

**(PLEASE NOTE: Full Resolutions are attached following minutes)**

**MINUTES  
Herkimer County Legislature  
Fourth Quarter – First Day  
Wednesday, October 5, 2016  
2:00 p.m.**

The Fourth Quarterly Session of the Herkimer County Legislature was called to order by Chairman Bernard Peplinski, Sr. at 2:00 p. m.

Chairman Peplinski called on Mark Nagele, newly appointed County Highway Superintendent, 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, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Absent: None.

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 September 14, 2016. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Peplinski opened the floor for public comment. There were no comments.

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. 281 – A communication was received from ProAct, Inc. submitting discount prescription card report for August. Placed on file.

No. 282 - A communication was received from the Director of the Office for the Aging requesting Memorandum of Agreement and Data Use Agreement with New York State Office for Aging. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 283 – A communication was received from the Chairman of the Herkimer County IDA concerning the IDA tax exempt policy. Placed on file.

No. 284 – A communication was received from the County Attorney recommending acceptance of payment concerning Open Proof of Claim against Reliance Insurance Company. Referred to the Committee on Ways and Means.

No. 285 – A communication was received from the County Treasurer requesting approval of Amended County Investment Policy. Referred to the Committee on Ways and Means.

No. 286 – A communication was received from the Sheriff requesting an agreement for a Civil Software Agreement. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 287 – A communication was received from the Sheriff requesting approval for increase of services fees. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 288 – A communication was received from the Personnel Officer requesting agreement and Memorandum of Understanding with CSEA Benefit Fund. Referred to the Committee on Ways and Means.

No. 289 – A communication was received from the Budget Officer requesting contract for asbestos removal in connection with replacement of carpet in offices and hallway of the first floor of the County Office Building on Mary Street. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 290 – A communication was received from the Budget Officer submitting request for adjustment of accounts in connection with Belt Press budget at Sewer District. Referred to the Committee on Natural Resources and the Committee on Ways and Means.

No. 291 – Three communications were received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 292 – A communication was received from the Director of Public Health requesting temporary part-time position and transfer of funds. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 293 – A communication was received from the Office of the State Comptroller submitting certificate of approval of sales tax agreement with the City of Little Falls. Placed on file.

No. 294 – A communication was received from the Director of Real Property Tax Services requesting renewal of agreement with Town of Stark for provision of assessment services. Referred to the Committee on Ways and Means.

No. 295 – A communication was received from the Director of the Office for the Aging requesting renewal of a contract with Senior Network Health, LLC. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 296 – A communication was received from the Director of Real Property Tax Services submitting County Equalization Rates. Referred to the Committee on Ways and Means.

No. 297 – A communication was received from NYSAC acknowledging receipt of Herkimer County Resolution No. 218 for 2016. Placed on file.

No. 298 – A communication was received from the Department of State acknowledging receipt and filing of Local Law No. 3 for 2016. Placed on file.

No. 299 – A communication was received from Capital District OTB submitting financial reports for June and July. Placed on file.

No. 300 – A communication was received from Oneida-Herkimer Solid Waste Authority submitting minutes and recently adopted resolutions. Placed on file.

No. 301 – A communication was received from the Herkimer County Sewer District submitting resolutions in connection with accounts for the Sewer District Belt Press Project. Placed on file.

No. 302 – A communication was received from the County Treasurer advising the County Clerk of filing of audit report. Referred to the Committee on Ways and Means.

No. 303 – A communication was received from the Director of Public Health requesting designation as National Health Services Corps Approved Site. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 304 – A communication was received from Assemblyman Butler acknowledging receipt of Resolution No. 218 concerning opposition to Family First Prevention Services Act of 2016. Placed on file.

No. 305 – A communication was received from the County Property Agent concerning withdrawal of bid on county owned property. Referred to the Committee on County Properties.

No. 306 – A communication was received from NYSAC submitting official resolutions adopted at NYSAC Conference. Placed on file.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. There were no reports.

Chairman Peplinski continued with the Regular Agenda.

On motion of Mr. Stephens, seconded by Mr. Ackerman, Report and Resolution No. 219 sponsored by the Committee on Ways and Means transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 220 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing renewal of contract with Senior Network Health was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Brezinski, Report and Resolution No. 221 sponsored by the Committee on Ways and Means authorizing contract with Town of Stark to provide Assessment Services to the Town was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Markwardt, Report and Resolution No. 222 sponsored by the Committee on Human Resources and the Committee Ways and Means authorizing Memorandum of Agreement and Data Use Agreement with New York State Office for the Aging was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 223 sponsored by the Committee on Ways and Means adopting equalization rates was handed up; was voted on and adopted by roll call vote vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Markwardt, seconded by Mr. Stephens, Report and Resolution No. 224 sponsored by the Committee on Human Resources and the Committee on Ways and Means

authorizing application for Herkimer County Public Health to be designated an approved site by National Health Services Corps. (NHSC) was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Johnson, Report and Resolution No. 225 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing temporary staffing change in Public Health Nursing Service was handed up; voted on and adopted by voice vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Akerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No. 226 sponsored by the Committee on County Properties authorizing withdrawal of bid – Town of Ohio was handed up; voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Akerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

Mr. Peplinski then recognized the two Cornell Cooperative Extension Government Intern Program students who were in attendance from Central Valley School District.

