

(PLEASE NOTE: Full Resolutions are attached following minutes)

**MINUTES
Herkimer County Legislature
First Quarter – Second Day
Wednesday, January 20, 2016
7:30 p.m.**

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

Chairman Peplinski called on the new members of the County Legislature for 2016-17 – Gregory Malta, George Markwardt, William Keeler and Peter Campione, 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.

Chairman Peplinski then introduced the new legislators and the districts they represent.

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 January 4, 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 appearances.

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. 4 – A communication was received from the Office for the Aging Board and staff expressing thanks to the legislators for sponsoring the Board breakfast. Placed on file.

No. 5 – A communication was received from the family of Ronald G. Deming with thanks for the expression of sympathy. Placed on file.

No. 6 – A communication was received from the Chairman of the Legislature making appointments to standing committees. Placed on file.

No. 7 – A communication was received from the Oneida-Herkimer Solid Waste Authority submitting highlights of adopted 2016 Budget. Placed on file.

No. 8 – A communication was received from the Clerk of the Legislature reappointing Sally Deming as Deputy Clerk of the Legislature. Placed on file.

No. 9 – A communication was received from the County Auditor reappointing Pam Walters as Deputy Auditor. Placed on file.

No. 10 – A communication was received from the County Attorney making reappointments of Assistant County Attorneys and designating line of succession. Placed on file.

No. 11 – A communication was received from the Chairman of the Legislature reappointing David Hyney to Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 12 – A communication was received from Senator Seward acknowledging receipt and support for resolution for a memorial for armed forces military dog handlers and dogs. Placed on file.

No. 13 – A communication was received from Karin Piseck, Employment and Training Director, requesting an office space permit agreement with Staffworks. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 14 – A communication was received from the Budget Officer submitting budget amendment in connection with funding for Direct Care Worker Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 15 – A communication was received from the Director of the Office for the Aging advising of receipt of funding for the Direct Care Worker Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 16 – A communication was received from the Budget Officer submitting request for amendment of contract for electronic medical records system for Mental Health Services. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No.17 – A communication was received from the Director of Community Services requesting amendment of contract with electronic medical records vendor. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 18– A communication was received from the Budget Officer submitting requests for amendment of contract with GHD for Belt Press Replacement Project for the Sewer District. Referred to Committee on Natural Resources and Committee on Ways and Means.

No. 19 – A communication was received from the Director of Community Services requesting renewal of contracts with various agencies for provision of mental health and alcohol substance abuse services. Referred to the Committee on Human Resources and the Committee on Natural Resources.

No. 20 – A communication was received from the Sheriff requesting renewal of agreement with Black Creek Integrated Systems for the SallyPort Inmate Management System. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 21 – Two communications were received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 22 – A communication was received from the Director of the Office for the Aging requesting renewal of the contract with Community Transportation Services to provide transportation to residents of the Town of Webb. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 23 – A communication was received from the Commissioner of Social Services requesting contracts with agencies in connection with Flexible Funds for Family Services Plan. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 24 – A communication was received from the Town of Webb Publicity Director requesting letter of guarantee for the 2016 I Love New York Matching Funds. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 25 – A communication was received from the Town of Webb Publicity Director requesting the Town of Webb be designated as the Tourism Promotion Agency. Referred to the Committee on County Planning and Development.

No. 26 – A communication was received from Cornell Cooperative Extension submitting the 2015 Annual Report. Placed on file.

No. 27 – A communication was received from the County Clerk requesting a staffing adjustment. Referred to the Committee on Ways and Means.

No. 28 – A communication was received from the Director of Emergency Services advising of receipt of funding under the Public Safety Answering Point Grant Program. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 29 – A communication was received from the County Property Agent submitting request for issuance of certificates of prospective cancellation on certain properties. Referred to the Committee on County Properties and the Committee on Ways and Means.

No. 30 – A communication was received from the Budget Officer submitting request for amendment of Resolution No. 216 of 2015. Referred to the Committee on Ways and Means.

No. 31 – A communication was received from the Budget Officer submitting request for transfer to Reserve Account. Referred to the Committee on Ways and Means.

No. 32 – A communication was received from the New York State Grange submitting recommendation for appointment of representative on Herkimer County Soil and Water Conservation District. Referred to the Committee on Natural Resources.

No. 33 – A communication was received from the County Highway Superintendent submitting 2016 Capital Construction Projects. Referred to the Committee on Highways.

No. 34 – A communication was received from the Personnel Officer requesting renewal of agreement for Employee Assistance Program. Referred to the Committee on Ways and Means.

No. 35 – A communication was received from the Director of Real Property Tax Services requesting renewal of contract for assessment services for Town of Danube. Referred to the Committee on Ways and Means.

No. 36 – Two communications were received from the Budget Officer submitting requests for transfers of funds. Referred to the Committee on Ways and Means.

No. 37 – A communication was received from the State Records and Law Bureau advising of the receipt and filing of Local Law No. 1 for 2016. Placed on file.

No. 38 – A communication was received from the NYSDEC advising of the term expiration of members of the Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 39 – A communication was received from the Chairman of the Legislature reappointing Bruce Weakley as legislative representative on the Regional Fish and Wildlife Management Board. Referred to the Committee on Natural Resources.

No. 40 – A communication was received Capital District OTB submitting Financial Reports for October and November. Placed on file.

No. 41 – A communication was received from the Sheriff requesting part-time Nurse Practitioner position be included in part-time salary schedule. Referred to the Committee on Ways and Means and the Committee on Public Safety/Emergency Management.

