

Public Hearing at 9:30 a.m. – LOCAL LAW NO. C OF 2019 – A LOCAL LAW TO ESTABLISH THE POSITION OF COUNTY ADMINISTRATOR OF THE COUNTY OF OTSEGO

AGENDA-----Wednesday, December 4, 2019 (10:00 a.m.)

Roll Call of Members

Pledge of Allegiance

Privilege of the Floor

Approving the Minutes of November 6, 2019 (which are on-line)

Presentation of Petitions, Communications and Notices

Special Presentations – DMC
 TRANE

Reports of Standing Committees

Reports of Special Committees

Special Reports – Total 2019 Election Expense for 2020 Tax Roll, Mortgage Tax Distribution – 2019, Consolidated Health Petitions, 2019 Refunded Taxes, 2019 In Rem Cancellations, 2019 Uncollectible Taxes & Solid Waste Expense for 2020 Tax Roll

Consent Agenda

Res. No. 293 – ADOPTING OTSEGO COUNTY BUDGET FOR 2020

Res. No. 294 – MAKING APPROPRIATIONS FOR THE CONDUCT OF OTSEGO COUNTY GOVERNMENT FOR THE YEAR 2020

Res. No. 295 – AUTHORIZING RENEWAL OF VARIOUS INSURANCE POLICIES

Res. No. 296 – AUTHORIZING RENEWAL OF INSURANCE POLICY FOR EXCESS EMPLOYERS LIABILITY INSURANCE

Res. No. 297 – AMENDING RESOLUTION NO. 263-20191106 – AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT WITH TOWN AND COUNTY BRIDGE AND RAIL FOR STEEL REPAIRS FOR THE CR11B REPAIR

Res. No. 298 – APPROVING THE SUPERINTENDENT OF HIGHWAYS TO PURCHASE

EXTENDED WARRANTIES FOR 10 PLOW TRUCKS

Res. No. 299 – AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT WITH TOWN AND COUNTY BRIDGE AND RAIL FOR STEEL REPAIRS FOR THE CR8 REPAIR

Res. No. 300 – AUTHORIZING THE CHAIR TO CONTRACT WITH PHILLIPS LYTTLE FOR IN REM FORECLOSURE PROCEEDINGS

Res. No. 301 – AUTHORIZING THE CHAIR OF THE BOARD TO RENEW CONTRACT WITH ALLEN TUNNELL CORPORATION FOR TECHNICAL SUPPORT OF THE CENTRALIZED TAX DATABASE AND SOFTWARE

Res. No. 302 – AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT WITH THE RURAL LAW CENTER TO PROVIDE APPELLATE SERVICES TO QUALIFYING PERSONS USING FUNDS FROM NYS OFFICE OF INDIGENT LEGAL SERVICES (OILS)

Res. No. 303 – ACCEPTING FUNDS FROM AND AUTHORIZING CONTRACT WITH NYS OFFICE OF INDIGENT LEGAL SERVICES (DISTRIBUTION #6) TO IMPROVE THE QUALITY OF SERVICES IN RELATION TO THE COUNSEL AT FIRST ARRAIGNMENT INCENTIVE PROGRAM

Res. No. 304 – AUTHORIZING THE CHAIR TO ESTABLISH 2020 TIP FEE AND RATE SCHEDULE FOR THE ONEONTA AND COOPERSTOWN TRANSFER STATIONS

Res. No. 305 – AUTHORIZING DIRECTOR OF REAL PROPERTY TAX SERVICES TO PAY ANNUAL LICENSING FEE

Res. No. 306 – FILLING A POSITION ABOVE BASE SALARY IN THE SHERIFF'S DEPARTMENT (CORRECTION NURSE #2)

Res. No. 307 – FILLING A POSITION ABOVE BASE SALARY IN THE SHERIFF'S DEPARTMENT (CORRECTIONS SERGEANT #9)

Res. No. 308 – EXTENDING A TEMPORARY POSITION IN BUILDING SERVICES (MAINTENANCE WORKER #0)

Res. No. 309 – EXTENDING A TEMPORARY POSITION IN BUILDING SERVICES (MAINTENANCE WORKER #00)

Res. No. 310 – ESTABLISHING OTSEGO COUNTY SOLID WASTE USER FEE AND USER FEE SCHEDULE FOR 2020

Res. No. 311 – RESCINDING RESOLUTION NO. 289-20191106 AND CONFIRMING

ADMINISTRATION COMMITTEE'S DIRECTION THAT EXCLUSION REQUEST TO OPT OUT OF NEGOTIATION CLASS IN *IN RE NATIONAL PRESCRIPTION OPIATE LITIGATION* NOT BE FILED

Res. No. 312 – CANCELLING TAX LIEN ON PREMISES DONATED TO THE GREATER MOHAWK VALLEY LAND BANK CORPORATION IN THE VILLAGE OF RICHFIELD, 26 CANADARAGO STREET, TAX MAP NO. 25.05-3-58.00

Res. No. 313 – TRANSFERRING FUNDS IN VARIOUS DEPARTMENTS FOR 2019

Regular Agenda

Res. No. 314 – ADOPTING A LOCAL LAW FOR THE YEAR 2019 (A LOCAL LAW TO ESTABLISH THE POSITION OF COUNTY ADMINISTRATOR OF THE COUNTY OF OTSEGO AS AMENDED)

LOCAL LAW NO. D OF 2019 – A LOCAL LAW ESTABLISHING THE SALARIES OF EMERGENCY SERVICES COORDINATOR, DIRECTOR REAL PROPERTY TAX SERVICE II, PERSONNEL OFFICER, COUNTY SUPERINTENDENT OF HIGHWAYS, COMMISSIONER OF SOCIAL SERVICES GROUP I, DIRECTOR OF PUBLIC HEALTH, COMMISSIONER OF ELECTIONS (REP) FOR THE YEAR 2020

LOCAL LAW NO. E OF 2019 – A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2014 – ESTABLISHING A SOLID WASTE USER FEE

