

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
Second Quarter – Third Day
Wednesday, June 11, 2014
7:30 p.m.**

The Regular Session of the Herkimer County Legislature was called to order by Chairman Vincent Bono at 7:30 p. m.

Chairman Bono called on Victoria Treadwell, Herkimer County Dairy Princess, to lead the Legislature in the Pledge of Allegiance.

Mr. Bono requested everyone to remain standing for a moment of silence in recognition and honor of all the current and past veterans of Herkimer County.

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

Present: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Weakley (14).

Absent: Rose, Brezinski, Shaw (3).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Bono asked if there were any objections or corrections to the minutes of May 21, 2014. There were none, and the Chairman ordered them approved.

Chairman Bono dispensed with the regular session and called upon Legislator Peplinski for a presentation. Mr. Peplinski read and presented a proclamation to Herkimer County Dairy Princess Victoria Treadwell for “Dairy Princess and her Court Week” and “June as Dairy Month” in Herkimer County. He gave appreciation to the Dairy Princess and her court for all the work they do all year in promoting the dairy industry.

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

Chairman Bono 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. 172– A communication was received from Capital District OTB submitting financial statements for 2012 and 2013. Placed on file.

No. 173 – A communication was received from the Sheriff submitting the monthly report for April. Referred to the Committee on Public Safety and Emergency Management.

No. 174 – A communication was received from Mountain View Memorial Gardens expressing appreciation for donation of chairs. Placed on file.

No. 175 – A communication was received from the Budget Officer recommending budget amendment in connection with TANF 2014 Summer Youth Program. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 176 – A communication was received from the Employment and Training Director requesting approval of agreements in Workforce Investment Board. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 177 – A communication was received from the Director of Real Property Tax Services requesting renewal of data collection contract with Town of Salisbury. Referred to the Committee on Ways and Means.

No. 178 – A communication was received from the New York State Department of Health concerning closure plan for Country Manor. Placed on file.

No. 179 – A communication was received from the Executive Director of the Herkimer County HealthNet, Inc., requesting approval of contract with Department of Health for Rural Health Network Program. Referred to the Committees on Human Resources and the Committee on Ways and Means.

No. 180 – A communication was received from the Budget Officer recommending budget amendment in connection with HealthNet funding. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 181 – A communication was received from the STOP-DWI Coordinator, Ignition Interlock Committee Secretary, submitting updated Herkimer County Ignition Interlock Plan. Referred to the Committee on Public Safety and Emergency Management.

No. 182 – A communication was received from the Soil and Water Conservation District submitting minutes of May 13, 2014. Placed on file.

No. 183 – A communication was received from the Deputy Sheriff's Association advising of ratification of tentative agreement. Referred to the Committee on Ways and Means.

No. 184 – A communication was received from the County Property Agent submitting results of the In Rem Auction Sale. Referred to the Committee on County Properties

No. 185 – A communication was received from the Budget Officer submitting request for transfer of funds. Referred to the Committee on Ways and Means.

No. 186 – A communication was received from the Director of Community Services submitting the April/May activities update of the Mental Health Services Department. Placed on file.

No. 187 – A communication was received from the Budget Officer submitting recommendation for contract for utility bill audits. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 188 – A communication was received from the County Clerk requesting staffing change at the Department of Motor Vehicles Old Forge Satellite Office. Referred to the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means.

No. 189 – A communication was received from the State Department of Agriculture and Markets advising of request for proposals for Farmland Protection Implementation Projects. Placed on file.

No. 190 – A communication was received from the New York State Department of Environmental Conservation concerning permit renewal issued to Mohawk Valley Water Authority. Placed on file.

No. 191 – A communication was received from the Chairman of the Herkimer County Democratic Committee advising of recommendation for appointment of Election Commissioner to fill a vacancy. Referred to the Committee on Administration/Veterans' Affairs.