No. 42 – A communication was received from the Farm Bureau recommending reappointment of William Zaleski to the Soil and Water Conservation District. Referred to the Committee on Natural Resources.

approving the Direct Care Worker Program funding in the 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. 16 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contract with Community Transportation Services 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. 17 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing Office Space Permit Agreement Staffworks 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. 18 sponsored by the Committee on Human Resources and the Committee on Ways and Means amending Resolution No. 183 of 2015 as amended by Resolution No. 311 of 2014, Resolution No. 67 of 2015 and Resolution No. 184 of 2015 authorizing agreement for electronic medical records system for Herkimer County Mental Health Services was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 19 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contracts for Herkimer County Mental Health Services was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Johnson, Report and Resolution No. 20 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing contracts in connection with Flexible Funds for Family Services Plan in the Department of Social Services 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. 21 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means concerning guarantee of 2016 Tourism Matching Funds 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. Russell and Mr. Shaw, Report and Resolution No. 22 sponsored by the Committee on County Planning and Development authorizing application for matching funds under New York State Tourism Promotion Act 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. Ackerman, Report and Resolution No. 23 sponsored by the Committee on Ways and Means authorizing an agreement with the Center for Family Life and Recovery, Inc. for an Employee Assistance Program was handed up; was voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Weakley, seconded by Mr. Ackerman, Report and Resolution No. 24 sponsored by the Committee on Highways approving projects under Article 6 Section 116 of Highway Law 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. Brezinski, Report and Resolution No. 25 sponsored by the Committee on Ways and Means amending Salary Schedule No. II 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. Russell, seconded by Mr. Ackerman, Report and Resolution No. 26 sponsored by the Committee on Ways and Means accepting proposal for provision of e-payables service for County Treasurer's Office 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. 27 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means in connection with receipt of Homeland Security Funding was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Johnson, seconded by Mr. Schrader, Report and Resolution No. 28 of the Committee on County Properties and the Committee on Ways and Means directing prospective cancellation of taxes on certain parcels 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. Russell, seconded by Mr. Weakley, Report and Resolution No. 29 sponsored by the Committee on Ways and Means transferring funds from 2015 Budget to Reserve Account was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Shaw, seconded by Mr. Schrader, Report and Resolution No. 30 sponsored by the Committee on Natural Resources and the Committee on Ways and Means

amending Resolution No. 287 of 2015 in connection with GHD Consulting contract for Belt Press Replacement Project for Herkimer County Sewer District 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. Ackerman, Report and Resolution No. 31 sponsored by the Committee on Human Resources and the Committee on Ways and Means authorizing reimbursement for professional liability insurance to Mental Health Consultant was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Shaw, seconded by Mr. Smith, Report and Resolution No. 32 sponsored by the Committee on Human Resources and the Committee on Ways and Means increasing payment to contractors of mental health services 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. 33 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means approving renewal of agreement for Sallyport Inmate Management System at County Correctional Facility 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. Smith, Report and Resolution No. 34 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways and Means amending Resolution No. 268 of 2015 adjusting wages for hourly employees to include Nurse Practitioner at County Correctional Facility 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. Stephens, seconded by Mr. Russell, Report and Resolution No. 35, sponsored by the Committee on Ways and Means amending Resolution No. 216 of 2015 supporting College Now Program was handed up; voted on and adopted by roll call vote:

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

Against: None. Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Manno, Report and Resolution No. 36 sponsored by the Committee on Education and the Committee on Ways and Means authorizing contract with Keller McIntyre and Associates to render professional services regarding federal funding and government relations strategies was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Shaw, seconded by Mr. Wellington, Resolution No. 37 sponsored by the Committee on Natural Resources authorizing Chairman of the Legislature to sign and establish Dog Quarantine for 2016 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. Stephens, Resolution No. 38 sponsored by the Committee on Ways and Means amending Resolution No. 188 of 2014, as amended by Resolution No. 332 of 2014 and Resolution No. 163 of 2015, approving standard workday and retirement reporting for elected and appointed officials was handed up; voted on and adopted by voice vote:

For: Ayes (17).

Against: None. Absent: None.

On motion of Mr. Bono, seconded by all legislators, Resolution No. 39 sponsored by the Administration/Veterans Affairs opposing Governor Cuomo's proposed increase in minimum wage was handed up; discussion was held; was 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. There were no comments

At 7:55 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, February 17, 2016 at 7:30 p.m.



HERKIMER COUNTY LEGISLATURE

No. 8

REPORT AND RESOLUTION REAPPOINTING MEMBER TO THE REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD

Sponsored by: Committee on Natural Resources

RESOLVED, that the reappointment of David J. Hyney, 337 West Monroe Street, Little Falls, New York, to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, by letter dated January 11, 2016 be, and hereby is, ratified and confirmed for sportsmen's representative, which term shall end on December 31, 2017; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Regional Supervisor of Fish and Wildlife at Region 6 of the New York State Department of Environmental Conservation and David J. Hyney.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 9

REPORT AND RESOLUTION REAPPOINTING MEMBER TO REGIONAL FISH AND WILDLIFE MANAGEMENT BOARD

Sponsored by: Committee on Natural Resources

RESOLVED, that the reappointment of Bruce Weakley, PO Box 474, Poland, New York, New York, to the Regional Fish and Wildlife Management Board, made by the Chairman of the Legislature, by letter dated January 11, 2016, be and hereby is, ratified and confirmed on said Board for representative of the Legislature, which term shall expire on December 31, 2017; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Regional Supervisor of Fish and Wildlife at Region 6 of the New York State Department of Environmental Conservation and Bruce Weakley.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 10

RESOLUTION REAPPOINTING DIRECTORS OF THE HERKIMER COUNTY SOIL AND WATER CONSERVATION DISTRICT

Sponsored by: Committee on Natural Resources

BE IT RESOLVED, that Bernard Peplinski, Sr., 793 State Rte. 51, Ilion, New York, and Bruce Weakley, PO Box 474, Poland, New York, be, and they hereby are, reappointed as Directors of the Herkimer County Soil and Water Conservation District, said terms to be effective January 1, 2016 through December 31, 2016; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District and each appointee.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 11