Late Resolutions

Unfinished Business

Special Order of the Day

Adjournment

TOTAL 2019 ELECTION EXPENSE FOR 2020 TAX ROLL

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

Tax District	Machines	Total No. of class.	# Insp. for Each	First Election	Second Election	Third Election	General Election	Inspector Class	Custodian	Total Election
				Expense	Expense	Expense	Expense	Expense	Expense	Expense (including machine maint)
Oneonta City	3	22		1,712.64	0.00	0.00	14,752.72	550.00	340.80	20,356.16
Burlington	1	5		0.00	0.00	0.00	1,931.14	125.00	42.60	3,098.74
Butternuts	1	9		0.00	0.00	0.00	3,669.12	225.00	85.20	4,979.32
Cherry Valley	1	5		0.00	0.00	0.00	1,979.14	125.00	42.60	3,146.74
Decatur	1	5		0.00	0.00	0.00	1,787.14	125.00	42.60	2,954.74
Edmeston	1	4		0.00	0.00	0.00	2,024.74	100.00	42.60	3,167.34
Exeter	1	3		0.00	0.00	0.00	1,856.74	75.00	42.60	2,974.34
Hartwick	1	13		0.00	0.00	0.00	3,458.72	325.00	85.20	4,868.92
Laurens	1	7		710.50	0.00	0.00	3,559.52	175.00	85.20	5,530.22
Maryland	1	10		0.00	0.00	0.00	3,410.72	250.00	85.20	4,745.92
Middlefield	1	6		0.00	0.00	0.00	3,506.72	150.00	85.20	4,741.92
Milford	1	13		0.00	0.00	0.00	3,762.72	325.00	85.20	5,172.92
Morris	1	5		0.00	0.00	0.00	2,099.14	125.00	42.60	3,266.74
New Lisbon	1	8		0.00	0.00	0.00	1,931.14	200.00	42.60	3,173.74
Oneonta	2	20		0.00	0.00	0.00	7,366.24	500.00	170.40	10,036.64
Otego	1	9		655.94	0.00	0.00	3,696.32	225.00	85.20	5,662.46
Otsego	2	20		0.00	0.00	0.00	6,081.06	500.00	127.80	8,708.86
Pittsfield	1	5		0.00	0.00	0.00	1,955.14	125.00	42.60	3,122.74
Plainfield	1	4		0.00	0.00	0.00	1,883.14	100.00	42.60	3,025.74
Richfield	1	6		805.70	0.00	0.00	3,949.12	150.00	85.20	5,990.02
Roseboom	1	4		0.00	0.00	0.00	1,859.14	100.00	42.60	3,001.74
Springfield	1	7		606.82	0.00	0.00	1,955.14	175.00	42.60	3,779.56
Unadilla	1	13		0.00	0.00	0.00	5,215.90	325.00	127.80	6,668.70
Westford	1	3		0.00	0.00	0.00	1,883.14	75.00	42.60	3,000.74
Worcester	1	14		0.00	0.00	0.00	5,218.30	350.00	127.80	6,696.10
Totals:	29	220		\$4,491.60	\$0.00	\$0.00	\$90,792.06	\$5,500.00	\$2,087.40	\$131,871.06

MORTGAGE TAX DISTRIBUTION - 2019

The Administration Committee presents the following report of Mortgage Tax Distribution made in accordance with reports of the County Clerk and County Treasurer and in compliance with the provisions of law. The committee has reconciled the distribution of Mortgage Tax from April 1, 2019 through September 30, 2019 as follows:

Tax District	Amount Allocated To Tax District	Amount Appportioned To Villages	Amount Appportioned To City and Towns
Oneonta City	66,312.39		66,312.39
Burlington	9,030.36		9,030.36
Butternuts	12,567.70	979.37	11,588.33
Cherry Valley	4,621.10	644.02	3,977.08
Decatur	4,786.43		4,786.43
Edmeston	8,525.49		8,525.49
Exeter	2,459.05		2,459.05
Hartwick	18,918.02		18,918.02
Laurens	11,056.30	302.02	10,754.28
Maryland	6,267.89		6,267.89
Middlefield	19,330.72	1,072.24	18,258.48
Milford	28,503.74	1,100.16	27,403.58
Morris	8,844.25	983.98	7,860.27
New Lisbon	5,134.40		5,134.40
Oneonta Town	56,210.79		56,210.79
Otego	19,990.14	2,911.44	17,078.70
Otsego	64,978.97	13,363.19	51,615.78
Pittsfield	3,361.38		3,361.38
Plainfield	3,805.38		3,805.38
Richfield	7,477.12	1,218.58	6,258.54
Roseboom	1,811.12		1,811.12
Springfield	13,514.53		13,514.53
Unadilla	19,962.09	2,348.21	17,613.88
Westford	4,865.62		4,865.62
Worcester	6,767.33		6,767.33
Totals	409,102.31	24,923.21	384,179.10

Dated: November 26, 2019

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

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

PETITION - SUPERVISOR - MILFORD 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 2020 of the Consolidated Health District, which district includes the incorporated Village of Milford all in accordance with the Budget for 2020 adopted by the Milford Consolidated Health District Board.

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, 2019

BERNADETTE ATWELL, Supervisor
Town of Milford, New York

PETITION - SUPERVISOR - LAURENS 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 \$0.00 for the following purposes:

For the purpose of defraying the expenses for 2020 of the Consolidated Health District, which district includes the incorporated Village of Laurens all in accordance with the Budget for 2020 adopted by the Laurens Consolidated Health District Board.

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 11, 2019

PATRICIA BROCKWAY, Supervisor
Town of Laurens, New York

PETITION - SUPERVISOR - MORRIS 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 2020 of the Consolidated Health District, which district includes the incorporated Village of Morris all in accordance with the Budget for 2020 adopted by the Morris Consolidated Health District Board.

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 15, 2019

LYNN A. JOY, Supervisor
Town of Morris, New York

PETITION - SUPERVISOR - OTEGO 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 2020 of the Consolidated Health District, which district includes the incorporated Village of Otego all in accordance with the Budget for 2020 adopted by the Otego Consolidated Health District Board.

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 20, 2019

JOSEPH HURLBURT, Supervisor
Town of Otego, New York

TREASURER'S TOWN AND COUNTY ACCOUNTS FOR 2019 TAX ROLL										November 20, 2019
Tax Districts	Levied Om itted Taxes - Town Share	Levied Om itted Taxes - County Share	Amt to be Raised by Town	County Share	Village Share	REFUNDS			Total Refund	Uncollectible & InRem Taxes
						Amt to be Refunded by School	Adjustments			
Oneonta City	-	-	-	-	-	-	-	-	-	218.59
Burlington	-	-	-	-	-	-	-	-	-	392.03
Butternuts	-	-	-	-	-	-	-	-	-	-
Cherry Valley	-	-	-	-	-	-	-	-	-	2,294.56
Decatur	353.60	-	105.50	-	-	-	-	459.10	-	-
Edmeston	-	-	-	-	-	-	-	-	-	-
Exeter	-	-	-	-	-	-	-	-	-	374.11
Hartwick	-	-	-	-	-	-	-	-	-	-
Laurens	-	-	-	-	-	-	-	-	-	18.68
Maryland	-	-	-	-	-	-	-	-	-	-
Middlefield	-	-	-	-	-	-	-	-	-	-
Milford	-	-	-	-	-	-	-	-	-	530.47
Morris	-	-	-	-	-	-	-	-	-	-
New Lisbon	-	-	-	-	-	-	-	-	-	-
Oneonta	-	-	-	-	-	-	-	-	-	24,546.52
Otego	-	-	-	-	-	-	-	-	-	373.44
Otsego	-	-	-	-	-	-	-	-	-	-
Pittsfield	-	-	-	-	-	-	-	-	-	-
Plainfield	-	-	-	-	-	-	-	-	-	178.09
Richfield	1,338.30	-	1,245.42	-	-	-	-	2,583.72	-	214.10
Roseboom	243.80	-	136.41	-	-	-	-	380.21	-	-
Springfield	-	-	-	-	-	-	-	-	-	315.59
Unadilla	-	-	-	-	-	-	-	-	-	676.77
Westford	734.28	-	366.50	-	-	-	-	2,652.08	-	-
Worcester	-	-	-	-	-	-	-	-	-	3.00
Totals:	-	-	2,669.98	1,853.83	-	1,103.28	448.02	6,075.11	-	30,135.95
							Adjustments:			
							0.05			3,492.30
							0.07			6,275.64
							Total Not Enforceable:			39,903.89

