

MINUTES
Herkimer County Legislature
Organizational Session
Monday, January 3, 2018
2:00 p.m.

The Organizational Session of the Herkimer County Legislature was called to order by Sally I. Deming, Clerk of the Legislature at 2:00 p.m.

The Clerk called the roll by district:

Present: District 1 – Gregory Malta, Sr.
District 2 – Mark Gaworecki
District 3 – Robert J. Schrader
District 4 – Bob Hollum
District 5 – Raymond Johnson
District 6 – John P. Stephens
District 7 – William E. Keeler, Sr.
District 8 – John L. Brezinski
District 9 – Peter F. Manno
District 10 – Raymond Smith
District 11 – Vincent J. Bono
District 12 – Kurt J. Ackerman
District 13 – Bernard Peplinski, Sr.
District 14 – Peter J. Campione
District 15 – Patrick E. Russell
District 16 – Frederick J. Shaw, Jr.
District 17 – William Weakley

At this time the Clerk called for nominations of a Temporary Chairman. On motion of Mr. Smith, seconded by Mr. Shaw, Legislator Manno was nominated as Temporary Chairman. With no other nominations, Mr. Schrader made a motion, seconded by Mr. Keeler, to close nominations.

Legislator Manno was named Temporary Chairman.

Ayes: (17).

Opposed: None.

Absent: None.

Temporary Chairman Manno called on Carol Peplinski to lead the Legislature in the Pledge of Allegiance.

Deacon and Parish Administrator, James Bower, of the Holy Family Parish of Little Falls and St. Joseph's Church in Dolgeville gave the Invocation.

Temporary Chairman Manno requested everyone to remain standing for a moment of silence in recognition and honor of all the deceased members of the Legislature of Herkimer County.

At this time, Temporary Chairman Manno called on Honorable John H. Crandall, Surrogate and County Judge of Herkimer County, to administer the oaths of office. Judge Crandall asked the Legislators to stand and repeat the Oath of Office.

At this time, Temporary Chairman Manno called for the election of Chairman of the Legislature for the years 2018-2019. Temporary Chairman Manno opened the nominations. Legislator Smith nominated Bernard Peplinski as Chairman for the 2016-2017 term of the Legislature. The nomination was seconded by Legislators Shaw and Schrader. On motion of Mr. Stephens, seconded by Mr. Schrader the nominations for Chairman were closed.

Legislator Peplinski was elected Chairman of the Legislature by the following roll call vote:

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

Against: None. Abstain: Peplinski (1).

Absent: None.

Legislators Patrick Russell and Raymond Smith escorted Chairman Peplinski to the Chairman's seat. Honorable John H. Crandall administered the Oath of Office to Chairman Peplinski with Carol Peplinski holding the bible.

Chairman Peplinski, expressed his appreciation for being elected as Chairman, and outlined his goals for the Legislature and the County for the next two years. Chairman Peplinski thanked his family for supporting his time spent in the legislature. Chairman Peplinski recognized former Clerk, Carole L. LaLonde for her years of services to the County. Chairman Peplinski thanked the current staff and spoke of the departments heads that have retired recently and the positive outlook the new people coming in have. Chairman Peplinski thanked those legislators who served and are not here in 2018, George Markwardt and Bob Wellington. Chairman Peplinski welcomed the new members, Mark Gaworecki and Bob Hollum stating he looks forward to working with them.

The Chairman continued by opening the nominations for Vice Chairman. On motion of Mr. Stephens, seconded by Mr. Keeler, nomination was made for Legislator Bono as Vice Chairman. With no other nominations, on motion of Mr. Malta, seconded by Mr. Campione, motion to close nominations was made and approved by voice vote. Legislator Bono was elected Vice Chairman by the following roll call vote:

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

Against: None. Abstain: Bono (1).

Absent: None.

Mr. Bono expressed his appreciation and stated he looked forward to working with Chairman Peplinski in the ensuing legislature term.

At this time, Chairman Peplinski opened nominations for Clerk of the Legislature. On motion of Mr. Shaw, seconded by Brezinski, nomination was made for Sally I. Deming as Clerk of the Legislature. With no other nominations, the Chairman called for a voice vote:

All ayes: (17). Against: None.

Absent: None.

Mrs. Deming expressed her appreciation for the appointment and support. She also stated that she and Brittney Cotton as Deputy Clerk look forward to working for the Legislature for the next term.

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 December 13, 2017 and minutes of the Special Session of December 21, 2017. Being none, Chairman Peplinski ordered the minutes approved.

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. Being none, Chairman Peplinski continued with the Session.

No. 1 – A communication was received from the Republican Legislators naming Patrick E. Russell as Majority Leader for the term 2018-2019. Placed on file.

No. 2 – A communication was received from the Democratic Legislator naming John L. Brezinski as Minority Leader for the term 2018-2019. Placed on file.

No. 3 – A communication was received from the County Treasurer submitting Designation of Depositories. Ordered filed.

With that being all the communications, the Chairman continued with Reports and Resolutions beginning with No. 1.