REPORT AND RESOLUTION REAPPOINTING DIRECTOR OF HERKIMER COUNTY SOIL AND WATER CONSERVATION DISTRICT

Sponsored by Committee on Natural Resources

WHEREAS, the term of office of the Director on the Herkimer County Soil and Water Conservation District representing the Herkimer County Farm Bureau expired on December 31, 2015; and

WHEREAS, your Committee on Natural Resources has received the recommendation of the Herkimer County Farm Bureau for representation on the said Soil and Water Conservation District Board of Directors; now, therefore, be it

RESOLVED, that William Zaleski, 380 Chepachet Road, West Winfield, New York, be and he hereby is, reappointed for a three year term commencing January 1, 2016 on the Herkimer County Soil and Water Conservation District Board of Directors; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District and William Zaleski.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 12

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH THE TOWN OF DANUBE TO PROVIDE ASSESSMENT SERVICES

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature has authorized by resolution, contracts with certain towns of the County, whereby the County would provide assessment services to the towns for the sum of \$15.00 for each parcel on the final assessment roll of the town; and

WHEREAS, by Resolution No. 47 adopted February 18, 2015, this Legislature authorized changes in fees for said assessment services; and

WHEREAS, by letter dated December 15, 2015, Beth Sadlon, Director of the Real Property Tax Service Agency, has requested approval of renewal of the contract with the Town of Danube to provide assessment services to the town for the sum of \$12.00 for each parcel on the final assessment roll of 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 aforesaid town for the County of Herkimer to continue to provide said assessment services to said 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 Danube for the sum of \$12.00 for each parcel on the final assessment roll of the town, for the period from March 17, 2016 to March 17, 2017, with the final form of said agreements to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is further authorized to execute annual renewals of said assessment agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Real Property Tax Services and the Town of Danube.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 13

REPORT AND RESOLUTION APPOINTING DIRECTOR TO THE HERKIMER COUNTY SOIL AND WATER CONSERVATION DISTRICT

Sponsored by: Committee on Natural Resources

WHEREAS, by communication dated December 23, 2015, the New York State Grange organization has notified this Legislature of its recommendation to fill a vacancy for the position of Director of the Herkimer County Soil and Water Conservation District, pursuant to Sections 6 and 7 of the Soil Conservation Law; now, therefore, be it

RESOLVED, that Mitchell Hooker, 955 Richfield Hill Road, Richfield Springs, NY 13439, be appointed as Director of the Herkimer County Soil and Water Conservation District, to fill a vacancy, said term to expire December 31, 2016; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Soil and Water Conservation District, Salisbury Center Grange and Mitchell Hooker.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 14

REPORT AND RESOLUTION AUTHORIZING TRANSFERS OF FUNDS IN THE 2015 AND 2016 BUDGETS

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

WHEREAS, your Committee on Ways and Means, to which was referred communications from Sheri Ferdula, Budget Officer, dated December 28 and December 31, 2015, submitting requests for transfers of funds, reports that we have examined said communications, inquired into the subject matters thereof, and recommend that said transfers be made and offer the following Resolution:

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

\$15,500.00	FROM: A1450.85000, Board of Elections, Unemployment TO: A1450A.44000, BOE Administration, Contracted Svcs.
\$ 1,435.25	FROM: A1680.10100, Information Service, Temp. Emp. TO: A1430.10000, Personnel, Salaries
\$ 1,018.41	FROM: A1680.10100, Information Service, Temp. Emp. TO: A1430.10000-002, Personnel, Overtime
\$ 5,273.18	FROM: A1680.10100, Information Service, Temp. Emp. TO: A1620.10000, Buildings, Salaries
\$ 850.40	FROM: A1680.10100, Information Service, Temp. Emp. TO: A3020.10000, Public Safety, Salaries
\$ 710.41	FROM: A1680.10100, Information Service, Temp. Emp. TO: A6610.10000, Weights & Measures, Salaries
\$45,393.73	FROM: A6010.10000, Social Services, Salaries TO: A3150.10000, Jail, Salaries
\$39,579.16	FROM: A6010.10000, Social Services, Salaries TO: A3150.10000-002, Jail, Overtime
\$10,000.00	FROM: A3110.46200, Sheriff, Fuel/Gas TO: A3150.10100-021, Jail, Permanent Part Time
\$15,385.84	FROM: A3150.42000, Jail Utilities TO: A3150.10100-021, Jail, Permanent Part Time
\$13,000.00	FROM: A6010.10000, Social Services, Salaries TO: A1040.86000, Clerk of the Legislature, Health Insurance
\$26,000.00	FROM: A6010.10000, Social Services Admin., Salaries TO: A1325.44000, County Treasurer, Contracted Services
\$14,000.00	FROM: A 2490.44000, College Tuition, Contracted Services TO: A1325.44000, County Treasurer, Contracted Services

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:

\$7,000.00	FROM: G8130.42000-286, Sewer Treatment Plant, Elec/gas TO: G8130.25000, Sewer Treatment Plant, Other Equipment
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RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Auditor, Treasurer, Budget Officer and Commissioners of Election.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 15

REPORT AND RESOLUTION APPROVING DIRECT CARE WORKER PROGRAM FUNDING IN OFFICE FOR THE AGING

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

WHEREAS, by letter dated December 23, 2015 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to approve the Direct Care Worker Program for 2016, which provides up to a 2% salary and related fringe benefit increase to direct care staff and support professionals; and

WHEREAS, said grant will be for the period from April 1, 2016 through March 31, 2017, with no local match required; and

WHEREAS, by letter dated December 28, Sheri Ferdula, Budget Officer, has requested the 2016 Herkimer County Budget be amended in connection with the receipt of said funding under said Grant; now, therefore, be it

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

Revenue:

A6788.3788A, Aging, Direct Care Worker, Aging DCW	\$10,250.00
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Expenditure:

