

MINUTES
Herkimer County Legislature
First Quarter – Fourth Day
Wednesday, March 16, 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 Steve Smith, Executive Director of the IDA, 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, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Peplinski, Campione, Russell, Shaw, Weakley (15).

Absent: Johnson, Ackerman (2).

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 February 17, 2016. There were none, and the Chairman ordered them approved.

Pursuant to Rule 11, Chairman Peplinski opened the floor for public comment. Brion Carroll, a resident of the Village of Herkimer and Chairman of the Village of Herkimer Planning Board spoke concerning a vision for the Village to become the “Retail Center” for Herkimer County (full statement on file with the Legislature).

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. 83 – A communication was received from the Soil and Water Conservation District submitting minutes of 2/9/16. Placed on file.

No. 84 – A communication was received from the County Attorney advising of receipt of a Notice of Claim. Placed on file.

No 85 – A communication was received from National Grid submitting the Semi-Annual PCB Inventory Report. Placed on file.

No. 86 – A communication was received from Assemblyman Brindisi advising of a second round of funding for the State’s Clean Water Infrastructure Grant Program. Placed on file.

No. 87- A communication was received from the Historical Society expressing appreciation For the County’s allocation. Placed on file.

No. 88 – A communication was received from the State Unified Court System submitting renewal of agreement for court cleaning and minor repairs. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 89 –A communication was received from the County Clerk submitting her Annual Report for 2015. Referred to the Committee on Administration/Veterans’ Affairs.

No. 90 – A communication was received from the Budget Officer requesting amendment of contract with consultants for Sewer Feasibility Study for Schuyler Business Park. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 91 – A communication was received from the Budget Officer requesting use of county voting machines and equipment by school districts. Referred to the Committee on Administration/Veterans Affairs and the Committee on Ways and Means.

No. 92 – A communication was received from the Executive Director of the Youth Bureau requesting allocation of funding of Rachel’s Challenge Program for school districts. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 93 – A communication was received from the County Highway Superintendent requesting shared services with State Dept. of Transportation. Referred to the Committee on Highways.

No. 94 - A communication was received from the Sheriff requesting license renewal and renewal of agreement for jail physician. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 95 – A communication was received from the Sheriff requesting agreement for dockage of Sheriff’s boat during 2016 boating season. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 96 – A communication was received from the President of Herkimer County Community College requesting a support resolution for an increase in state funding for full-time enrolled students. Referred to the Committee on Administration/Veterans’ Affairs and the Committee on Education.

No. 97 – A communication was received from the Herkimer County Unit of CSEA advising of membership vote and acceptance of tentative agreement with the County. Referred to the Committee on Ways and Means.

No. 98 – A communication was received from the Personnel Officer requesting amendment of the Part-time Salary Schedule and Salary Schedule III. Referred to the Committee on Ways and Means.

No. 99 – A communication was received from the Budget Officer requesting transfer of funds in connection with County Snow Contract. Referred to the Committee on Highways and the Committee on Ways and Means.

No. 100 – Two transfers were received from the Budget Officer submitting requests for transfer of funds. Referred to the Committee on Ways and Means.

No. 101 – A communication was received from the Budget Officer recommending appropriation of funds in connection with a contract for grant writing services. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

No. 102 – A communication was received from the Sheriff requesting acceptance of L Law Enforcement Terrorism Prevention Program Grant. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 103 – A communication was received from the County Administrator requesting contract for assistance in grant writing for County, HCCC Projects and economic development Projects. Referred to the Committee on County Planning and Development, Committee on Ways and Means and Committee on Education.

No. 104 – A communication was received from the Director of the Office for the Aging requesting renewal of contracts for EISEP Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 105 – A communication was received from the Director of the Office for the Aging requesting contract with Superior Home Health Care for aide services under the Balance Incentive Caregiver Support Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 106 – A communication was received from the County Highway Superintendent submitting statements for two projects to be completed with county road funds during 2016. Referred to the Committee on Highways.

No. 107 – A communication was received from the Budget Officer submitting request for budget amendment in connection with Childhood Lead Poisoning Prevention Grant. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 108 – A communication was received from the Director of Public Health requesting acceptance of renewal of contract for grant for Childhood Lead Poisoning Prevention Program. Referred to the Committee on Human Resources and the Committee on Ways and Means.

No. 109 – A communication was received from the Budget Officer concerning renewal of contract with State Office of Court Administration. Referred to the Committee on Public Safety/Emergency Management and the Committee on Ways and Means.

No. 110 – A communication was received from the Executive Director of the Youth Bureau submitting their 2015 Annual Report. Referred to the Committee on County Planning and Development.

No. 111 – A communication was received from the Employment and Training Director requesting extension of the lease agreement for the One Stop Center. Referred to the Committee on County Planning and Development and the Committee on Ways and Means.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Raymond Smith, Chairman of the Committee on Human Resources, reported on the recent Public Health Advisory Board meeting that he and Mr. Shaw had attended. He stated the meeting had been very informative, commended the Public Health Nursing Service on a recent incident they had responded to, and congratulated the department on 50 years of service to the residents of Herkimer County. Peter Manno, Chairman of the Committee on Education, advised of resolutions approved at the recent committee meeting held. which were to approve an agreement for a grant writer and to support an increase in the base aid for students. Vincent Bono, Chairman of the Committee on County Planning and Development commented on Resolution No. 86 which would authorize a contract for a grant writer for the County, who would also assist the College and the IDA in seeking funding and asked for its support. Frederick Shaw, Chairman of the Committee on Natural Resources, gave a report on his attendance at the recent Soil and Water Conservation District meeting and the services and programs they offer.