No. 192 – A communication was received from the County Administrator concerning Consolidated Funding Application for Schuyler Sewer Project. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

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

Chairman Bono continued with Reports and Resolutions and Resolutions.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 157 of the Committee on Public Safety and Emergency Management approving monthly report of Sheriff was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 158 of the Committee on Ways and Means transferring funds was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Russell, seconded by Mr. Johnson, Report and Resolution No. 159 of the Committee on Ways and Means authorizing extension of contract with the Town of Salisbury to provide data collection services was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Smith, seconded by Mr. Ackerman, Report and Resolution No. 160 of the Committee on Human Resources and the Committee on Ways and Means authorizing renewal of contract with New York State Dept. of Health for Herkimer County HealthNet, Inc. and amending budget was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Peplinski, seconded by Mr. Hyde, Report and Resolution No. 161 of the Committee on Public Safety/Emergency Management approving updated Ignition Interlock Monitoring Plan for Herkimer County was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Johnson, seconded by Mr. Ackerman, Report and Resolution No. 162 of the Committee on County Planning and Development and the Committee on Ways and Means extending Consortium Agreement, The Chief Elected Officials Agreement and the Operator Agreement with Oneida and Madison Counties was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Luppino, seconded by Mr. Hyde, Report and Resolution No. 163 of the Committee on County Planning and Development and the Committee on Ways and Means amending budget in connection with receipt of TANF Summer Youth Funds was handed up; discussion was held; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Hyde, seconded by Mr. Schrader, Report and Resolution No. 164 of the Committee on County Properties and the Committee on Ways and Means authorizing contract in connection with utility bill audits was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 165 of the Committee on Ways and Means ratifying agreement between the County of Herkimer and the Herkimer County Deputy Sheriff's Association was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell, Weakley (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Luppino, seconded by Mr. Johnson, Report and Resolution No. 166 of the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing staffing change in Herkimer County Clerk's Office was handed up; voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Weakley (13).

Against: None.

Abstain: Russell (1).

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 167 of the Committee on County Properties approving sale of county owned tax acquired land was handed up; was voted on and adopted by roll call vote:

For: Luppino, Schrader, Wellington, Johnson, Stephens, Hyde, Manno, Smith, Bono, Ackerman, Peplinski, Korce, Russell. (13).

Against: None. Abstain: Weakley (1).

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Hyde, seconded by Mr. Ackerman, Report and Resolution No. 168 of the Committee on Administration/Veterans Affairs making appointment of Commissioner of Elections was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Peplinski, seconded by Mr. Russell, Report and Resolution No. 169 of the Committee on County Planning and Development and the Committee on Ways and Means authorizing grant application and funding for Schuyler Sewer Project was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Schrader, seconded by Mr. Stephens, Resolution No. 170 of the Committee on County Properties authorizing application for Restoration and Rehabilitation of the Exterior Façade of the Historic 1834 Jail was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Wellington, seconded by Mr. Hyde, Resolution No. 171 of the Committee on Administration/Veterans' Affairs supporting reform to New York State Scaffold Law was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Weakley, seconded by Mr. Luppino, Report and Resolution No. 172 of the Committee on Administration/Veterans' Affairs opposing change in Federal Clean Water Act regulations which would extend federal jurisdiction over additional waters, currently including some ditches was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Johnson, seconded by Mr. Hyde, Resolution No. 173 of the Committee on Administration/Veterans' Affairs opposing Senate Bill S.6870-2013. Which would impose additional restrictions on the operations of Industrial Development Agencies was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

On motion of Mr. Manno, seconded by Mr. Schrader, Resolution No. 174 of the Committee on Education and the Committee on Ways and Means authorizing Chairman to execute letter of authorization for solar project at HCCC was handed up; voted on and adopted by voice vote:

For: Ayes (14).

Against: None.

Absent: Rose, Brezinski, Shaw (3).

Chairman Bono stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had further comments: Dennis Korce and Bernard Peplinski.

At 7:50 p.m. on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, July 2, 2014 at 2:00 p.m.