A6788.10000-001, Aging, Direct Care Worker, Salaries	\$ 5,000.00
A6788.10100, Aging, Direct Care Worker, Temp Emp.	\$ 3,000.00
A6788.81000, Aging, Direct Care Worker, Retirement	\$ 700.00
A6788.83000, Aging, Direct Care Worker, Soc. Sec	\$ 270.00
A6788.83500, Aging, Direct Care Worker, Medicare	\$ 90.00
A6788.84000, Aging, Direct Care Worker, Workers Comp	\$ 80.00
A6788.86000, Aging, Direct Care Worker, Health Ins.	\$ 1,100.00
A6788.86500, Aging, Direct Care Worker, Dental Ins.	\$ 10.00

And, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute all necessary documents required to request and implement funding on behalf of the County of Herkimer to receive funding through the Direct Care Worker Program, with said grant to be for the period from April 1, 2016 through March 31, 2017; and, be it further

RESOLVED, that said program shall continue so long as 100% reimbursement is available from the State of New York; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 16

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH COMMUNITY TRANSPORTATION SERVICES

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

WHEREAS, by letter dated November 4, 2015 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into a renewal of the agreement with Community Transportation Services, Ltd., a not-for-profit organization, to provide transportation services to senior citizens who are residents of the Town of Webb, Herkimer County; and

WHEREAS, under said agreement, Community Transportation Services will perform said services for the time period January 1, 2016 through December 31, 2016, at an annual charge not to exceed \$4,000.00, to be paid in equal quarterly installments and with Community Transportation Services to provide documentation of all rides provided to Herkimer County Town of Webb residents and submit properly completed vouchers to the Herkimer County Office for the Aging; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Community Transportation Services, Ltd., PO Box 995, Old Forge, NY 13420, to provide transportation services to senior citizens who are residents of the Town of Webb, for an annual charge not to exceed \$4,000.00, with the terms of said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said contract shall be for the period January 1, 2016 through December 31, 2016, with the option for the Chairman of this Legislature to enter into an annual renewal of said contract after the expiration of the current agreement, upon the same or more favorable terms and conditions to the Office for the Aging; 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 Community Transportation Services, Inc.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 17

REPORT AND RESOLUTION AUTHORIZING OFFICE SPACE PERMIT AGREEMENT WITH STAFFWORKS

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

WHEREAS, by letter dated December 2, 2015 from Karin Piseck, Director of Employment and Training, your Committee has been advised of a request to enter into an office space permit agreement with Staffworks 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 be for a term of one year commencing January 1, 2016 through December 31, 2016 and would provide a cubicle of office space in the Working Solutions One Stop Center for use by Staffworks for the purpose of assisting and serving its customers, with payment to the County to be in the amount of \$7,000 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 Staffworks, 600 French Road, New Hartford, New York 13413, 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 the Chairman of this Legislature is further authorized to execute annual renewals of said office space permit agreement, after the expiration of the current agreement, upon the same or more favorable terms and conditions; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 18

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 183 OF 2014 AS AMENDED BY RESOLUTION NO. 311 OF 2014, RESOLUTION NO. 67 OF 2015 AND RESOLUTION NO. 184 OF 2015 AUTHORIZING AGREEMENT FOR ELECTRONIC MEDICAL RECORDS SYSTEM FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by Resolution No. 183 duly adopted on July 2, 2014, this Legislature authorized an agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, New York 14051, for the provision of an electronic medical records system at a cost of \$65,100, and ongoing technical support services at a cost of \$10,000 for the remainder of 2014; and

WHEREAS, by Resolution No. 311 adopted on December 17, 2014 by Resolution No. 67 adopted on March 18, 2015, and by Resolution No. 184 adopted on August 12, 2015 said contract was amended for additional costs; and

WHEREAS, by letter dated December 28, 2015 from Sheri Ferdula, Budget Officer, and by letter dated December 29, 2015 from Edgar Scudder, Director of Community Services, this Legislature is advised of a request for an additional amendment of said contract up to an amount of \$4,353 to add one additional user, along with training and support for the user on the electronic prescription module and annual maintenance; now, therefore, be it

RESOLVED, that the agreement with TenEleven Group Incorporated, 6489 Transit Road, East Amherst, NY 14051, pursuant to Resolution No. 183 of 2014, as amended by Resolution No. 311 of 2014, Resolution No. 67 of 2015 and Resolution No. 184 of 2015, is hereby amended to include additional amendment of said contract up to an amount of \$4,353 to add one additional user, along with training and support for the user on the electronic prescription module and annual maintenance; and, be it further

RESOLVED, the Chairman of this Legislature is hereby authorized to execute said contract amendment, subject to the approval of the Herkimer County Attorney; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 19

REPORT AND RESOLUTION AUTHORIZING CONTRACTS FOR HERKIMER COUNTY MENTAL HEALTH SERVICES

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

WHEREAS, by letter dated December 21, 2015 from Edgar Scudder, Director of Community Services, this Legislature is advised of a request to enter into contracts for the years 2016 and 2017 with various agencies to provide a variety of mental health services for county residents; and

WHEREAS, said contracts shall be supported at the 100% state aid level; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts for the years 2016 and 2017 with the following agencies to provide services to the Herkimer County Mental Health Services:

1. Upstate Cerebral Palsy Association
1020 Mary Street
Utica, NY 13501
For a contract sum of \$475,000
2. Herkimer ARC
333 South Main Street
Herkimer, NY 13350
For a contract sum of \$260,000
3. Catholic Charities
61 West Street
Ilion, NY 13357
For a contract sum of \$405,000
4. Center for Family Life and Recovery
502 Court St., Suite 401
Utica, NY 13502
For a contract sum of \$155,000
5. Neighborhood Center
615 Mary Street
Utica, NY 13501
For a contract sum of \$115,000

6. Cornell Cooperative Extension
State Route 5
Herkimer, NY 13350
For a contract sum of \$5,250

and, be it further

RESOLVED, that said above contracts shall be for a period of two years and shall end whenever state funds for said purposes are no longer available; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of Community Services and the above listed agencies.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 20