On motion of Mr. Russell, seconded by Mr. Weakley, the following Consent Agenda was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Johnson, Ackerman (2).

Consent Agenda:

73	ADMIN./VET. AFFAIRS: Adopting Annual Report of County Clerk	VOICE
74	CO. PLANNING & DEV.: Adopting Annual Report of Youth Bureau	VOICE
75	WAYS & MEANS: Authorizing transfers of funds in 2015 and 2016 budgets	VOICE

Chairman Peplinski continued with the Regular Agenda.

contract with Strategic Development Specialists to render professional services regarding grant writing for the County and appropriating funds in connection therewith was handed up; discussion was held; was voted on and adopted by roll call vote:

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

Against: None. Absent: Johnson, Ackerman (2).

On motion of Mr. Bono, seconded by Mr. Shaw, Report and Resolution No. 87 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means amending Resolution No. 174 of 2015 in connection with GHD Consulting Contract for Schuyler Business Park was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Shaw, seconded by Mr. Wellington, Report and Resolution No. 88 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing funding of Rachel's Challenge Program for school districts was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Shaw, seconded by Mr. Markwardt, Report and Resolution No. 89 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means authorizing use of county voting machines and equipment by school districts was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Markwardt, seconded by Mr. Schrader, Report and Resolution No. 90 sponsored by the Committee on Ways and Means ratifying Memorandum of Agreement between County of Herkimer and Herkimer County Unit of Civil Service Employees Association, Inc. was handed up; discussion was held; was voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader, Wellington, Keeler, Brezinski, Manno, Bono, Peplinski, Campione, Weakley (11).

Against: Stephens, Smith, Russell, Shaw (4).

Absent: Johnson, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Malta, Report and Resolution No. 91 sponsored by the Committee on Ways and Means amending Resolution No. 249 and No. 268 of 2015 adjusting wages for hourly and part-time employees was handed up; voted on and adopted by roll call vote:

For: Malta, Markwardt, Schrader Wellington, Keeler, Brezinski, Manno, Bono, Peplinski, Campione, Russell, Shaw, Weakley (13).

Against: Stephens, Smith (2). Absent: Johnson, Ackerman (2).

Chairman Peplinski then welcomed the students who were present and participating in the Cornell Cooperative Extension Government Intern Program to please stand and state their name and what school district they were from.

On motion of Mr. Bono, seconded by Mr. Stephens, Report and Resolution No. 92 sponsored by the Committee on County Planning and Development and the Committee on Ways and Means authorizing extension of lease agreement for One Stop Center was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Russell, seconded by Mr. Brezinski, Resolution No. 93 sponsored by the Committee on Ways and Means amending Resolution No. 35 of 2015 determining offices and employees of the County required to file financial disclosure forms was handed up; voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Weakley, seconded by Mr. Shaw, Resolution No. 94 sponsored by the Committee on Administration/Veterans Affairs and the Committee on Ways and Means authorizing Home Rule Request was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15). Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Manno, seconded by Mr. Stephens, Resolution No. 95 sponsored by the Committee on Education and the Committee on Administration/Veterans' Affairs in support

of base aid increase for students attending community colleges was handed up; discussion was held; was voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Johnson, Ackerman (2).

On motion of Mr. Shaw, seconded by Mr. Campione, Resolution No. 96 sponsored by the Committee on Administration/Veterans' Affairs and the Committee on Ways and Means calling for state funding of indigent legal defense costs was handed up; voted on and adopted by voice vote:

For: Ayes (15).

Against: None.

Absent: Johnson, Ackerman (2).

Chairman Peplinski stated that pursuant to Rule 6(12) they would proceed with comments by legislators. The following legislators had comments: Legislator Schrader.

Chairman Peplinski asked if there were any objections to changing the quarterly Legislature Meeting to Wednesday, April 13, 2016. There were no objections.

At 8:12 p.m., on motion of Mr. Manno, seconded by Mr. Wellington, the Legislature adjourned to Wednesday, April 13, 2016 at 2:00 p.m.

Carole L. LaLonde, Clerk



HERKIMER COUNTY LEGISLATURE

No. 73

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF COUNTY CLERK

Sponsored by: Committee on Administration/Veterans' Affairs

WHEREAS, your Committee on Administration/Veterans' Affairs, to which was referred the Annual Report of Sylvia M. Rowan, County Clerk, pertaining to monies received by her office for the period ending December 31, 2015, respectfully reports and offers the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Clerk for the year 2015 be adopted and be placed on file with the Herkimer County Legislature for the year 2015.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 74

REPORT AND RESOLUTION ADOPTING ANNUAL REPORT OF HERKIMER COUNTY YOUTH BUREAU

Sponsored by: Committee on County Planning and Development

Your Committee on County Planning and Development, to which was referred the Annual Report of the Herkimer County Youth Bureau, for the year 2015 respectfully reports that we have examined said report and recommend that it be approved, and offer the following Resolution:

RESOLVED, that the Annual Report of the Herkimer County Youth Bureau for the year 2015 be approved and placed on file in the Office of the Herkimer County Legislature.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 76

REPORT AND RESOLUTION AUTHORIZING AGREEMENT IN CONNECTION WITH BALANCE INCENTIVE PROGRAM – CAREGIVER SUPPORT PROGRAM

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

WHEREAS, by letter dated February 26, 2016 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request enter into a contract with Superior Home Health Care for aide services under the Balance Incentive Program (BIP) Caregiver Support Program, which will increase offerings and access to non-institutional long term services and support for caregivers and their Medicaid-eligible loved ones; and

WHEREAS, said contract will provide aide service estimated at \$10,000, at an hourly rate of \$18.85, for the period April 1, 2016 to June 31, 2017 and will be 100% funded by the BIP Caregiver Support Program; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into an agreement with Superior Home Health Care, 703 Middleville Road, Herkimer, New York, to provide aide services estimated at \$10,000 under the Balance Incentive Program(BIP) Caregiver Support Program, with said contract to be for the period from April 1, 2016 through June 31, 2017, with said contract to be 100% funded by the BIP Caregiver Support Program; and, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 77

REPORT AND RESOLUTION CONCERNING SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM

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

WHEREAS, pursuant to resolutions previously adopted, contracts were authorized between the Herkimer County Office for the Aging and At Home Care, Inc., the Department of Social Services, Home Aide Services for Central Adirondacks (HASCA), Superior Home Health Care and Resource Center for Independent Living, and U.S. Care Systems for said contractors to provide services for the Expanded In-Home Services for the Elderly Program (EISEP); and

WHEREAS, by communication dated February 25, 2016 from Kathy L. Fox, Director of the Office for the Aging, this Legislature is advised of a request to enter into renewal of the aforesaid contracts for the period of April 1, 2016 to March 31, 2017, with funding at 75/25%, with the Office for Aging to provide the local match for aide services for RCIL, HASCA and Superior, and with DSS to provide the local match for their allocation; now, therefore, be it

RESOLVED:

1. That contracts be entered into between the Herkimer County Office for the and the agencies listed to provide services for the Expanded In-Home Services for the Elderly Program (EISEP) as follows:
 - At Home Care will be contracted for aide services estimated to be \$50,000; the hourly rate will be \$23.95 for Level 1 and \$24.25 for Level 2.
 - DSS will provide case management services for up to a total amount of \$65,000 with state aid reimbursement of 75%, up to \$48,750.
 - Superior Home Health Care will be contracted for aide services estimated to be \$78,000; the hourly rate is \$18.85.
 - HASCA will be contracted for aide services estimated to be \$28,000; the hourly rate will be \$23.00
 - Resource Center for Independent Living will be contracted for services estimated to be \$47,000; the hourly rates will be \$13.66 for the Basic rate and \$14.78 for the Enhanced rate.
 - U.S. Care Systems will be contracted for services estimated to be \$60,000; the hourly rate will be \$20.75.
2. That all contracts shall state that payments are based on availability of state aid and will include a 60 day cancellation of contract clause;
3. That the hourly rate adjustments be made as necessary based on any changes in Medicaid reimbursement rates;
4. That the Chairman of this Legislature is hereby authorized to execute said agreement on behalf of the County of Herkimer;

5. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging, Commissioner of Social Services, At Home Care, Inc., Superior Home Health Care, Home Aide Service of the Central Adirondacks, the Resource Center for Independent Living and U.S. Care Systems.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 78

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 February 29, 2016 submitting three copies each of statements under Article 6 of the Highway Law designating work to be done with County Road Fund monies during the year 2016 covering two projects involved in the Capital Construction Program, respectfully reports that we have examined said statements contained in said communication from and signed by the County Superintendent of Highways, recommend its adoption and offer the following Resolution:

RESOLVED, that the statements under Article 6 of the Highway Law which designates work to be done with County Road Fund monies be, and hereby are, 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
362	Murphy Road, CR 55 Town of Manheim State Route 167 to Bronner Road	Paving (2.06 miles)	\$325,000.00
363	Pine Grove Road, CR 106 Town of Herkimer Gros Blvd to Burt Road	Road Rehabilitation (.92 miles)	\$450,000.00

And, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 79

REPORT AND RESOLUTION IN CONNECTION WITH CONTRACT WITH THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION TO PROVIDE CLEANING AND MINOR REPAIRS OF COURT FACILITIES

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

WHEREAS, by Resolution No. 266 duly adopted on November 13, 2013, this Legislature authorized an agreement with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum of five years beginning April 1, 2013 through March 31, 2018; and

WHEREAS, by letter dated February 12, 2016, from Sheri Ferdula, Budget Officer and Purchasing Agent this Legislature is advised that the State of New York Unified Court System has requested that an Annual Renewal Letter and Budget be approved and signed for the period commencing April 1, 2016 through March 31, 2017, with the maximum compensation for said period to be \$92,791.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute the Annual Renewal Letter and Budget for the period April 1, 2016 through March 31, 2017 with the New York State Unified Court System for the cleaning of court facilities, as well as minor and emergency repairs thereof, for a maximum compensation of \$92,791.00 for said period; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and New York State Office of Court Administration.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 80

REPORT AND RESOLUTION TRANSFERRING FUNDS IN CONNECTION WITH COUNTY SNOW REMOVAL CONTRACTS

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

WHEREAS, by letter dated February 12, 2016, Sheri Ferdula, Herkimer County Budget Officer, has advised this Legislature that there are sufficient funds available for a transfer to provide additional funds for County snow removal contracts with the towns, which formula is based on yearly sales tax collection and has exceeded the estimated amount for 2016; now, therefore, be it

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:

\$30,000.00	From: D5110.41000-816, Maintenance Division, Slurry Seal To: D5142-44000 County Snow, Cont. Services
\$49,173.00	From: DM5130.46200-882, Road Machinery, Diesel To: D5142-44000 County Snow, Cont. Services.