OTSEGO COUNTY TREASURER'S REPORT

2019 IN REM CANCELLATIONS

November 20, 2019

Town	Amt to be Raised by Town	County Share	School District Share	Village	Total Not Enforceable
NONE					-
					-
					-
<hr/> <hr/>					
Totals:	-	-	-	0.00	-
				Adjustments:	
				0.05	
				0.07	
					<hr/> <hr/>
			Total Not Enforceable:		-
					<input type="text"/>

OTSEGO COUNTY TREASURER'S REPORT

2019 UNCOLLECTIBLE TAXES

November 25, 2019

Town	Amt to be Raised by Town	County Share	School District Share	Village Share	Total Uncollectible
City of Oneonta	218.59	75.50	2,299.08	-	2,593.17
Burlington	392.03	132.91	-	-	524.94
Butternuts	-	-	-	-	-
Cherry Valley	2,294.56	152.55	257.44	229.52	2,934.07
Decatur	-	-	-	-	-
Edmeston	-	-	-	-	-
Exeter	374.11	-	-	-	374.11
Hartwick	-	-	-	-	-
Laurens	18.68	-	198.67	-	217.35
Maryland	-	-	-	-	-
Middlefield	-	-	-	-	-
Milford	530.47	-	-	-	530.47
Morris	-	-	-	-	-
New Lisbon	-	-	-	-	-
Oneonta	24,546.52	11,842.51	86,865.93	-	123,254.96
Otego	373.44	-	-	-	373.44
Otsego	-	-	-	-	-
Pittsfield	-	-	2.50	-	2.50
Plainfield	178.09	-	276.48	-	454.57
Richfield	214.10	-	-	-	214.10
Roseboom	-	-	-	-	-
Springfield	315.59	-	-	-	315.59
Unadilla	676.77	-	-	-	676.77
Westford	-	-	-	-	-
Worcester	3.00	-	-	-	3.00
Totals:	30,135.95	12,203.47	89,900.10	229.52	132,469.04

Adjustments:

0.05 3,492.30

0.07 6,275.64

Total Not Enforceable: 142,236.98

SOLID WASTE EXPENSE FOR 2020 TAX ROLL

Rate per
UNITS.:

\$20.00

TAX DISTRICT	TOTAL NUMBER OF UNITS	TOTAL AMOUNT	NO. OF PARCELS
Oneonta City	7,293.09	\$145,861.80	3054
Burlington	579.62	\$11,592.40	535
Butternuts	1,024.72	\$20,494.40	924
Cherry Valley	752.19	\$15,043.80	613
Decatur	212.50	\$4,250.00	205
Edmeston	1,152.28	\$23,045.60	840
Exeter	541.14	\$10,822.80	512
Hartwick	2,042.71	\$40,854.20	1033
Laurens	1,306.22	\$26,124.40	980
Maryland	1,096.50	\$21,930.00	942
Middlefield	1,248.18	\$24,963.60	1068
Milford	1,883.47	\$37,669.40	1430
Morris	967.24	\$19,344.80	778
New Lisbon	596.00	\$11,920.00	569
Oneonta	5,055.64	\$101,112.80	1855
Otego	1,537.53	\$30,750.60	1177
Otsego	4,162.17	\$83,243.40	2011
Pittsfield	663.40	\$13,268.00	629
Plainfield	448.86	\$8,977.20	427
Richfield	1,879.85	\$37,597.00	1183
Roseboom	451.70	\$9,034.00	427
Springfield	851.17	\$17,023.40	710
Unadilla	2,354.12	\$47,082.40	1778
Westford	508.00	\$10,160.00	495
Worcester	1,350.76	\$27,015.20	1121
Totals:	39,959.06	\$799,181.20	25296

RESOLUTION NO. 293-20191204

RESOLUTION - ADOPTING OTSEGO COUNTY BUDGET FOR 2020

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, pursuant to Section 354 of the County Law, on November 15, 2019, the Budget Officer filed with this Board a tentative budget for 2020, together with the budget message and exemption report; and

WHEREAS, the public hearing on the tentative budget was held on November 26, 2019 pursuant to Section 359 of the County Law; and

WHEREAS, this Board, on December 4, 2019 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 2020, 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 2020 Otsego County Budget.

RESOLUTION NO. 294-20191204

RESOLUTION - MAKING APPROPRIATIONS FOR THE CONDUCT
OF OTSEGO COUNTY GOVERNMENT FOR THE YEAR 2020

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, this Board, by Resolution No. 293 of 2019, has adopted a budget for the fiscal year 2020, 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, 2020.

RESOLUTION NO. 295-20191204

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, 2019; 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
12/31/19 - 12/31/20..
\$66,594.00

\$5,000,000 each occurrence/\$11,000,000 aggregate
\$5,000,000 each occurrence/\$5,000,000 aggregate; Personal &
Advertising injury and Products/completed products

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

12/31/19 – 12/31/20
\$33,655.60

\$250,000 deductible applies

\$5,000,000 each claim/\$6,000,000 aggregate

3. Public Officials Liability with NYMIR Insurance Company

12/31/19 – 12/31/20
\$27,632.00

\$250,000 deductible applies

\$5,000,000 each claim/\$6,000,000 aggregate

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

12/31/19 – 12/31/20
\$45,577.90

\$250,000 deductible applies

\$5,000,000 each claim/\$9,000,000 aggregate

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

12/31/19 – 12/31/20
\$18,351.30

\$5,000,000 each claim/\$9,000,000 aggregate

6. OCP with NYMIR Insurance Company

12/31/19 – 12/31/20 \$275.00

7. Property & Inland Marine with Hartford
12/31/19 – 12/31/20.
\$87,896.00

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
12/31/19 – 12/31/20. \$4,723.00

\$300,000 employee dishonesty

9. Healthcare General & Professional Liability with NYMIR and Excess
Healthcare General & Professional Liability with PRI
12/31/19 – 12/31/20. \$47,873.85

\$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
12/31/19 – 12/31/20.
\$11,837.00

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 2020 Unallocated Insurance Budget (1910-A) at line 4660.