REPORT AND RESOLUTION AUTHORIZING CONTRACTS IN CONNECTION WITH FLEXIBLE FUNDS FOR FAMILY SERVICES PLAN (FORMERLY KNOWN AS TEMPORARY ASSISTANCE TO NEEDY FAMILIES – TANF) IN THE DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, by letter dated December 17, 2015 from Timothy Seymour, Commissioner of Social Services, this Legislature is advised that the State of New York has approved Herkimer County's Flexible Funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families - TANF) Plan for the year 2015-16; and

WHEREAS, Herkimer County will receive federally allocated grant funding in connection with the implementation of the Flexible Funds for Family Services Plan, and in addition, capped Title XX and open-ended child welfare funding remain in place for the period; and

WHEREAS, said letter further requests that contracts be entered into with the following agencies for the implementation of the aforesaid programs; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute contracts with the following agencies in connection with the Herkimer County Department of Social Services Flexible Funds for Family Services Plan (formerly known as Temporary Assistance to Needy Families -TANF) Services Plan:

1. Herkimer County Department of Mental Health, 301 N. Washington Street, Suite 2470, Herkimer, NY, in the amount of \$21,000 to provide assessment of TANF and Safety Net clients who have indicators of alcohol and/or drug problems;
2. Center for Family Life and Recovery, 502 Court Street, Suite 401, Utica, NY 13502, in the amount of \$35,955, for management and coordination services to ensure clients with alcohol and/or drug abuse issues receive and follow through with the services they need to overcome barriers to self-sufficiency;
3. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$20,000 to screen and provide assessment of clients who may have domestic violence issues as a barrier to self-sufficiency or receipt of child support;
4. Resource Center for Independent Living, Inc., 409 Columbia St., PO Box 210, Utica, NY 13503, to work with clients who have medical exemptions, or limited exemptions, to bridge the gap between vocational services and disability support services to achieve employment, with said contract not to exceed \$45,000;

5. Legal Aid Society of Mid-New York, 255 Genesee Street, Utica, NY 13501, to assist TANF and Safety Net clients in the appeal process, who have been denied Social Security Disability or Supplemental Security Income benefits, with said contract not to exceed \$12,000;

6. Center for Family Life and Recovery 502 Court St., Suite 401, Utica, NY 13502, to provide preventive services to the Family Support Persons in Need of Supervision Unit (PINS), with said contract not to exceed \$349,479;

7. Kids Oneida, 310 Main St., Utica, NY 13501 – Family Reunification/Readiness Assessment and Return Home Early/Service Provision for Individual Needs (SPIN) to provide service under a coordinated system of care to address the prevention of residential placement, and expedite identified children's return home from such placement. Also to include an additional menu of services (SPIN) to be used on an as-needed basis for existing Herkimer County cases, with said contract not to exceed a combined total of \$237,536 annually; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into with the following agencies under Title XX funding

1. Catholic Charities of Herkimer County, 61 West Street, Ilion, NY 13357, in the amount of \$38,500 to provide non-residential services to eligible clients and their families who are victims of domestic violence;

2. Kids Oneida, 310 Main Street, Utica, NY 13501, in the amount not to exceed \$137,917 to provide intensive preventive services on a continuous basis for families with children at risk for out-of-home placement into the highest level of institutional care;

3. Kids Oneida, 310 Main Street, Utica, NY 13501, to provide voluntary and court-ordered parenting/nurturing skills classes for parents in various stages of child welfare services, with said contract not to exceed \$11,966; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 21

REPORT AND RESOLUTION CONCERNING GUARANTEE OF 2016 TOURISM MATCHING FUNDS

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

WHEREAS, the New York State Tourist Promotion Act provides that the State of New York will match funds with the applicant tourist promotion agency, which may include radio, television, newspapers and magazine advertising; and

WHEREAS, by letter dated November 6, 2015 from the Town of Webb Tourism/Publicity Director, this Legislature is advised of a request to authorize the Chairman of this Legislature to send a letter to the New York State Division of Tourism "I Love NY" Campaign to guarantee Herkimer County's 2016 matching funds; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to send a letter to the New York State Division of Tourism "I Love NY" Campaign to guarantee Herkimer County's 2016 matching funds; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Town of Webb and the New York State Division of Tourism.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 22

REPORT AND RESOLUTION AUTHORIZING APPLICATION FOR MATCHING FUNDS UNDER THE NEW YORK STATE TOURIST PROMOTION ACT

Sponsored by: Committee on County Planning and Development

WHEREAS, the New York State Tourist Promotion Act provides that the State of New York will match funds with the applicant tourist promotion agency, which may include, radio, television, newspapers and magazine advertising; and

WHEREAS, Tourist Promotion Agency means any not-for-profit corporation or other non-profit organization, association or agency, which shall be designated by resolution of the County Legislature as the agency specified in the New York State Tourist Promotion Act, provided that the applicant has operated a tourist promotion program for at least three years prior to the enactment of the Act; and

WHEREAS, the Town of Webb has contacted your Committee by communication dated November 7, 2015 and requested that it be designated by the Herkimer County Legislature as a tourist promotion agency within the meaning of the New York State Tourist Promotion Act for the year 2016; and

WHEREAS, the Town of Webb has advised your Committee that it will appropriate the necessary funds to match the state funds for this Program; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby designates the Town of Webb as a tourist promotion agency within the County of Herkimer effective this date within the meaning of the New York State Tourist Promotion Act; and
2. That the Herkimer County Legislature hereby authorizes the Town of Webb to make application for and to receive matching funds under the New York State Tourist Promotion Act for the calendar year 2016;
3. That the Herkimer County Legislature hereby certifies that the Town of Webb has acted as a Tourist Promotion Agency and has been in operation for three years in such capacity prior to the enactment of the said Act;
4. That certified copies of this Resolution be forwarded to the Town of Webb and the New York State I LOVE NY Program.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 23

