

MINUTES
Herkimer County Legislature
Second Quarter – Third Day
Wednesday, June 13, 2018
7:00 p.m.

The Regular Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 7:07 p.m.

Chairman Peplinski called on Connie Frasier of the Herkimer County Dairy Princess Program, 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: the following answering the roll. Quorum present.

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

Absent: Bono (1).

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of May 16, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

At this time Chairman Peplinski dispensed with the regular session for a presentation of a Proclamation for “June as Dairy Month” and “Dairy Princess and Court Week” in Herkimer County. Chairman Peplinski called on Legislator Peter Campione to present the proclamation. Connie Frasier, the Dairy Princess, spoke to the legislature regarding the importance of involving youth in the education of farm life. She explained dairy farming is declining in New York State and everything possible needs to be done to change that. The Dairy Princess and her Court thanked the Legislature for the opportunity.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. With no Chairmen wishing to report, Chairman Peplinski continued with the regular session.

Chairman Peplinski stated that the communications received by the Legislature and the committees to which they were referred were listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. Legislator Johnson asked for No. #280 to be read. Legislator Schrader asked for No’s #259 and #260 to be read. The Clerk read the titles. Chairman Peplinski continued with the session.

No. 254 –A communication was received from the Chairman of the Legislature making appointment to Greater Mohawk Valley Land Bank Board of Directors. Referred to the Committee on County Properties.

No. 255 - A communication was received from NYS Agriculture and Markets submitting Certification of Open Enrollment. Filed.

No. 256 - A communication was received from Senator Seward acknowledging Resolution regarding marksmanship programs in schools. Filed.

No. 257 - A communication was received from Assemblyman Butler acknowledging Resolution regarding marksmanship programs in schools. Filed.

No. 258 - A communication was received from the Herkimer-Oneida County Waste Authority submitting Resolution and Minutes of March 19, 2018 meeting. Filed.

No. 259 - A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 260 - A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 261 - A communication was received from the Director of Emergency Services requesting appointments to the EMS Advisory Board. Referred to the Committee on Public Safety/Emergency Management.

No. 262 - A communication was received from the Commissioner of Social Services requesting participation in the National Child Passenger Safety Certification for Employees. Referred to the Committees on Human Resources.

No. 263 - A communication was received from the Budget Officer/Purchasing Agent submitting request for Budget Amendment. Referred to the Committee on Ways & Means.

No. 264 - A communication was received from the Director of Employment & Training requesting Budget Amendment. Referred to the Committees on County Planning & Development and Ways & Means.

No. 265 – A communication was received from the Budget Officer requesting Budget Amendment. Referred to the Committee on Ways & Means.

No. 266 – A communication was received from the Director of Employment & Training requesting Acceptance of TANF funding and Budget Amendment. Referred to the Committees on County Planning & Development and Ways & Means.

No. 267 – A communication was received from the Budget Officer requesting Transfer of Funds. Referred to the Committee on Ways & Means.

No. 268 – A communication was received from STOP-DWI Coordinator requesting acceptance of additional funding and Transfer of Funds. Referred to the Committee on Ways & Means.

No. 269 - A communication was received from the Friends of Historic Herkimer County requesting Lease Agreement for 1834 Jail. Referred to the Committee on County Properties.

No. 270 - A communication was received from the Personnel Officer requesting MOU for E-Verify Program. Referred to the Committee on Ways & Means.

No. 271 - A communication was received from the Personnel Officer requesting changes to the Herkimer County Title VI Plan. Referred to the Committee on Ways & Means.

No. 272 - A communication was received from the Budget Officer requesting contract for new county website. Referred to the Committees on Information Services and Ways & Means.

No. 273 - A communication was received from the Highway Superintendent requesting agreement with NYSDOT. Referred to the Committees on Highways and Ways & Means.

No. 274 - A communication was received from the HC Treasurer requesting advancement of funds for Highway Projects. Referred to the Committee on Ways & Means.

No. 275 - A communication was received from the HC Treasurer requesting extension of part time position. Referred to the Committee on Ways & Means.

No. 276 - A communication was received from the HC Treasurer submitting Land Auction results. Referred to the Committee on County Properties.

No. 277 - A communication was received from the Director of Employment & Training requesting contract with BOCES to provide a Summer Youth Training and Academic Enrichment Work Experience Program. Referred to the Committees on County Planning & Development and Ways & Means.

No. 278 - A communication was received from the County Auditor submitting Report of Refund of Taxes. Filed.

No. 279 - A communication was received from NYSAC acknowledging Receipt of Resolutions 201 and 202. Filed.