RESOLUTION NO. 296-20191204

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, 2019; and

WHEREAS, it is in the best interests of the County to renew this policy for 2020; 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
	12/31/19 - 12/31/20
\$14,324.00	
	\$ 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 2020 Self-Insurance (Workers Compensation) Budget (1710-S) at line 4801 Insurance.

RESOLUTION NO. 297-20191204

RESOLUTION – AMENDING RESOLUTION NO. 263-20191106 -
AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT WITH
TOWN AND COUNTY BRIDGE AND RAIL FOR
STEEL REPAIRS FOR THE CR11B REPAIR

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution No. 263-20191106 authorized the Chair of the Board to contract with Town and County Bridge and Rail for repairs to steel beams on the County Highway 11B bridge in the Town of Laurens at a cost not to exceed \$26,923.92; and

WHEREAS, once work for this project commenced, it was determined by the engineer that more extensive work needed to be completed to ensure the safety of the bridge; and

WHEREAS, due to the additional work, there is a need to increase the amount paid to Town and County Bridge and Rail by \$20,693.08; and

WHEREAS, the Public Works and Administration Committees have approved the increase in cost; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to contract with Town and County Bridge and Rail, PO Box 16395, Albany, NY 12212, for repairs to be made to steel beams on the County Highway 11B bridge in the Town of Laurens at a total cost not to exceed \$47,617; and be it further

RESOLVED, that said contract shall 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 service is included in the 2019 Road Construction Projects Budget (5112-D) at line 2020 Local Bridge Repairs utilizing 100% local funds.

RESOLUTION NO. 298-20191204

RESOLUTION – APPROVING THE SUPERINTENDENT OF HIGHWAYS TO
PURCHASE EXTENDED WARRANTIES FOR 10 PLOW TRUCKS

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution 32-20180103 authorized the purchase of plow trucks for the Highway Department's maintenance of County roads and highways; and

WHEREAS, it would be in the best interest of the County to purchase extended warranties for said plow trucks to ensure they are in optimal working order; and

WHEREAS, after consultation with the Purchasing Agent, it was determined that because the warranties are only available through the dealer the plow trucks were purchased from, a Request for Bid was not issued; now, therefore, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to enter into an agreement with Utica General Truck, 5636 Horatio Street, Utica, NY 13502, to purchase extended warranties for 10 Peterbilt Plow trucks at a cost not to exceed \$25,840; and be it further

RESOLVED, that the funds for this purchase is included in the 2019 Machinery Fund Budget (5130-DM) at line 4562 Maintenance and Repairs utilizing 100% local funds.

RESOLUTION NO. 299-20191204

RESOLUTION – AUTHORIZING THE CHAIR OF THE BOARD TO
CONTRACT WITH TOWN AND COUNTY BRIDGE AND RAIL FOR
STEEL REPAIRS FOR THE CR8 REPAIR

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, the Otsego County 2019 Adopted Budget was approved by the Otsego County Board of Representatives on December 5, 2018; and

WHEREAS, the Highway Department budgeted for various Bridge Repair projects; and

WHEREAS, the Highway Department proposes to use a portion of said funds for repairs to steel beams on the County Highway 8 bridge in the Town of Butternuts; and

WHEREAS, the County's Purchasing Agent requested bids (#8978) and after review by the Superintendent of Highways, Purchasing Agent, and the Public Works Committee the recommendation was made to contract with Town and County Bridge and Rail for this bid; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to contract with Town and County Bridge and Rail, PO Box 16395, Albany, NY 12212, for repairs to be made to steel beams on the County Highway 8 bridge in the Town of Butternuts at a cost not to exceed \$40,000; and be it further

RESOLVED, that said contract shall 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 service is included in the 2019 Road

Construction Projects Budget (5112-D) at line 2020 Local Bridge Repairs utilizing 100% local funds.

RESOLUTION NO. 300-20191204

RESOLUTION – AUTHORIZING THE CHAIR TO CONTRACT WITH
PHILLIPS LYTLE FOR IN REM FORECLOSURE PROCEEDINGS

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, Resolution 256-20181003 authorized the Chair of the Board to contract with Phillips Lytle for in Rem Foreclosure proceedings for a period of November 1, 2018 to October 31, 2019 with the opportunity for annual renewals upon agreement; and

WHEREAS, the Administration Committee has reviewed the proposal and made the recommendation to extend a contract with Phillips Lytle for the period of December 4, 2019 to November 30, 2020; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to enter into a contract with Phillips Lytle, 28 East Main Street, Suite 1400, Rochester, NY 14614 for professional services in connection with In Rem foreclosure proceedings at a cost not to exceed \$330 per parcel to include service, tax search, mailing, and postage for a term of December 4, 2019 to November 30, 2020 with annual renewals upon the agreement of both parties; and be it further

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

RESOLVED, that the funding is included in the 2019 County Treasurer Budget (1325-A) at line 4900 Contracts utilizing 100% local funds and will be contained in similar budget lines for subsequent years.

RESOLUTION NO. 301-20191204

RESOLUTION - AUTHORIZING THE CHAIR OF
THE BOARD TO RENEW CONTRACT WITH ALLEN TUNNELL
CORPORATION FOR TECHNICAL SUPPORT OF THE CENTRALIZED TAX
DATABASE AND SOFTWARE

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

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

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

WHEREAS, the Allen Tunnell Corporation has implemented the existing tax database and software and due to the nature of the software being sole source, there was no need to submit a request for bids; now, therefore, be it

RESOLVED, that the Chair of the Board be and hereby is authorized to renew the contract with Allen Tunnell Corporation, 222 Water Street, Suite 311, Binghamton, New York 13901, for the period of January 1, 2019 to December 31, 2019, at a cost not to exceed \$36,000 for the maintenance, technical support and upgrades of existing software; and be it further

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

RESOLVED, that the funds for this contract are included in the 2019 County Treasurer Budget (1325-A) at line 4900 Contracts.