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 81

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

WHEREAS, the New York State Department of Transportation has expressed an interest in entering into a Shared Services Agreement with the County of Herkimer whereby the parties will exchange or lend materials or equipment 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 one year, and with the agreement revocable upon sixty days written notice; 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: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 82

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR JAIL PHYSICIAN

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

WHEREAS, Section 501 of the Correction Law of the State of New York requires that the Legislature appoint a physician duly authorized to practice medicine as the Physician to the Correctional Facility of the County of Herkimer; and

WHEREAS, by Resolution No. 142 adopted May 15, 2013, a contract was entered into with Dr. Russell Zelman of Little Falls, New York, to perform services as jail physician for the Herkimer County Correctional Facility, at a rate of \$2,000 per month, which resolution was amended by Resolution No. 270 adopted on November 13, 2013 to change the rate to "up to \$2,000 per month; and

WHEREAS, by letter dated February 9, 2016 from Christopher P. Farber, this Legislature is advised that Dr. Zelman has requested the County to pay for his license renewal at a cost of \$600.00 for a two year renewal, and to reduce his fee for such jail physician services to \$750 per month; now, therefore, be it

RESOLVED, that a contract be entered into with Dr. Russell Zelman of Little Falls, New York, to perform services as jail physician for the Herkimer County Correctional Facility on a month to month basis at the rate of \$750 per month, with the County to provide medical malpractice coverage and to pay for his license renewal at a cost of \$600 for a two year period, with the terms and conditions of said contract 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, Personnel Officer, Sheriff and Dr. Russell Zelman.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 83

REPORT AND RESOLUTION APPROVING BOAT HOUSING CONTRACT

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

WHEREAS, the Herkimer County Sheriff's Department maintains a boat patrol on the Fulton Chain of Lakes and has need to dock one patrol boat in the Old Forge area for the 2016 summer season; and

WHEREAS, by letter dated February 5, 2016, Christopher P. Farber, Sheriff, has advised that Rivett's Boat Livery has a boat slip available and requests that a contract be entered into with said Rivett's Boat Livery for the 2016 boating season; now, therefore, be it

RESOLVED, that a contract be entered into between the County of Herkimer and Rivett's Boat Livery for dockage of one patrol boat during the 2016 summer season running from May 15, 2016 to no later than October 15, 2016 for a sum not to exceed \$1,960.00, pursuant to a contract approved by the County Attorney's Office; and, be it further

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

RESOLVED, that the Chairman of this Legislature is further authorized to enter into annual renewals of said 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, County Attorney, Sheriff and Rivett's Boat Livery.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 84

REPORT AND RESOLUTION ACCEPTING GRANT FOR HOMELAND SECURITY FUNDING FOR SHERIFF'S DEPARTMENT

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

WHEREAS, by letter dated February 29, 2016, from Christopher P. Farber, Sheriff, this Legislature is advised of the receipt of a FY2016 SLETPP grant from the Department of Homeland Security, which is estimated to be in an amount similar to funds received in 2015 and which grant is under the Law Enforcement Terrorism Prevention Program; now

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute and e-sign the contract with the New York State Office of Homeland Security to receive a FY 2016 SLETPP grant through the Homeland Security Grant Program under the Law Enforcement Terrorism Prevention Program; and, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 85

REPORT AND RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR FUNDING OF CHILDHOOD LEAD POISONING PREVENTION SCREENING SERVICES

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

WHEREAS, by Resolution No. 228 for the year 1990, this Legislature authorized a contract with the New York State Department of Health to provide grant funding for the Childhood Lead Poisoning Prevention Program screening services and to increase public knowledge about lead poisoning and its prevention, which contract has been continued for each year thereafter; and

WHEREAS, by letter dated February 17, 2016 from Christina Cain, Director of Public Health, your Committees have been advised of a request to renew said agreement with the New York State Department of Health for the term commencing October 1, 2015 and ending September 30, 2016, with funding for this period to be in the amount of \$39,826; and

WHEREAS, by letter dated February 23, 2016, from Sheri A. Ferdula, Budget Officer, this Legislature is advised of a request to amend the 2015 Budget in connection with the receipt of funding for the Childhood Lead Poisoning Prevention Program for the Herkimer County Public Health Nursing Service for the period October 1, 2015 through September 30, 2016 in the total amount of \$39,826.00; now, therefore, be it

RESOLVED, that the Chairman of this Legislature be, and he hereby is, authorized to execute a contract in the amount of \$39,826.00 with the New York State Department of Health to continue the Childhood Lead Poisoning Prevention Program in the County of Herkimer for the period October 1, 2015 to September 30, 2016, unless terminated in accordance with the terms thereof; and, be it further

