

**MINUTES**  
**Herkimer County Legislature**  
**Second Quarter – First Day**  
**Wednesday, April 3, 2019**  
**2:00 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski at 2:02 p.m.

Chairman Peplinski called on the HCCC National Champions Men's Basketball Team, to lead the Legislature in the Pledge of Allegiance.

Chairman Peplinski called for a moment of silence in recognition of all veterans, past and present.

Roll Call: Quorum present, the following answering the roll:

Present: Malta, Gaworecki, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (16).

Absent: Schrader (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of March 13, 2019. There were none, and the Chairman ordered them approved.

Chairman Peplinski dispensed with the regular session to allow for the presentation of a proclamation. Chairman Peplinski called on Legislator Peter Manno to present the proclamation. Mr. Manno read the proclamation which proclaimed April 4, 2019 as "HCCC Men's Basketball Championship Day" in Herkimer County in recognition of their being named National Champions. President McColgin said a few words on the team's National Championship accomplishment.

Pursuant to Rule 11, Chairman Peplinski opened the floor for public comment. (1) Ed View, Mohawk – Humane Society. (2) Jeff Baker, Albany – Travis Road. (3) Susan Westfield, Mohawk – Travis Road. (4) Carol Averell, Mohawk - Travis Road.

Chairman Peplinski stated that the communications received by the Legislature and the committees to which they were referred were as listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. Mr. Johnson requested Communication No. 155 be read.

No. 134 – A communication was received - Petition concerning Travis Road Project. Filed.

No. 135 – A communication was received from Susan Westfield - Letter concerning Travis Road Project. Filed.

No. 136 – A communication was received from the Personnel Officer submitting Executive Summary of the actuarial review for the former Herkimer County Worker's Comp Plan as of December 31, 2018. Filed.

No. 137 – A communication was received from the Personnel Officer submitting GASB 74 & 75 actuarial report for 2018. Filed.

No. 138 – A communication was received from BH & Company submitting 2018 financial statements for IDA. Filed.

No. 139 – A communication was received from NYS Homes and Community Renewal awarding grant money to assist Tractor Supply. Filed.

No. 140 – A communication was received from the Town of Arietta submitting copy of Resolution. Filed.

No. 141 – A communication was received from the Deputy Commissioner of Workforce Development awarding funds for an Opioid National Dislocated Worker Grant. Filed.

No. 142 – A communication was received from Herkimer County Soil & Water submitting notice of Monthly meeting. Filed.

No. 143 – A communication was received from the Deputy County Clerk submitting letter of resignation for Director of Emergency Services. Filed.

No. 144 – A communication was received from NYSAC acknowledging receipt of copy of Resolution No. 101. Filed.

No. 145 – A communication was received from the Director of Information Services submitting Annual Report for 2018 for Information Services and Central Printing Departments. Referred to the Committee on Information Services.

No. 146 – A communication was received from the Commissioners of Elections requesting extension of HAVA grant. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means.

No. 147 – A communication was received from the County Administrator requesting Resolution to renew contract with Strategic Development Specialists. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 148 – A communication was received from the Budget Officer/Purchasing Agent awarding bid for bus service to Old Forge for Youth Bureau. Referred to the Committee on County Planning & Development and the Committee on Ways & Means.

No. 149 – A communication was received from the County Auditor requesting authorization to reimburse additional coroner's transport cost. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 150 – A communication was received from the Superintendent of Highways requesting to amend Laundry List for Highway Equipment Operators. Referred to the Committee on Ways & Means.

No. 151 – A communication was received from the Director of Emergency Services requesting to expend funds in the FY18 SICG Target Grant in Emergency Services. Referred to the Committee on Public Safety & Emergency Management and the Committee on Ways & Means.

No. 152 – A communication was received from the Adirondack Park Local Government Review Board requesting support of cellular service for the Adirondacks. Referred to the Committee on Administration/Veterans' Affairs.

No. 153 – A communication was received from the Adirondack Park Local Government Review Board requesting support of snowmobiling and increasing snowmobile trail miles in the Adirondacks. Referred to the Committee on Administration/Veterans' Affairs.

No. 154 – A communication was received from the Clerk of the Legislature submitting appointment for Deputy Clerk of the Legislature. Filed.

No. 155 – A communication was received from the County Attorney's Office advising of Notice of Claim. Filed.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Legislator Bono gave an update on the Solid Waste Authority and State Budget. Legislator Russell spoke regarding the State Budget and asked Mr. Wallace to say a few words.

The Chairman continued with the Regular Agenda.