No. 280 – A communication was received from the County Attorney submitting Notice of Claim. Filed.

No. 281 - A communication was received from the County Administrator requesting contract for Shared Serviced Plan. Referred to the Committee on Ways & Means.

No. 282 – A communication was received from the Budget Officer/Purchasing Agent requesting Account Creation and Appropriation. Referred to the Committee on Ways & Means.

No. 283 – A communication was received from the Budget Officer/Purchasing Agent – Requesting Account, Appropriation and authorizing contract for Emergency Repair at HC Correctional Facility. Referred to the Committee on Ways & Means.

With that being all the communications, the Chairman continued with Reports and Resolutions on the Regular Agenda.

On motion of Mr. Manno, seconded by Mr. Ackerman, Report and Resolution No. 205 sponsored by the Committee on Education reappointing Trustee at Herkimer County Community College was handed up; discussion was held; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No.206 sponsored by the Committees on County Properties appointing member to the Greater Mohawk Valley Land Bank was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 207 sponsored by the Committee on Public Safety/Emergency Management appointing members to the EMS Advisory Board was handed up, voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Hollum, seconded by Mr. Schrader, Report and Resolution No. 208 sponsored by the Committee on County Planning & Development and the Committee on Ways & Means authorizing Office Space Agreement for Tractor Supply Company was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Smith, seconded by Mr. Keeler, Report and Resolution No. 209 sponsored by the Committees on County Planning & Development and Ways and Means authorizing an Agreement with Herkimer-Fulton-Hamilton-Otsego BOCES for services for a 2018 TANF Summer Youth Employment Academic/Work Experience Program was handed up: voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Schrader, seconded by Mr. Stephens, Report and Resolution No. 210 sponsored by the Committee on Ways & Means amending budget in connection with receipt of TANF Summer Youth Funds was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Stephens, seconded by Mr. Johnson, Report and Resolution No. 211 sponsored by the Committee on Ways & Means authorizing account establishment and budget amendment in Employment & Training was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Stephens, seconded by Mr. Keeler, Report and Resolution No. 212 sponsored by the Committee on Public Safety/Emergency Management and Committee on Ways & Means accepting Grant and amending budget in connection with receipt of STOP-DWI funding was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Campione, seconded by Mr. Ackerman, Report and Resolution No. 213 sponsored by the Committee on Highways and Committee on Ways & Means authorizing Shared Services Agreement between the New York State Department of Transportation and the County of Herkimer was handed up; discussion held; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Bono (1).

Abstain: Gaworecki (1).

On motion of Mr. Smith, seconded by Mr. Stephens, Report and Resolution No. 214 sponsored by the Committee on Highways and Committee on Ways & Means authorizing Advance of Funds to the County Road Fund was handed up; voted on and adopted by the following roll call vote:

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

Against: None. Absent: Bono (1). Abstain: Gaworecki (1).

On motion of Mr. Keeler, seconded by Mr. Gaworecki, Report and Resolution No. 215 sponsored by the Committee on County Properties and Committee on Ways & Means approving extension of Lease with Friends of Historic Herkimer County for the 1834 Jail was handed up; voted on and adopted by voice vote:

Ayes: (16). Against: None.

Absent: Bono (1).

On motion of Mr. Ackerman, seconded by Mr. Schrader, Report and Resolution No. 216 sponsored by the Committee on Information Services and the Committee on Ways & Means authorizing contract for New County Website and approve Appropriation was handed up; discussion held; voted on and adopted by the following roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (15).

Against: None. Absent: Bono (1).

On motion of Mr. Shaw, seconded by Mr. Stephens, Report and Resolution No. 217 sponsored by the Committee on Ways & Means Authorizing Herkimer County to participate in the Federal E-Verify Program and Sign MOU was handed up; voted on and adopted by voice vote:

Ayes: (16). Against: None.

Absent: Bono (1).

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 218 sponsored by the Committee on Ways & Means extending end date of part time position in Herkimer County Treasurer's Office was handed up; voted on and adopted by voice vote:

Ayes: (16). Against: None.

Absent: Bono (1).

On motion of Mr. Schrader, seconded by Mr. Shaw, Report and Resolution No. 219 sponsored by the Committee on Ways & Means amending Resolution No. 172 of 2015 adopting a Civil Rights Policy for the County of Herkimer pursuant to New York State Executive Law, Title VI of the Civil Rights Act of 1964, as amended; was handed up; voted on and adopted by voice vote:

Ayes: (15).

Against: None.

