REGULAR SESSION  
FIRST DAY

Wednesday, March 6, 2019

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

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

Under Privilege of the Floor, Ed Dawyot, Hamlet of Welcome, Town of New Lisbon asked how much it is going to cost in regards to the climate smart Resolution today, advised the County to not do LED traffic lights as it ends up being costly, wind power is a good idea but he does not know much about it, and solar power does not work too well around here.

Nicole Dillingham, Springfield, NY, President of Otsego 2000, expressed concerns that the IDA is under the County’s umbrella and jurisdiction, the County funds them, appoints members to their Board, the County is not aware of what they are doing, and asked if the IDA is reporting to the County? Ms. Dillingham stated that the proposed 17.5 million dollar de-compressor station, expanding the DeRuyter pipeline, and redeveloping roads and bridges will cost the County and who is going to pay for it? Ms. Dillingham asked that the IDA come and give a report to the Board.

Keith Schue, Otsego 2000, stated that he supports Nicole Dillingham and what she said noting that he is serving on the newly formed energy task force, is deeply concerned that the actions that are happening now contradict having the energy task force, projects are moving ahead without the task force’s consideration, the Rail Yard development will be adding to the already high energy demand, there is a need for knowledge based projects that use far less energy, the IDA is not performing well for you and they are not successful in bringing jobs.

Michael Stalzer read a letter from Rachel Soper from a meeting last night in Oneonta regarding the draft GEIS. The letter included the following points: the Rail yard re-development project would create new jobs but no economic analysis has been completed, the NYS Comptrollers’ 2016 data for the 12 Southern Tier IDAs noting that the actual jobs created in Otsego County was 29 out of an estimated 162, and Delaware County was the lowest job producer yet they still produced more than 5 times the jobs compared to Otsego County. Ms. Soper urged the City Council to insist on a full economic analysis of the Rail yard Re-development Project to break down costs, determine who will bear the
costs, provide the basis for projected job creation, and justification on how the site will actually be filled.

Russ Ahrens, Otsego County employee, commended Otsego Electric and their contractors for their excellent work. Mr. Ahrens stated that no one talks about water power as an energy option noting it is feasible and should be looked at, he is disappointed in what he sees, we cannot get along with each other, there was no resolution for Maria Ajello’s property, there was no warning, it’s morally wrong and asked that the County make it right and make Maria Ajello whole.

Dick Downey, Otego, NY, stated he read the Climate Smart resolution and the Town of Otego had something similar but wisely turned it down as they wanted no part of it. Mr. Downey stated that they use the rule “if it works, if it is cost effective, if it improves ecology, let’s try it.” Mr. Downey stated the County wanted to look at all forms of energy and this resolution does not do that and he asked that the County consider this and act accordingly.

Maria Ajello, Otsego County employee, stated that there is a Resolution today that allows a delinquent tax payer to stay in their home and pay their back taxes by 7/31/19 and that Mr. Ruffles sought a way and found a way. Mrs. Ajello asked why the Board didn’t do this in 2014? She was ready to pay weeks before the auction, why wasn’t she afforded the same opportunity? Why wasn’t it good, legal and proper then? Maria Ajello asked for her and Bob Force’s homes to be returned to them.

Michael Stalzer asked that the hours of the Board meetings are an obvious obstruction to transparency and interfere with people’s work schedules and asked that a time that is convenient for the majority of the constituents be looked at. Mr. Stalzer stated that he has been to meetings before and listened to the pleas of Maria Ajello and stated that what was done was criminal whether it’s the law or not and it is an unjust system.

The minutes of February 6, 2019 were approved.

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


The following communications were read and ordered filed:

Notice from the NYS Department of Transportation regarding PIN 980722-Pedestrian Safety Improvements- Signs and Pavement Markings State Route 80.
Early Notice and Public Review of a Proposed Activity located in the 100-Year Floodplain from City of Oneonta Department of Engineering regarding City of Oneonta CDBG #847PW136-18 Wilber Lake Dam Repairs and Improvements

Notice of Claim, Laura Messer, Claimant against the County of Otsego and Sheriff Richard Devlin, Jr. as the Otsego County Sheriff, Deputy Sheriff Christopher Solovich, and Sheriff Officer Richard Kimmler, employees thereof, Respondents, the nature of the claim is that Claimant was injured based upon agents of the County of Otsego and the Otsego County Sheriff’s Department in connection with the conduct of an illegal eviction in violation of Real Property Actions and Proceedings Law, the damages or injuries sustained by Claimant include expenses in the amount of $5,000 for forcing claimant to immediately relocate and for emotional damages in the sum of $75,000.

Summons and Complaint, Deforst A. Hunt, Plaintiff against County of Otsego and Otsego County Sheriff, Defendants, injuries of the Plaintiff were caused by the negligence of the Defendants including severe, painful, and permanent bodily injuries, severe and permanent emotional pain and suffering, medical care and treatment was required and may be required in the future, expenditures were made for necessary medical care, a resulting loss of enjoyment of life has been suffered, demands judgment in a sum of money having a present value which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction of this matter, and that the Plaintiff be awarded interest, costs, and disbursements for prosecuting this action in addition to such other and further relief as to the Court may seem just.