RESOLUTION NO. 302-20191204

RESOLUTION - AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT
WITH THE RURAL LAW CENTER TO PROVIDE APPELLATE SERVICES
TO QUALIFYING PERSONS USING FUNDS
FROM NYS OFFICE OF INDIGENT LEGAL SERVICES (OILS)

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, Otsego County by Resolution No. 255-20181003 entered into a contract with the Rural Law Center of NY, Inc. to provide appellate representation to qualifying persons for 2018 and 2019 at a cost not to exceed \$40,000 per year; and

WHEREAS, the County wishes to extend that contract for the period January 1, 2020 to December 31, 2020 using funds from NYS Office of Indigent Legal Services (OILS) grant distributions; and

WHEREAS, the Purchasing Agent was not consulted because this is a sole source provider for this service; now, therefore, be it

RESOLVED, that the Chair is authorized to enter into a contract with the Rural Law Center of NY, Inc., 22 US Oval, Suite 203, Plattsburgh, NY 12901 for appellate representation to qualifying indigent persons at a cost not to exceed \$40,000 for the period January 1, 2020 to December 31, 2020 to be paid on a quarterly basis; and be it further

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

RESOLVED, that the funds for this contract will be included in the 2020 Public Defender's Budget (1170-A) at line 4900 Contracts utilizing 100% State funds.

RESOLUTION NO. 303-20191204

RESOLUTION – ACCEPTING FUNDS FROM AND AUTHORIZING CONTRACT WITH NYS OFFICE OF INDIGENT LEGAL SERVICES (DISTRIBUTION #6) TO IMPROVE THE QUALITY OF SERVICES IN RELATION TO THE COUNSEL AT FIRST ARRAIGNMENT INCENTIVE PROGRAM

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, additional funding is available from the New York State Office of Indigent Legal Services (OILS) for the improvement of the quality of legal services to eligible persons under Section 18-B of the County Law in the amount of \$55,685 each year for the next 3 years for a total of \$167, 055 for the purpose of funding a program to ensure Counsel at First Arraignment is provided in relation to criminal court proceedings; and

WHEREAS, it would be in the best interests of the County of Otsego to accept these grant funds; now, therefore, be it

RESOLVED, that the Chair of the Otsego County Board of Representatives is hereby authorized to accept additional funds from the Office of Indigent Legal Services (Distribution #6) in the amount of \$55,685 each year for the next 3 years and to sign a contract with OILS for same; and be it further

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

RESOLUTION NO. 304-20191204

RESOLUTION – AUTHORIZING THE CHAIR TO ESTABLISH 2020 TIP FEE AND RATE SCHEDULE FOR THE ONEONTA AND COOPERSTOWN TRANSFER STATIONS

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

WHEREAS, Resolution #295-20181107 passed on November 7, 2018 authorized Otsego County to enter into a five year contract agreement with Casella Waste of New York, Inc. for the Solid Waste and Recycling Transportation and disposal Services of the Southern (Oneonta) transfer station and the Northern (Cooperstown) Transfer; and

WHEREAS, said agreement allows for annual increases in Casella's charge to the County for hauling waste and recycling material and for 2020 the charges will be \$82.62/ton for in-county waste and \$81.65/ton for recycling material; and

WHEREAS, the County has the authority to set the hours and annually set the Tip Fee and other fees charged to residents at the transfer stations for waste and recycling material; now, therefore, be it

RESOLVED, that the Official Hours of Operation for the Northern Cooperstown Station and Southern Oneonta Station for 2020 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, 2020 through December 31, 2020 shall be \$87.00 per ton and that the rates, fees and surcharges, ("Rate Schedule") are as follows for 2020:

Tip Fee- In County Waste -	\$87/ton
Scale Minimum Fee – (up to 460 lbs)	\$20
Recycling-Commercial Haulers	\$75/ton
Per Bag Fee-Up to 30 gallon bag/container	\$4.25/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
Electronics	\$12 per item
(Including televisions, monitors, and commercial electronics)	

RESOLUTION NO. 305-20191204

RESOLUTION - AUTHORIZING DIRECTOR OF REAL PROPERTY TAX
SERVICES TO PAY ANNUAL LICENSING FEE

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, there is a need for an annual renewal of the New York State Real Property System in Real Property Tax Services; and

WHEREAS, the Office of Real Property Tax Services of the New York State Department of Taxation and Finance is the sole source for this renewal, and thus, public bidding is not required; now, therefore, be it

RESOLVED, that the Director of Real Property Tax Services be and is hereby authorized to pay the following:

ITEM: **Annual Licensing Fee for Fiscal Year 2019-20**
(for the use of the NYS Real Property System)

VENDOR: Office of Real Property Tax Services
New York State Department of Taxation & Finance
Attn: Building 8A – Check Processing Unit
W.A. Harriman State Campus
Albany, NY 12227

COST: \$26,100

and be it further

RESOLVED, that the funding for this payment is included in the 2019 Real Property Tax Service Budget (1355-A) at line 4900 Contracts.

RESOLUTION NO. 306-20191204

RESOLUTION – FILLING A POSITION ABOVE BASE SALARY
IN THE SHERIFF'S DEPARTMENT
(CORRECTION NURSE #2)

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, the Sheriff's Department desires to hire for a position above base level salary; and

WHEREAS, both the Public Safety and Legal Affairs Committee and the Administration Committee of this Board approved filling the position above base level salary; now, therefore, be it

RESOLVED, that the following position, previously created, is approved for filling in the Sheriff's Department effective December 4, 2019:

**Corrections Nurse (#2), Grade 18R, \$57,236 - \$67,966 (\$2,146)
to be filled at step 2 (\$59,382)**

and be it further

RESOLVED, that the funding for this position is included in the 2019 Jail Budget (3150-A) at line 1000 Personal Service; 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. 307-20191204

RESOLUTION – FILLING A POSITION ABOVE BASE SALARY
IN THE SHERIFF'S DEPARTMENT
(CORRECTIONS SERGEANT #9)

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, the Sheriff's Department desires to hire for a position above base level salary; and

WHEREAS, both the Public Safety and Legal Affairs Committee and the Administration Committee of this Board approved filling the position above base level salary; now, therefore, be it

RESOLVED, that the following position, previously created, is approved for filling in the Sheriff's Department effective December 3, 2019:

**Corrections Sergeant (#9), Grade 10J, \$39,589 - \$45,279 (\$1,138)
to be filled at step 4 (\$44,141)**

and be it further

RESOLVED, that the funding for this position is included in the 2019 Jail Budget (3150-A) at line 1000 Personal Service; 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. 308-20191204

RESOLUTION – EXTENDING A TEMPORARY POSITION
IN BUILDING SERVICES
(MAINTENANCE WORKER #0)

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution 124-20190403 created two positions in Building Services for a term of 90 days; and

WHEREAS, there is a need to extend one of the positions for an additional 90 days to allow for the completion of certain projects; now, therefore, be it

RESOLVED, that the following position is authorized to be extended for an additional 90 days beginning on December 12, 2019:

Temporary Maintenance Worker (#0), Grade 08D, \$16.1390/hr

and be it further

RESOLVED, the funding for this position will expire 90 days from December 12, 2019 and is included in the 2019 Cooperstown Office Building Budget (1625-A) at line 1000 Personal Service; 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. 309-20191204

RESOLUTION – EXTENDING A TEMPORARY POSITION
IN BUILDING SERVICES
(MAINTENANCE WORKER #00)