On motion of Mr. Hollum, seconded by Mr. Stephens, Report and Resolution No. 106 sponsored by the Committee on Information Services adopting Annual Report of Information Services and Central Printing Departments was handed up; was voted on and adopted by voice vote:

For: Ayes (16).      Against: None.      Absent: Schrader (1).

On motion of Mr. Smith, seconded by Mr. Malta, Report and Resolution No. 107 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways & Means authorizing extension of contract in Board of Elections for HAVA grant was handed up; voted on and adopted by voice vote:

For: Ayes (16).      Against: None.      Absent: Schrader (1).

On motion of Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 108 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing renewal of contract with Strategic Development Specialists for Economic Development was handed up; voted on and adopted by voice vote:

For: Ayes (15).      Against: Johnson (1).      Absent: Schrader (1).

On motion of Mr. Russell, seconded by Mr. Brezinski, Report and Resolution No. 109 sponsored by the Committee on County Planning & Development and the Committee on Ways and Means awarding bid for bus service for Summer Youth Program was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Ackerman, seconded by Mr. Weakley, Report and Resolution No. 110 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means authorizing payment of additional Coroner's transport cost was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: Smith (1). Absent: Schrader (1).

On motion of Mr. Stephens, seconded by Mr. Gaworecki, Report and Resolution No. 111 sponsored by the Committee on Ways and Means amending Resolution No. 407 of 2018 authorizing attendance at conferences in the Highway Department was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Brezinski, seconded by Mr. Keeler, Report and Resolution No. 112 sponsored by the Committee on Public Safety & Emergency Management and the Committee on Ways and Means approving purchase of equipment for three county owned communication towers in Emergency Services was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Campione, seconded by Mr. Hollum, Resolution No. 113 sponsored by the Committee on Natural Resources Setting Public Hearing on Annual Thirty-Day Inclusion was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Smith, seconded by Mr. Russell, Resolution No. 114 sponsored by the Committee on Administration/Veterans' Affairs supporting cellular service for the Adirondacks was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Weakley, seconded by Mr. Campione, Resolution No. 115 sponsored by the Committee on Administration/Veterans' Affairs supporting snowmobiling and increasing snowmobile trail miles in the Adirondacks was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Russell, seconded by Mr. Gaworecki, Resolution No. 116 sponsored by the Committee on Ways and Means authorizing litigation against former employee for overpayment of salary was handed up; voted on and adopted by voice vote:

For: Ayes (16). Against: None. Absent: Schrader (1).

On motion of Mr. Shaw, seconded by Mr. Smith, Resolution No. 117 sponsored by the Committee on Ways & Means authorizing execution of memorandum of agreement with Civil Service Employees Association, Inc. was handed up; voted on and adopted by voice vote:

For: Ayes (16).      Against: None.      Absent: Schrader (1).

On motion of Mr. Campione, seconded by Mr. Hollum, Resolution No. 118 sponsored by the Committee on Natural Resources setting Public Hearing on review of Agricultural District Consolidation was handed up; voted on and adopted by voice vote:

For: Ayes (16).      Against: None.      Absent: Schrader (1).

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislator made a comment: Legislator Bono.

On motion of Mr. Russell, seconded by Mr. Ackerman the Legislature went into Executive Session for Advice of Counsel related to Highway Project. No action taken. On motion of Mr. Russell, seconded by Mr. Keeler, the Legislature came out of Executive Session at 2:56 p.m.

At 2:57 p.m. on motion of Mr. Manno, seconded by Mr. Stephens, the Legislature adjourned to Wednesday, April 24, 2019 at 7:00 p.m., with a Public Hearing on Open Enrollment for Agricultural Districts at 6:30 p.m., and a Public Hearing on Agricultural District Consolidation at 6:35 p.m.

Brittney R. Viscomi, Clerk



## HERKIMER COUNTY LEGISLATURE

No. 106

### **REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE INFORMATION SERVICES AND CENTRAL PRINTING DEPARTMENTS**

**Sponsored by: Committee on Information Services**

WHEREAS, Your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2018, and the Annual Report for the Central Printing Department for the year 2018, respectfully reports that we have examined the same, recommend the adoption of said reports, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Information Services Department and the Annual Report for the Central Printing Department for the year 2018 be approved and placed on file with the Herkimer County Legislature.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 107