Under Special Presentations, Tim Johnson, CEO of Otsego Electric, gave an update on Broadband including but not limited to the following:
- they are making tremendous progress
- 400 miles of fiber constructed
- winter weather has impacted the speed of the construction
- anticipate servicing 2,000 plus homes by end of the year and 800 miles of fiber being completed
- testers have done well
- they have been successful with speed checks
- low monthly costs for services, there is also internet phone available as well as a WIFI extender
- completing 5-10 miles per week (weather dependent), 3-5 homes per day
- need to complete at least 2,100 homes by year end but the goal is 5,000
- looking for expansion opportunities
- broadband data being updated
- there is potential for using sites for cell service - they have made inquiries with cell tower providers

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

Representative Kennedy gave a report on the Energy Task Force.
Representative Marietta gave a report on the Otsego Now board meeting.

After the Intergovernmental Affairs Committee meeting report, Representative Shannon moved for an executive session to consult with the County Attorney and to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person. Seconded, Wilber. Total: 6,228; Ayes: 6,228. Motion carried.

The Board reconvened.
Representative Lapin moved to come out of executive session. Seconded, Stammel. Total: 6,228. Ayes: 6,228. Motion carried.

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

Representative Marietta gave a report on Strategic Planning.
Representative Kennedy and Representative Farwell gave a report on the Soil and Water Committee.
Representative Kennedy gave a report on the Landbank committee.
Board Chair Bliss gave an update on the CWSSI (County Wide Shared Services Initiative)

Representative Koutnik moved to dispense with the reading of all resolutions. Seconded, Stammel. Total: 6,228; Ayes: 6,228. Motion carried.

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

Board Chair Bliss removed Resolution No. 100, Representative Kennedy removed Resolution No. 101, and Representative Frazier removed Resolution No. 105.

Board Chair Bliss called for action on the consent agenda, excluding Resolution Nos. 100, 101, and 105. Representative Oberacker moved to act upon the consent agenda, Resolution Nos. 86-99, 102-104, and 106.
RESOLUTION NO. 86-20190306

RESOLUTION - AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE AN AGREEMENT WITH INDUSTRIAL DEVELOPMENT AGENCY (IDA)

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, the County of Otsego has allocated in its budget for the fiscal year 2019 the expenditure of $75,000 for the support of the Otsego County Industrial Development Agency (IDA), for general operations of IDA such as hiring consultants associated with marketing and design, installation of signage and lighting and any equipment needed for fulfilling the IDA mission; and

WHEREAS, it is appropriate that a contract with Industrial Development Agency (IDA) be authorized to assure proper application of this expenditure; now, therefore, be it

RESOLVED, that the Chair of this Board be and hereby is authorized to contract with the Otsego County Industrial Development Agency (IDA) for the purpose of providing funds, not to exceed $75,000, to the IDA to pay towards the support of the Otsego County Industrial Development Agency (IDA), for general operations of the IDA such as hiring consultants associated with marketing and design, installation of signage and lighting and any equipment needed for fulfilling the IDA mission for the contract term January 1, 2019 to December 31, 2019; and be it further

RESOLVED, that a report will be made to the Intergovernmental Affairs Committee by September 15, 2019 with an annual report and audited financial statements at the end of the IDA’s current fiscal year; 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 funding for this contract is included in the 2019 Cooperstown Tourism Promotion Budget (6420-A) at line 4680 Annual Support Agreement and consist of 100% local funds.

RESOLUTION NO. 87-20190306

RESOLUTION – AMENDING RESOLUTION 290-20181107-
APPROVING SUPERINTENDENT OF HIGHWAYS TO PURCHASE AUTOMOTIVE PARTS AND EQUIPMENT AND APPROVING INVOICES

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Resolution 290-20181107 approved the Superintendent of Highways to purchase needed automotive parts and equipment through Gillee’s Auto Truck and Marine, Inc., the existing vendor, through December 31, 2018; and

WHEREAS, there is a need to extend that time frame to allow for another contract to be put in place for said automotive parts;

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

RESOLVED, that until such time as another contract is in place and a new vendor(s) are selected, the Highway Superintendent is authorized to obtain needed automotive parts and equipment from the existing vendor, Gillee’s Auto Truck and Marine, Inc. in amount not to exceed the total amount budgeted for 2019 for a period of January 1, 2019 to December 31, 2019; and be it further

RESOLVED, that until new vendor(s) are selected, invoices for said purchases shall be reviewed and authorized by the Public Works Committee and payment for same shall be authorized to December 31, 2019 by Board resolution, if needed; and be it further

RESOLVED, that the funding for this expenditure is included in the 2019 Highway Budget (5130-DM) at line 4540 Parts.