On motion of Mr. Johnson, seconded by Mr. Ackerman, Report and Resolution No. 227 sponsored by the Committee County Properties and the Committee on Ways and Means authorizing contract for provision of asbestos removal in connection with replacement of carpeting in first floor offices and hallway of the County Office Building on Mary Street was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 228 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means authorizing agreement for Civil Processing System Software and services for Sheriff's Department was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 229 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means increasing Sheriff's Office fees was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (14).

Against: Malta, Smith, Campione (3)

Absent: None.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 230 sponsored by the Committee on Ways and Means amending County Investment Policy was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Schrader, seconded by Mr. Shaw, Report and Resolution No. 231 sponsored by the Committee on Ways and Means approving Agreement and Memorandum of Understanding with CSEA Benefit Fund for Retiree Vision was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 232 sponsored by the Committee on Ways and Means approving payment under Settlement of Claim was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Stephens, Report and Resolution No. 233 sponsored by the Committee on Natural Resources and the Committee on Ways and Means amending Resolution No. 166 of 2015, appropriating and transferring funds in connection with accounts for the Sewer District Belt Project was handed up; voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Shaw, Report and Resolution No. 234 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing Grant Performance Agreement with Herkimer County Healthnet, Inc. was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Bono, Report and Resolution No. 235 sponsored by the Committee on Ways and Means authorizing complaint requesting removal of assessment by the Hudson River-Black River Regulating District against the County of Herkimer was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Johnson, Report and Resolution No. 236 sponsored by the Committee on County Properties and the Committee on Ways and Means authorizing application to Empire State Development for Greater Mohawk Valley Land Bank Corporation was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Bono, Report and Resolution No. 237 sponsored by the Committee on County Properties and the Committee on Ways and Means concerning the establishment of the Greater Mohawk Valley Land Bank Corporation and appointing representatives to serve on Greater Mohawk Valley Land Bank Board and Rescinding Resolution No. 184 adopted July 27, 2016 was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had comments: Mr. Brezinski gave an update on some current fundraising efforts being done by the Guardians of Freedom Memorial, Inc., which is a non-profit organization raising funds for a bronze statue of a soldier and his war dog. He also told the story of the real handler and his dog that the statue would be modeled after.

At 2:37 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, October 26, 2016 at 7:30 p.m.

Carole L. LaLonde, Clerk





## HERKIMER COUNTY LEGISLATURE

No. 219

### REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS

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

WHEREAS, your Committee on Ways and Means, to which was referred communications from Sheri Ferdula, Budget Officer, dated September 16 and September 26, 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:

\$ 4,085.00	From:	CD6292.10000-001, ETA Adult Training, Salaries
	To:	CD6292.44000, ETA Adult Training, Contracted Services.
\$ 600.00	From:	A4010.46100-745, Public Health Nurses, Conferences
	To:	A4010.10100, Public Health, Temporary Employees
\$15,000.00	From:	A3170.44000, Correctional Facility, Contracted Services
	To:	A3110.40700, Sheriff, Computer Software
\$ 2,500 .00	From:	A3170.44000, Correctional Facility, Contracted Services
	To:	A3150.41000, Jail, Supplies.

and, be it further

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

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 220

### REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT WITH SENIOR NETWORK HEALTH

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

WHEREAS, by letter dated September 15, 2016 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a contract with Senior Network Health, LLC of Utica, New York, for the Office for the Aging to provide contracted services to the clients of Senior Network Health in Herkimer County; and

WHEREAS, the Office for the Aging will provide home delivered meals, congregate meals, nutrition education, nutritional counseling, as well as attend meetings as necessary, with said services to be reimbursed at \$7.50 per meal and \$45.00 per hour for counseling and case conferencing; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with Senior Network Health, LLC, 1650 Champlain Ave., Utica, NY 13502, to provide contracted services by the Herkimer County Office for the Aging as above described from November 1, 2016 to October 31, 2017, with the renewal of one additional year on the same 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 Senior Network Health, LLC.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 221

### **REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF STARK TO PROVIDE ASSESSMENT SERVICES TO THE TOWN**

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

WHEREAS, by letter dated September 12, 2016, Beth Sadlon, Director of the Real Property Tax Service Agency, has recommended to your Committee that a contract be entered into between the County of Herkimer and the Town of Stark whereby the County would provide assessment services to the Town for the sum of \$12.00 for each parcel on the final assessment roll for the Town; and