RESOLVED, that the 2015 Herkimer County Budget is hereby amended as follows:

Revenue Account:

A4189L.4489B, Lead Prevention,	From:	\$0
State Aid	To:	\$39,826

Expense Account:

A4189L.10000-001, Lead Prev., Salaries	From:	\$0
	To:	\$30,126

A4189L.41000, Lead Prev., Supplies	From:	\$0
	To:	\$8,000



HERKIMER COUNTY LEGISLATURE

No. 86

REPORT AND RESOLUTION RESCINDING RESOLUTION NO. 36 OF 2016 AND AUTHORIZING CONTRACT WITH STRATEGIC DEVELOPMENT SPECIALISTS TO RENDER PROFESSIONAL SERVICES REGARDING GRANT WRITING FOR THE COUNTY, COLLEGE AND ECONOMIC DEVELOPMENT PROJECTS IN THE COUNTY AND APPROPRIATING FUNDS IN CONNECTION THEREWITH

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

WHEREAS, by letter dated February 26, 2016 from James W. Wallace, Jr., has requested a contract be entered into with Strategic Development Specialists of Syracuse, New York, to provide services in connection with grant writing for projects for the County, Herkimer County Community College, as well as economic development projects in the County; and

WHEREAS, the cost for such services will be \$5,000 per month plus incidentals estimated at \$3,000 annual, for the period March 17, 2016 through March 16, 2017; and

WHEREAS, said letter further requests that Resolution No. 36 adopted on January 20, 2016 be rescinded; and

WHEREAS, by letter dated February 26, 2016 from Sheri Ferdula, Budget Officer, this Legislature is advised that there is sufficient funding available in the 2016 Contingency Fund for Herkimer County to allow for said expense; now, therefore, be it

RESOLVED, that Resolution No. 36 adopted on January 20, 2016, is hereby rescinded; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to enter into a contract with Strategic Development Specialists, P.O. Box 205, Syracuse, New York 13214, to provide professional services in connection with grant writing for projects for the County, Herkimer County Community College, as well as economic development projects in the County, at a cost of \$5,000 per month, plus incidentals estimated at \$3,000 annually, and with said contract to be for the period March 17, 2016 through March 16, 2017; and, be it further

RESOLVED, that the sum of \$50,500.00 is hereby appropriated from A1990.46000, Contingency Fund, Miscellaneous Expense, to A1010.44000-350, County Legislature, Contracted Services, Consultants; 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 Strategic Development Specialists.

Dated: March 16, 2016.

A4189L.46100, Lead Prev., Mileage	From:	\$0
Supplies	To:	\$200
A4189L.46300, Lead Prev., Postage	From:	\$0
	To:	\$1,500

And, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 87

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 174 OF 2015 IN CONNECTION WITH GHD CONSULTING CONTRACT FOR SCHUYLER BUSINESS PARK SEWER FEASIBILITY STUDY

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

WHEREAS, by Resolution No. 96 and Resolution No. 156 of 2015 an agreement was entered into with the New York State Empire State Development Corporation to receive a \$150,000 grant, with a local share of \$17,500 from Herkimer County, with said funding to be used for a feasibility study of various alternatives to extend commercial sewer service to the Schuyler Business Park along Route 5 in the Town of Schuyler; and

WEREAS, by Resolution No. 174 adopted on July 22, 2015 a contract was entered into with GHD Consulting Services, Inc. of Cazenovia, New York in the amount of \$20,000 for the performance of professional services in connection with said feasibility study; and

WHEREAS, by letter dated March 8, 2016 from Sheri Ferdula, Budget Officer, this Legislature is advised of a request to amend said resolution and contract in connection with additional services to be performed in the amount of \$8,000; now, therefore, be it

RESOLVED, that Resolution No. 174 adopted on July 22, 2015 is hereby amended in the First Whereas Clause and the First Resolved Clause to delete the sum of \$20,000 and replace with the sum of \$28,000, to reflect the correct total including Addendum #1, for additional services to be performed; and, be it further

RESOLVED, that the Chairman of the Legislature is hereby authorized to sign Addendum #1 to the contract with GHD Consulting Services, Inc. , 1 Remington Park Drive, Cazenovia, New York 13035, in the amount of \$8,000, resulting in an increase of the original contract to \$28,000; and, be it further

RESOLVED, that in all other respects, said Resolution No. 174 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, and GHD Consulting Services, Inc.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 88

REPORT AND RESOLUTION AUTHORIZING FUNDING OF RACHEL'S CHALLENGE PROGRAM FOR SCHOOL DISTRICTS

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

WHEREAS, by letter dated February 19, 2016, Gina Giacobelli, Executive Director of the Herkimer County Youth Bureau, has requested the allocation of \$10,000 from the Youth Violence Prevention Account to be used to provide financial assistance for school districts in Herkimer County to bring the Rachel's Challenge Program to their school; and

WHEREAS, Rachel's Challenge was started by the family of Rachel Scott, the first student killed at Columbine High School, and shares Rachel's essays and writings wherein she talks about making a difference in the lives of others in order to encourage kindness and compassion, eliminating prejudice, guarding their influences and setting goals for life; and

WHEREAS, the County contribution would be limited to a maximum of \$2,000 per school district, and require the execution of an agreement by the appropriate schools; now, therefore, be it