RESOLUTION NO. 88-20190306

RESOLUTION - AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT WITH CARDINAL HEALTH FOR PSYCHIATRIC MEDICATIONS

STAMMEL, CLARK, MARTINI, SHANNON, LAPIN

WHEREAS, there is a need for psychiatric medications for the use in Community Services; and
WHEREAS, Cardinal Health has submitted a proposal for these services under state contract# PC66755; and

WHEREAS, the Purchasing Agent and the Director of Community Services reviewed the proposal and recommended that the County contract with Cardinal Health, 6012 Molloy Road, Syracuse, NY 13211 to provide psychiatric medication; now, therefore, be it

RESOLVED, that the Chair of this Board is authorized to enter into an agreement with Cardinal Health, 6012 Molloy Road, Syracuse, NY 13211 to provide psychiatric medication at a cost not to exceed $60,000 for the period of January 1, 2019 through December 31, 2019; and be it further

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

RESOLVED, that the funding for this purchase is included in the 2019 Mental Health Budget (4310-A) at line 4895 Medical Expenses with 100% Medicaid funding.

RESOLUTION NO. 89-20190306

RESOLUTION – AUTHORIZING THE CHAIR OF THE BOARD TO CONTRACT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI) FOR THE ARC GIS ONLINE SOFTWARE

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, Otsego County was awarded a Local Government Efficiency grant for $94,071 to fund the Highway Asset Management Program (HAMP); and

WHEREAS, it is necessary to purchase Arc GIS online software to develop the HAMP database; and

WHEREAS, Environmental Systems Research Institute has been identified as being able to provide the software necessary to development the HAMP database; and

WHEREAS, because the software needed for the HAMP database exists from only a single source, a Request for Proposal was not made or offered; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to contract with
RESOLUTION NO. 90-20190306
RESOLUTION – AUTHORIZING THE CHAIR OF THE BOARD TO ENTER INTO AN AGREEMENT WITH TRINITY SERVICES GROUP INC. FOR FOOD PRODUCTS AT THE CORRECTIONAL FACILITY
FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, the Otsego County Sheriff’s Office has a need for food products for meals at the Correctional Facility; and

WHEREAS, the Sheriff and the Purchasing Agent have communicated regarding this service and determined that “piggybacking” on Cayuga County Sheriff’s Office contract would be in the best interest of the County; and

WHEREAS, both the Public Safety and Legal Affairs and Administration Committees were consulted and agree to move forward with a “piggyback” contract through Cayuga County Sheriff’s Office with Trinity Services Group, Inc.; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to enter into an agreement with Trinity Services Group, Inc., 1260 Andes Boulevard, St. Louis, MO 63132 for food services at the Correctional Facility at a cost based on usage and inmate population for a total not to exceed the amount budgeted for a period of March 31, 2019 through December 31, 2019; 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 payment under this contract are included in the 2019 Jail Budget (3150-A) at line 4525 Food and consists of 100% local costs.

RESOLUTION NO. 91-20190306
RESOLUTION – AUTHORIZING OTSEGO COUNTY COMMISSIONER OF
SOCIAL SERVICES TO CONTRACT WITH
KIDS ONEIDA FOR STSJP SERVICES

KOUTNIK, CLARK, LAPIN, MARTINI, FRAZIER

WHEREAS, funding is available to Otsego County from NYS for Supervision and Treatment Services for Juveniles Program (STSJP); and

WHEREAS, New York State Office of Children and Family Services has approved Otsego County’s 2018 to 2019 STSJP Plan; and

WHEREAS, because these contracts are reimbursed by NYS allocated funds, and all vendors are approved in advance by New York State, the procurement process was not utilized for the selection of the vendor for these services; and

WHEREAS, Kids Oneida, 310 Main Street, Utica, NY 13501 is approved to provide STSJP program services in said plan; and

WHEREAS, Otsego County Department of Social Services desires to enter into a contract with Kids Oneida; now, therefore be it

RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to contract with Kids Oneida for STSJP program services, at a cost not to exceed $103,557 for the period of October 1, 2018 through September 30, 2019; 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 funding for the contract is included in the 2018 and 2019 Social Services Administration Budget (6010-A) at line 4910 Fees for Services and consists of 62% state reimbursement and 38% local cost.

RESOLUTION NO. 92-20190306

RESOLUTION – AUTHORIZING COMMISSIONER OF SOCIAL SERVICES TO CONTRACT WITH OTSEGO COUNTY PROBATION DEPARTMENT FOR STSJP SERVICES

KOUTNIK, CLARK, LAPIN, MARTINI, FRAZIER
WHEREAS, funding is available to Otsego County from NYS for Supervision and Treatment Services for Juveniles Program (STSJP); and

WHEREAS, New York State Office of Children and Family Services has approved Otsego County’s 2018 to 2019 STSJP Plan; and

WHEREAS, because these contracts are reimbursed by NYS allocated funds, and all vendors are approved in advance by New York State, the procurement process was not utilized for the selection of the vendor for these services; and

WHEREAS, the Otsego County Probation Department is approved to provide STSJP program services in said plan; and

WHEREAS, Otsego County Department of Social Services desire to renew their contract with Otsego County Probation; now, therefore, be it

RESOLVED, that the Commissioner of Social Services is hereby authorized to contract with the Otsego County Probation Department for STSJP program services at a cost not to exceed $24,445 for the period of October 1, 2018 through September 30, 2019; and be it further

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

RESOLVED, that the funding for this contract is included in the 2018 and 2019 Social Services Administration Budget (6010-A) at line 4910 Fees for Services and consists of 62% state reimbursement and 38% local cost.