WHEREAS, it is the opinion of your Committee that it is to the mutual benefit of the County of Herkimer and the Town of Stark for the County of Herkimer to provide said assessment services to the Town; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement to provide assessment services to the Town of Stark for the period from October 2, 2016 through October 1, 2017, for the sum of \$12.00 for each parcel on the final assessment roll of the town, with the final form of said agreement 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 Herkimer County Treasurer, Auditor, Budget Officer, Director of Real Property Tax Services and the Town of Stark.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 222

### **REPORT AND RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT AND DATA USE AGREEMENT WITH NEW YORK STATE OFFICE FOR THE AGING**

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

WHEREAS, by letter dated September 20, 2016 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised that the New York State Office for Aging has a new statewide database that all local Offices for the Aging are utilizing and requests approval to enter into a Memorandum of Agreement and Data Use Agreement for said new statewide data base, with no additional cost to the County; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a Memorandum of Agreement and Data Use Agreement with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223, regarding the entry of data into a statewide database or system of records owned or maintained by the New York State Office for the Aging with the terms of said agreements to 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 the Office for the Aging and the New York State Office for the Aging.

Dated: October 5, 2016.



# HERKIMER COUNTY LEGISLATURE

No. 223

## REPORT AND RESOLUTION FIXING PERCENTAGES WHICH THE ASSESSED VALUATION OF REAL PROPERTY BEAR TO THE FULL OR TRUE VALUATION OF THE VARIOUS TOWNS OF THE COUNTY AND THE CITY OF LITTLE FALLS

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

WHEREAS, your Committee on Ways and Means, to which was referred the communication from the Director of Real Property Tax Services, submitting the State Board established Herkimer County Equalization Rates to be used in the apportionment of the 2017 Tax Levy pursuant to Title 2 of Article 8 of the Real Property Tax Law, do respectfully report that we have examined said report and offer the following Resolution:

RESOLVED, that pursuant to Title 2 of Article 8 of the Real Property Tax Law the ratio of percentage which the assessed valuation of real property in each district bears to its full value is hereby established as follows:

### County Equalization Rates for the 2016 Assessment Rolls for Municipalities in the County of Herkimer

City of Little Falls	20.00
Town of Columbia	90.00
Town of Danube	83.00
Town of Fairfield	80.00
Town of Frankfort	71.50
Town of German Flatts	81.00
Town of Herkimer	94.00
Town of Litchfield	90.00
Town of Little Falls	74.00
Town of Manheim	68.00
Town of Newport	106.00
Town of Norway	72.70
Town of Ohio	100.00
Town of Russia	100.00
Town of Salisbury	100.00
Town of Schuyler	90.00
Town of Stark	59.20
Town of Warren	63.50
Town of Webb	100.00
Town of Winfield	90.00

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Director of Real Property Tax Services and each town and the City of Little Falls.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 224

### **REPORT AND RESOLUTION AUTHORIZING APPLICATION FOR HERKIMER COUNTY PUBLIC HEALTH TO BE DESIGNATED AN APPROVED SITE BY NATIONAL HEALTH SERVICES CORPS (NHSC)**

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

WHEREAS, National Health Services Corps (NHSC) programs provide scholarships and student loan repayment for primary care providers in the medical, dental, and behavioral health fields who agree to practice in areas of the country that have health professional shortages; and

WHEREAS, NHSC approved sites are health care facilities that provide comprehensive outpatient, ambulatory, primary health care services to populations residing in Health Professional shortage Areas (HPSAs); and

WHEREAS, by letter dated September 9, 2016, Christina Cain, Director of Public Health, has requested approval to apply for Herkimer County Public Health to become a National Health Services Corps Approved Site, which will assist in recruitment, retention of qualified staff, technical assistance and other helpful resources, with said designation to start in 2017; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes Herkimer County Public Health to apply for designation as a National Health Services Corps Approved Site effect in 2017; and, be it further

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

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 225

### **REPORT AND RESOLUTION AUTHORIZING TEMPORARY STAFFING CHANGE IN PUBLIC HEALTH NURSING SERVICE**

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

WHEREAS, by letter dated September 9, 2016, Christina Cain, Director of Public Health, has requested a temporary staffing change for training purposes; and

WHEREAS, your Committees have considered said request and recommend said temporary change; now, therefore, be it

RESOLVED, that a temporary part-time position of Office Manager be established in the Herkimer County Public Health Nursing Service for a total of up to 30 hours, at the hourly rate of \$19.88, with any of said hours to be used up by December 31, 2017; 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: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 226

### REPORT AND RESOLUTION AUTHORIZING WITHDRAWAL OF BID – TOWN OF OHIO

#### **Sponsored by: Committee on County Properties**

WHEREAS, by Resolution No. 180 adopted on July 27, 2016, a sale of a parcel of property having Tax Map No. 073.4-1-76, located in the Town of Ohio to Heather LaPlante was approved in the amount of \$508.00; and