RESOLVED, that an allocation of \$10,000 from the Youth Violence Prevention Account is hereby approved to be used to provide financial assistance to bring the Rachel's Challenge Program to school districts in Herkimer County, with a maximum of contribution of \$2,000 per district; and, be it further

RESOLVED, that the Chairman of this Legislature is hereby authorized to execute an agreement with the school districts regarding the receipt of an expenditure of these funds; and, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 89

REPORT AND RESOLUTION AUTHORIZING USE OF VOTING MACHINES AND EQUIPMENT BY SCHOOL DISTRICTS

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Ways and Means**

WHEREAS, the New York State Election Law allows the use of county voting machines and equipment by school districts; and

WHEREAS, by letter dated March 8, 2016 from Sheri Ferdula, Budget Officer, this Legislature is advised that several Herkimer County school districts have expressed an interest in using Herkimer County voting machines, privacy booths and technicians to conduct school board and school budget elections in May of 2016; and

WHEREAS, the machines and booths were obtained through a grant, which makes them available to school districts at no cost; now, therefore, be it

RESOLVED, that the County hereby approves the use of county voting machines, privacy booths, equipment and personnel under the following terms:

1. The County will supply available voting machines, privacy booths if needed, and equipment and supplies for the machines at a cost of \$65 per machine; technicians at the rate of \$25 per hour each; training for school appointed personnel at the rate of \$25 per person and transportation of voting machines and privacy booths at the rate of \$300 per school district; the County shall print and assemble poll books for the user upon the receipt of a timely request; and the County shall program the voting machines.
2. The school districts shall design, secure printing and pay for ballots and submit the final ballot to the County for testing of the machine in a timely manner; shall use election inspectors and coordinators already trained by the County or provide a list of candidates to be trained by the County no later than thirty days before the election; school districts shall pay poll workers for their services; shall reimburse the county for all recoverable expenses including supplies, damage, parts and repairs; shall take all necessary steps to secure the voting machines; shall control all matters relating to the voting process on the day of the election, conduct the election and be responsible solely for the same; shall be responsible and liable for the care and custody of the voting machines and other supplies while they are in its possession; and shall be liable for any voting machine or equipment failure during the election and any cost incurred as a result of such failures.

And, be it further

RESOLVED, that the Chairman of this Legislature is authorized to sign agreements with school districts containing the above terms and conditions, with final form of the contract to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Commissioners of Election and each school district in Herkimer County.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 90

REPORT AND RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF HERKIMER AND THE HERKIMER COUNTY UNIT OF THE CIVIL SERVICE EMPLOYEES' ASSOCIATION, INC.

Sponsored by: Committee on Ways and Means

WHEREAS, the County has been negotiating with the Herkimer County Unit of the Civil Service Employees' Association, Inc. concerning the terms and conditions of those employees included or to be included in the Negotiating Unit represented by said Herkimer County Unit and has tentatively agreed on such terms and conditions of employment for the period from January 1, 2015 through December 31, 2017, subject to ratification by the Herkimer County Legislature; and

WHEREAS, said Memorandum of Agreement modifies, amends and/or replaces certain provisions of the 2010-2014 Agreement between the County of Herkimer and the Herkimer County Unit of the Civil Service Employees' Association, Inc. and continues all other provisions of said Agreement; and

WHEREAS, your Committee has been informed by letter dated March 1, 2016 that the Herkimer County Unit of the Civil Service Employees' Association, Inc. has ratified said Memorandum of Agreement; and

WHEREAS, the terms expressed in said Memorandum of Agreement have been fully explained to the Herkimer County Legislature and the Legislature is satisfied that the ratification of this Memorandum of Agreement is in the best interests of both the County of Herkimer and its employees; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby ratifies the Memorandum of Agreement entered into by the Committee on Ways and Means and the Herkimer County Unit of the Civil Service Employees' Association, Inc.;
2. That the Committee on Ways and Means is authorized and directed to incorporate the terms of said Memorandum of Agreement in a new Agreement with the Herkimer County Unit of the Civil Service Employees' Association, Inc. and the Chairman of this Legislature is authorized to execute said Agreement when prepared on behalf of the County of Herkimer;
3. That certified copies of this Resolution be forwarded to the Herkimer County Unit of the Civil Service Employees' Association, Inc., Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, President of Herkimer County Community College and all other county department heads.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 91

REPORT AND RESOLUTION AMENDING RESOLUTION NO. 249 AND RESOLUTION NO. 268 OF 2015 ADJUSTING WAGES FOR HOURLY AND PART-TIME EMPLOYEES

Sponsored by **Committee on Ways and Means**

WHEREAS, by Resolution No. 249 adopted October 28, 2015 this Legislature adopted Salary Schedules for the year 2016, which included certain part-time salary positions in Salary Schedule No. III; and

WHEREAS, by Resolution No. 268 adopted on November 18, 2015 this Legislature established the wages of all employees of the County of Herkimer paid pursuant to the hourly scale for the year 2016; and

WHEREAS, by communication dated March 7, 2016 from Steven R. Billings, Personnel Officer, this Legislature is advised that pursuant to Resolution No. 90 ratifying the Memorandum of Agreement with the Herkimer County Unit of the Civil Services Employees Association, Inc., adjustments must be made to the salaries for the year 2016 for certain employees of the County who are paid on an hourly basis or are listed on the Herkimer County Salary Schedule No. 3 as part-time salary positions; now, therefore, be it