RESOLUTION NO. 93-20190306

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

KOUTNIK, CLARK, LAPIN, MARTINI, FRAZIER

WHEREAS, Resolution 145-20180404 authorized the Commissioner of Social Services to contract with S&T Security at the Meadows Complex through December 31, 2018; and

WHEREAS, the Department of Social Services wishes to extend the contract and S&T Security has indicated a willingness to provide security services; now, therefore, be it
RESOLVED, that the Otsego County Commissioner of Social Services is hereby authorized to extend the contract with S&T Security to provide security services for the Department of Social Services at the Meadows Complex, at a cost not to exceed $35,000 for the period of January 1, 2019 through July 31, 2019; and be it further

RESOLVED, that the funding for this contract is included in the 2019 Social Services Administration Budget (6010-A) at line 4900 Contracts with estimated reimbursement through 66% Federal and 16% State funds, with 18% local cost.

RESOLUTION NO. 94-20190306

RESOLUTION – APPROVING ADDITIONS TO CERTIFIED AGRICULTURAL DISTRICT WITHIN OTSEGO COUNTY

MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law provides for the inclusion of viable agricultural land within a certified agricultural district prior to the county established review period; and

WHEREAS, the Otsego County Board of Representatives established the month of January as the period in which landowners may petition Otsego County for inclusion of parcels of viable agricultural land within certified agricultural districts; and

WHEREAS, Otsego County received requests from two (2) landowners for inclusion of approximately 238.9 acres of viable agricultural land within the certified agricultural district; and

WHEREAS, the Otsego County Agricultural and Farmland Protection Board (AFPB) reviewed these requests and recommended that the following parcels consist predominantly of viable agricultural land and should be included in the County’s certified agricultural district:

<table>
<thead>
<tr>
<th>Tax ID</th>
<th>Acreage</th>
<th>Owner</th>
<th>Town</th>
<th>Agricultural District</th>
</tr>
</thead>
<tbody>
<tr>
<td>232.00-1-16.01</td>
<td>170.60</td>
<td>Mario &amp; Pam Correale</td>
<td>Worcester</td>
<td>1</td>
</tr>
<tr>
<td>328.00-1-10.01</td>
<td>51.25</td>
<td>Steven R Clark</td>
<td>Unadilla</td>
<td>1</td>
</tr>
<tr>
<td>332.00-1-89.01</td>
<td>17.05</td>
<td>Steven R Clark</td>
<td>Unadilla</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>238.90</td>
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</table>
now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives does hereby approve the approximately 238.9 acres of land as listed above be included in the Otsego County Agricultural District.

RESOLUTION NO. 95-20190306

RESOLUTION - APPOINTING MEMBERS TO THE OTSEGO COUNTY FIRE ADVISORY BOARD

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, by Resolution No. 51 of 1950, the Board of Supervisors created a County Fire Advisory Board of not more than twenty-one (21) members for a term not to exceed one (1) year; now, therefore, be it

RESOLVED, that pursuant to Section 225a of the County Law, the following persons are hereby appointed members of the Otsego County Fire Advisory Board for a period of one (1) year commencing January 1, 2019 and ending December 31, 2019:

- Cherry Valley – Martin Field
- Cooperstown – Thomas Redding
- Fly Creek – Giosue Lanza
- Garrattsville – Mert Hull
- Gilbertsville – Gerald Theis
- Hartwick Co #2 – Larry Lamb
- Laurens – Kurt Stage
- Milford – Jeff Scofield
- Mt. Vision – Jonathan Chambers
- Oneonta – Pat Pidgeon
- Pittsfield – Dale Ives
- Richfield – Ray Smith
- Schenevus – Peter C. Comino
- Unadilla – Pete Greeley
- Wells Bridge – John Wilber
- West Exeter – Jeff Wilson
- Westford – Ralph Ritton
- West Laurens – Duane Trask
- West Oneonta – David Leonard
- Worcester – Jim Empie
RESOLUTION NO. 96-20190306

RESOLUTION - APPOINTING MEMBERS TO THE
EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER

WHEREAS, by Resolution No. 206 of 1981, the Otsego County Board of Representatives recognized the Otsego County Emergency Medical Services Advisory Council as an advisory council to this Board; and

WHEREAS, County Law, Section 223-b, effective July 1, 1993, authorizes the County to create a County EMS Advisory Board; now, therefore, be it

RESOLVED, the following persons are hereby appointed members of the Otsego County Emergency Medical Services Advisory Council for a period of one (1) year commencing January 1, 2019 and ending December 31, 2019:

<table>
<thead>
<tr>
<th>NAME</th>
<th>REPRESENTING</th>
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<tbody>
<tr>
<td>Jayne Putman</td>
<td>AO Fox Memorial Hospital</td>
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<tr>
<td>Jan Calhoun</td>
<td>Bassett Healthcare</td>
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<tr>
<td>Victor Jones</td>
<td>Office of Emergency Services</td>
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<tr>
<td>Deborah Clegg</td>
<td>OES, Inc.</td>
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<tr>
<td>Caren Kelsey</td>
<td>OES, Inc.</td>
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<tr>
<td>Dominic Brent</td>
<td>Interested Party</td>
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<td>Laura Bryant</td>
<td>Interested Party</td>
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<tr>
<td>Sidney Chase</td>
<td>Interested Party</td>
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<tr>
<td>David Leclair</td>
<td>Interested Party</td>
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<tr>
<td>Richard Kersmanc</td>
<td>Interested Party</td>
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<tr>
<td>JoAnna Alessi</td>
<td>Interested Party</td>
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<tr>
<td>Jeffrey Scofield</td>
<td>Interested Party</td>
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<tr>
<td>Aaron VanBuren</td>
<td>Interested Party</td>
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<tr>
<td>Deborah Klingler</td>
<td>Interested Party</td>
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<tr>
<td>Carol Krueger</td>
<td>Interested Party</td>
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<tr>
<td>Joseph Malecki</td>
<td>Interested Party</td>
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<tr>
<td>Nicole Field</td>
<td>Interested Party</td>
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<tr>
<td>Ralph Wellington</td>
<td>Interested Party</td>
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<tr>
<td>Robert O’Brien</td>
<td>OC Communications</td>
</tr>
<tr>
<td>Beth McGown</td>
<td>Ambulance Service – Commercial</td>
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<tr>
<td>Timothy Foster</td>
<td>Ambulance Service - Municipal</td>
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</tbody>
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13
RESOLUTION NO. 97-20190306

RESOLUTION - APPROVING APPOINTMENT OF MEMBERS TO SOUTHERN TIER 8 BOARD

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, pursuant to the bylaws of Southern Tier 8 and (formerly Southern Tier East Regional Planning Development Board) and the Agreement between the County and now Southern Tier 8, the Chair of the Board of Representatives has made appointments to the Southern Tier 8 Board; now, therefore, be it

RESOLVED, that the following appointments are hereby approved for the term indicated:

LIZABETH SHANNON
BOARD OF REPRESENTATIVES, OTSEGO COUNTY
82 West Street
Oneonta, NY 13820
Term expires December 31, 2019

JODY ZAKREVSKY
EXECUTIVE DIRECTOR, OTSEGO NOW
(OTSEGO COUNTY INDUSTRIAL DEVELOPMENT AGENCY)
Term expires December 31, 2022 or upon leaving the position, whichever first occurs

OTSEGO COUNTY PLANNING DIRECTOR

RESOLUTION NO. 98-20190306

RESOLUTION – APPROVING THE DIRECTOR OF BUILDING SERVICES TO PURCHASE A UTILITY TRACTOR WITH LOADER AND FRONT MOUNT SNOW BLOWER

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 Building Services Department budgeted an amount not to
exceed $46,480 for the purchase of Equipment; and

WHEREAS, the County’s Purchasing Agent is in the process of collecting bids for said goods and services and will provide an analysis of compliant vendors to the Department Head; and

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

RESOLVED, that the Director of Building Services is hereby authorized to purchase a utility tractor with options at a cost not to exceed $41,500; and be it further

RESOLVED, that the vendor for these purchases shall be selected after the completion of the procurement process by the Purchasing Agent, and review of the analysis of compliant vendors to be provided by the Purchasing Agent; and be it further

RESOLVED, that the selection of the vendor shall be made by the Department Head in compliance with this resolution, the County’s Purchasing Policy and applicable law; and be it further

RESOLVED, that the funding for this expenditure is included in the 2019 Cooperstown Office Building Budget (1625-A) at line 2000 Equipment.

RESOLUTION NO. 99-20190306

RESOLUTION – AUTHORIZING THE COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY TO ACT AS A SUB-RECIPIENT FOR THE PURPOSES OF ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FUNDS FOR THE RICHFIELD SPRINGS INDUSTRIAL PARK FEASIBILITY STUDY

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, Otsego County has designated $50,000 of its CDBG program income funds for a feasibility study of the Otsego County Industrial Development Agency Richfield Springs Industrial Park; and

WHEREAS, the NYS Homes and Community Renewal has determined that such project is eligible for using program income funds; and
WHEREAS, the NYS Homes and Community Renewal has also indicated that for the purpose of feasibility studies that the County may elect to sub-grant all or portions of their CDBG funds to a sub-recipient for administration of a specific activity and that the County of Otsego can use the Otsego County Industrial Development Agency (IDA) as a sub-recipient to administer the program, as the IDA is a governmental non-profit, which is also a public agency, and has the knowledge, expertise, and experience to carry out such activities; and

WHEREAS, the IDA has indicated that it will not charge a fee to administer the grant; now, therefore, be it

RESOLVED, that the County of Otsego hereby designates the Otsego County IDA to administer the use of program income funds in the amount of $50,000 to conduct a feasibility study of the Richfield Springs Industrial Park, including issuing request for proposals from qualified engineering firms, the selection of the engineering firms to undertake the study, and the review and payment of bills to the selected engineering firm, and to keep and maintain records in accordance with NYS Homes and Community Renewal; and further be it

RESOLVED, that the Otsego County Board of Representatives authorizes the Chairman to enter into a sub-recipient agreement with the Otsego County Industrial Development Agency for said purposes.