### REPORT AND RESOLUTION EXTENDING CONTRACT FOR GRANT FOR BOARD OF ELECTIONS

**Sponsored by: Committee on Administration/Veterans' Affairs  
Committee on Ways and Means**

WHEREAS, pursuant to Resolution No. 108 of 2012 this Legislature approved a contract with the State of New York to receive certain grant funding (Shoebox Grant) in the amount of \$140,668.52, to reimburse county boards of elections for local dollars spent to further implement the Help America Vote Act (HAVA) ; and

WHEREAS, by letter dated March 14, 2019 from the Commissioners of Elections request is being made to allow the Chairman of the Legislature to execute the HAVA Shoebox Grant extension for the contract dates of April 1, 2019 to March 31, 2020; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a grant extension from April 1, 2019 to March 31, 2020 on behalf of the County of Herkimer with the New York State Board of Elections in connection with the HAVA Shoebox Grant for the remaining grant funds of \$37,168.84; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute future extensions of the duration of said grant, so long as an unexpended balance remains and no other amendments to said grant are made; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Commissioners of Elections.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 108

### **REPORT AND RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STRATEGIC DEVELOPMENT SPECIALISTS TO RENDER PROFESSIONAL SERVICES REGARDING GRANT WRITING TO FURTHER ECONOMIC DEVELOPMENT IN HERKIMER COUNTY**

**Sponsored by: Committee on County Planning and Development  
Committee on Ways and Means**

WHEREAS, by letter dated February 5, 2019, James W. Wallace, Jr., County Administrator, has requested a contract renewal of the current agreement entered into with Strategic Development Specialists of Syracuse, New York, to provide services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, to extend said agreement for an additional twelve month period through April 4, 2020; and

WHEREAS, the cost for such services will be \$5,000 per month plus incidentals, totaling \$3,000 annually, for the period April 5, 2019 through April 4, 2020, with all other terms of the agreement to remain in force and effect; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into an amendment of the agreement with Strategic Development Specialists, P.O. Box 205, Syracuse, New York 13214, to provide professional services in connection with grant writing for projects for the County, the IDA and the College to further economic development projects in the County, at a cost of \$5,000 per month plus incidentals, totaling \$3,000 annually, to extend the contract for the period April 5, 2019 through April 4, 2020, with all other terms of the agreement to remain in full force and effect, and with said contract to be subject to approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Strategic Development Specialists.

Dated: April 3, 2019.





## HERKIMER COUNTY LEGISLATURE

No. 109

### **REPORT AND RESOLUTION AWARDING BID FOR BUS SERVICE FOR THE OLD FORGE AREA TRANSPORTATION PROGRAM FOR THE 2019 SUMMER YOUTH EMPLOYMENT PROGRAM**

**Sponsored by: Committee on County Planning and Development  
Committee on Ways and Means**

WHEREAS, pursuant to Resolution No. 114 for the year 1993, the Herkimer County Budget Officer and Purchasing Agent is authorized to advertise for bids, on an annual basis, for the Old Forge Area Transportation Program in relation to the Summer Youth Employment Program; and

WHEREAS, by communication dated March 8, 2019, the Budget Officer has advised this Legislature that bids were received, opened and read in accordance with law for bus services in connection with the 2019 Summer Youth Employment Program to provide transportation to the Old Forge Area; and

WHEREAS, the Budget Officer has advised that it is the recommendation of your Committees and the Youth Bureau that a contract be awarded to the lowest bidder, Hale Transportation, in the sum of \$510.00 per bus, per day, up to a maximum of 136 trips, plus orientation; now, therefore, be it

RESOLVED, that the Herkimer County Legislature awards a contract to Hale Transportation, 37 Kirkland Avenue, Clinton, New York 13323, for bus service for the Old Forge Area Transportation Program for the 2019 Summer Youth Employment Program, in the sum of \$510.00 per bus, per day, up to a maximum of 136 trips, plus orientation; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer, subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Executive Director of the Youth Bureau and Hale Transportation.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 110

### **REPORT AND RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL CORONER'S TRANSPORT COST**

**Sponsored by: Committee on Public Safety/Emergency Management  
Committee on Ways and Means**

WHEREAS, by Resolution No. 26 of 1966, the Board of Supervisors established fees for services associated with autopsies, use of morgues, reporting and related costs; and

WHEREAS, by Resolution No. 119 of 2013 changes were made to this schedule; and

WHEREAS, by letter dated March 7, 2019 from Sharon Ewanyk, County Auditor, this Legislature is advised of a request to pay mileage expense at the IRS rate to Dimpleby Funeral Homes, Inc., hired by a coroner for transportation to Albany for two autopsies; now, therefore, be it