WHEREAS, it has been discovered that the parcel is apparently land locked, and while that was indicated in the original In Rem Tax Foreclosure brochure, when sealed bids were solicited for this parcel, which had not been successfully sold at the auction of such parcels, its landlocked condition was mistakenly omitted from the description of the parcel; and

WHEREAS, the purchaser of the parcel has asked that she be allowed to withdraw her bid because of that mistake; now, therefore, be it

RESOLVED, that the purchaser of the above described parcel shall, and hereby is, allowed to withdraw her bid, receive a refund of her deposit and shall suffer no prohibition in future bidding as a result of her withdrawal; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, County Property Agent and Herkimer County Attorney.

Dated: October 5, 2016.





## HERKIMER COUNTY LEGISLATURE

No. 227

### **REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR PROVISION OF ASBESTOS REMOVAL IN CONNECTION WITH REPLACEMENT OF CARPETING IN FIRST FLOOR ENTRANCE HALLWAY AND OFFICES AT 109 MARY STREET BUILDING**

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

WHEREAS, by Resolution No. 181 adopted on July 21, 2016 this legislature authorized a contract with John's Floorcovering Co., Inc. to perform installation of replacement carpeting on the first floor entrance hallway and offices at the County Office Building; and

WHEREAS, by letter dated September 21, 2016, Sheri Ferdula, Budget Officer, has advised that in preparing for the replacement a discovery of loose and broken asbestos tiles under the existing carpet was made and the square footage of the area requires the tiles be removed by a certified asbestos removal contractor; and

WHEREAS, said letter further advises that quotes were obtained from four contractors and it is the recommendation of the Budget Officer that a contract be entered into with Sullivan Contracting, of Sauquoit, New York, who was the lowest quote in the amount of \$12,600.00; and

WHEREAS, by said letter the Budget Officer further advises that air quality testing must be performed by a separate agency and recommends a contract be entered into with HNY Environmental of Utica, New York, in the amount of \$2,358.00 for 44 hours and 56 PCM samples; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into contracts with the following contractors for professional services in connection with asbestos removal for the replacement of carpeting in the first floor entrance hallway and offices at the 109 Mary Street County Office Building:

CONTRACT	CONTRACTOR	AMOUNT
Asbestos Removal	Sullivan Contracting 932 Paris Hill Road Sauquoit, NY 13456	\$12,600.00 contingent upon the contractor providing all required certifications and insurance requirements per the specifications
Air Quality Testing	HNY Environmental 430 Catherine Street Utica, NY 13501	\$2,358.00 for 44 hours and 56 PCM samples, with air quality testing based solely on time required by the contractor

And, be it further

RESOLVED, that the terms and conditions of said contracts 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, Sullivan Contracting and HNY Environmental.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 228

### **REPORT AND RESOLUTION AUTHORIZING AGREEMENT FOR CIVIL PROCESSING SYSTEM SOFTWARE AND SERVICES FOR HERKIMER COUNTY SHERIFF'S DEPARTMENT**

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

WHEREAS, by letter dated September 15, 2016, Christopher P. Farber, Herkimer County Sheriff, has requested an agreement for the purchase and installation of Civil Processing System Software and Services with Cushing Systems, Inc. of Cushing, Maine, at a cost of \$15,000.00, plus annual maintenance and support beginning in year two of the agreement in the amount of \$2,700.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a Civil Processing System Software and Services Agreement for the Herkimer County Sheriff's Department with Cushing Systems, Inc., 11 Seavey Lane, Cushing, ME 04563, with purchase and installation in the amount of \$15,000.00, plus annual maintenance support beginning in year two of the agreement in the amount of \$2,700.00; and, be it further

RESOLVED, that said agreement shall be for a period of three years and the terms and conditions of 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, Sheriff and Cushing Systems, Inc.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 229

### REPORT AND RESOLUTION INCREASING SHERIFF'S OFFICE FEES

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

WHEREAS, by letter dated September 15, 2016, Christopher P. Farber, Herkimer County Sheriff, has requested an increase in fees for services performed by the Sheriff's Department, in order that said fees be comparable with most adjoining counties; and

WHEREAS, said letter further advises that if said services continue as they have in the past, there will be an annual estimated increase in revenue of approximately \$18,502.00; now, therefore, be it

RESOLVED, that the fees for services performed by the Herkimer County Sheriff's Department be increased as attached, effective November 1, 2016; and, be it further

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

Dated: October 5, 2016.