RESOLUTION NO. 102-20190306

RESOLUTION – REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO RELEASE ITS MAINTENANCE JURISDICTION OVER A PORTION OF HIGHWAY RIGHT OF WAY ALONG ROUTE 7 IN THE TOWN OF WORCESTER AND FURTHER AUTHORIZING THE CONVEYANCE OF OTSEGO COUNTY’S INTEREST IN SAID PORTION OF RIGHT OF WAY TO GARY AND BARBARA GOLJA

OBERACKER, MCCARTY, WILBER, FARWELL, LAPIN

WHEREAS, Gary and Barbara Golja have expressed a desire to acquire property along NYS Route 7 in the Town of Worcester and bordering their property, being currently unused property due to a realignment of NYS Route 7; and

WHEREAS, the County of Otsego originally acquired a portion of the highway in February 1940; and
WHEREAS, the New York State Department of Transportation has indicated a willingness to release its maintenance jurisdiction over that portion of real property requested by Gary and Barbara Golja in the Town of Worcester; and

WHEREAS, Otsego County does not currently use said real property for any public purpose and does not foresee any need for said property in the future; and

WHEREAS, with the abandonment by the New York State Department of Transportation of its maintenance jurisdiction, the County can proceed to convey its interest in that portion of real property to the Town of Worcester; now, therefore, be it

RESOLVED, that the County of Otsego hereby requests that the New York State Department of Transportation release its maintenance jurisdiction over that portion of highway right of way along NYS Route 7 in the Town of Worcester as determined by NYSDOT to be surplus property shown on NYSDOT Conveyance Map, Worcester, SH 5247, Map No. 14.6, dated and signed February 19, 1940; and be it further

RESOLVED, that, pursuant to County Law section 215, the Otsego County Board of Representatives hereby determines that said real property as described above is no longer necessary for public use; and be it further

RESOLVED, that the County of Otsego authorizes conveyance by quitclaim deed of its interest in the above described parcel to Gary and Barbara Golja who shall prepare the necessary transfer documents for review by the County and shall pay the cost of recording the necessary documents in the Otsego County Clerk’s office and otherwise for no consideration as said parcel has no marketable value; and be it further

RESOLVED, that the Chair of the Board of Representatives is authorized to sign said deed and other documents necessary to convey the real property to Gary and Barbara Golja.

RESOLUTION NO. 103-20190306

RESOLUTION - AUTHORIZING THE SHERIFF TO PURCHASE 22 BALLISTIC VESTS

FRAZIER, WILBER, STAMMEL, FARWELL, OBERACKER
WHEREAS, the Otsego County 2019 Adopted Budget was approved by the Otsego County Board of Representatives on December 5, 2019; and

WHEREAS, the Sheriff’s Department budgeted an amount not to exceed $45,000 for Vests-Uniforms; and

WHEREAS, the vendor for this purchase will be selected after the review by the County’s Purchasing Agent pursuant to the County’s Purchasing Policy and the Sheriff; now, therefore, be it

RESOLVED, that the Sheriff is hereby authorized to purchase 22 ballistic vests at a cost not to exceed $32,000; and be it further

RESOLVED, that the vendor for this purchase shall be selected after the review of the Purchasing Agent, and after review and approval by the Sheriff; and be it further

RESOLVED that the funding for this expenditure is included in the 2019 Sheriff Budget (3110-A) at line 2610 Vests-Uniforms.

RESOLUTION NO. 104-20190306

RESOLUTION - AUTHORIZING DEPARTMENT OF SOCIAL SERVICES TO PURCHASE COMPUTER EQUIPMENT

KOUTNIK, CLARK, LAPIN, MARTINI, FRAZIER

WHEREAS, there is a need to purchase computer equipment including computers, ipads, and scanners in the Department of Social Services; and

WHEREAS, the Purchasing Agent was consulted with and approved the vendor as part of a National IPA contract; now, therefore, be it

RESOLVED, that the Department of Social Services be and is hereby authorized to purchase the following:

ITEM: 25 computers with monitors
       6 ipads
       2 scanners

VENDOR: CDW Government
       75 Remittance Drive, Suite 1515
       Chicago, IL 60675-1515
COST: $33,013

and be it further

RESOLVED, that the funding for this purchase is included in the 2019 Social Services Administration Budget (6010-A) at line 2335 IT Equipment/Hardware and consists of 50% local and 50% state, utilizing a USDA Snap Bonus Allocation.

