

PLEASE NOTE: Full Resolutions are attached following minutes

**MINUTES
Herkimer County Legislature
First Quarter – Third Day
Wednesday, February 17, 2016
7:30 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski, Sr. at 7:30 p. m.

Chairman Peplinski called on Legislator John Brezinski, 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, Markwardt, Schrader, Wellington, Johnson, Keeler, Brezinski, Manno, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (15).

Absent: Stephens, Smith (2).

Chairman Peplinski then acknowledged Legislator Brezinski for his thirty-six years on the County Legislature.

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 February 17, 2016. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Peplinski opened the floor for public comment. Wendy Richardson, 4-H Program Educator, spoke to the Legislature concerning the upcoming spring term of the Government Intern Program and expressed appreciation for the Legislature's support of this program. She encouraged all legislators to participate.

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. There were no requests.

No. 45 – A communication was received from the Soil and Water Conservation District submitting minutes of 1/12/16. Placed on file.

No. 46 – A communication was received from the Mohawk Valley Water Authority providing information on recent chemical spill at Water Treatment Plant in Prospect. Placed on file.

No. 47 – A communication was received from the Assemblyman Butler acknowledging receipt of County Resolution No. 39 concerning Governor’s proposed \$15 per hour minimum wage increase. Placed on file.

No. 48 – A communication was received from the Sheriff requesting renewal of contract with State Unified Court System for reimbursement of provision of court security. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 49 – A communication was received from the Budget Officer requesting establishment of countywide copier account. Referred to the Committee on Ways and Means.

No. 50 – A communication was received from Richard Collins submitting his resignation as a member of the Herkimer County Industrial Development Agency Board of Directors. Referred to the Committee on County Planning and Development.

No. 51 – A communication was received from the Commissioners of Election requesting renewal of agreement for voter registration software. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 52 – Two communications were received from ProAct, Inc. submitting reports of prescription discount card for December 2015 and January 2016. Placed on file.

No. 53 – A communication was received from Oneida-Herkimer Solid Waste Authority submitting minutes and recently adopted resolutions. Placed on file.

No. 54 – A communication was received from the Chairman of the Legislature requesting the Vice-Chairman to sign documents and preside over meetings during his absence from the County. Placed on file.

No. 55 – A communication was received from the Chairman of the Legislature reappointing Donna Salamone to the Herkimer County Planning Board. Referred to the Committee on County Planning and Development.

No. 56 – A communication was received from the Chairman of the Legislature reappointing Robert Schrader to serve on the Herkimer County Humane Society Board of Directors. Referred to the Committee on Natural Resources.

No.57 – A communication was received from the Sole Assessor of the Town of Herkimer requesting the county share in the cost of an appraisal in connection with an assessment grievance. Referred to the Committee on Ways and Means.

No. 58 – A communication was received from the Herkimer County IDA requesting approval of a loan from the Small Cities Revolving Loan Fund. Referred to the Committee on County Planning & Development and the Committee on Ways and Means.

No. 59 – A communication was received from the Budget Officer requesting budget amendment in connection with Safe Harbor Grant for Youth Bureau. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 60 – A communication was received from the Executive Director of the Youth Bureau requesting acceptance of Safe Harbor Grant and contract with Catholic Charities. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 61 – A communication was received from the Director of Public Health requesting a staffing change. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 62 – A communication was received from the Director of the Office for the Aging requesting renewal of contract with Catholic Charities for administration of HIICAP Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 63 – Two communications were received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 64 – Three communications were received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 65 – A communication was received from Senator Seward acknowledging County's resolution opposing Governor's proposal to increase minimum wage. Placed on file.

No. 66 – A communication was received from the Director of Community Services submitting the 2015 Annual Report of the Herkimer County Mental Health Services. Referred to the Committee on Human Resources.

No. 67 – A communication was received from the Director of Weights and Measures submitting his 2015 Annual Report. Referred to the Committee on Natural Resources.

No. 68 – A communication was received from the Director of the Office for the Aging submitting the 2015 Annual Report of the Office for the Aging. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 69 – A communication was received from the Budget Officer submitting 2015 Annual Report of Purchasing Agent. Referred to the Committee on Ways and Means.

No. 70 – A communication was received from the Personnel Officer submitting 2015 Annual Report of the Personnel Office. Referred to the Committee on Ways and Means.

No. 71 – A communication was received from the Sheriff requesting contract for e-prescribe software at Correctional Facility. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means

No. 72 – A communication was received from the Budget Officer submitting requests for budget amendment in connection with receipt of funding for Herkimer County HealthNet. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 73 – A communication was received from the Personnel Officer submitting Annual Report of Stand Alone Workers' Compensation for 2015. Referred to the Committee on Ways and Means.

No. 74 – A communication was received from the Personnel Officer submitting the 2015 Annual Report of the former Herkimer County Self-Insured Workers' Compensation Plan. Referred to the Committee on Ways and Means.

No. 75 – A communication was received from the Personnel Officer submitting GASB 43 and 45 Actuarial Report For Fiscal Year 2015 as prepared by Acquarius Capital. Referred to the Committee on Ways and Means.

No. 76 – A communication was received from Herkimer County HealthNet requesting the County accept 2016-2017 award from New York State Dept. of Health. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 77 – A communication was received from New York State Association of Counties acknowledging receipt of County Resolution No. 39. Placed on file.