Sheriff's Office Fees

	Current	Proposed
Income Executions		
1 <sup>st</sup> Stage	\$36.00	\$40.00
2 <sup>nd</sup> Stage	\$36.00	\$40.00
<u>Pistol Permits</u>		
Applications	\$5.00	\$10.00
Safety Class	\$10.00	\$20.00
Duplicates	\$5.00	\$10.00
Permit	\$10.00	\$20.00
Amendment	\$3.00	\$5.00 (adding \$2. Administration fee)

Projected Increase (based on 2015 numbers)

943 Income Executions x \$4.00 increase = \$3,772.00

288 Safety Classes (Pistol Permit) x \$10.00 increase = \$2880.00

851 Pistol Permit Applications x \$5.00 = \$4,255.00

387 Licenses x \$10.00 = \$3,870.00

1,460 Amendments x \$2.00 = \$2,920.00

161 Duplicates x \$5.00 = \$805.00

Total projected increase of \$18,502.00 per year



## HERKIMER COUNTY LEGISLATURE

No. 230

### REPORT AND RESOLUTION AMENDING COUNTY INVESTMENT POLICY

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

WHEREAS, pursuant to Resolution No. 177 of 2009 an Investment Policy of the County of Herkimer was adopted, which Resolution was amended by Resolution No. 136 of 2011; and

WHEREAS, by Resolution No. 163 adopted on July 6, 2016 said revised Herkimer County Investment Policy was further amended; and

WHEREAS, by letter dated September 20, 2016, Kimberlee A. Enea, Herkimer County Treasurer, has requested said Investment Policy be further amended to include additional language in the Collateralizing of Deposits section of the Policy; now, therefore, be it

RESOLVED, that Resolution No. 177 of 2009 adopting an Investment Policy of the County of Herkimer, as amended by Resolution No. 136 of 2011 and by Resolution No. 163 of 2016, is hereby further amended on page 2 under the heading "Collateralizing of Deposits, to add an additional No. 2 to read as follows:

"2. By a letter of credit payable to the County of Herkimer as security for the payment of one hundred percent of the aggregate amount of deposits, as provided by General Municipal Law, Section 10."

And, be it further

RESOLVED, that in all other respects Resolution No. 177 of 2009 adopting an Investment Policy of the County of Herkimer, as attached and as amended by Resolution No. 136 of 2011 and Resolution No. 163 of 2016, is hereby ratified and confirmed; and, be it further

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

Dated: October 5, 2016.

INVESTMENT POLICY FOR  
HERKIMER COUNTY

This investment policy applies to all moneys and other financial resources available for investment on its own behalf of any other entity or individual.

OBJECTIVES

- The primary objectives of the County's investment activities are, in priority order,
- to conform with all applicable federal, state, and other legal requirements;
  - to adequately safeguard principal;
  - to provide sufficient liquidity to meet all operating requirements;
  - to obtain a reasonable rate of return

DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the treasurer who shall establish written procedures for the operation of the investment program control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with judgment and care, under circumstances than prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

## INTERNAL CONTROLS

It is the policy of the County for all money collected by any officer or employee of the government to transfer those funds to the Treasurer within 30 days of deposit, or within the time period specified in Law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable law and regulations.

## DESIGNATION OF DEPOSITORIES

"The banks and trust companies authorized for the deposit of moneys shall be listed and in the amounts indicated on the resolution adopted annually for the Depositories of County Funds."

## COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Herkimer County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value", as provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits.
2. By a letter of credit payable to the County of Herkimer as security for the payment of one hundred percent of the aggregate amount of deposits, as provided by General Municipal Law, Section 10.

## SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County or its Custodial bank.



The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the County of Herkimer authorized the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed one year in the following types of investments:

- Special time deposit including certificate of deposit issued by a bank or trust company authorized to do business in the State;
- Certificates of deposit;
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;

All investment obligations shall be payable or redeemable at the option of the County of Herkimer within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Herkimer within one year of the date of purchase.

#### AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Herkimer shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the County of Herkimer. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

## PURCHASE OF INVESTMENTS

The treasurer or deputy treasurer is authorized to contract for the purchase of investments:

- 1) A minimum of three bids shall be obtained and recorded.
- 2) All investments shall be in the name of the County.
- 3) The Treasurer's Department will maintain an investment log detailing the specific information relative to each investment. The log will contain descriptions, account numbers, fund, amounts transaction dates, interest rates, maturity, interest earned, date of disposition and other related information.
- 4) Investment transaction shall be reported to the Jr. Accountant to be recorded in the accounting system.
- 5) All Certificates of Deposit or other evidence of investment shall be kept in the safe.
- 6) Terms and Conditions
  - Minimum 7 days
  - Maximum 365 days
- 7) All investment documentation shall be retained for audit purpose.
- 8) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the County.
- 9) Funds shall be invested in such a way as to earn the maximum yield possible.

## COUNTY CLERK

In addition to the authority to invest herein given to the County Treasurer, the County Clerk, pursuant to Section 11 (5) of the General Municipal Law may invest any money collected on behalf of the state until such time as the money is required to be remitted to the state. The County Clerk shall invest the state money only in those investments by this policy and payable with such time as the proceeds shall be payable in equal shares to the state and to the County, provided, however, that any fees or service charges associated with the investment shall be paid from such interest.