REPORT AND RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CENTER FOR FAMILY LIFE AND RECOVERY, INC. FOR EMPLOYEE ASSISTANCE PROGRAM

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 5, 2016, Steven R. Billings, Personnel Officer, advises of a request to enter into an agreement with the Center for Family Life & Recovery, Inc. of Utica, New York, to provide an Employee Assistance Program; and

WHEREAS, said agreement will provide short term interventions to resolve work-related or personal problems that may be affecting employees of Herkimer County, with the cost of said agreement to be \$6,758.00 for the period February 1, 2016 through January 31, 2017; now, therefore, be it

RESOLVED, that an agreement be entered into with the Center for Family Life and Recovery, Inc., 502 Court Street, Suite 401, Utica, New York 13502, to provide an Employee Assistance Program to employees of Herkimer County for a period of one year commencing February 1, 2016, at a total cost of \$6,758.00, with the terms and conditions of said contract to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute said agreement on behalf of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and the Center for Family Life and Recovery, Inc.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 24

REPORT AND RESOLUTION APPROVING PROJECTS UNDER ARTICLE 6, SECTION 116 OF THE HIGHWAY LAW

Sponsored by: Committee on Highways

WHEREAS, your Committee on Highways, to which was referred the letter of Jay W. Ewanyk, County Superintendent of Highways, dated December 21, 2015 submitting three copies each of a statement under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2016 covering three projects involved in the Capital Construction Program, respectfully reports that we have examined said statement contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption and offer the following Resolution:

RESOLVED, that the statement under Article 6 of the Highway Law which designates work to be done with County Road Fund monies be, and hereby is, approved by the County Legislature of the County of Herkimer for the following projects involved in the Capital Construction Program, to be funded as listed:

project no.	road/location	TYPE OF PROJECT (SEE ARTICLE 6)	estimated cost
359	Shells Bush, CR 126, 106 & 94, Towns of Little Falls & Herkimer	Road Rehabilitation	\$1,300,000.00
360	Jordanville, CR 18 Towns of Columbia & Warren	Road Rehabilitation	\$1,400,000.00
361	Brockett, CR 146 & 99 Town of Manheim	Road Rehabilitation	\$1,300,000.00

And, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 25

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated January 5, 2016, Sylvia M. Rowan, County Clerk, has advised of a request for an amendment to Salary Schedule II for 2016; and

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

RESOLVED, that the 2016 Herkimer County Salary Schedule II is hereby amended to change the annual salary of the position of Deputy County Clerk in Account A1410, County Clerk, to \$38,800; and, be it further

RESOLVED, that said change shall take effect January 4, 2016; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 26

REPORT AND RESOLUTION AUTHORIZING AGREEMENT FOR PROVISION OF E-PAYABLES SERVICE FOR COUNTY TREASURER'S OFFICE

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated August 10, 2012, Kimberlee A. Enea, Herkimer County Treasurer, has advised that, based on the goal of converting paper checks to more efficient and cost effective credit card payments, a proposal was received from M & T Bank for provision of an e-payables service for the Herkimer County Treasurer's Office; and

WHEREAS, it is the recommendation of your Committee that the proposal of M & T Bank be accepted; now, therefore, be it

RESOLVED, that the Herkimer County Treasurer is hereby authorized to execute an agreement with M & T Bank, 319 N. Main St., Herkimer, NY 13350, to provide an e-payables service to the Herkimer County Treasurer's Office, with said agreement to be subject to the approval of the Herkimer County Attorney, and with the Herkimer County Treasurer to have authority to adjust these charges and rebates as necessary; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 27

REPORT AND RESOLUTION IN CONNECTION WITH RECEIPT OF HOMELAND SECURITY FUNDING

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

WHEREAS, by letter dated December 31, 2015, from Robert Vandawalker, Director of Emergency Services, this Legislature is advised of the receipt of funding under the 2015-2016 Public Safety Answering Points (PSAP) Operations Grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$197,534.00; and

WHEREAS, said PSAP Operations funding will be used to offset the costs of full-time dispatcher salaries; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute by electronic signature a contract with the New York State Division of Homeland Security and Emergency Services for funding under the 2015-2016 Public Safety Answering Points (PSAP) Operations Grant, in the amount of \$197,534.00; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 28

REPORT AND RESOLUTION DIRECTING PROSPECTIVE CANCELLATION OF TAXES ON CERTAIN PARCELS

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

WHEREAS, the County of Herkimer has, for many years, enforced the collection of delinquent real estate taxes pursuant to Real Property Tax Law, Article 11, Title 3, Foreclosure of Tax Lien by Proceeding In Rem; and

WHEREAS, Real Property Tax Law Section 1138, provides methods to withdraw parcels of property from foreclosure and in certain instances, cancel said taxes; and

WHEREAS, by letter dated November 20, 2015, Pamela J. Putch, County Property Agent, has requested the issuance of a certificate of prospective cancellation for certain parcels of delinquent taxes because there is no practical method of enforcing the delinquent tax liens arising against those parcels; and

WHEREAS, action can be taken by the Legislature pursuant to Real Property Tax Law Section 1138-(6)(d) to direct the enforcing officer to issue a certificate of prospective cancellation; and

WHEREAS, the issuance of such a certificate of prospective cancellation renders the parcel involved exempt from taxation until it is determined by the Legislature that the parcel should be restored to the taxable portion of the tax roll; now, therefore, be it

RESOLVED, that the Legislature hereby determines that there is no practical method to enforce the collection of delinquent tax liens arising hereafter against the parcels listed on Exhibit A attached hereto and made a part hereof; and, be it further

RESOLVED, that the Enforcing Officer is directed to issue a certificate of prospective cancellation for the parcels set forth on Exhibit A; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, County Property Agent and Director of Real Property Tax Services.

Dated: January 20, 2016.