No. 78 – A communication was received from the Director of the Office for the Aging requesting contract with Catholic Charities for administration of MIPPA/ADCR funding. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 79 – A communication was received from the Soil and Water Conservation District submitting their 2015 Annual Report. Placed on file.

No. 80 – A communication was received from the Director of Information Services submitting annual report of Information Services and Central Printing Departments. Referred to the Committee on Information Services.

No. 81 – A communication was received from the County Auditor submitting report of approvals of corrected tax applications under \$2,500 for the month of January. Placed on file.

No. 82 – A communication was received from Robert Payne submitting his resignation from the Herkimer County Industrial Development Board of Directors. Referred to the Committee on County Planning and Development.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Vincent Bono, Chairman of the Committee on County Planning and Development and Chairman of the Committee on Public Safety/Emergency Management commented on resolutions

sponsored by those Committees and asked for the support of the full Legislature. He also gave a report on the recent NYSAC conference he attended in Albany.

On motion of Mr. Johnson, seconded by Mr. Schrader, the following Consent Agenda was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

Consent Agenda:

- | | | |
|----|---|-------|
| 40 | HUMAN RES.: Adopting Annual Report of Mental Health Services | VOICE |
| 41 | HUMAN RES.: Adopting Annual Report of Office for the Aging | VOICE |
| 42 | NATURAL RES.: Adopting Annual Report of Dir. Of Weights
And Measures | VOICE |
| 43 | WAYS & MEANS: Adopting Annual Report of Purchasing
Agent for 2015 | VOICE |
| 44 | WAYS & MEANS: Adopting Annual Report of Stand Alone Workers’
Compensation Plan | VOICE |
| 45 | Adopting Annual Report of Information Services and Central Printing
Departments | VOICE |
| 46 | WAYS & MEANS: Adopting Annual Report of Fees received
By County Personnel Office | VOICE |
| 47 | WAYS & MEANS: Adopting Annual Report of Former Self
Insurance Plan | VOICE |
| 48 | CO. PLANNING & DEVELOPMENT: Confirming Membership
To County Planning Board | VOICE |
| 49 | NAT. RESOURCES: Confirming reappointment to Humane Society
Board Of Directors | VOICE |
| 50 | WAYS & MEANS: Authorizing transfers of funds in 2015 Budget | VOICE |
| 51 | WAYS & MEANS: Authorizing transfers of funds in 2016 Budget | VOICE |

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 52 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing renewal for HIICAP funding for County Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Schrader, seconded by Mr. Russell, Report and Resolution No. 53 sponsored by the Committee on Human Resources and the Committee on Ways and Means

authorizing contract renewal for Office for Aging for MIPPA/ADRC funding was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Ackerman, seconded by Mr. Johnson, Report and Resolution No. 54 sponsored by the Committee on Human Resources and the Committee on Ways and Means for staffing change in County Public Health Nursing Service was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 55 sponsored by the Committee on Human Resources and the Committee on Ways and Means for temporary staffing change in Public Health Nursing Service was handed up; voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Keeler, Brezinski, Manno, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Wellington, seconded by Mr. Shaw, Report and Resolution No. 56 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing contract for Voter Registration System was handed up; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 57 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means amending budget in connection with receipt of grant for Herkimer County Youth Bureau was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Bono, seconded by Mr. Johnson, Report and Resolution No. 58 sponsored by the Committee on County Planning and Development and the Committee on Ways

and Means authorizing contract with Catholic Charities in connection with Safe Harbor Grant was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Weakley, seconded by Mr. Ackerman, Report and Resolution No. 59 sponsored by the Committee on Ways and Means amending budget to establish Central Copier Account was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Keeler, seconded by Mr. Schrader, Report and Resolution No. 60 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means approving amendment to Court Security Contract was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Markwardt, seconded by Mr. Ackerman, Report and Resolution No. 61 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing agreement for E-Prescribe Software for Sheriff's Department was handed up; was voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 62 sponsored by the Committee on Ways and Means authorizing contribution to the defense of assessment challenge for parcel in the Town of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Bono, seconded by Mr. Markwardt, Report and Resolution No. 63 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means approving loan from Small Cities Revolving Loan Fund was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Campione, seconded by Mr. Ackerman, Report and Resolution No. 64 sponsored by the Committee on Human Resources and the Committee on Ways and Means approving budget amendment for Herkimer County HealthNet was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 65 sponsored by the Committee on Ways and Means granting an additional leave of absence was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Weakley, seconded by Mr. Johnson, Report and Resolution No. 66 sponsored by the Committee on Natural Resources reappointing representative for Herkimer County on the Adirondack Park Local Government Review Board was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Ackerman, seconded by Mr. Brezinski, Report and Resolution No. 67 sponsored by the Committee on County Planning and Development making appointment to Herkimer County Industrial Development Agency was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Bono, seconded by Mr. Shaw, Report and Resolution No. 68 sponsored by the Committee on County Planning and Development making appointment to Herkimer County Industrial Development Agency was handed up; voted on and adopted by voice vote:

On motion of Mr. Johnson, seconded by Mr. Weakley, Report and Resolution No. 69 sponsored by the Committee on Administration/Veterans Affairs and the Committee on Ways and Means requesting authority to extend the imposition of a mortgage recording tax was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Ackerman, seconded by Mr. Shaw, Report and Resolution No. 70 sponsored by the Committee on Education and the Committee on Ways and Means regarding lead agency status under the State Environmental Quality Review Act was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Shaw, seconded by Mr. Bono, Report and Resolution No. 71 sponsored by the Committee on Education and the Committee on Ways and Means to provide that the construction of a PV Solar Array by Solar City be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

On motion of Mr. Bono, seconded by Mr. Smith, Report and Resolution No. 72 sponsored by the Committee on Natural Resources appointing representatives to Intercounty Legislative Committee of the Adirondacks was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Stephens, Smith (2).