Rev. 09/20/16



## HERKIMER COUNTY LEGISLATURE

No. 231

### **REPORT AND RESOLUTION APPROVING AGREEMENT FOR EMPLOYEE DENTAL AND VISION PLAN AND MEMORANDUM OF UNDERSTANDING WITH CSEA BENEFIT FUND FOR RETIREE VISION PLAN**

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

WHEREAS, by letter dated September 16, 2016, Steven R. Billings, Personnel Officer, has requested approval for a new agreement with the CSEA Benefit Fund which will allow employees to enroll in the Solstice dental and vision plans, with no additional cost to the County; and

WHEREAS, said letter further requests a Memorandum of Understanding with the CSEA Employee Benefit Fund to allow county employees who retire to receive coverage under the CSEA Employee Benefit Fund Retiree Vision Plan, with no additional cost to the County; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign a new agreement with the CSEA Benefit Fund to allow employees to enroll in the Solstice dental and vision plans, at no additional cost to the County, with said agreement to be for the period January 1, 2015 through December 31, 2017; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to sign a Memorandum of Understanding with the CSEA Employee Benefit Fund to allow county employees who retire to receive coverage under the CSEA Employee Benefit Fund Retiree Vision Plan, with no additional cost to the County; and, be it further

RESOLVED, that the terms and conditions of said agreements 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, Personnel Officer and President of the CSEA Local 1000.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 232

### REPORT AND RESOLUTION APPROVING PAYMENT UNDER SETTLEMENT OF PROOF OF CLAIM

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

WHEREAS, Herkimer County has an open Proof of Claim against Reliance Insurance Company, which was the County's insurance carrier in 1996 and has since gone into liquidation; and

WHEREAS, a lawsuit was brought against the County which resulted in a settlement where the County would pay \$50,000 per year for the life of a child injured in an accident with those payments to commence on September 1, 2017, and because Reliance Insurance Company was in liquidation, it was unable to pay those amounts; and

WHEREAS, by letter dated September 20, 2016, Robert J. Malone, Herkimer County Attorney, has advised that since that time overseas assets have been discovered and an offer has been received to pay \$375,873.90 to the County, which represents 65% of the amount which is claimed that Reliance Insurance owes the County; and

WHEREAS, it is the opinion of your Committee that acceptance of the above offer should be made, with the possibility of receiving additional funds in the future if additional assets are located; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary agreements and/or documents to accept the above offer to pay \$375,873.90 to the County, which represents 65% of the amount which is claimed that Reliance Insurance owes the county, with the possibility of receiving additional funds in the future if additional assets are located; and, be it further

RESOLVED, that the terms and conditions of all necessary agreements and/or documents shall be subjected 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 and County Attorney.

Dated: October 5, 2016.



# HERKIMER COUNTY LEGISLATURE

No. 233

## REPORT AND RESOLUTION AMENDING RESOLUTION NO. 166 OF 2015, APPROPRIATING AND TRANSFERRING FUNDS IN CONNECTION WITH ACCOUNTS FOR THE SEWER DISTRICT BELT PRESS PROJECT

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

WHEREAS, by Resolution No. 234 adopted on September 10, 2014 the Herkimer County Legislature authorized the issuance of \$1,900,000 bonds of the County of Herkimer to pay a portion of the cost of an increase and improvement of facilities of the Herkimer County Sewer District; and

WHEREAS, by Resolution No. 166 adopted July 22, 2015 the 2015 Budget was amended in connection with the receipt of said bond proceeds; and

WHEREAS, by letter dated September 20, 2016 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend Resolution No. 166 of 2015 and appropriate and transfer funds to reflect increases in expenses and ensure proper accounting of funds; and

WHEREAS, by letter dated September 27, 2016, the Herkimer County Sewer District, has advised that by action on September 21, 2016, the Herkimer County Sewer District Board adopted resolutions recommending that adjustments should be made to the accounting as it relates to the Belt Press Project; now, therefore, be it

RESOLVED, that Resolution No. 166 adopted July 22, 2015 is hereby amended in the First Resolved Clause as follows:

Revenue:

H5710, Serial Bonds	From:	\$-0-
	To:	\$1,346,906.95

Appropriation

H8197.40000, Sewer Equipment and Capital	From:	\$-0-
Outlay, Contractual Expense, Project 78-2	To:	\$1,346,906.95

and, be it further

RESOLVED, that the sum of \$86,005.95 is hereby appropriated from G909, Sewer Fund Balance, to H8197.40000, Sewer Equipment & Capital Outlay, Contractual Expense; and, be it further

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:

\$86,005.95 From: G200, Sewer Cash  
To: H200XX, Cash, Belt Press Replacement

\$617,089.27 From: H200XX, Cash Belt Press Replacement  
To: V200, Cash, Debt Service

and, be it further

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

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 234

### **RESOLUTION AUTHORIZING GRANT PERFORMANCE AGREEMENT WITH HERKIMER COUNTY HEALTHNET, INC.**

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

WHEREAS, Herkimer County has been awarded a grant from the New York State Department of Health in connection with the Rural Health Network Development Program to fund activities of Herkimer County HealthNet, Inc., with the current grant for those purposes to be from April 1, 2013 through March 31, 2018; and

WHEREAS, the County acts as a pass-through entity for these grant funds, with HealthNet being responsible for satisfactory completion of all phases of all funded projects and activities, including completion of all necessary paperwork and providing all appropriate documentation for the grant awards; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute a Grant Performance Agreement with Herkimer County HealthNet, Inc., in connection with pass through funding from the New York State Department of Health Rural Network Development Program, with the terms and conditions of said agreement to 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 and Herkimer County HealthNet, Inc.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 235

### **RESOLUTION AUTHORIZING A COMPLAINT REQUESTING REMOVAL OF ASSESSMENT BY THE HUDSON RIVER-BLACK RIVER REGULATING DISTRICT AGAINST THE COUNTY OF HERKIMER**

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

WHEREAS, by letter dated August 17, 2016, the County of Herkimer has been advised that the Hudson River-Black River Regulating District has levied an annual assessment against the County of Herkimer in the amount of \$13,634.00, which is a charge for the operation and maintenance expenses of the Black River area storage reservoirs operated and maintained by the Hudson River-Black River Regulating District; and

WHEREAS, this is the first time that Herkimer County has been assessed for these expenses; and

WHEREAS, the Counties of Hamilton, Jefferson, Lewis and Oneida have also been assessed for such expenses, also apparently for the first time; and

WHEREAS, while it appears that there may be statutory authority for such assessments, it is the position of Herkimer County that the Hudson River-Black River Regulating District should continue its past practice of many years to fund such operation and maintenance expenses by assessing the hydroelectric facilities in the Black River area, and that there is no compelling financial or policy reason to assess counties for these expenses; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to sign and file a complaint with the Hudson River-Black River Regulating District seeking a revision of the Black River area apportionments to remove any assessment levied against the County of Herkimer and other counties.

Dated: October 5, 2016.





## HERKIMER COUNTY LEGISLATURE

No. 236

### **RESOLUTION AUTHORIZING APPLICATION TO EMPIRE STATE DEVELOPMENT FOR GREATER MOHAWK VALLEY BANK CORPORATION**

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

WHEREAS, by Resolution No. 134 adopted on July 27, 2016, this Legislature authorized the formation of a Greater Mohawk Valley Land Bank Corporation; and

WHEREAS, since that time efforts have continued to complete the formation of the Land Bank; and

WHEREAS, the creation of a land bank is conditioned upon approval of the New York State Urban Development Corporation d/b/a Empire State Development, which requires an application from a government entity which is a member of the land bank; and

WHEREAS, it has been requested that Herkimer County submit that application, and that the County has been advised that the submission of that application will not require Herkimer County to act as a pass through entity for any funds for the land bank, or commit Herkimer County to the expenditure of any county funds for land bank purposes; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and submit an application for approval of the Greater Mohawk Valley Land Bank Corporation to Empire State Development; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Mohawk Valley Economic Development District and Herkimer County Attorney.

Dated: October 5, 2016.



## HERKIMER COUNTY LEGISLATURE

No. 237

### **RESOLUTION CONCERNING THE ESTABLISHMENT OF THE GREATER MOHAWK VALLEY LAND BANK CORPORATION AND APPOINTING REPRESENTATIVES TO SERVE ON GREATER MOHAWK VALLEY LAND BANK BOARD AND RESCINDING RESOLUTION NO. 184 ADOPTED ON JULY 27, 2016**

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

WHEREAS, New York State has recognized the need to provide new tools and innovative solutions to address deteriorated, abandoned and tax-delinquent properties and the blight they inflict upon communities; and

WHEREAS, New York State acknowledges the risks to public health and safety caused by seriously derelict properties; and

WHEREAS, land banks allow and provide a mechanism for the re-development, repair, improvement, or in appropriate situations, deconstruction of blighted properties; and

WHEREAS, land banks have now been firmly established nationally, with a success record in helping to ameliorate the above negative impacts; and

WHEREAS, in recognition of same and in order to revitalize and strengthen local communities and economies New York State has adopted a Land Bank Act ("Not-for-Profit" Corporation Law, Article 16); and

WHEREAS, a number of communities in the Greater Mohawk Valley with the direction and encouragement of the Mohawk Valley Economic Development District ("MVEDD"), desire to create a regional land bank in order to efficiently and effectively address blight across the Greater Mohawk Valley; and