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution 187-20190703 extended a temporary position in Building Services for a term of 90 days; and

WHEREAS, there is a need to further extend this position for an additional 90 days to allow for the completion of certain projects; now, therefore, be it

RESOLVED, that the following position is authorized to be extended for an additional 90 days beginning on November 8, 2019:

Temporary Maintenance Worker (#00), Grade 08D, \$16.1390/hr

and be it further

RESOLVED, the funding for this position will expire 90 days from November 8, 2019 and is included in the 2019 Cooperstown Office Building Budget (1625-A) at line 1000 Personal Service; 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. 310-20191204

RESOLUTION – ESTABLISHING OTSEGO COUNTY SOLID WASTE USER FEE
AND USER FEE SCHEDULE FOR 2020

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 2020 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. 311-20191204

RESOLUTION – RESCINDING RESOLUTION NO. 289-20191106 AND
CONFIRMING ADMINISTRATION COMMITTEE'S DIRECTION
THAT EXCLUSION REQUEST TO OPT OUT
OF NEGOTIATION CLASS IN *IN RE NATIONAL
PRESCRIPTION OPIATE LITIGATION* NOT BE FILED

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, by Resolution No. 289-20191106 authorized the Chair of the Board to execute an Exclusion Request Form to opt out of the Negotiation Class in connection with the consolidated federal opioid litigation; and

WHEREAS, the Administration Committee was informed by the County's attorneys in the state litigation that the terms of participation in the Negotiation Class in the federal consolidated litigation have been changed and it is now not necessary for the County to opt out of the Negotiation Class as participation will now be to the advantage of the County; now, therefore, be it

RESOLVED, that Otsego County no longer wants to opt out of the federal litigation Negotiation Class and confirming the direction of the Administration Committee that its attorneys not file the Exclusion Request Opt Out Form; and be it further

RESOLVED, that Resolution No. 289-20191106 is rescinded; and be it further

RESOLVED, that the Clerk of the Board be and hereby is directed to forward a copy of this resolution to Napoli Shkolnik PLLC.

RESOLUTION NO. 312-20191204

RESOLUTION – CANCELLING TAX LIEN ON PREMISES DONATED
TO THE GREATER MOHAWK VALLEY LAND BANK CORPORATION
IN THE VILLAGE OF RICHFIELD, 26 CANADARAGO STREET,
TAX MAP NO. 25.05-3-58.00

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the owner of premises located at 26 Canadarago Street in the Village of Richfield Springs, having Tax Map No. 25.05-3-58.00, expressed a desire to donate the property to the Greater Mohawk Valley Land Bank Corporation which organization has accepted the donation and plans improvements to the premises in accordance with their guidelines; and

WHEREAS, to date, the amount of back taxes due on the premises is \$2,059.50 and the Land Bank has requested cancellation of the back taxes so that it may proceed to expend funds on the further improvement of the premises and the community; and

WHEREAS, the Treasurer supports cancellation of said taxes; now, therefore, be it

RESOLVED, that all delinquent tax liens be cancelled on the property as described above; and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Otsego County Treasurer.

RESOLUTION NO. 313-20191204

RESOLUTION – TRANSFERRING FUNDS IN
VARIOUS DEPARTMENTS FOR 2019

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, it appears that it will require funds to complete the year 2019 in certain items of the Otsego County Budget; and

WHEREAS, there are unexpended balances in other items of the 2019 budget years; now, therefore, be it

RESOLVED, that the following transfers be and the same are hereby authorized, and the 2019 budget be and are hereby amended accordingly, pursuant to Section 363 of the County Law:

2019 Budget Transfers				
A - GENERAL FUND				
FROM:	Cooperstown Office Building	Contracts	1625-4900-A	5,659.72
TO:	Cooperstown Office Building	Vehicle Lease	1625-4625-A	5,659.72
FROM:	Unallocated Insurance	Municipal Insurance Expense	1910-4660-A	13,096.57
TO:	Building Services	Vehicle Lease	1625-4625-A	551.60
TO:	DSS	Vehicle Expenses	6010-4515-A	11,089.28
TO:	Office For The Aging	Vehicle Lease	6772-4625-A	454.99
TO:	Sheriff	Vehicle Lease	3110-4625-A	1,000.70
FROM:	Child Advocacy Center	IT Materials & Supplies	3700-4535-A	550.00
TO:	Child Advocacy Center	Lodging, Meals, & Tolls	3700-4010-A	550.00
FROM:	Department of Health	Contracts	4072-4900-A	3,500.00
TO:	Department of Health	Vaccines	4074-4765-A	3,500.00
FROM:	Mental Health	Personal Service	4310-1000-A	16,588.46
TO:	Pyschiatric Exp-State Charges	Criminal Actions	4390-4696-A	16,588.46
FROM:	Mental Health	Medical Expenses	4310-4895-A	2,000.00

TO:	Mental Health	Mileage	4310-4005-A	2,000.00
FROM:	Mental Health	Personal Service	4315-1000-A	1,200.00
TO:	Mental Health	Mileage	4315-4005-A	1,200.00
FROM:	DSS	Fees for Services	6010-4910-A	20,000.00
TO:	DSS	Prior Years NYS Chargebacks	6010-4805-A	20,000.00
FROM:	Office For The Aging	Training	6772-4050-A	2,000.00
TO:	Office For The Aging	Material & Supplies	6772-4500-A	2,000.00
FROM:	Office For The Aging	Equipment	6772-2000-A	2,000.00
TO:	Office For The Aging	Material & Supplies	6772-4500-A	2,000.00
FROM:	Board of Elections	Fund Balance	0004-0915-A	5,760.00
TO:	Board of Elections	Materials & Supplies	1450-4500-A	5,760.00
FROM:	Mental Health	Transition Fund	0007-0915-A	40,000.00
TO:	Building Services	Miscellaneous Renovations	1622-2500-A	40,000.00
FROM:	Mental Health	Transition Fund	0007-0915-A	100,000.00
TO:	Planning	Contracts	8020-4900-A	100,000.00
<u>2019 Budget Modifications</u>				
<u>A - GENERAL FUND</u>				
Increase:	Insurance Recoveries	Insurance Recoveries	0000-2680-A	21,532.52
Increase:	Sheriff	Vehicle Lease	3110-4625-A	21,532.52
Increase:	Child Advocacy Center	CAC Grant	0000-4380-A	5,732.04
Increase:	Employee Benefits	Retirement	9010-8000-A	3,016.33
Increase:	Employee Benefits	Social Security	9030-8000-A	1,553.86
Increase:	Employee Benefits	Workers Comp	9040-8000-A	1,084.66
Increase:	Employee Benefits	Unemployment Insurance	9050-8000-A	77.19

RESOLUTION NO. 314-20191204

RESOLUTION - ADOPTING A LOCAL LAW FOR THE YEAR 2019 (A
LOCAL LAW TO ESTABLISH THE POSITION OF COUNTY
ADMINISTRATOR OF THE COUNTY OF OTSEGO AS AMENDED)

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 6, 2019, a local law for the year 2019 entitled "A Local Law to Establish the Position of County Administrator of the County of Otsego As Amended"; 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 4th day of December, 2019 at 9:55 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 2019, as above set forth, be and the same is hereby adopted.