RESOLUTION NO. 106-20190306
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 year; 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:

<table>
<thead>
<tr>
<th>2019 Budget Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A - GENERAL FUND</strong></td>
</tr>
<tr>
<td>FROM: Elections</td>
</tr>
<tr>
<td>TO: Elections</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2019 Budget Modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A - GENERAL FUND</strong></td>
</tr>
<tr>
<td>Increase: Department of Health Radon Grant 0000-4407-A 3,843.00</td>
</tr>
<tr>
<td>Increase: Department of Health Radon Grant 4010-4810-A 3,843.00</td>
</tr>
<tr>
<td>Increase: Recreation Grants Snowmobile Trail Devel 0000-3890-A 40,302.50</td>
</tr>
<tr>
<td>Increase: Recreation Grants Other 7120-4800-A 40,302.50</td>
</tr>
<tr>
<td>Increase: Planning Local Govt Efficiency Grant 0000-3586-A 55,785.65</td>
</tr>
</tbody>
</table>
Seconded, Koutnik. Roll call vote on consent agenda. Total: 6,228; Ayes: 6,228. Adopted.

RESOLUTION NO. 100-20190306

RESOLUTION – OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, on February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to AIM funding by utilizing revenue from county sales tax; and

WHEREAS, instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties; and

WHEREAS, already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS, counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties, and

WHEREAS, requiring counties to make up for the State's cut in AIM funding
to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS, currently nine state mandated programs placed on counties equals more than 90 percent of the typical county property tax levy, and these mandated costs continue to grow; and

WHEREAS, cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes, and

WHEREAS, replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately will result in higher property taxes; now, therefore, be it

RESOLVED, that the Otsego County Board of Representatives hereby supports the full restoration of this state aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget; and be it further

RESOLVED that the Clerk of the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, Senator James Seward, and Assemblymen Brian Miller, Christopher Tague, John Salka and Clifford Crouch.


RESOLUTION NO. 101-20190306 (original)

RESOLUTION – AUTHORIZING REDEMPTION OF PARCELS TAKEN UNDER IN REM TAX FORECLOSURE

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the County of Otsego is completing its 2017 In Rem Tax Foreclosure proceedings and will be taking title to various parcels of real property; and

WHEREAS, this Board has decided to allow property owners to redeem their properties and receive the deeds to those properties from the County upon the payment of the 2017 and 2018 taxes plus interest and penalties as of the date of payment plus an additional penalty of 15% of the total amount of taxes, penalties, and interest owed. In addition, payment of the 2019 taxes is also
WHEREAS, there may also be parcels from prior foreclosures which were not included in prior sales but which may be included in this year’s 2019 foreclosure sale which will also be allowed to be redeemed upon payment of the taxes, interest and penalties plus 15% penalty of the total amount of taxes, interest and penalties owed for the appropriate years. In addition, payment of the 2019 taxes is also required at that time; now, therefore, be it

RESOLVED, that the County of Otsego hereby authorizes redemption as described above with payment to be made to the County of Otsego by cash or certified funds on or before July 31, 2019 at 3:00 p.m.; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all documents necessary to effectuate such transfers back to the respective owners after such payment; and be it further

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

Seconded, Martini. Representative Kennedy moved to amend Resolution No. 101-20190306 to add 2016 to the 2nd Whereas so that it will state upon the payment of the 2016, 2017, and 2018 taxes plus interest. Seconded, Wilber. Oral Vote on motion to amend. Total: 6,228; Ayes: 6,228. Motion carried.

RESOLUTION NO. 101-20190306 (amended)

RESOLUTION – AUTHORIZING REDEMPTION OF PARCELS TAKEN UNDER IN REM TAX FORECLOSURE

KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

WHEREAS, the County of Otsego is completing its 2017 In Rem Tax Foreclosure proceedings and will be taking title to various parcels of real property; and

WHEREAS, this Board has decided to allow property owners to redeem their properties and receive the deeds to those properties from the County upon the payment of the 2016, 2017 and 2018 taxes plus interest and penalties as of the date of payment plus an additional penalty of 15% of the total amount of taxes, penalties, and interest owed. In addition, payment of the 2019 taxes is also required at that time; and
WHEREAS, there may also be parcels from prior foreclosures which were not included in prior sales but which may be included in this year’s 2019 foreclosure sale which will also be allowed to be redeemed upon payment of the taxes, interest and penalties plus 15% penalty of the total amount of taxes, interest and penalties owed for the appropriate years. In addition, payment of the 2019 taxes is also required at that time; now, therefore, be it

RESOLVED, that the County of Otsego hereby authorizes redemption as described above with payment to be made to the County of Otsego by cash or certified funds on or before July 31, 2019 at 3:00 p.m.; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all documents necessary to effectuate such transfers back to the respective owners after such payment; and be it further

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

Oral vote on Resolution No. 101-20190306 as amended. Total: 6,228; Ayes: 6,228. Adopted.