WHEREAS, in accordance with the provisions of the Land Bank Act, it is necessary to adopt a resolution establishing the Greater Mohawk Valley Land Bank Corporation ("GMVLB") on behalf of the County of Herkimer and the other signatories, and addressing certain other requirements relating to the structure and function of the GMVLB; therefore it is

RESOLVED, that the County of Herkimer hereby establishes and authorizes the creation of a regional land bank, as follows:

1. Name of the land bank: Greater Mohawk Valley Land Bank Corporation;
2. Number of initial members of the board of directors: 9
3. The initial individuals to serve on the GMVLB board and their initial terms of office are:
  - (a) Appointed by the Chairman of the Legislature and confirmed by the Herkimer County Legislature:  
Raymond Johnson (County Legislator), initial term of 2 years;  
Kurt Ackerman (County Legislator), initial term of 1 year;

- (b) Appointed by the County Executive of Montgomery County:  
Karl Gustafson (Office of the Executive), initial term of 2 years;
  - (c) Appointed by Chair of the Board of Representatives of Otsego County:  
Margaret M. Kennedy (County Representative), initial term of 2 years;  
Craig Gelbsman (County Representative), initial term of 1 year;
  - (d) Appointed by Chair of the Board of Supervisors, confirmed  
by Resolution of the Board of Schoharie County:  
Steven Wilson (County Administrator), initial term of 2 years;
  - (e) Appointed by the Mayor of the City of Rome:  
Mark Domenico (Chief Code Enforcement Officer), initial term of 1 year;
  - (f) Appointed by the Mayor of the City of Utica:  
Brian Thomas (Commissioner, Urban & Economic Development); initial  
term of 2 years;
  - (g) Appointed by the Common Council of the City of Utica:  
Joseph A. Marino (Chair, Economic Development Committee), initial term  
of 1 year;
4. Board members must be a resident of the county or city from which they are appointed. Each of the joining counties and the joining cities will be entitled to have the number of members on the board of directors as listed above. The regular terms of office of members of the board shall be 2 years, in addition to any partial term for which a member is appointed to fill a vacancy.
  5. The proposed articles of incorporation of the GMVLB are approved for inclusion in the application for the GMVLB which is to be sent to Empire State Development.
  6. The County of Herkimer (together with the other joining counties and cities) will enter into and the Chairman of the Legislature is authorized to execute an Intermunicipal Agreement for the creation of GMVLB, and is authorized to execute such other documents as may be necessary to establish the GMVLB, subject to the approval of the County Attorney.
  7. Resolution No. 184 adopted July 27, 2016 is hereby rescinded.

Dated: October 5, 2016.

- (b) Appointed by the County Executive of Montgomery County:  
Karl Gustafson (Office of the Executive), initial term of 2 years;
  - (c) Appointed by Chair of the Board of Representatives of Otsego County:  
Margaret M. Kennedy (County Representative), initial term of 2 years;  
Craig Gelbsman (County Representative), initial term of 1 year;
  - (d) Appointed by Chair of the Board of Supervisors, confirmed  
by Resolution of the Board of Schoharie County:  
Steven Wilson (County Administrator), initial term of 2 years;
  - (e) Appointed by the Mayor of the City of Rome:  
Mark Domenico (Chief Code Enforcement Officer), initial term of 1 year;
  - (f) Appointed by the Mayor of the City of Utica:  
Brian Thomas (Commissioner, Urban & Economic Development); initial  
term of 2 years;
  - (g) Appointed by the Common Council of the City of Utica:  
Joseph A. Marino (Chair, Economic Development Committee), initial term  
of 1 year;
4. Board members must be a resident of the county or city from which they are appointed. Each of the joining counties and the joining cities will be entitled to have the number of members on the board of directors as listed above. The regular terms of office of members of the board shall be 2 years, in addition to any partial term for which a member is appointed to fill a vacancy.
  5. The proposed articles of incorporation of the GMVLB are approved for inclusion in the application for the GMVLB which is to be sent to Empire State Development.
  6. The County of Herkimer (together with the other joining counties and cities) will enter into and the Chairman of the Legislature is authorized to execute an Intermunicipal Agreement for the creation of GMVLB, and is authorized to execute such other documents as may be necessary to establish the GMVLB, subject to the approval of the County Attorney.
  7. Resolution No. 184 adopted July 27, 2016 is hereby rescinded.

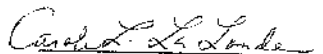
Dated: October 5, 2016.

STATE OF NEW YORK            )  
COUNTY OF HERKIMER        )        ss.  
LEGISLATURE CHAMBERS       )

I, CAROLE L. LaLONDE, Clerk of the Legislature of Herkimer County, do hereby certify that I have compared the foregoing copy of Resolution No. 237 with the original duly adopted by the Herkimer County Legislature at a regular session held on the 5th day of October, 2016, and that the same is a true copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said Legislature on this 14th day of October, 2016.

L.S.

 Clerk