Absent: Bono (1).

Abstain: Gaworecki (1).

On motion of Mr. Johnson, seconded by Mr. Keeler, Report and Resolution No. 220 sponsored by the Committee on County Properties approving Sale of County Owned Tax Acquired Land was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (15).

Against: None.

Absent: Bono (1).

On motion of Mr. Shaw, seconded by Mr. Campione, Report and Resolution No. 221 sponsored by the Committee on Ways & Means authorizing contract, creating account, appropriating funds and amending the 2018 budget for a contract for county wide Shared Services Plan with CGR was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (15).

Against: None.

Absent: Bono (1).

On motion of Mr. Weakley, seconded by Mr. Malta, Report and Resolution No. 222 sponsored by the Committee on Ways & Means establishing account, appropriating funds and authorizing contract for repairs to the Herkimer County Correctional Facility was handed up; voted on and adopted by roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (15).

Against: None.

Absent: Bono (1).

On motion of Mr. Johnson, seconded by Mr. Stephens, Report and Resolution No. 223 sponsored by the Committee on Ways & Means authorizing litigation in connection with premises at 34 Spruce Street in the Village of Ilion was handed up; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

On motion of Mr. Campione, seconded by Mr. Ackerman, Report and Resolution No. 224 In Memoriam of Town of Danube Supervisor was handed up; discussion held; voted on and adopted by voice vote:

Ayes: (16).

Against: None.

Absent: Bono (1).

Pursuant to Rule 6, Chairman Peplinski asked if any members of the Legislature wished to comment. The following legislators had comments: Manno; Brezinski,; Russell. With no further comment, Chairman Peplinski requested a motion to adjourn the meeting.

At 7:44 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, July 11, 2018 at 2:00 p.m.

Sally I. Deming, Clerk



HERKIMER COUNTY LEGISLATURE

No. 205

RESOLUTION REAPPOINTING TRUSTEE AT HERKIMER COUNTY COMMUNITY COLLEGE

Sponsored by: Committee on Education

WHEREAS, by Resolution No. 64 adopted February 14, 2018, Patrick E. Russell was appointed to fill a vacancy on the Board of Trustees; and

WHEREAS, it is the recommendation of your Committee on Education that Patrick E. Russell of Old Forge, New York, be reappointed to fill the new term; now, therefore, be it

RESOLVED, that Patrick E. Russell, P.O. Box 901, Old Forge, New York, is hereby appointed as a member of the Board of Trustees of Herkimer County Community College, pursuant to Section 6306 of the Education Law of the State of New York, for a seven year term on said board, which term shall expire on June 30, 2025; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Personnel Officer, Chancellor of the State University of New York, the Vice Chancellor for Two Year Colleges, President of Herkimer County Community College, Senior Vice President for Administration and Finance of Herkimer County Community College, Chairperson of the Board of Trustees of Herkimer County Community College and Patrick E. Russell.

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 206

REPORT AND RESOLUTION APPOINTING MEMBER TO THE GREATER MOHAWK VALLEY LAND BANK

Sponsored by: Committee on County Properties

WHEREAS, by Resolution No. 237 of 2016, this Legislature established the Greater Mohawk Valley Land Bank Corporation and appointed two representatives to the Board of Directors; and

WHEREAS, by letter dated March 12, 2018, Raymond Johnson submitted his resignation from the Greater Mohawk Valley Land Bank Corporation; and

WHEREAS, by letter dated May 23, 2018, Bernard Peplinski, Chairman of the Herkimer County Legislature has made the appointment of John P. Piseck, Jr., Executive Director of the Herkimer County Industrial Agency to fill the remainder of the two year term; now, therefore, be it

RESOLVED, that the appointment of John J. Piseck, Jr., Executive Director of the Herkimer County Industrial Development Agency, 420 E. German Street, Herkimer, NY 13350 to the Greater Mohawk Valley Land Bank Corporation with the term expiration as listed, is hereby ratified and confirmed:

Appointment:

John J. Piseck, Jr., 420 East German St.,
Herkimer, NY 13350

Term Expiration:

10/5/2018

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Greater Mohawk Valley Land Bank Corporation and John J. Piseck, Jr.