RESOLVED, that payment of \$167.04 in mileage fees in addition to the standard \$75.00 transport fee to Dimpleby Funeral Homes, Inc., on an invoice dated January 18, 2019 for transport from the Town of Webb to Albany for two autopsies is hereby approved; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Budget Officer.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 111

### **REPORT AND RESOLUTION AMENDING RESOLUTION NO. 407 OF 2018 AUTHORIZING ATTENDANCE AT CONFERENCES FOR MUNICIPAL OFFICERS AND EMPLOYEES DURING THE YEAR 2019**

**Sponsored by: Committee on Ways and Means**

WHEREAS, on December 12, 2018 this Legislature adopted Resolution No. 407 authorizing attendance at conferences for municipal officers and employees during the year 2019; and

WHEREAS, by communication dated March 14, 2019, from Mark Nagele, County Highway Superintendent, request is made to add all Highway Personnel that operate equipment for digging to attend a certification excavator program, and further requests said Resolution No. 407 of 2018 be amended to reflect said change; now, therefore, be it

RESOLVED, that Resolution No. 407 adopted on December 12, 2018 be amended under Highway Personnel, to add all Highway Personnel that operate equipment for digging to attend a certification excavator program; and, be it further

RESOLVED, that in all other respects Resolution No. 407 of 2018 shall remain in full force and effect; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and County Highway Superintendent.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 112

### **REPORT AND RESOLUTION APPROVING PURCHASE OF EQUIPMENT FOR THREE COUNTY OWNED COMMUNICATION TOWERS**

**Sponsored by: Committee on Public Safety/Emergency Management  
Committee on Ways and Means**

WHEREAS, by letter dated March 14, 2019, from Matthew Palumbo, Director of Emergency Services, this Legislature is advised of a request to purchase IP based interoperable radio equipment for three county owned communication towers; and

WHEREAS, the Director is requesting to expend the following amounts: \$1,266,222.86 to LD Allen Communications, Inc., for CODAN equipment, \$561,783.26 to JPJ for installation, engineering and antenna purchases, and \$38,966.70 to Zetron for radio console integration, for a total of \$1,866,972.82; and

WHEREAS, all equipment will be purchased under New York State contract pricing using the 2018 SICG Grant funding; now, therefore be it

RESOLVED, that this Legislature approves the request to purchase IP based interoperable radio equipment for three county owned communication towers for a total of \$1,866,972.82 under New York State contract pricing and utilizing the 2018 SICG Grant funding; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Director of Emergency Services.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 113

### **RESOLUTION SETTING PUBLIC HEARING ON ANNUAL THIRTY-DAY PERIOD FOR 2019 FOR INCLUSION OF VIABLE AGRICULTURAL LAND WITHIN A CERTIFIED AGRICULTURAL DISTRICT**

**Sponsored by: Committee on Natural Resources**

WHEREAS, Section 303-b of the Agriculture and Markets Law provides that the County Legislature of a county containing a certified agricultural district must designate an annual 30 day period within which a landowner may submit a request for inclusion of land which is predominately viable agricultural land within a certified agricultural district; and

WHEREAS, Resolution No. 146 adopted by this Legislature on May 19, 2004 set the annual 30 day period from January 1 through January 31 of each year; and

WHEREAS, pursuant to statute, requests received during said 30 day period for 2019 were referred to the County Agricultural and Farmland Protection Board for their recommendation, and reports are now ready to be made and a public hearing may now be held; now, therefore, be it

RESOLVED, that a Public Hearing be held on the 24th of April, 2019 at 6:30 p.m. on the proposed additions to Agricultural Districts for the year 2019; and, be it further

RESOLVED, that the Clerk of this Legislature give proper notice thereof pursuant to Section 303-b of the Agriculture and Markets Law of the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Cornell Cooperative Extension Services and the Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 114

### RESOLUTION SUPPORTING CELLULAR SERVICE FOR THE ADIRONDACKS

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, the use of cellular telephones has increased to the point that they are no longer considered a luxury, but have become a necessity, and a main form of communication; and

WHEREAS, all areas of the State, including the Adirondacks, need to have dependable access to this technology infrastructure, since cell phones are in many cases the first link in the emergency response chain for fire, ambulance and law enforcement, are frequently used to alert authorities to lost or injured outdoor enthusiasts and also drive commerce and tourism; and

WHEREAS, there are still large tracts of the Adirondacks which are deprived of access to cellular service; now, therefore be it

RESOLVED, that the Herkimer County Legislature supports the call of the Adirondack Park Local Government Review Board for local governments in the Adirondacks and New York State to join together to provide all Adirondack residents and visitors with this critical technology; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, New York State Association of Counties, the InterCounty Legislative Committee of the Adirondacks, and Adirondack Park Local Government Review Board.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 115