**LOCAL LAW D OF 2019
COUNTY OF OTSEGO, NEW YORK**

**A LOCAL LAW ESTABLISHING THE SALARIES OF EMERGENCY
SERVICES COORDINATOR, DIRECTOR REAL PROPERTY TAX SERVICE II,
PERSONNEL OFFICER, COUNTY SUPERINTENDENT OF HIGHWAYS,
COMMISSIONER OF SOCIAL SERVICES GROUP I, DIRECTOR OF PUBLIC HEALTH,
COMMISSIONER OF ELECTIONS (REP) FOR THE YEAR 2020**

BE IT ENACTED, by the Board of Representatives of the County of Otsego
as follows:

SECTION 1. The salary for Emergency Services Coordinator is established at an annual sum not to exceed Sixty-One Thousand Nine Hundred and Seventy-Seven Dollars (\$61,977).

SECTION 2. The salary for Director of Real Property Tax Service II is established at an annual sum not to exceed Sixty-Six Thousand Two Hundred and Three Dollars (\$66,203).

SECTION 3. The salary for Personnel Officer is established at an annual sum not to exceed Seventy-One Thousand and Ninety-Seven Dollars (\$71,097).

SECTION 4. The salary for County Superintendent of Highways is established at an annual sum not to exceed Ninety Thousand and Eight-Two Dollars (\$90,082).

SECTION 5. The salary for Commissioner of Social Services Group I is established at an annual sum not to exceed Eighty-Five Thousand Eight Hundred and Forty-Four Dollars (\$85,844).

SECTION 6. The salary for Director of Public Health is established at an annual

sum not to exceed Eighty-Two Thousand Three Hundred and Sixty-Seven Dollars (\$82,367).

SECTION 7. The salary for Commissioner of Elections (Rep) is established at an annual sum not to exceed Forty-Eight Thousand Four Hundred and Sixty-Eight Dollars (\$48,468).

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

Offered by: Administration Committee

**LOCAL LAW NO. E of 2019
COUNTY OF OTSEGO, NEW YORK**

**A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 2014 –
ESTABLISHING A SOLID WASTE USER FEE**

Section 1. Short Title.

This law shall be known as the Otsego County Solid Waste User Fee Local Law.

Section 2. Findings.

The Board of Representatives of Otsego County finds that:

A. The New York State Solid Waste Management Plan (the "Plan") and the Solid Waste Management Act of 1988 (the "1988 Act") mandates that the amount of solid waste generated and disposed in New York State be managed through the establishment of programs to reduce the amount of waste being produced and disposed by recycling and reusing that portion of the waste stream that can feasibly be so recovered.

B. To provide the citizens of the County with solid waste management and recycling services required by the 1988 Act and the Plan, the County entered into a Service Agreement with the Montgomery-Otsego-Schoharie Solid Waste Management Authority (the "Authority" or "MOSA"), a public benefit corporation created pursuant to Title 13-AA of the Public Authorities Law. The Service Agreement ended on April 30, 2014, and the dissolution of MOSA was authorized by Public authorities Law section 2041, enacted in 2014. The County, on May 1, 2014 procured a private contractor to provide services related to the operation, collection, disposal and transport of solid waste from the two transfer stations, Oneonta and Cooperstown that were transferred to the County from MOSA upon dissolution.

C. The County has undertaken a number of programs pursuant to the mandates of the Plan and 1988 Act, which provide services to the residents of the County and serve to implement a local solid waste management plan, including but not limited to recycling programs for the collection, processing, transporting and marketing of recyclable materials; the closing and monitoring of landfills in accordance with directives of the Department of Environmental Conservation ("DEC"); the development of a system of recycling and solid waste transfer stations to process recyclable materials and municipal solid waste

generated by County residents; for the disposal of solid waste generated by County residents; and the educational and administrative functions attendant to these services and facilities.

D. On January 1, 1996, the County, independently, provided for the transportation of recyclable materials from drop-off locations within the County to recycling facilities and/or markets. The County continues to procure recycling services for the surrounding drop off locations and the Oneonta and Cooperstown transfer stations.

E. The Board of Representatives has determined as a matter of public policy that the cost of providing such services should be borne by the generators of solid waste and recyclable materials, who are the users of the services and facilities being provided.

F. The County has further determined that funding the entire cost of services and facilities by charging a tipping fee at the County transfer facilities could cause escalating tipping fees to unacceptable levels. The County, through the private public partnership for the operation, collection, disposal and transportation of solid waste, will establish the annual tipping fee charge at the Oneonta and Cooperstown transfer stations and allow for a competitive cost and market based incentive for private collectors to deliver solid waste generated within the County.

Section 3. Purposes.

This law is enacted pursuant to the laws of the State of New York, including Municipal Home Rule Law Section 10 (1)(ii)(a)(9-a) and County Law Sections 226-b and 266, to: institute a plan to charge users of recycling, solid waste management and related services and facilities provided by the County, a fee for the use of such services and facilities, which fee shall cover a portion of the cost of the services being provided, and which fee shall be charged on an equitable basis, related to the level of recycling and solid waste services available to the class of users.

Section 4. Definitions and General Provisions.

A. *Board or Board of Representatives* means the Otsego County Board of Representatives.

B. *County* means the County of Otsego.

C. *Fee Status Date* means March 1 for each succeeding fiscal year (ex: March 1, 2014 for fiscal year 2015).

CC. *Improved Real Property* shall mean any property having readily accessible electric, water, (private well or public water supply) and wastewater treatment (individual septic or public sewer system), to allow for a habitable space, regardless of inhabitants or use of utilities.

D. *Recyclables* or *Recyclable Materials* means materials that would otherwise be solid waste, and which can be collected, separated, and/or processed, treated, reclaimed, used or reused so that their component materials or substances can be beneficially used or reused.

E. *Solid Waste* means all putrescible and non-putrescible solid waste materials generated or originated within the County, including, but not limited to, materials or substances discarded or rejected, whether as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection or for any other reason; or being accumulated, stored, or physically, chemically or biologically treated prior to being discarded or rejected, having served their intended use; or a manufacturing by-product, including, but not limited to, garbage, refuse, waste materials resulting from industrial, commercial, community, and agricultural activities, sludge from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal; but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, or hazardous waste as defined in the New York Environmental Conservation Law or its implementing regulations.