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 207

REPORT AND RESOLUTION APPOINTING MEMBERS TO EMS ADVISORY BOARD

Sponsored by: Committee on Public Safety/Emergency Management

WHEREAS, by Resolution No. 275 of 1993 this Legislature established an Emergency Medical Services Advisory Board in Herkimer County and appointed five members to serve on said Board; and

WHEREAS, by Resolution No. 46 of 2013 this Legislature increased the membership to 9, for 3 year terms, pursuant to County Law, Section 223-b; and

WHEREAS, by letter dated May 16, 2018, Matthew Palumbo, Director of Emergency Services has requested the appointment of individuals to maintain the EMS Mutual Aid Plan and EMS related issues throughout the county; now, therefore be it

RESOLVED, that the following named persons be, and hereby are, appointed as members of the Herkimer County EMS Advisory Board for a term of three years commencing this date:

Robert Paddock – Chief, Ilion Fire Department
Frank Grippe – Frankfort Fire Department
Nat Held – Deputy Chief – Mohawk Valley Ambulance Corporation
Matthew Cotton – Cederville Ambulance
Melissa Lockwood – Schuyler Ambulance
Dave Burkstresser – Old Forge Ambulance
Dave Jones – Chief – Kuyahora Ambulance
Scott Kinville – Little Falls Fire Department
Chad Smith – Kunkel Ambulance

and, be it further

RESOLVED, that certified copies of said Resolution be forwarded to the Director of Emergency Management and the above named appointees.

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 208

REPORT AND RESOLUTION AUTHORIZING OFFICE SPACE AGREEMENT FOR TRACTOR SUPPLY COMPANY

Sponsored by: Committee on County Planning & Development

WHEREAS, by letter dated May 3, 2018 from Karin Piseck, Director of Employment and Training, your Committee has been advised that it is necessary to enter into an office space permit agreement with Tractor Supply Company, 5401 Virginia Way, Brentwood, TN 37207 for use of office space at the Working Solutions One Stop Center located at 320 North Prospect Street, Herkimer, New York; and

WHEREAS, said agreement would commence June 13, 2018 through September 30, 2018, or December 31, 2018 should the Lease Agreement between the County of Herkimer and Castle Enterprises of Herkimer Ltd. be extended to December 31, 2018, and would provide a cubicle of office space in the Working Solutions One Stop Center for use by the staff of Tractor Supply for the purpose of assisting and serving its customers, with consideration to the County to be in the amount of \$1.00 annually; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an Office Space Permit Agreement on behalf of the County of Herkimer with Tractor Supply Company, Tractor Supply Company, 5401 Virginia Way, Brentwood, TN 37207, containing the above terms and conditions, with further terms and conditions 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 Employment and Training and Tractor Supply Company.

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 209

REPORT AND RESOLUTION AUTHORIZING AN AGREEMENT WITH HERKIMER-FULTON-HAMILTON-OTSEGO BOCES FOR SERVICES FOR A 2018 TANF SUMMER YOUTH EMPLOYMENT ACADEMIC/WORK EXPERIENCE PROGRAM

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

WHEREAS, by letter dated May 24, 2018 from Karin Piseck, Director of Employment & Training, your Committees have been advised that in response to an RFP, Herkimer-Fulton-Hamilton-Otsego BOCES, has proposed to provide a Summer Youth Employment and Academic Enrichment Educational/Vocational Work Experience Program to thirty (30) 14 and 15 year old eligible participants enrolled in the 2018 TANF (Temporary Assistance to Needy Families) - funded Summer Youth Employment Program (SYEP); and

WHEREAS, said letter further asks to enter into an agreement with Herkimer-Fulton-Hamilton-Otsego BOCES for the above purpose for the period July 10, 2018 through August 16, 2018, at a total cost of \$17,600, with said TANF SYEP funds to be provided by the Department of Social Services; now, therefore, be it

RESOLVED, that the Chairman of this Legislature and Director of Employment and Training are hereby authorized to execute an agreement on behalf of the County of Herkimer, with the Herkimer-Fulton-Hamilton-Otsego BOCES to provide services for a Summer Youth Employment and Academic Enrichment Educational/Vocational Work Experience Program to thirty (30) 14 and 15 year old eligible participants enrolled in the 2017 TANF (Temporary Assistance to Needy Families)- funded Summer Youth Employment Program, at a cost of \$17,600, with said agreement to be for the period July 10, 2018 through August 16, 2018, and 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, Director of Employment and Training, and Herkimer-Fulton-Hamilton-Otsego BOCES.