*Note: Exhibit A is on file in the Legislature Office



HERKIMER COUNTY LEGISLATURE

No. 29

REPORT AND RESOLUTION TRANSFERRING FUNDS FROM 2015 BUDGET TO RESERVE ACCOUNT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated December 31, 2015 from Sheri Ferdula, Budget Officer/Purchasing Agent, this Legislature is advised that there is sufficient funding available for the following transfer to the Court Ordered Payments Reserve Account; now, therefore, be it

RESOLVED, that the sum of \$50,000 is hereby transferred from A2490.44000, College Tuition, Contracted Services, to A889P, Reserve, Court Ordered Payments; and, be it further

RESOLVED, that the Herkimer County Treasurer is hereby authorized and directed to transfer the said sums to the said accounts; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 30

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 287 OF 2015 IN CONNECTION WITH GHD CONSULTING CONTRACT FOR BELT PRESS REPLACEMENT PROJECT FOR THE HERKIMER COUNTY SEWER DISTRICT

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

WHEREAS, by Resolution No. 58 adopted February 16, 2011 an agreement was entered into with GHD to prepare specifications for the Belt Press Replacement Project, the SCADA Project and to investigate the viability of connecting the emergency generator to the Operations Building power supply at the Herkimer County Sewer District, at a total cost not to exceed \$170,100; and

WEREAS, Resolution No. 287 of 2015 amended Resolution No. 32 of 2015 to reflect the correct total contract amount to \$211,100 due to previous change orders; and

WHEREAS, by letter dated December 28, 2015 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend Resolution No. 287 adopted on December 15, 2015 due to another past change order on said contract adopted by Resolution No. 68 of 2012 in the amount of \$5,000; now, therefore, be it

RESOLVED, that Resolution No. 287 adopted on December 16, 2015 is hereby amended in the First Resolved Clause to delete "not to exceed \$211,100" and replace with "not to exceed \$216,100", to reflect the correct total of the completed contract; and, be it further

RESOLVED, that in all other respects, said Resolution No. 287 of 2015 is hereby confirmed; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 31

REPORT AND RESOLUTION AUTHORIZING REIMBURSEMENT FOR PROFESSIONAL LIABILITY INSURANCE TO MENTAL HEALTH CONSULTANT

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

WHEREAS, Dr. Vinay Patil is a psychiatrist under contract to provide services to Herkimer County Mental Health Services; and

WHEREAS, by letter dated December 21, 2015, Edgar Scudder, Director of Community Services, has requested Dr. Patil be reimbursed for a sum not to exceed \$1,500 annually for professional liability insurance in connection with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and

WHEREAS, there are sufficient funds available in the Department of Mental Health Budget to allow for this expense; and

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

RESOLVED, that Dr. Vinay Patil, be and he hereby is, authorized to receive reimbursement, upon receipt of proper documentation for a sum not to exceed \$1,500 annually for professional liability insurance associated with special psychiatric services provided to inmates at the Herkimer County Correctional Facility; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 32

REPORT AND RESOLUTION INCREASING PAYMENT TO CONTRACTORS OF MENTAL HEALTH SERVICES

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

WHEREAS, by letter dated December 21, 2015, Edgar Scudder, Director of Community Services, has requested approval for increases in the hourly rates paid to consulting psychiatrists and other consulting counselors, with whom contracts have been entered into pursuant to resolutions previously adopted; and

WHEREAS, said resolutions provide for hours worked and compensation for said contractors; now, therefore, be it

RESOLVED, that the current hourly rate for consulting psychiatrists be increased from \$130.05 to \$ 132.65, effective January 1, 2016, and the contracts of each of said contractors be revised to reflect such increase; and, be it further

RESOLVED, that the current hourly rate for other consulting counselors be increased from \$33.29 to \$33.96, effective January 1, 2016, and the contracts of each of said contractors be revised to reflect such increase; 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 Community Services.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 33

REPORT AND RESOLUTION APPROVING RENEWAL OF AGREEMENT FOR SALLYPORT INMATE MANAGEMENT SYSTEM AT HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by Resolution No. 19 of 2009 this Legislature authorized an agreement to accept the SallyPort Jail Management System at the Herkimer County Correctional Facility, which agreement has been renewed by resolution thereafter; and

WHEREAS, by letter dated December 11, 2015 from Sheriff Christopher Farber, this Legislature is advised of a request to renew said agreement for support services for the SallyPort Inmate Management System for the period 1/1/2016 through 12/31/2016 at a cost of \$10,429.75; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with Black Creek Integrated Systems, PO Box 101747, Irondale, AL 35210, for support services for the SallyPort Inmate Management System at the Herkimer County Correctional Facility, with said agreement to be subject to the approval of the Herkimer County Attorney; and, be it further

RESOLVED, that said agreement shall be for the period of 1/1/2016 through 12/31/2016 at an annual cost of \$10,429.75; and, be it further

RESOLVED, that annual renewals of said agreement are hereby authorized for a period of three years under the same terms and conditions; and, be it further

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 34

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 268 OF 2015 ADJUSTING WAGES FOR HOURLY EMPLOYEES TO INCLUDE NURSE PRACTITIONER AT HERKIMER COUNTY CORRECTIONAL FACILITY

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

WHEREAS, by Resolution No. 268 adopted November 18, 2015, rates were established for part-time positions for the year 2016; and

WHEREAS, by communication dated January 13, 2016, Christopher P. Farber, Herkimer County Sheriff, has requested the position of part time Nurse Practitioner at the Correctional Facility be included on said resolution and that the number of hours worked per week be increased from 7 to 12 at the current rate of \$50.00 per hour.