RESOLUTION NO. 105-20190306
RESOLUTION – ADOPTING THE CLIMATE SMART COMMUNITIES PLEDGE FOR OTSEGO COUNTY MCCARTY, KENNEDY, KOUTNIK, LAPIN, FARWELL

WHEREAS, the County of Otsego (hereafter “local government”) is concerned that climate change poses a real and increasing threat to our local and global environments; and

WHEREAS, the effects of climate change have the potential to threaten our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an opportunity to build livable, energy-independent, and secure communities, economies based on innovation, and more resilient infrastructure; and

WHEREAS, we believe that significant work will be required in order to
achieve climate stabilization; and

WHEREAS, we believe that our county, like communities everywhere, will be challenged by the effects of climate change for decades to come; now, therefore, be it

RESOLVED, that the County of Otsego, wishes to adapt to a changing climate and adopt the New York State Climate Smart Communities pledge, which comprises the following ten elements:

1) Build a climate-smart community.
2) Inventory emissions, set goals, plan for climate action.
3) Decrease energy use.
4) Shift to clean, renewable energy.
5) Use climate-smart materials management.
6) Implement climate-smart land use.
7) Enhance community resilience to climate change.
8) Support a green innovation economy.
9) Inform and inspire the public.
10) Engage in an evolving process of climate action.

Seconded, Oberacker. During discussions, Representative Marietta called the question. Representative Marietta then withdrew his motion to call the question.


In the absence of any objections, late Resolution A-B were presented and acted upon in accordance with the Rules of Order and numbered Resolution No. 107 and 108.

RESOLUTION NO. 107-20190306

RESOLUTION – AMENDING RESOLUTION NO. 218-20180801 – AUTHORIZING THE RELEASE OF PROGRAM FUNDS

KENNEDY, OBERACKER, MARIETTA, FARWELL, SHANNON

WHEREAS, because of changes in the NYS Community Development Block Grant program, it is required that the County return any uncommitted program funds in its possession after March 31, 2019 to New York State; and
WHEREAS, the County is permitted to allocate its program funds to eligible CDBG activities and by way of Resolution No. 218-2018081, the County authorized the allocation of $200,000 program income money, for the County to execute a Micro-Enterprise grant program focused on agricultural businesses; and

WHEREAS, the Otsego County Micro-Enterprise-Ag. Grant Program will assist agricultural businesses to undertake projects that will create jobs and/or expand the county’s tax base in conformity with New York State Office of Community Renewal requirements and Program Guidelines; and

WHEREAS, the County received 13 applications; five were considered non-qualifying; and

WHEREAS, a review and evaluation of said applications by the Intergovernmental Affairs Committee and the Administration Committee has determined that the projects and proposals meet the guidelines and grant review criteria of the program with minor adjustments made to accommodate all eight requests; now, therefore, be it

RESOLVED, that the Chair of the Board be and hereby is authorized to enter into an Agreement and other appropriate legal documents which will effectuate

$17,000 grant to Cody Moore - Cooperstown Equestrian Park
$26,000 grant to Kate & Ean Rice Mitchell - Chicory Creek Farms
$32,000 grant to Amy Wyant – Richfield Springs Food Cooperative
$35,000 grant to Barry Gaughan – Windy Hill Goat Dairy
$15,000 grant to Emily Roberts – Green Earth Southside Market
$15,000 grant to James McDonald & Christine Eromenok – Mill Stables
$15,000 grant to Ilyssa Berg – Painted Goat Farm
$15,000 grant to Brian Ryther & Amy McKinnon – Mill Hollow Maple

and be it further

RESOLVED, that in the event an application is withdrawn from the above list prior to contract execution, the county shall retain the right to reapportion and offer the remaining funds accordingly to one or more of the remaining applications, not to exceed the applicant’s original request; and be it further

RESOLVED, that the grants shall be subject to the terms and conditions described in the application proposals and as discussed in the Administration Committee and shall contain such other terms and provisions as are in the best
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.

Seconded, Clark. Roll call vote. Total: 6,228; Ayes: 6,228. Adopted.

RESOLUTION NO. 108-20190306
RESOLUTION - APPOINTING SUPERINTENDENT OF HIGHWAYS
KENNEDY, OBERACKER, FRAZIER, KOUTNIK, STAMMEL, MCCARTY

RESOLVED, that Richard Brimmer be and hereby is appointed Superintendent of Highways, effective March 6, 2019, or as soon thereafter as he is available for appointment at an annual salary of $88,316; and be it further

RESOLVED, that the term shall be for four years beginning at commencement of employment in the position; and be it further

RESOLVED, that the Superintendent of Highways shall be entitled to receive from the County reimbursement for all necessary expenses incidental to the transaction of County business; 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 the Personnel Officer; and be it further

RESOLVED, that the funding for this position is included in the 2019 Highway Administration Budget (5010-D) at line 1000 Personal Service.

Seconded, Clark. Roll call vote. Total: 6,228; Ayes: 6,228. Adopted.

Representative Lapin motioned to adjourn. Seconded, Koutnik. Total: 6,228; Ayes: 6,228. Motion carried.

All the general business of the Board having been transacted, the Board Chair declared the meeting adjourned until Wednesday, April 3, 2019 at 10:00 a.m.