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 210

REPORT AND RESOLUTION AMENDING BUDGET IN CONNECTION WITH RECEIPT OF TANF SUMMER YOUTH FUNDS

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

WHEREAS, by letter dated May 24, 2018 from the Budget Officer and Purchasing Agent, this Legislature is advised that it is necessary to amend the 2018 Budget to reflect TANF Summer Youth Program funds received from New York State; now, therefore, be it

RESOLVED, that the 2018 Herkimer County Budget is hereby amended as follows:

REVENUE ACCOUNTS

CD6291-4795, ET-06-18

FROM

\$0

TO

\$140,187.00

APPROPRIATION ACCOUNTS

		<u>FROM</u>	<u>TO</u>
CD 6291, ET-06-18, ETA-TANF.10000-001	Salaries	\$0	\$ 2,000.00
CD 6291, ET-06-18, ETA-TANF.10100-022	Temp. Emp.	\$0	\$103,916.80
CD 6291, ET-06-18, ETA-TANF.41000-160	Supplies	\$0	\$ 780.68
CD 6291, ET-06-18, ETA-TANF.41000-205	Printing	\$0	\$ 50.00
CD 6291, ET-06-18, ETA-TANF.44000	Contracted Services	\$0	\$ 20,600.00
CD 6291, ET-06-18, ETA-TANF.44000-370	Copier	\$0	\$ 100.00
CD 6291, ET-06-18, ETA-TANF.45000	Fees for Services	\$0	\$ 130.00
CD 6291, ET-06-18, ETA-TANF.46100-759	Mileage	\$0	\$ 500.00
CD 6291, ET-06-18, ETA-TANF.46300	Postage & Freight	\$0	\$ 325.00
CD 6291, ET-06-18, ETA-TANF.81000	Retirement	\$0	\$ 1,500.00
CD 6291, ET-06-18, ETA-TANF.83000	Social Security	\$0	\$ 6,566.84
CD 6291, ET-06-18, ETA-TANF.83500	Medicare	\$0	\$ 1,535.79
CD 6291, ET-06-18, ETA-TANF.84000	Workman's Comp.	\$0	\$ 2,181.89

and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 211

REPORT AND RESOLUTION AUTHORIZING ACCOUNT ESTABLISHMENT AND BUDGET AMENDMENT IN EMPLOYMENT & TRAINING

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

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated May 24, 2018 submitting request for a budget amendment and account establishment in the Employment & Training Department for money received from New York State under the Trade Act, reports that we have examined said communications, inquired into the subject matters thereof, and recommend that said budget amendment and account establishment be as follows:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to establish account CD6295.46100-759 ETA 10-16, Trade Act and amend the 2018 budget:

REVENUE

CD6295.4797, ET 10-16, Trade Adjustment Assistance	From: \$2,100
	To: \$17,100

EXPENSE

CD6295.46000-683, ET 10-16, CRT	From: \$2,000
	To: \$8,000
CD6295.46100-759 ETA 10-16, Trade Act, Mileage	From: \$0
	To: \$9,000

and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 212

REPORT AND RESOLUTION ACCEPTING GRANT AND AMENDING BUDGET IN CONNECTION WITH RECEIPT OF STOP-DWI FUNDING

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

WHEREAS, by letter dated May 11, 2018, from Michael L. Edwards, STOP-DWI Coordinator, he has requested this Legislature accept additional funding from the New York State Highway Safety Program Grant (DWI Crackdown) in the amount of \$5,500 for the period of October 1, 2017 through September 30, 2018, as a pass through funding stream administered by the County; and

WHEREAS, by letter dated May 24, 2018 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that it is necessary to amend the Herkimer County Budget for 2018 in connection with the receipt of said funding; now, therefore, be it

RESOLVED, that the 2018 Herkimer County Budget is hereby amended as follows:

REVENUE

A3315A.4389G, Impaired Driving, SDWI Crackdown	From: \$22,500
	To: \$28,000

EXPENSE

A3315A.44000, Impaired Driving Contracted Services	From: \$10,000
	To: \$15,500.

and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 213

REPORT AND RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF HERKIMER

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

WHEREAS, by Resolution No. 81 of 2016 the New York State Department of Transportation and Herkimer County entered into a Shared Services Agreement whereby the parties would exchange or lend materials, equipment and manpower in order to promote and assist in the maintenance of State and County roads and provide a cost savings by maximizing the effective utilization of both parties' resources; and

WHEREAS, the agreement provides for the use of heavy highway equipment, materials and manpower to assist the County of Herkimer during non-declared emergency events and to assist the State of New York when the request for assistance is made, with the cost of shared services not to exceed \$10,000; and

WHEREAS, the agreement provides that employees remain under the full supervision and control of the provider, and with the term of the agreement to be for four (4) years, and with the agreement revocable upon sixty days written notice and approved by the County Attorney; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a Shared Services Agreement with the New York State Department of Transportation as above described; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 214

