on December 5, 2018 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 2019, as changed, altered and revised, shall be as follows:

and be it further

RESOLVED, that the final budget as set forth above be and hereby is adopted as the 2019 Otsego County Budget.
Seconded, Lapin. Representative Wilber moved to amend Resolution No. 322-20181205 by decreasing 8160.4900.A by $85,000, decreasing 6010.1000.A by $8,096, decreasing 1165.1000.A by $17,462, increasing 1170.1000.A by $3,000, decreasing 1170.1000.A by $4,00, increasing 1450.1000.A by $11,259, decreasing 3620.1000.A by $21,293, increasing 1170.1000.A by 5,757, increasing 8020.1000.A by $42,330, increasing 4310.1000.A by $4,250, decreasing 1355.1000.A by $14,784 and increasing 4311.1000.A by $750. Seconded, Koutnik. After further discussion Representative Wilber and Representative Koutnik withdrew their motion and second.

Representative Wilber moved to amend Resolution No. 322-20181205 by approving all of the above changes except increasing 1450.1000.A by $11,259. Seconded, Koutnik. Total: 6,228; Ayes: 5,705; Absent: 523- Stammel. Motion carried.

Representative Marietta moved to amend Resolution No. 322-20181205 by increasing 1450.1000.A by $11,259. Seconded, Clark. Total: 6,228; Ayes: 4,712; Noes: 993- Frazier, Clark; Absent: 523- Stammel. Motion carried.

Representative Frazier moved for approval to amend Resolution No. 322-20181205 by increasing the health insurance contribution for only the sitting and future Board Members to 10%. Seconded, McCarty. Total: 6,228; Ayes: 5,705; Absent: 523- Stammel. Motion carried.

RESOLUTION NO. 322-20181205 (amended)

RESOLUTION - ADOPTING OTSEGO COUNTY BUDGET FOR 2019

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, pursuant to Section 354 of the County Law, on November 15, 2018, the Budget Officer filed with this Board a tentative budget for 2019, together with the budget message and exemption report; and

WHEREAS, the public hearing on the tentative budget was held on November 27, 2018 pursuant to Section 359 of the County Law; and

WHEREAS, this Board, on December 5, 2018 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 2019, as changed, altered and revised, shall be as follows:
and be it further

RESOLVED, that the final budget as set forth above be and hereby is adopted as the 2019 Otsego County Budget.

Seconded, Koutnik and Martini. Roll call vote on Resolution No. 322-20181205 as amended. Total: 6,228; Ayes: 5,705; Absent: 523- Stammel. Adopted.

RESOLUTION NO. 323-20181205

RESOLUTION - MAKING APPROPRIATIONS FOR THE CONDUCT OF OTSEGO COUNTY GOVERNMENT FOR THE YEAR 2019

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, this Board, by Resolution No. 322 of 2018, has adopted a budget for the fiscal year 2019, pursuant to Section 360 of the County Law; now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the column entitled "adopted" be and they hereby are appropriated for the objects and purposes specified, effective January 1, 2019.


LOCAL LAW NO. 1 OF 2018
COUNTY OF OTSEGO, NEW YORK

A LOCAL LAW ESTABLISHING THE SALARIES OF DIRECTOR OF REAL PROPERTY TAX SERVICE II, PERSONNEL OFFICER, DIRECTOR OF PUBLIC HEALTH, COMMISSIONER OF SOCIAL SERVICES GROUP I, COMMISSIONER OF ELECTIONS (DEM), COUNTY TREASURER, COUNTYCLERK, SUPERINTENDANT OF HIGHWAYS, PUBLIC DEFENDER, BOARD OF REPRESENTATIVES,CHAIR OF THE BOARD OF REPRESENTATIVES, COUNTY AUDITOR/CLERK OF THE BOARD, AND COUNTY ATTORNEY FOR THE YEAR 2019

BE IT ENACTED, by the Board of Representatives of the County of Otsego as follows:
SECTION 1. The salary for Director of Real Property Tax Service II is established at an annual sum not to exceed Sixty-Four Thousand Nine Hundred and Five Dollars ($64,905).

SECTION 2. The salary for Personnel Officer is established at an annual sum not to exceed Sixty-Nine Thousand Seven Hundred and Three Dollars ($69,703).

SECTION 3. The salary for Director of Public Health is established at an annual sum not to exceed Eighty Thousand Seven Hundred and Fifty-Two Dollars ($80,752).

SECTION 4. The salary for Commissioner of Social Services Group I is established at an annual sum not to exceed Eighty Four Thousand One Hundred and Sixty-One Dollars ($84,161).

SECTION 5. The salary for Commissioner of Elections (D) is established at an annual sum not to exceed Forty-Seven Thousand Five Hundred and Eighteen Dollars ($47,518).

SECTION 6. The salary for the County Treasurer is established at an annual sum not to exceed Seventy-One Thousand Five Hundred Ninety-Seven Dollars ($71,597).

SECTION 7. The salary for the County Clerk is established at an annual sum not to exceed Sixty-Four Thousand Nine Hundred Twenty-Four Dollars ($64,924).

SECTION 8. The salary for the Superintendent of Highways is established at an annual sum not to exceed Eighty-Eight Thousand Three Hundred Sixteen Dollars ($88,316).

SECTION 9. The salary for the Public Defender is established at an annual sum not to exceed Eighty-Seven Thousand Dollars ($87,000).

SECTION 10. The salary for the Board of Representatives is established at an annual sum not to exceed Thirteen Thousand Four Hundred Fifteen Dollars ($13,415).
SECTION 11. The salary for the Chair of the Board of Representatives is established at an annual sum not to exceed Twenty-Three Thousand Eight Hundred and Ninety-One Dollars ($23,891).

SECTION 12. The salary for the County Auditor/Clerk of the Board is established at a sum not to exceed Fifty-Six Thousand Eight Hundred and Seventy-Six Dollars ($56,876).

SECTION 13. The salary for the County Attorney is established at a sum not to exceed Eighty-Five Thousand Two Hundred and Seven Dollars ($85,207).

SECTION 14. This Local Law shall take effect 45 days from enactment.

Offered by: Administration Committee

Seconded, Koutnik. Local Law laid over under the rules for a Public Hearing on Friday, December 14th, 2018 at 9:45 a.m.

All the general business of the Board having been transacted, the Board Chair declared the meeting adjourned until Friday, December 14, 2018 at 10:00 a.m.