RESOLVED:

1. That Resolution No. 249 adopted October 28, 2015 is hereby amended in Salary Schedule No. III, 2016 CSEA, to adjust the base rate of pay for the following titles effective March 17, 2016:

<u>Salary Schedule III</u>	<u>New annual base rate of pay</u>
Clerk (A1165)	\$14,547
Account Clerk (A1320)	\$15,248
Clerk (A6010)	\$14,547
Community Services Aide (A6010)	\$12,283

2. That Resolution No. 268 adopted November 18, 2015 is hereby amended to adjust the hourly wage for the following titles effective March 17, 2016:

<u>Part-time Salary Schedule Title</u>	<u>New hourly rate of pay</u>
P/T Motor Vehicle License Clerk	\$13.64
P/T Public Safety Telecommunicator	\$13.70
P/T Typist (A1420)	\$13.76
P/T Account Clerk (A4010)	\$13.62
P/T Reg. Professional Nurse	\$20.85
P/T Recording Clerk	\$14.22

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer, County Clerk, District Attorney, Commissioner of Social Services, Director of Public Health and Director of Emergency Services.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 92

REPORT AND RESOLUTION AUTHORIZING EXTENSION OF LEASE AGREEMENT FOR ONE STOP CENTER

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

WHEREAS, pursuant to Resolution No. 101 of 2001, the County of Herkimer entered into a three year lease agreement with Cale Development Company, Inc. of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One Stop Career Center, which lease was renewed by resolution thereafter through December 31, 2012, which lease was extended by Resolution No. 75 of 2013 for an additional three year period; and

WHEREAS, by letter dated February 26, 2016, Karin Piseck, Employment and Training Director, has requested a new lease agreement be entered into with Castle Enterprises of Herkimer, LTD (formerly Cale Development Co., Inc.) of the former Wards Building located at 320 N. Prospect Street, Herkimer, for the purposes of housing the Working Solutions One Stop Career Center at an annual rent of \$130,436.82, to be paid in monthly installments of \$10,869.74, with a final payment of \$10, 869.65; and

WHEREAS, said monthly rent shall be offset by payments made pursuant to agreements with partners in the Working Solutions which include the State Department of Labor, Herkimer County BOCES, Herkimer County Community College, Herkimer County Department of Social Services, ACCES-VR ,Staffworks and Bassett Healthcare; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a lease agreement of the former Wards Building located at 320 North Prospect Street, Herkimer, New York, with Castle Enterprises of Herkimer, LTD, for the purposes of housing the Working Solutions One Stop Career Center, under the following terms and conditions:

- That the lease agreement shall be for a term of eighteen months effective from April 1, 2016 to September 30, 2017;
- That the lease agreement shall reflect an occupied square footage of 9,598;
- That the price shall be \$10.44/square foot for base rent plus an additional \$3.15/square foot to cover taxes, assessments and utilities, for a total of \$13.59/square foot, with total annual rent to be \$130,436.82 to be paid in monthly installments of \$10,869.74, with a final payment of \$10,869.65;
- That tenant does repairs that are under \$150; landlord responsible for all others;

- 60 designated parking spaces
- Landlord to maintain parking lot, including snow and ice removal;
- Landlord shall perform necessary repairs;
- That the lease agreement shall be subject to the approval of the Herkimer County Attorney;

and, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 93

RESOLUTION AMENDING RESOLUTION NO. 35 OF 2015 DETERMINING OFFICERS AND EMPLOYEES OF HERKIMER COUNTY REQUIRED TO FILE FINANCIAL DISCLOSURE FORMS

Sponsored by: Committee on Ways and Means

WHEREAS, by Resolution No. 35 adopted on January 28, 2015 this Legislature adopted an updated list of officers and employees required to file annual financial disclosure forms pursuant to the Herkimer County Ethics Law; and

WHEREAS, additional changes in positions have been submitted and it is necessary to adopt an amended list, referred to as Schedule A; now, therefore, be it

RESOLVED, that Resolution No. 35 adopted on January 28, 2015 is hereby amended to include that all officers and employees on the attached list attached hereto marked Schedule A, be required to file a financial disclosure form as set forth in Local Law No. 3 for the year 1990; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Ethics Board and each officer and employee who holds a position named on Schedule A.

Dated: March 16, 2016.

Schedule A

Legislators (16)
Chairman (1)
County Administrator
Clerk of the Legislature
Deputy Clerk of the Legislature
District Attorney
Assistant District Attorney (4)
Coroners (4)
County Auditor
Deputy County Auditor
County Treasurer
Deputy County Treasurer
County Property Agent
Budget Officer & Purchasing Agent
Deputy Purchasing Agent
Real Property Tax Service Director
County Clerk/Records Management Officer
Deputy County Clerk
County Attorney
Assistant County Attorney (3)
Personnel Officer/Safety Coordinator
Sheriff
Undersheriff
Captain
Principal Account Clerk
Board of Elections Commissioner (2)
Information Services Director
STOP-DWI Coordinator
Director of Probation
Director of Public Health
Supervising Community Health Nurse (2)
Director of Community Services
Administrative Officer, Mental Health
Commissioner of Social Services
DSS Attorney (2)
Director of Social Services
Special Assistant to Commissioner/Personnel Staff Developer
Director of Administrative Services (DSS)
Head Social Welfare Examiner
Managed Care Coordinator
WMS Coordinator
Child Support Enforcement Coordinator
Social Services Employment Coordinator
Veterans' Service Agency Director
Director of Weights and Measures
Director of Office for the Aging