REPORT AND RESOLUTION AUTHORIZING ADVANCE OF FUNDS TO THE COUNTY ROAD FUND

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

WHEREAS, by letter dated May 31, 2018, Kimberlee Enea, Herkimer County Treasurer, has advised that New York State has changed the procedure by which they process reimbursement for the CHIPS, Pave-NY and Extreme Winter Recovery (EWR) projects back to the County Highway Department, and further requests advance of funds as needed from the General Fund to the County Road Fund, with General Fund reimbursement being made as funds are received from New York State; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized to advance up to \$4,000,000 as needed, from A200, General Fund to D200, County Road Fund; and, be it further

RESOLVED, that any funds advanced shall be repaid to the General Fund before accounts are closed for the fiscal year; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 215

REPORT AND RESOLUTION EXTENDING A LEASE WITH FRIENDS OF HISTORIC HERKIMER COUNTY FOR THE 1834 JAIL

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

WHEREAS, by letter dated May 29, 2018 from James Greiner, he has requested on behalf of the Friends of Historic Herkimer County a renewal of a lease agreement for the Herkimer County Historic 1834 Jail for a period of five years, beginning December 1, 2018 through November 30, 2023; now, therefore be it

RESOLVED, that the lease agreement between the County of Herkimer and the Friends of Historic Herkimer County for the Herkimer County Historic 1834 Jail shall be extended from December 1, 2018 through November 30, 2023, and the Chairman of this Legislature is hereby authorized to execute the lease; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 216

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR NEW COUNTY WEBSITE AND APPROVE APPROPRIATION

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

WHEREAS, by letter dated June 1, 2018, from Sheri Ferdula, Budget Officer and Purchasing Agent this Legislature is advised that the Committee on Information Services and Committee on Ways & Means have voted to move forward with the development of a new county website; and

WHEREAS, the letter further states that the professional services of Quadsimia, 87 Main Street, Suite 200, New York Mills, NY 13417 will be hired to develop and maintain the site at a cost of \$18,500 with a yearly maintenance cost of \$2,485; now, therefore be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a contract with Quadsimia, 87 Main Street, Suite 200, New York Mills, NY 13417, to develop and maintain the county website at a cost of \$18,500 with a yearly maintenance cost of \$2,485; and, be it further

RESOLVED, that an appropriation from the Computer Reserve will be necessary as follows:

\$20,985 From: A878 Computer System Reserve
 To: A1680.44000-442 Maintenance Contracts

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 217

REPORT AND RESOLUTION AUTHORIZING HERKIMER COUNTY TO PARTICIPATE IN THE FEDERAL E-VERIFY PROGRAM AND SIGN MOU

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated May 25, 2018, Steven R. Billings, Personnel Officer, has requested that Herkimer County participate in the Federal E-Verify Program; and

WHEREAS, E-Verify is a free federal program that electronically confirms an employee's eligibility to work in the United States after completion of the I-9 Form and will allow for quick verification of employment eligibility and will protect the county from hiring unauthorized workers; now, therefore be it

RESOLVED, that the Chairman of the Legislature, or his designee, be authorized to execute by signature or e-signature a MOU for Herkimer County to participate in the Federal E-Verify Program on behalf of the County of Herkimer, with said MOU subject to the approval of the County Attorney's Office; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 218

REPORT AND RESOLUTION EXTENDING END DATE OF PART TIME POSITION IN HERKIMER COUNTY TREASURER'S OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 27 of 2018 this Legislature established a position of part-time County Property Agent for up to 520 hours ending June 30, 2018; and

WHEREAS, by letter dated May 25, 2018, Kimberlee Enea, County Treasurer, has requested that the end date of this position be extended to August 1, 2018, to complete the 520 hours as established; and

WHEREAS, your Committee has taken this matter under advisement and recommends said change; now, therefore, be it;

RESOLVED, that the part-time position of County Property Agent in the part-time Salary Schedule for up to 520 hours, effective January 24, 2018 be extended from an end date of June 30, 2018 to August 1, 2018; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 219

**REPORT AND RESOLUTION AMENDING RESOLUTION NO. 172 OF 2015
ADOPTING A CIVIL RIGHTS POLICY FOR THE COUNTY OF HERKIMER
PURSUANT TO NEW YORK STATE EXECUTIVE LAW, TITLE VI OF THE CIVIL
RIGHTS ACT OF 1964, AS AMENDED**

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 172 of 2015 this Legislature adopted a Civil Rights Policy for the County of Herkimer pursuant to Title VI of the Civil Rights Act of 1964, as amended, which policy ensured that every effort would be made to ensure nondiscrimination in all of the county's programs and activities, whether those programs are federally funded or not; and

WHEREAS, by letter dated June 1, 2018, Steven R. Billings, Personnel Officer has advised that Herkimer County's Civil Rights Policy was selected for review by the New York State Department of Transportation and was found to need modification in order to be in compliance with federal regulations; now, therefore, be it

RESOLVED, that the Civil Rights Policy for the County of Herkimer, as amended is hereby adopted; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to each Department Head in the County and the NYSDOT.