### **RESOLUTION IN SUPPORT OF SNOWMOBILING AND INCREASING SNOWMOBILE TRAIL MILES IN THE ADIRONDACKS**

**Sponsored by: Committee on Administration/Veterans' Affairs**

WHEREAS, various actions of the State have limited snowmobile trails in the Adirondacks, including limiting the total miles of snowmobile trails in the Adirondacks at a level which is below the amount that was contemplated as far back as 1972, and the closing of existing snowmobile trails for various reasons, including the acquisition of lands upon which existing snowmobile trails run, prior to the construction of replacement trails which have been called for; now, therefore be it

RESOLVED, that the Herkimer County Legislature supports the call by the Adirondack Park Local Government Review Board for the New York State Department of Environmental Conservation and the Adirondack Park Agency to abandon the snowmobile mileage cap, and to allow any snowmobile trails on State Lands acquired after 1972 to remain as long as those lands are not Wilderness or Primitive; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, DEC Commissioner Basil Seggos, Senator James L. Seward, Senator James Tedisco, Assemblyman Robert Smullen, Assemblyman Brian Miller, Assemblywoman Marianne Buttenschon, New York State Association of Counties, the InterCounty Legislative Committee of the Adirondacks, and Adirondack Park Local Government Review Board.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 116

### RESOLUTION AUTHORIZING LITIGATION AGAINST FORMER EMPLOYEE FOR OVERPAYMENT OF SALARY

**Sponsored by: Committee on Ways and Means**

WHEREAS, a mistaken salary overpayment was made to a County employee who had resigned in the amount of \$758.83; and

WHEREAS, demand has been made for repayment for that amount, but it has not been received; now, therefore, be it

RESOLVED, the County Attorney's Office is hereby authorized to commence an action on behalf of the County of Herkimer against that former employee, Karen LiBritz, to recover that sum, and the Chairman of this Legislature is hereby authorized to sign any and all documents necessary for or in connection with that litigation; and, therefore, be it

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and County Attorney.

Dated: April 3, 2019.





## HERKIMER COUNTY LEGISLATURE

No. 117

### **RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.**

#### **Sponsored by: Committee on Ways and Means**

WHEREAS, a dispute has arisen between the County of Herkimer and Herkimer County Community College and Civil Service Employees Association, Inc., Local 1000 regarding the use of sick leave by members of the bargaining unit, in particular regarding use of that sick leave for the illness of family members; and

WHEREAS, a settlement has been proposed which would allow members of the bargaining unit to use sick leave for the illness of spouses and children up to the age of 18 years, and also to restore vacation time to two employees at Herkimer County Community College who were not allowed to use sick leave for family members; now, therefore, be it

RESOLVED, that execution of a memorandum of agreement between the County of Herkimer, Herkimer County Community College, and Civil Service Employees Association, Inc., Local 1000 containing the above terms and conditions is hereby approved to settle a pending matter before the New York State Public Employment Relations Board and an outstanding grievance, with the settlement to have no retroactive effect, with the full terms and conditions of the agreement subject to the approval of the Herkimer County Attorney's Office; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Personnel Officer, and CSEA Inc., Local 1000.

Dated: April 3, 2019.



## HERKIMER COUNTY LEGISLATURE

No. 118

### **RESOLUTION SETTING DATE FOR PUBLIC HEARING ON REVIEW OF AGRICULTURAL DISTRICT CONSOLIDATION**

**Sponsored by: Committee on Natural Resources**

WHEREAS, by Resolution No. 287 adopted on September 12, 2018, the eight year review of Herkimer County Agricultural District No. 2 and Agricultural District No. 3 was acknowledged as requiring a district review; and

WHEREAS, said Resolution also proposed that all existing agricultural districts in Herkimer County be consolidated during the review process; your Committee has been advised that a report has been prepared by the Farmland Protection Board recommending the consolidation be adopted pursuant to statute; now, therefore, be it

RESOLVED, that a Public Hearing be held on the 24th day of April, 2019 at 6:35 p.m. in the Herkimer County Legislature Chambers on the consolidation of all existing agricultural districts in Herkimer County into one district called Agricultural District #1; and, be it further

RESOLVED, that the Clerk of this Legislature give proper notice thereof pursuant to Section 303-c of the Agriculture and Markets Law of the State of New York; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Cooperative Extension Services and Herkimer-Oneida Counties Comprehensive Planning Program.

Dated: April 3, 2019.