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had comments: Legislator Brezinski, Legislator Russell.

At 7:55 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, March 16, 2016 at 7:30 p.m.

Carole L. LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 40

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY MENTAL HEALTH SERVICES

Sponsored by: Committee on Human Resources

Your Committee on Human Resources, to which was referred the 2015 Local Plan Update of the Herkimer County Mental Health Services Department, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the 2015 Local Plan Update of the Herkimer County Mental Health Services Department be approved and placed on file with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 41

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF THE HERKIMER COUNTY OFFICE FOR THE AGING

Sponsored by: Committee on Human Resources

Your Committee on Human Resources, to which was referred the Annual Report of the Herkimer County Office for the Aging for the year 2015, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Office for the Aging Department be approved and placed on file with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 42

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF DIRECTOR OF WEIGHTS AND MEASURES

Sponsored by: Committee on Natural Resources

WHEREAS, your Committee on Natural Resources, to which was referred the Annual Report of the Director of Weights and Measures for the year 2015, reports that we have examined said report, recommend its adoption and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Director of Weights and measures be adopted and filed with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 43

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF PURCHASING AGENT FOR THE YEAR 2015

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Budget Officer and Purchasing Agent, submitting the report of the Purchasing Department the months of January through December, 2015, respectfully reports that we have examined said report, recommend its adoption and offer the following resolution:

RESOLVED, that the annual report of the Purchasing Agent for the year 2015 be adopted and filed.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 44

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY STAND ALONE WORKERS' COMPENSATION PLAN

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2015, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Stand Alone Workers' Compensation Plan for the year 2015 be adopted and filed with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 45

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

Sponsored by: Committee on Information Services

Your Committee on Information Services, to which was referred the Annual Report of the Herkimer County Information Services Department for the year 2015, and the Annual Report for the Central Printing Department for the year 2015, 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 2015 be approved and placed on file with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 46

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FEES RECEIVED BY THE HERKIMER COUNTY PERSONNEL OFFICE

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2015, respectfully reports that we have examined the same, recommend the adoption of said report, and offer the following Resolution:

RESOLVED, that the Annual Report of the fees received by the Herkimer County Personnel Office for civil service exams for fiscal year 2015 Department be approved and placed on file with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 47

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF FORMER HERKIMER COUNTY SELF INSURANCE PLAN

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, to which was referred the Annual Report of the former Herkimer County Self Insurance Plan for the year 2015, respectfully reports that we have examined said report, inquired into the subject matter thereof, and offer the following Resolution:

RESOLVED, that the Annual Report of the former Herkimer County Self Insurance Plan for the year 2015 be adopted and filed with the Herkimer County Legislature for the year 2015.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 48

REPORT AND RESOLUTION CONFIRMING REAPPOINTMENT TO THE HERKIMER COUNTY PLANNING BOARD

Sponsored by: Committee on County Planning and Development

WHEREAS, pursuant to Local Law No. 2, Section I for the year 1963, and by letter dated February 2, 2016, the Chairman of the Herkimer County Legislature has made a reappointment to the Herkimer County Planning Board; now, therefore, be it

RESOLVED, that the reappointment of the following individual to the Herkimer County Planning Board for the term expiration listed, is hereby ratified and confirmed:

Reappointment:

Donna Salamone, 243 Brown Rd., Utica, NY 13502

Term Expiration:

12/31/2022

and, be it further

RESOLVED that certified copies of this Resolution be forwarded to the Chairman of the Planning Board and Donna Salamone.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 49

REPORT AND RESOLUTION CONFIRMING REAPPOINTMENT TO THE HERKIMER COUNTY HUMANE SOCIETY BOARD OF DIRECTORS

Sponsored by: Committee on Natural Resources

WHEREAS, by Resolution No. 187 of 1995 this Legislature authorized the Chairman of the Legislature to appoint one legislator to serve as representative of the Legislature on the Herkimer County Humane Society Board of Directors, subject to confirmation by this Legislature; and

WHEREAS, by letter dated February 2, 2016, Bernard Peplinski, Chairman of the Legislature, has reappointed Legislator Robert Schrader to serve on said Humane Society Board of Directors; now, therefore, be it

RESOLVED, that this Legislature confirms the reappointment made by the Chairman, of Legislator Robert Schrader to serve as representative of the County Legislature on the Herkimer County Humane Society Board of Directors, for a term to expire on December 31, 2016; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Humane Society Board of Directors and Legislator Robert Schrader.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 50

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN THE 2015 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred communications from Sheri Ferdula, Budget Officer, dated January 28, 2016, submitting requests for transfers of funds, reports that we have examined said communications, inquired into the subject matters thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts in the 2015 Budget:

\$ 23,304.00	From: A6010A.81000, Social Services, WMS, Retirement
	To: A6010.81000, Social Services Admin, Retirement
\$ 21,473.00	From: A6011.81000, Social Services, SNAP, Retirement
	To: A6010.81000, Social Services Admin, Retirement
\$142,325.00	From: A6100.40000, Medicaid, Contractual Expense
	To: A6010.81000, Social Services, Admin, Retirement
\$ 7,167.00	From: A6100.40000, Medicaid, Contractual Expense
	To: A6014.81000, Social Services, Child Support, Retirement
\$ 3,449.75	From: A6100.40000, Medicaid, Contractual Expense
	To: A6141.81000, Social Services, HEAP, Retirement
\$ 26,246.00	From: A6100.40000, Medicaid, Contractual Expense
	To: A6123.40000, Juvenile Delinquent, Contractual Expense
\$ 18,582.55	From: A2490.40000, Community College Tuition, Contractual Expense
	To: A3150.10100-021, Jail, Permanent Part Time
\$ 1,226.96	From: A2490.40000, Community College Tuition, Contractual Expense
	To: A1620.10000-002, Buildings, Overtime
\$ 27,000.00	From: A2490.40000, Community College Tuition, Contractual Expense
	To: A1185.45000, Coroners, Fees for Services.

And, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 51

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN THE 2016 BUDGET

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred communications from Sheri Ferdula, Budget Officer, dated January 28 and 29, 2016, submitting requests for transfers of funds, reports that we have examined said communications, inquired into the subject matters thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts in the 2016 Budget:

\$13,980.00	From: A1010.86000, County Legislature, Health Insurance
	To: A3021A.86000, Public Safety Communications, Health
\$ 3,900.00	From: CD6292.44000, ETA, Adult ET03-15, Contracted Services
	To: CD6292.81000, ETA, Adult ET03-15, Retirement
\$ 1,900.00	From: CD6292A.3001.44000, ETA, YIS ET02-14, Contracted Services
	To: CD6292A.3001.81000, ETA, YIS ET02-14, Retirement.

And, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 52

REPORT AND RESOLUTION AUTHORIZING CONTRACT RENEWAL FOR HIICAP FUNDING FOR THE HERKIMER COUNTY OFFICE FOR THE AGING

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

WHEREAS, by Resolution No. 76 of 2007, authorization to submit an application for the implementation of the HIICAP (Health Insurance Information, Counseling & Assistance Program) through the Herkimer County Office for the Aging was approved; and

WHEREAS, said Program is funded 100%, with no local match, has been administered on a subcontract basis by Catholic Charities of Herkimer County, and has been renewed each year thereafter; and

WHEREAS, by letter dated February 1, 2016, from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to renew the contract with Catholic Charities of Herkimer County for administration of the Health Insurance Information, Counseling & Assistance Program (HIICAP) for the program year commencing April 1, 2016 through March 31, 2017, with funding currently anticipated at \$32,983; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said contract on behalf of the County of Herkimer as follows:

- HIICAP (Health Insurance Information, Counseling & Assistance Program) for the 4/1/2016– 3/31/2017 program year; funding is currently anticipated at \$32,983.00;
- Program shall be subcontracted to Catholic Charities of Herkimer County with said contract amount not to be more than the level of funding that is made available to the County of Herkimer;

And, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to enter into an annual renewal of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and Catholic Charities.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 53

REPORT AND RESOLUTION AUTHORIZING CONTRACT RENEWAL FOR OFFICE FOR AGING FOR MIPPA/ADRC FUNDING

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

WHEREAS, by letter dated February 1, 2016 from Kathy Fox, Director of the Office for the Aging, this Legislature is advised of a request to submit an additional application to receive MIPPA (Medicare Improvements for Patients & Providers Act)/ADRC (Aging and Disabilities Resource Center) funding; the purpose of this funding is to provide health insurance information, counseling and assistance to older individuals and their families; MIPPA/ADRC is specifically designed to outreach and provide direct application assistance to Medicare beneficiaries who are likely to be eligible for the Medicare Part D Low-Income Subsidy, the Medicare Savings Program, and to provide information about wellness/prevention programs; a portion of the funding is allocated to NY Connects under the ADRC portion of the grant; a portion of the funds (\$200) will be used by the Office for the Aging to provide community presentations and to distribute information about the programs; the grant period is from September 30, 2015 through September 29, 2016, with an estimated award to be \$9,960.00; and

WHEREAS, said letter further requests a contract with Catholic Charities of Herkimer County to administer said Program in the amount of \$9,760.00 to be used for the Health Insurance Information and Counseling Program (HIICAP); now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary documents in connection with the receipt of funding for the MIPPA/ADRC Program in the amount of \$9,960.00, with said grant period to be from September 30, 2015 through September 29, 2016; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to execute a contract with Catholic Charities of Herkimer County, 61 West Street, Ilion, New York, in the amount of \$9,760 to administer said Program; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for Aging and Catholic Charities of Herkimer County.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 54

REPORT AND RESOLUTION FOR STAFFING CHANGE IN HERKIMER COUNTY PUBLIC HEALTH NURSING

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

WHEREAS, by letter dated January 28, 2016, Christina Cain, Director of Public Health, has requested a staffing change under accounts in the Public Health Nursing Services; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that the 2016 Herkimer County Salary Schedule III is hereby amended to delete one position of Community Health Nurse in Account A4189L, Lead Grant, and establish one position of Community Health Nurse in A4010, Public Health Nurses, at the base annual salary of \$39,882; and, be it further