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 220

REPORT AND RESOLUTION APPROVING SALE OF COUNTY OWNED TAX ACQUIRED LAND

Sponsored by: Committee on County Properties

WHEREAS, by Resolution No. 144 for the year 2018 duly adopted on April 25, 2018, this Legislature authorized and directed the sale at public auction, after due advertisement, of certain county owned tax acquired real property under the direction of the County Treasurer; and

WHEREAS, the Properties Committee of this Legislature reports that said sale was duly held pursuant to said direction on June 2, 2018 at Herkimer, New York; and

WHEREAS, pursuant to the terms of sale the successful bidder on each parcel sold is required to pay the full purchase price together with recording fee and transfer tax by June 22, 2017; and

WHEREAS, the Properties Committee reports that 54 bids were received at the auction, and the total amount to be received on said sales is \$699,380.00 as shown on the lists made available to each Legislator and filed with the Clerk of the Legislature; and

WHEREAS, the Properties Committee recommends approval of each sale as set forth on the said list, and conveyance of each said parcel to the successful bidder thereon providing payment in full of the amount bid and required fees was received by the County Treasurer's Office; and

WHEREAS, the auction terms provide that default by a purchaser for failure to meet the terms of the auction shall result in forfeiture of the required deposit; now, therefore, be it

RESOLVED, that this Legislature approves the sales by auction reported by the Properties Committee and authorizes the County Treasurer to convey each said property to the successful bidder thereon, provided said bidder has paid the required purchase price and expenses to the County Treasurer, and to make conveyance by quit claim deed and to record each said deed; and, be it further

RESOLVED, that the County Property Agent is hereby instructed to advise the County Attorney's Office of defaults by purchasers, and the County Attorney's Office is hereby instructed to bring legal procedures if necessary to enforce said provision of the auction terms, reporting thereon to the Properties Committee of this Legislature, which shall have authority to confer with the County Attorney's Office as to any proposed settlement of said proceedings; and, be it further

RESOLVED, that the County Property Agent is hereby authorized to solicit sealed bids for the sale of any of the properties which were not conveyed based on the default of purchasers or for any other reason provided that said County Property Agent shall submit to the Committee on County Properties any and all bids, which bids shall be subject to the approval of the full Legislature; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 221

REPORT AND RESOLUTION AUTHORIZING CONTRACT, CREATING ACCOUNT, APPROPRIATING FUNDS AND AMENDING THE 2018 BUDGET FOR A CONTRACT FOR COUNTYWIDE SHARED SERVICES PLAN WITH CGR

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 8, 2018, James W. Wallace, Jr., County Administrator has requested a contract with CGR, as a consultant, for a Countywide Shared Services Plan in the amount of \$30,000, subject to a grant from the Community Foundation in the amount of \$15,000; and

WHEREAS, by letter dated June 8, 2018 from Sheri A. Ferdula, Budget Officer/Purchasing Agent, a request is being made to create an account specifically for this Countywide Shared Services Plan, appropriate funds and amend the 2018 Budget, for the county share; now, therefore be

RESOLVED, that a contract in the amount of \$30,000 be approved with CGR, 1 South Washington Street, Suite 400, Rochester, NY 14614, subject to a grant in the amount of \$15,000 from the Herkimer/Oneida Community Foundation; and be it further

RESOLVED, that Account Number A1610.44000, Shared Services, Contracted Services be established for these funds and the following appropriation and budget amendment be approved:

\$15,000	From: A1990.46000, Contingent Fund, Miscellaneous Expense
	To: A1610.44000, Shared Services Plan, Contracted Services

A1610.44000, Shared Services Plan, Contracted Services	FROM:	\$15,000
	TO:	\$30,000

A1610.2211, Shared Services Plan, General Svs., Other Gov't	FROM:	\$0
	TO:	\$15,000.

and, be it further

RESOLVED, that the Chairman of the Legislature be authorized to sign all necessary documents relating to this contract, subject to the approval of the Herkimer County Attorney's Office; and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 222