On motion of Mr. Bono, seconded by Mr. Ackerman, Resolution No. 1 adopting the Rules of the Legislature was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Smith, Resolution No. 2 appointing Robert J. Malone as Herkimer County Attorney was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

Mr. Malone thanked the Legislature for the appointment and recognized the staff and all departments for their dedication.

On motion of Mr. Bono, seconded by Mr. Ackerman, Resolution No. 3 appointing Jeri Frederick as the Herkimer County Auditor was handed up; voted on and adopted by voice vote:

All ayes: (17).

Opposed: None.

Absent: None.

Mrs. Frederick thanked the Legislature for the appointment.

On motion of Mr. Brezinski, seconded by Mr. Stephens, Resolution No. 4 appointing Sheri A. Ferdula as Herkimer County Budget Officer/Purchasing Agent was handed up; voted on and adopted by voice vote:

Ayes: (17).

Opposed: None.

Absent: None.

Ms. Ferdula thanked the Legislature for the appointment and stated she looked forward to working with the Legislature in the next two years.

On motion of Mr. Russell, seconded by Mr. Shaw, Report and Resolution No. 5 of the Committee on Ways and Means as regards designation of depositories of county funds for 2018 was handed up, voted on and adopted by voice vote:

All ayes: (17).

Opposed: None.

Absent: None.

On motion of Mr. Keeler, seconded by Mr. Schrader, Report and Resolution No. 6 designating The Times Telegram as the official newspaper of the County of Herkimer was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

At 2:30 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, January 24, 2018 at 7:30 p.m.

Sally I. Deming, Clerk



HERKIMER COUNTY LEGISLATURE

No. 1

Sponsored by: Committee on Administration/Veterans' Affairs

RESOLVED, that the Rules, as last amended by Resolution No. 198 of 2012, including Rules 1 through 47, be and they hereby are, adopted as the Rules of the County Legislature of the County of Herkimer for the ensuing two years.

Dated: January 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 2

RESOLVED, that Robert J. Malone of Little Falls, New York, be, and he hereby is, appointed County Attorney for the County of Herkimer pursuant to the provisions of Article 11, Section 500 of the County Law, being Chapter 691 of the Laws of 1950.

Dated: January 3, 2018.

KURT J. ACKERMAN



HERKIMER COUNTY LEGISLATURE

No. 3

RESOLVED, that Jeri Frederick of Frankfort, New York, be and she hereby is, appointed County Auditor of the County of Herkimer, pursuant to County Law, Article 15, Section 600 and Local Law No. 1 for the year 1932, said term to begin on the first day of January, 2018 and ending December 31, 2019.

Dated: January 3, 2018.

PETER F. MANNO



HERKIMER COUNTY LEGISLATURE

No. 4

RESOLVED, that Sheri A. Ferdula of Frankfort, New York, be, and she hereby is, appointed Budget Officer and Purchasing Agent of the County of Herkimer pursuant to County Law, Article 16, Section 625 and Local Law No. 1 for the year 1933, said term to begin on the first day of January, 2018 and ending December 31, 2019.

Dated: January 3, 2018.

PETER F. MANNO



HERKIMER COUNTY LEGISLATURE

No. 5

REPORT AND RESOLUTION AS REGARDS DESIGNATION OF DEPOSITORIES OF COUNTY FUNDS FOR 2018

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

RESOLVED, that the County Legislature of the County of Herkimer does hereby designate the following banks for the deposits of all monies received by the Herkimer County Treasurer, to wit:

M & T Bank	100,000,000.00
NBT	50,000,000.00
Key Bank	100,000,000.00
Adirondack Bank	50,000,000.00
JP Morgan Chase	500,000,000.00
Community Bank	50,000,000.00
Berkshire Bank	5,000,000.00

and, be it further

RESOLVED, that the County Treasurer be, and she hereby is, authorized, empowered and directed to enter into an agreement with each of the said banks for and on behalf of and in the name of the County Legislature of the County of Herkimer, fixing rates of interest to be paid on the monies so deposited; and, be it further

RESOLVED, that before any monies be deposited in any bank, the County Treasurer accept from such bank either a depository bond in some good and solvent surety company or in lieu of such bond, bonds or certificates of the United States, of the State of New York, or any county, city and town of the State of New York, including bonds or certificates, and shall be deposited in a safe deposit box or safe deposit boxes by said County Treasurer in the name of the County of Herkimer or a properly executed certificate of escrow as authorized under the Laws of the State of New York, which certificate is approved by the County Attorney, or in accordance with the County's Investment Policy, and the County Treasurer is hereby authorized and directed to enter into a collateral agreement with said banks, which agreement is to be first approved by the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Attorney, County Clerk and the above named depositories.

Dated: January 3, 2018.



HERKIMER COUNTY LEGISLATURE

No. 6

RESOLUTION THAT THE TIMES TELEGRAM BE DESIGNATED THE OFFICIAL NEWSPAPER OF THE COUNTY OF HERKIMER FOR THE YEAR 2018

RESOLVED, that this Legislature names the *Times Telegram*, as the official newspaper of the County of Herkimer, and that that paper have published therein all legal notices, local laws and other matters required to be published.

Dated: January 3, 2018.