F. *Billing Unit* or *Units* refers to the number assigned to each parcel of real property pursuant to Section 6 below and shall provide the basis for determining the fee charged.

G. *Solid Waste User Fee Roll* refers to the County Solid Waste Fee Roll which includes the assignment of Billing Units to each parcel.

H. *Unit Charge* means the dollar amount established by the Board of Representatives pursuant to Section V below, as the annual solid waste fee charged for one Billing Unit.

I. *Rate Schedule* refers to the schedule adopted by the Board of Representatives pursuant to Section 5C., establishing classes and formulas for determining Billing Units for parcels of improved real property.

J. In the event that any date herein falls on a Saturday, Sunday or legal holiday, then the applicable date shall be the next succeeding date that is not a Saturday, Sunday or legal holiday.

Section 5. Establishment of Annual Solid Waste Fee.

A. The annual solid waste fee shall be charged to owners of improved real property, regardless of their permanent residency status, located within the County, as the owners and users of such property are deemed to generate solid waste or recyclable materials and are therefore users of County provided solid waste and/or recycling facilities and services.

B. The annual solid waste fee shall be an annual fee covering the period from January 1 through December 31 of each calendar year.

C. The Board of Representatives shall establish by resolution a Rate Schedule setting forth classifications or formulas for determining the Billing Units assigned to all parcels based upon the use of the real property. The classification of parcels and the formulas for determining the Billing Units assigned to each class is based on the level of services available to such class, which has been or will be determined by the Board of Representatives in its sole discretion. Information regarding the use of each parcel and property measurements is based upon the County's records for the assessment of property values together with such other data deemed necessary to properly characterize each parcel. The Board of Representatives may change the Rate Schedule from time to time by resolution.

D. On or before December 10 of each year, the Board shall by resolution establish the Unit Charge to be applied for the following fiscal year in calculating the annual solid waste fee to be charged.

E. The annual solid waste fee shall be charged to the owner of each parcel of real property in accordance with this local law based upon the number of Billing Units assigned to such parcel (as set forth in Section 6 below) times the Unit Charge established for the year.

F. A one-half unit exemption from the annual solid waste fee shall be allowed for all senior citizens who qualify for the County's senior citizen partial exemption from real property taxes.

Section 6. Preparation of Solid Waste User Fee Roll.

A. Each parcel of improved real property situated in the County shall be assigned to a class of parcels as set forth in the Rate Schedule based upon the use of the parcel as of the Fee Status Date. Single family residential homes, two family houses, three family houses, apartment, mobile homes and multi residences will be charged one unit for each habitable residence. Senior citizens who receive a senior citizen exemption on their parcel (not including STAR exemption), will be charged half a unit. Non-Residential parcels, and institutional facilities, (hospitals, colleges, etc) are billed according to projected or actual tonnages of solid waste generated where one solid waste unit equals $\frac{3}{4}$ tons of solid waste.

B. The Solid Waste Coordinator shall make a reasonable effort to ascertain the name of the owner, last known owner or reputed owner and the use of the parcel as of the Fee Status Date. The Solid Waste Coordinator shall prepare a Solid Waste User Fee Roll listing each parcel in the County, its owner, its property classification code, and the number of Billing Units assigned to it.

C. The tentative Solid Waste User Fee Roll shall be completed on or about May 1. A copy shall be filed in the Solid Waste Office. The Solid Waste Coordinator shall forthwith cause a notice of such filing to be published once in the official newspapers of the County on or about May 8. The notice shall state that a tentative Solid Waste User Fee Roll containing solid waste Billing Units established for each parcel has been completed; that a copy has been filed and may be examined by any person during regular business hours at the Solid Waste Office.

D. Within seven (7) business days following the filing of the tentative Solid Waste User Fee Roll, a Notice shall be mailed to each owner of real property for which a change from the previous year has been made setting forth any change in the number of Billing Units assigned to a parcel. Such notice shall also state that an appeal must be directed to the Solid Waste Coordinator on or before May 31. Failure to mail the notice or failure of the owner to receive the notice shall not prevent the charging, collection and enforcement of the annual solid waste fee against the owner and property.

E. The property owner shall file a statement under oath, specifying the parcel of property, why the assigned classification is erroneous or illegal, what the owner believes is the correct classification and a brief description of the facts supporting the claim. The statement must be made by the owner of the parcel in question or by some other person authorized by the owner to make the statement who has knowledge of the facts stated therein.

F. The Solid Waste Coordinator shall determine in writing the proper classification of each parcel for which a complaint has been filed and shall mail a copy of such determination to the complainant on or before June 7. The decision shall also include information regarding the procedure to appeal the decision to the Appeals Board and the date, time and place of the meeting or meetings of the Appeals Board. Any person desiring to appeal the decision of the Solid Waste Coordinator may file an appeal with the Appeals Board on or before June 15. The appeal shall be in writing and shall include a copy of the Solid Waste Coordinator's decision and a brief description of the reason for the appeal.

G. The Appeals Board shall consist of the **Solid Waste and Environmental Concerns Committee**. The Appeals Board shall meet on or before June 30.

H. A final Solid Waste User Fee Roll shall be completed on or about July 1 and shall be filed in the Solid Waste Office.

Section 7. Billing and Collecting of Fee.

A. The annual solid waste fee shall be sent to each owner of real property as a separate line item on the County tax bill. At the discretion of the County, this annual solid waste user fee in the discretion of the Board, may be sent to all owners of real property as a separate statement.

B. The fee shall be due January 1 and payable without interest or penalties by January 31, and payment shall be made to the local tax collector in person or by mail. As directed by law*, this solid waste user fee shall be collected by the local tax collectors with their collection of local taxes. (*Section 266 County Law; Opinion of the State Comptroller 78-550.)

C. All annual solid waste fees shall be a debt and personal obligation of the owner of the parcel of property. Said fees shall be a lien upon the parcel of property as of the due date of the fee.

Section 8. Delinquent Fees.

A. The County shall be entitled to commence a civil action to foreclose upon any lien upon property in accordance with the law or collect any amount due to it.

Section 9. Severability.

If any clause, sentence, paragraph, section or part of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 10. Correction of Errors.

The Board of Representatives authorizes the Appeals Board and the Solid Waste Coordinator to grant correction of an error in the Solid Waste User Fee Roll to the extent permitted by State law and the correction of errors related to the calculation of Billing Units. When it shall appear that an annual solid waste fee has not been paid because of errors or omissions not the fault of the owner, the Appeals Board may modify or waive the penalties, charges, costs and interest to be paid on the fee and may grant refund of paid solid waste fees for a period of one (1) year after payment.

Section 11. Effective Date.

The provisions of this law shall be effective immediately upon the filing of a copy with the Secretary of State.

Offered by Solid Waste and Environmental Concerns