RESOLVED, that said change shall take effect this date; and, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 55

REPORT AND RESOLUTION FOR TEMPORARY STAFFING CHANGE IN PUBLIC HEALTH NURSING SERVICE

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

WHEREAS, by letter dated January 29, 2016, Christina Cain, Director of Public Health, has requested a temporary part time position of Office Manager be established, which will allow the former Office Manager to come back for up to a total of 40 hours to assist in the completion of certain mandatory NYSDOH reports and applications; and

WHEREAS, your Committees have taken this matter under advisement and recommend said temporary staffing change; now, therefore, be it

RESOLVED, that a part-time position of Office Manager be established in Account A4010, Public Health Nurses, at the rate of \$19.88 per hour, up to a total of 40 hours; and, be it further

RESOLVED, that said temporary position be effective February 17, 2016; and, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 56

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR VOTER REGISTRATION SYSTEM

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

WHEREAS, by Resolution No. 171 of 2005 a contract was approved for a period of five years with NTS Data Services, LLC, for a voter registration system, including installation, support and maintenance, pursuant to the Federal Help America Vote Act, which contract was renewed for an additional five years by Resolution No. 337 of 2010; and

WHEREAS, by letter dated January 26, 2016 from Connie Shepherd and Louis Christie, Commissioners of Election, this Legislature is advised of a request to extend said contract for an additional four years for ongoing support and maintenance of said voter registration system; now, therefore, be it

RESOLVED, that a contract be entered into with NTS Data Services, LLC, 2079 Sawyer Drive, Niagara Falls, NY 13403 for the provision of ongoing support and maintenance of a voter registration system at a cost of \$113,416, with such cost to be spread over 4 years with a yearly payment of \$28,354; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to execute said contract with the form of said contract to be subject to the approval of the County Attorney; and, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 57

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF GRANT FOR HERKIMER COUNTY YOUTH BUREAU

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

WHEREAS, by letter dated January 20, 2016 from Gina Giacobelli, Executive Director of the Herkimer County Youth Bureau, this Legislature is advised of the receipt of a Safe Harbor Grant in the amount of \$35,000 from the New York State Office of Children and Family Services, which funding is intended to strengthen the Runaway and Homeless Youth Program by providing training on the topic of sexual exploitation of youth and human trafficking on a community-wide basis; and

WHEREAS, by letter dated January 27, 2016 from Sheri Ferdula, Budget Officer, this Legislature is advised that it is necessary to amend the 2016 Budget in connection with the receipt of said grant from the NYS Office of Children and Family Services, which grant is 100% state funded, with no local match required; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute an agreement with the New York State Office of Children and Family Services, in connection with the receipt of a Safe Harbor Grant in the amount of \$35,000 for the Herkimer County Runaway and Homeless Youth Program; and, be it further

RESOLVED, that the 2016 Herkimer County Budget is hereby amended as follows:

Revenue Account:	A7310D.3820D, Safe Harbor, State Aid	From: \$0
		To: \$35,000
Expense Account:	A7310D.44000, Safe Harbor, Contracted Services	From: \$0
		To: \$35,000

And, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 58

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH CATHOLIC CHARITIES IN CONNECTION WITH SAFE HARBOR GRANT FOR HERKIMER COUNTY YOUTH BUREAU

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

WHEREAS, by resolution adopted this date a Safe Harbor Grant in the amount of \$35,000 was received from the New York State Office of Children and Family Services, which funding is intended to strengthen the Runaway and Homeless Youth Program by providing training on the topic of sexual exploitation of youth and human trafficking on a community-wide basis; and

WHEREAS, by letter dated January 20, 2016, Gina Giacobelli, Executive Director of the Herkimer County Youth Bureau, has requested a contract with Catholic Charities of Herkimer County, to plan, develop and implement these trainings, as well as the purchase of outreach materials and supplies to strengthen the Runaway and Homeless Youth Program at Catholic Charities; now, therefore, be it

RESOLVED, that the Chairman of the Legislature is hereby authorized to execute a contract with Catholic Charities of Herkimer County, 61 West St., Ilion, New York, in the amount of \$35,000 to provide services under a Safe Harbor Grant for the Herkimer County Runaway and Homeless Youth Program; 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 Catholic Charities of Herkimer County.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 59

REPORT AND RESOLUTION AMENDING BUDGET TO ESTABLISH CENTRAL COPIER ACCOUNT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 27, 2016 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to establish an account in the 2016 Budget in connection with shared services for the countywide copier lease and maintenance fees; now, therefore, be it

RESOLVED, that the 2016 Herkimer County Budget is hereby amended to establish Account A1670C.44000, Central Copier, Contracted Services; and, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 60

REPORT AND RESOLUTION APPROVING AMENDMENT TO COURT SECURITY CONTRACT

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

WHEREAS, by Resolution No. 286 adopted on November 19, 2014 this Legislature authorized a five year contract for the period April 1, 2014 to March 31, 2019 with the New York State Office of Court Administration to obtain reimbursement for expenses incurred in providing court security; and