REPORT AND RESOLUTION ESTABLISHING ACCOUNT, APPROPRIATING FUNDS AND AUTHORIZING CONTRACT FOR REPAIRS TO THE HERKIMER COUNTY CORRECTIONAL FACILITY

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated June 11, 2018 from Sheri Ferdula, Budget Officer, this Legislature has been advised that a public emergency of a water main break at the Herkimer County Correctional Facility occurred, which has resulted in an emergency repair situation; and

WHEREAS, the letter further states an account number needs to be created and an appropriation be made for the repairs; now, therefore, be it

RESOLVED, Account No. A3150.44000.525 Jail, Repairs be established; and, be it further

RESOLVED, that an appropriation be made as follows:

Appropriation:

\$49,400 FROM: A889H, Reserve/Correctional Facility Fund
 TO: A3150.44000.525 Jail, Repairs

and, be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE

No. 223

RESOLUTION AUTHORIZING LITIGATION IN CONNECTION WITH PREMISES AT 34 SPRUCE STREET IN THE VILLAGE OF ILION

Sponsored by: Committee on Ways and Means

WHEREAS, On June 3, 2017, the County of Herkimer pursuant to its In Rem Foreclosure proceeding, sold premises located at 34 Spruce Street in the Village of Ilion, consisting of three separate tax map parcels; and

WHEREAS, there was located on one of those parcels a single family residence; and

WHEREAS, since that time an action was brought in the Herkimer County Supreme Court by Superior Choice Credit Union vs. the former owner of the premises which resulted in an order to seize the building on the premises, on the grounds that it was a manufactured home; and

WHEREAS, since that time, the current owner of the premises, which is the party to whom the premises were sold by the county, has served a Notice of Claim on the County for representing the home was a single family residence, rather than a manufactured home; and

WHEREAS, your committee has been advised that documentation in the residence indicates that it is not a manufactured home but is in fact a modular home, which would indicate that Superior Choice Credit Union does not have a valid lien on the premises; and

WHEREAS, an Order of Seizure has been issued by Herkimer County Supreme Court directing the Sheriff of the County to seize the premises, requiring immediate action on the part of the County to protect its interests; now, therefore be it

RESOLVED, that litigation to set aside the lien on the above described premises and to have the Order of Seizure stayed and set aside is hereby authorized, and the Chairman of this Legislature is further authorized to sign any and all necessary documents in connection with this matter; and be it further

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

Dated: June 13, 2018.



HERKIMER COUNTY LEGISLATURE



No. 224

IN MEMORIAM

- WHEREAS,** *Richard B. Mosher departed this life on May 19, 2018; and*
- WHEREAS,** *Richard Mosher was a lifelong resident of Herkimer County, he was a devoted husband to his wife Mary and father to his daughters Cara and Alecia as well as his three beloved grandchildren; and*
- WHEREAS,** *Richard Mosher was elected to the Town of Danube in 2012 as Supervisor and served with integrity while dealing with important issues of the Town; and*
- WHEREAS,** *Richard Mosher served with distinction as the Supervisor for the Town of Danube and Secretary of the Herkimer County Supervisors' Association. He was a member of many organizations and formed the Danube Cemetery Board also serving as its past Chairman. He was a member of the Holy Family Parish Church in Little Falls where he served on the Finance Committee. His contributions to his community were vast; and*
- WHEREAS,** *Richard Mosher was honest, hardworking, and dedicated to his work at Burrows Paper Mill, a job he retired from as the Assistant Superintendent after 43 years; he enjoyed his time spent with relatives and friends at the Mosher Kamp in the Town of Stark; and*
- WHEREAS,** *The County of Herkimer and its residents have sustained a great loss by the passing of this dedicated public servant and citizen; now, therefore, be it*
- RESOLVED,** *That the County Legislature does hereby express its deepest regrets at the decease of Richard Mosher and hope that this expression of remembrance may in some manner help console his family in their bereavement; and be it further*
- RESOLVED,** *That a copy of this Resolution be sent to the family of Richard Mosher and that an additional copy be spread upon the minutes of this meeting.*

Dated: June 13, 2018.

Henry W. Walsh Robert E. Mann

W. P. ... Robert ...

John P. ... Kurtz J. Ackerman

Robert J. ... John Z. Gryninski

Raymond ... Bernard Replinski

Frederick G. Shaw Peter J. Caspice

William E. Keeler Sr. Patrick E. Russee

[Signature] Vincent J. Bono

William Wobley