WHEREAS, your Committees have taken said request for consideration and recommend said change; now, therefore, be it further

RESOLVED, that Resolution No. 268 adopted on November 18, 2015 be amended to include in the Second Resolved Clause the part-time position of Nurse Practitioner at the Correctional Facility for up to twelve hours per week, at the current hourly rate of \$50.00; now, therefore, be it

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

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 35

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 216 OF 2015 SUPPORTING COLLEGE NOW PROGRAM

Sponsored by: Committee on Ways and Means

WHEREAS, Resolution No. 216 adopted on September 16, 2015 authorized an appropriation of up to \$200,000 from the 2015 Herkimer County Budget towards the Herkimer Community College "College Now" Program for the 2015-2016 academic year; and

WHEREAS, by letter dated December 28, 2015, Sheri Ferdula, Budget Officer, has requested an amendment of said resolution to correctly reflect the proper appropriation account; now, therefore, be it

RESOLVED, that Resolution No. 216 adopted September 16, 2015, is hereby amended to delete the Second Resolved Clause and replace with the following:

"Resolved, that the sum of \$200,000.00 is hereby appropriated from A1990.46000, Contingency Fund, Miscellaneous Expense to A2495A.44000, College Now, Contracted Services;"

And, be it further

RESOLVED, that in all other respects, said Resolution No. 216 of 2015 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, President and Senior Vice President for Administration and Finance at Herkimer County Community College.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 36

REPORT AND RESOLUTION AUTHORIZING CONTRACT WITH KELLER MCINTYRE AND ASSOCIATES, LLC, TO RENDER PROFESSIONAL SERVICES REGARDING FEDERAL FUNDING AND GOVERNMENT RELATIONS STRATEGIES

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

WHEREAS, by letter dated January 20, 2016 from James W. Wallace, Jr., a proposal has been received from Keller McIntyre & Associates, LLC, 1156 Fifteenth Street, NW, Suite 525, Washington, DC 20005, to plan and implement government relations strategies to identify and obtain federal funding for programs and services at Herkimer County Community College and Herkimer County; and

WHEREAS, the services to be performed include assistance in the preparation of grant applications and supporting materials, developing meetings with members of Congress, congressional staff and federal agency decision makers to advance funding initiatives, serve as liaison to federal agencies relevant to various funding initiatives, identify grant opportunities in assessing both eligibility and competitiveness, and providing related grant related services; and

WHEREAS, the cost of such services would be \$7,500 per month, billed monthly in advance, plus expenses related to the program, for a period of one year; and

WHEREAS, Herkimer County has agreed to pay the professional fee of \$7,500 per month, and Herkimer County Community College has agreed to pay expenses directly related to the program incurred on behalf of the County and the College; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is authorized to enter into a contract with Keller McIntyre & Associates, LLC, for government relations services at the rate of \$7,500 per month, for a period of one year plus expenses, containing the above terms and conditions, and with the County reserving the right to cancel the agreement after 90 days, which contract shall 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, President of Herkimer County Community College, Senior Vice President for Administration and Finance of Herkimer County Community College, and Keller McIntyre & Associates, LLC.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 37

RESOLUTION AUTHORIZING CHAIRMAN OF THE LEGISLATURE TO SIGN AND ESTABLISH DOG QUARANTINE FOR 2016

Sponsored by: Committee on Natural Resources

WHEREAS, the deer population in the County of Herkimer may suffer depredation due to dogs attacking, chasing and worrying deer; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby determines that the deer population in the County of Herkimer is suffering depredation due to dogs attacking, chasing and worrying deer;
2. That pursuant to Section 122 of the Agriculture and Markets Law of the State of New York, the Herkimer County Legislature hereby authorizes the Chairman of the County Legislature to sign an Order requiring that all dogs in the County of Herkimer shall be securely confined during the period of time designated in the Order or until such time as the Order is revoked;
3. That notice of such Order shall be given by publication in the Times Telegram, and by filing a copy of said Order in the office of each town clerk in the area affected by such Order;
4. That such Order shall be in full force and effect at the expiration of twenty four hours following publication of such order.
5. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and each town clerk in the area affected by said Order.

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 38

RESOLUTION AMENDING RESOLUTION NO. 188 OF 2014, AS AMENDED BY RESOLUTION NO. 332 OF 2014 AND RESOLUTION NO. 163 OF 2015, APPROVING STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS

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

RESOLVED, that Resolution No. 188 duly adopted by the Herkimer County Legislature on July 2, 2014, as amended by Resolution No. 332 of 2014 and Resolution No. 163 of 2015, which established the standard work days for elected and appointed officials to report days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body, is hereby amended to add the following officials:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials							
Part-time Social Services Attorney	Kyle W. Crandall	████	██████	6	7/21/15 – 3/20/16	N	13.01

Dated: January 20, 2016.



HERKIMER COUNTY LEGISLATURE

No. 39

RESOLUTION OPPOSING GOVERNOR CUOMO'S PROPOSED INCREASE IN THE MINIMUM WAGE

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, Governor Cuomo's Executive 2016-17 State Budget Proposal includes increasing the minimum hourly wage from \$9.00 to \$15.00 over the period from December 31, 2016 to July 1, 2021; and

WHEREAS, Herkimer County has had the experience of a local employer closing its local establishment and leaving New York State when New York's minimum wage was previously increased, which made New York State non-competitive with the minimum wage paid in other states; and

WHEREAS, it is the belief of this Legislature that the proposed government mandated minimum wage increase will cost upstate New York hundreds of thousands of jobs since the onerous tax structure in New York State already places a tremendous burden on small businesses; and

WHEREAS, this proposed increase in minimum wage will also create pressure on local governments, as employers, to increase wages in order to attract workers; and

WHEREAS, this wage pressure, together with a possible .12% tax cap on property taxes for next year, would create great pressure to cut non-mandated programs, such as valuable youth employment and senior programs to keep seniors at home and out of nursing homes; now, therefore, be it

RESOLVED, that the Herkimer County Legislature urges the Governor to reconsider this proposal, and asks our state delegation to oppose this increase; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew Cuomo, Senator James L. Seward, Senator Hugh T. Farley, Assemblyman Marc W. Butler, Assemblywoman Claudia Tenney, Assemblyman Anthony J. Brindisi, and the New York State Association of Counties.

Dated: January 20, 2016.