WHEREAS, said contract provides for renegotiations of the maximum reimbursement amount on an annual basis; and

WHEREAS, this Legislature has been advised by Sheriff Christopher P. Farber by letter dated January 20, 2016, that the Office of Court Administration has submitted an amendment of said contract covering the period from April 1, 2015 through March 31, 2016, with the maximum reimbursement not to exceed \$37,000; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a Court Security Contract Amendment with the Office of Court Administration for the period from April 1, 2015 through March 31, 2016, with the maximum reimbursement not to exceed \$37,000; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Auditor, Budget Officer, Sheriff and Office of Court Administration.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 61

REPORT AND RESOLUTION AUTHORIZING AGREEMENT FOR E-PRESCRIBE SOFTWARE FOR SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated January 12, 2016 from Christopher P. Farber, Herkimer County Sheriff, this Legislature is advised of a request to enter into an agreement with Black Creek Integrated Systems Corp., for the provision of E-Prescribe Software in the amount of \$6,695.00 and an annual support plan in the amount of \$3,590.00 for the Herkimer County Correctional Facility; and

WHEREAS, the use of electronic medical records is mandated under the Affordable Care Act; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute an agreement with Black Creek Integrated Systems Corp. P.O. Box 101747, Irondale, AL 35210, for the provision of E-Prescribe Software in the amount of \$6,695.00 and an annual support plan in the amount of \$3,590.00 for the Herkimer County Correctional Facility, for a total cost of \$10,285.00; and, be it further

RESOLVED, that said agreement shall be 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, Director of Information Services, Herkimer County Sheriff and Black Creek Integrated Systems Corp.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 62

REPORT AND RESOLUTION AUTHORIZING CONTRIBUTION TO THE DEFENSE OF ASSESSMENT CHALLENGE FOR PARCEL IN THE TOWN OF HERKIMER

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature has been advised by communication dated January 19, 2016 from John Macri, Sole Assessor of the Town of Herkimer, advising that he will be going to court for the purpose of maintaining assessments for one parcel which is in the Town of Herkimer, Village of Herkimer, County of Herkimer and Herkimer Central School District, and requests the County to share in the cost of the court mandated appraisal for this parcel; and

WHEREAS, this Legislature has a policy of contributing, if so recommended by the Ways and Means Committee, funds for defense of this type of litigation, provided that all other jurisdictions that receive a share of tax payments under said assessment, contribute in accord with each jurisdiction's share of the aggregate tax rate; now, therefore, be it

RESOLVED, that in the tax proceeding involving one parcel in the Town of Herkimer, this Legislature will contribute to the cost of court ordered appraisals incurred by the Town of Herkimer in an amount computed to be the County's share of the aggregate tax rate, provided that all other jurisdictions that receive a share of tax payments under said assessment, contribute in an amount which is at least in accord with each jurisdiction's share of the aggregate tax rate; and, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 63

REPORT AND RESOLUTION APPROVING LOAN FROM THE HERKIMER COUNTY SMALL CITIES REVOLVING LOAN FUND

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

WHEREAS, a request has been received from Stephen R. Smith, Executive Director of the Herkimer County Industrial Development Agency, dated January 29, 2016 requesting a loan from the Herkimer County Small Cities Revolving Loan Fund in the amount of \$75,000 to Stephen J. Miklethun, DDS, PC; and

WHEREAS, your Committees have examined said matter and recommend the approval of a loan from said funds as set forth in the communication dated January 29, 2016 from Stephen Smith, Executive Director of the Herkimer County Industrial Development Agency; now, therefore, be it

RESOLVED, that this Legislature approves a loan to be made from the Herkimer County Small Cities Revolving Loan Fund to Stephen J. Miklethun, DDS, PC, in the amount of \$75,000, which will assist with the proposed business expansion, to include purchase of an existing building and renovation, said loan to be for a term of ten years, at an interest rate of 3%; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Industrial Development Agency and Stephen J. Miklethun, DDS, PC.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 64

REPORT AND RESOLUTION APPROVING BUDGET AMENDMENT FOR HERKIMER COUNTY HEALTHNET, INC.

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

WHEREAS, by communication dated January 13, 2016, Thomas C. Curnow, Ed.D., Executive Director of the Herkimer County HealthNet, Inc., has advised that the Rural Health Network Development budget and workplan for April 1, 2016 through March 31, 2017 has been approved by the New York State Department of Health; and

WHEREAS, by letter dated January 27, 2016, Sheri Ferdula, Budget Officer, has advised that it is necessary to amend the Herkimer County Budget in connection with the receipt of said grant funding; now, therefore, be it

RESOLVED, that the 2016 Herkimer County Budget is hereby amended as follows:

Revenue:

A4018.3418 Healthcare Network	From:	\$126,000
	To:	\$282,000

Appropriation

A4018.44000 Herkimer County HealthNet, Cont. Serv.	From:	\$126,000
	To:	\$282,000

and, be it further

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

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 65

REPORT AND RESOLUTION GRANTING AN ADDITIONAL LEAVE OF ABSENCE

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 370 for the year 1986, a leave with pay was granted to Mary Sullivan extending to July 1, 1988, so that she could serve in a statewide office with the Civil Service Employees' Association; and

WHEREAS, said leave with pay was extended by resolutions thereafter, most recently by Resolution No. 48 of 2015 to expire June 30, 2016; and