Nutrition Services Coordinator
Employment and Training Director II
Executive Director of the Youth Bureau
County Building Maintenance Foreperson
Chief Plant Operator – Sewer District
Sewer Board Chairman
Sewer Board Commissioners (4)
County Highway Superintendent
Deputy Highway Superintendent
Highway Maintenance Supervisor
Assistant Highway Maintenance Supervisor
Highway Senior Civil Engineer
Director of Emergency Services
Deputy Director of Emergency Services
Supervising Public Safety Telecommunicator
IDA Executive Director
Financial Manager

COMMITTEES, BOARDS AND COUNCILS

Governmental Policy and Liaison Committee (GP & L)
Ethics Board
Herkimer County Planning Board
Herkimer County Industrial Development Agency

HERKIMER COUNTY COMMUNITY COLLEGE:

President
Trustee (9)
Vice-President for Administration and Finance
Dean of Students
Provost
Asst. Dean of Academic Affairs
Director of Human Resources
Controller
Associate Dean of Academic Affairs
Director of Athletics
Assistant to the President
Director of Library Services
Associate Dean of Academic Affairs – Humanities/Soc.Sciences
Purchasing Agent
Associate Dean of Academic Services – Business/Health/Science/Tech.
Director of Admissions
Director of Campus Safety
Director of Public Relations
Director of Facilities
Executive Director of Information Services



HERKIMER COUNTY LEGISLATURE

No. 94

RESOLUTION AUTHORIZING HOME RULE REQUEST

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Ways and Means**

WHEREAS, legislation has been introduced in the New York State Senate and the New York State Assembly entitled, "AN ACT to amend chapter 549 of the laws of 2005 amending the tax law, relating to authorizing the County of Herkimer to impose a county recording tax on obligations secured by a mortgage on real property, in relation to the expiration thereof"

In the Assembly	A.9377
In the Senate	S.6807

and

WHEREAS, it is now necessary to make a Home Rule Request pursuant to the Municipal Home Rule Law; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes that a Home Rule Request be made, pursuant to Section 40 of the Municipal Home Rule Law, by the appropriate county officers and filed as required by said statute with the New York State Legislature.

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 95

RESOLUTION IN SUPPORT FOR BASE AID INCREASE FOR HERKIMER COUNTY COMMUNITY COLLEGE

**Sponsored by: Committee on Administration/Veterans Affairs
Committee on Education**

WHEREAS, the Chancellor of the State University of New York, with the support of the State University of New York Board of Trustees, has launched an initiative to increase base aid support for community colleges in 2016-2017 by \$285 per Full-Time Equivalent Student (FTE); and

WHEREAS, the SUNY Presidents' Association, the Community College Trustees Association, the New York State Association of Counties and others have expressed their support for this advocacy plan; and

WHEREAS, recent base aid increases have not kept pace with ongoing increased costs of Herkimer County Community College's basic operations in spite of substantial staff and other operational reductions in recent years; and

WHEREAS, Herkimer County Community College's current (2015-2016) base aid remains \$78/FTE lower than it was five years ago; and

WHEREAS, insufficient state funding for community colleges endangers the continued existence of community colleges; and

WHEREAS, Herkimer County Community College is a vital part of the overall economic and workforce development of our community; now, therefore, be it

RESOLVED, that the Herkimer County Legislature supports the statewide request that the New York State Legislature and Governor Cuomo support an increase in base state aid of \$285/FTE for SUNY'S community colleges; and, be it further

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

Dated: March 16, 2016.



HERKIMER COUNTY LEGISLATURE

No. 96

RESOLUTION CALLING FOR STATE FUNDING OF INDIGENT LEGAL DEFENSE COSTS

**Sponsored by: Committee on Administration/Veterans' Affairs
Committee on Ways and Means**

WHEREAS, in 2015 Herkimer County incurred \$435,090 in indigent defense costs; and

WHEREAS, the State of New York had previously provided reimbursement for some indigent defense costs to Herkimer County, but steadily decreased the amount of reimbursement so that at the present time there is no state reimbursement for these costs; and

WHEREAS, New York State places responsibility for these costs at the county level, which is an increasing burden on local property taxpayers; and

WHEREAS, in a recent case, the State of New York agreed to substantial expansion of the assigned counsel program in five counties and also agreed to fund that expansion in those counties;

WHEREAS, the State has recently encouraged counties to accept grants for expansion of the assigned counsel program, with no guarantee that grant funding for that expansion would continue; and

WHEREAS, New York State mandates, including the mandate that counties fund the indigent legal defense program, places an unreasonable burden on real property taxpayers and is a severe deterrent to economic development in Upstate New York; now, therefore, be it

RESOLVED, that the Herkimer County Legislature calls upon the State of New York to assume 100% of the costs of indigent legal defense in the State of New York and relieve counties of this mandate; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew M. 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: March 16, 2016.