WHEREAS, by letter dated January 20, 2016, Timothy Seymour, Commissioner of Social Services has advised that by letter dated December 31, 2015, Mary Sullivan has requested said leave be extended; now, therefore, be it

RESOLVED, that a leave of absence with pay be granted to Mary Sullivan under the terms and conditions set forth in Resolution No. 370 for the Year 1986 for the period from July 1, 2016 through June 30, 2017, with the Civil Service Employees' Association, Inc. to furnish insurance in form and amount satisfactory to the Herkimer County Administrator to protect the County if held liable for any damages arising from act or omission by such employee during the period of such leave and with the County to be reimbursed for the total cost for the full salary and total cost for fringe benefits for said Mary Sullivan; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, Commissioner of Social Services, Mary Sullivan and the Civil Service Employees' Association, Inc. of New York State.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 66

RESOLUTION REAPPOINTING REPRESENTATIVE FOR HERKIMER COUNTY ON THE ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD

Sponsored by: Committee on Natural Resources

WHEREAS, the State of New York, by Section 803-a of the Executive law, established the Adirondack Park Local Government Review Board; and

WHEREAS, such Act authorized each county to appoint a member of such Board in the matter determined by the legislative body of each county, and further allowed the Herkimer County Legislature to authorize the designation by the appointee of an alternate to serve in his/her absence; now, therefore, be it

RESOLVED, that Linda Eykelhoff, 358 Allen Road, Cold Brook, New York, is hereby re-appointed as representative from Herkimer County on the Adirondack Park Local Government Review Board for a term to expire December 31, 2017; and, be it further

RESOLVED, that said Linda Eykelhoff is hereby authorized to designate Robert Grose, P.O. Box 101, Salisbury Center, New York 13454, as alternate representative to serve in her absence; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, the Adirondack Park Local Government Review Board, Linda Eykelhoff and Robert Grose.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 67

RESOLUTION MAKING APPOINTMENT TO THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Sponsored by: Committee on County Planning and Development

WHEREAS, by Resolution No. 124 of 1970 an Industrial Development Agency for the County of Herkimer was established, and by Resolution No. 104 for 1982, said resolution was amended to increase membership of the Herkimer County Industrial Development Agency to seven members; and

WHEREAS, it is necessary to make an appointment to fill a vacancy on said Industrial Development Agency; now, therefore, be it

RESOLVED, that this Legislature hereby appoints John J. Piseck, Jr., 456 Fifth Ave. Extension, Frankfort, New York, to the Herkimer County Industrial Development Agency, effective this date; and, be it further

RESOLVED, that said appointee shall serve on said Agency until a successor is appointed and qualified; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Industrial Development Agency, the Secretary of State of the State of New York and John J. Piseck, Jr.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 68

RESOLUTION MAKING APPOINTMENT TO THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Sponsored by: Committee on County Planning and Development

WHEREAS, by Resolution No. 124 of 1970 an Industrial Development Agency for the County of Herkimer was established, and by Resolution No. 104 for 1982, said resolution was amended to increase membership of the Herkimer County Industrial Development Agency to seven members; and

WHEREAS, it is necessary to make an appointment to fill a vacancy on said Industrial Development Agency; now, therefore, be it

RESOLVED, that this Legislature hereby appoints Daniel B. Reardon, 629 Burt Road, Little Falls, New York, to the Herkimer County Industrial Development Agency, effective March 1, 2016; and, be it further

RESOLVED, that said appointee shall serve on said Agency until a successor is appointed and qualified; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Industrial Development Agency, the Secretary of State of the State of New York and Daniel B. Reardon.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 69

RESOLUTION REQUESTING AUTHORITY TO EXTEND THE IMPOSITION OF A MORTGAGE RECORDING TAX

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

WHEREAS, Local Law No. 1 for the year 2005 imposed a mortgage recording tax within the County of Herkimer, pursuant to Section 253-c of the Tax Law, Chapter 549 of the Laws of 2005, as amended by Chapter 474 of the Laws of 2006; and

WHEREAS, Local Law No. 3 for the year 2014 extended the mortgage recording tax to December 1, 2016, pursuant to Section 253-u of the Tax Law, Chapter 481; and

WHEREAS, the County of Herkimer is faced with continuing fiscal pressure in the foreseeable future, and wishes to minimize the burden on local property taxpayers; and

WHEREAS, because of said requirements and others, this County Legislature finds it necessary to request an extension of the county mortgage recording tax; now, therefore, be it

RESOLVED, that this Legislature hereby requests that the Assemblypersons and State Senators elected to represent Herkimer County in the New York State Legislature cause to be introduced in the Assembly and in the Senate bills to allow Herkimer County to extend, by local law or resolution, a mortgage recording tax in the amount of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is secured by a mortgage on real property situated within the County, with such tax to mirror the state mortgage recording tax, except that the deposit of all revenue received pursuant to such tax, after deducting administration expenses, shall be into the general fund of Herkimer County, with the revenue from such mortgage recording tax to be used for any county purpose, and that the New York State Tax Law and whatever other sections of law are necessary to fulfill this purpose be amended; and, be it further

RESOLVED, that our said representatives in the State Legislature make every effort to secure prompt passage of said legislation to the end that Herkimer County may receive the benefits of said legislation at the earliest date possible; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblyman Anthony J. Brindisi and Assemblywoman Claudia Tenney.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 70

RESOLUTION REGARDING LEAD AGENCY STATUS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

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

WHEREAS, by Resolution No. 14 adopted by this Legislature on January 7, 2015, Herkimer County and Herkimer County Community College were authorized to enter into a solar Power Purchase Agreement with SolarCity Corporation, 3055 Clearview Way, San Mateo, CA 94402 for construction of a proposed 2,635.2 Kw photovoltaic project at 100 Reservoir Road, Herkimer, New York; and

WHEREAS, said Power Purchase Agreement, as amended is contingent upon completion of the New York State Environmental Quality Review ("SEQRA") Act process; and

WHEREAS, SolarCity having completed and provided an Environmental Assessment Form dated November 25, 2015 and revised on December 9, 2015, together with exhibits and documentation, to this Legislature describing the proposed photovoltaic array project ; and

WHEREAS, this Legislature having reviewed said Environmental Assessment Form and Exhibits submitted by SolarCity; and

WHEREAS, by Resolution No. 308 adopted on December 16, 2015, this Legislature resolved to seek Lead Agency status and to conduct a coordinated environmental review pursuant to SEQRA and proposed to classify the action as Unlisted; and

WHEREAS, on December 18, 2015, Herkimer County Administrator, James W. Wallace, Jr., served a "Notice of Intent to Establish Lead Agency" and a copy of the Environmental Assessment Form, together with exhibits and documentation, by certified mail upon all interested and involved agencies; and

WHEREAS, the Village of Herkimer, the Town of Herkimer, the New York State Energy Research & Development Authority, the New York State Department of Environmental Conservation, New York State Department of Transportation and the U.S. Army Corps of Engineers responded with consent to Herkimer County assuming Lead Agency status for the solar array project; and

WHEREAS, the remaining interested and involved agencies have not responded within the required thirty (30) day period; now therefore, be it

RESOLVED that Herkimer County does hereby establish itself as the Lead Agency for the SEQRA review regarding the SolarCity project to build a 2,635.2 Kw photovoltaic project at 100 Reservoir Road, Herkimer, New York.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 71

RESOLUTION TO PROVIDE THAT THE CONSTRUCTION OF A PV SOLAR ARRAY BY SOLARCITY BE CLASSIFIED AS AN UNLISTED ACTION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

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

WHEREAS, the State of New York has enacted the State Environmental Quality Review Act (SEQRA), Article 8 of the NYS Environmental Conservation Law and Part 617 of Title 6, New York Code Rules and Regulations (6 NYCRR) to incorporate the consideration of environmental factors into existing planning, review and decision-making processes of local government agencies; and

WHEREAS, SEQRA requires that all agencies determine whether the actions they directly undertake, fund, or approve may have a significant effect on the environment; and

WHEREAS, the Herkimer County Legislature has under consideration the proposed construction of a Photovoltaic Array project by SolarCity at Herkimer County Community College pursuant to the terms of the Power Purchase Agreement, together with subsequent amendments thereto; and

WHEREAS, your Committee, having completed and reviewed an Environmental Assessment Form describing the proposed action, has concluded that the action appears to be an Unlisted Action under SEQRA and implementing regulations; and

WHEREAS, the County has been established as the Lead Agency under SEQRA responsible for conducting a coordinated review of the proposed action; and

WHEREAS, your Committee has fully considered, assessed and discussed the information contained within the Full Environmental Assessment Form; there, therefore, be it

RESOLVED, that based upon the information provided and discussed, the Herkimer County Legislature concurs in the classification of the proposed 2,635.2 Kw Photovoltaic Solar Array at 100 Reservoir Road pursuant to the terms of the Power Purchase Agreement, as amended, as an Unlisted Action, under SEQRA and has determined that the proposed action will not result in any significant adverse environmental impacts on the environment; and be it further

RESOLVED, the reasons supporting this determination are documented on the Environmental Assessment Form, including exhibits and documentation attached thereto, and on the SEQRA Part 2 and SEQRA Part 3 which were reviewed in this process; and be it further

RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the County, as Lead Agency, hereby issues a Negative Declaration and directs that the Chairman of the Legislature file and make available the same in accordance with the requirements of the SEQRA law.

Dated: February 17, 2016.



HERKIMER COUNTY LEGISLATURE

No. 72

RESOLUTION APPOINTING REPRESENTATIVES OF INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

Sponsored by: Committee on Natural Resources

WHEREAS, the Counties of Essex, Hamilton, Herkimer, Lewis, St. Lawrence, Washington, Saratoga, Clinton, Franklin, Fulton and Warren have established the Intercounty Legislative Committee of the Adirondacks for the purpose, among other things, of initiating and taking positions on pending legislation affecting the Adirondack area; now, therefore, be it

RESOLVED, that Bernard Peplinski, Sr., Chairman of the Herkimer County Legislature, Vincent J. Bono, Vice-Chairman of the Herkimer County Legislature, Legislator Raymond Smith, Legislator Patrick E. Russell, Legislator Frederick Shaw, Legislator Raymond Johnson, and James W. Wallace, County Administrator, be and hereby are designated as representatives of the County of Herkimer on the Intercounty Legislative Committee of the Adirondacks during the year 2016; and be it further

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

Dated: February 17, 2016.